



Murrumbidgee COUNCIL

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1 November 2021

Local Government Remuneration Tribunal
GPO Box 3988
SYDNEY NSW 2001

andrew.white@psc.nsw.gov.au

Dear Sir

Murrumbidgee Council is currently classified as Rural, yet we are the product of merging two Rural Councils, the former Jerilderie Shire Council and the former Murrumbidgee Shire Council. In other jurisdictions, when two or more former Shires or Cities have been amalgamated, they are described as a Regional Council.

In the case of Murrumbidgee Council, our name should have been Murrumbidgee Regional Council, to demonstrate to the world that there has been a change. Hence, at a minimum, Murrumbidgee Council should be classified as Regional Rural because we are the amalgamation of two rural Councils.

To allow for this change to occur, we suggest that the classification change as follows:

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000, or can demonstrate one of the following features. Here the following item should be included:

- **Were the product of the 2016 amalgamation where two or more rural classified Local Governments Areas merged**

In itself, the merger created its own challenges, of which many will be around for some considerable time. We believe it is only right to differentiate the amalgamated Councils in a category at least one classification above that which they were previously.

The above is only addressing the area of classifications, we now wish to address the Mayor and Councillor remuneration portion of the classifications.

Many place an argument that it should be a living wage that is offered. We are not arguing anything of the sort, we seek to put forward the argument that the remuneration should be sufficient to allow for anyone who wishes to put their hand up to not be out-of-pocket for the work they do for Council. We also see that there should be some link to comparatives from other remuneration granted by certain Boards or Committees.

I will detail our arguments based on the Rural classification, which is:

- Councillor \$9,370 to \$12,400
- Mayor (with additional fee included) \$19,350 to \$39,460

We are all aware of the requirements of the Local Government Act on the roles and responsibilities of a Mayor and Councillor, and we are also aware that on many occasions you have been made aware of the time commitments required of a Mayor and Councillors.

To be an effective Mayor and Councillors servicing our Local Government Area, we believe the minimum requirements are:

One Council Meeting /month	11
One Workshop/month	11
Five days training/annum	5
4 days of strategic planning/annum	4

Each elected representative is on no fewer than 5 committees, which meet in total 6 times a year – a total of 30 meetings.

We also expect our Councillors to be present in the community at functions like Chamber of Commerce, Australia Day, various festivals and events, recognition ceremonies, emergency preparedness, let alone meetings held by developers (new solar farm, Transgrid power line) conservatively another 20 days.

For a Councillor, we are expecting at a minimum 81 days service, and we have some Councillors whom do greater than this.

So \$12,400 / 81 days equates to \$153/day as their value.

How do we attract (to run for Council) a business person (eg a mechanic who has a charge out rate of \$75 an hour and has to pay for his trade workshop, staff and himself) to spend 8 hours in Council, when they would receive \$19 an hour, so essentially losing \$56 an hour.

How do we attract (to run for Council) a professional whose charge out rate is \$250 an hour?

How do we attract (to run for Council) a stay at home mother, who has to pay childcare?

And for the Mayor, it is no stretch of the imagination to double or even triple the time spent on Council business.

As you would be aware, the Mayor and Councillors, whether on official duties or not, are regularly confronted by members of the public with questions, complaints, and requests. Our Code of Conduct and the Local Government Act clearly state a Councillor first must think of Council before thinking of the individual.

So it is easy to see that the current remuneration falls short of covering costs, therefore Mayors and Councillors in Rural NSW are essentially volunteers.

We want to mention some comparisons:

- A Local Land Services (LLS) Chair receives \$60,00/annum, while a board member receives \$30,000/annum (Public Services Commission, NSW Government Boards and Committees Remuneration Publication date 3 September 2021). We have reviewed the legislation surrounding the responsibility of the LLS Chair and Board and we have reviewed their obligations and the amount of time they need to commit. Like Mayors and Councillors, some Chairs and Board Members will assign more time than others, but on a rough estimate of responsibility the LLS Board is about 10% of what is expected of a Mayor or Councillors. We are not suggesting that a Mayor should be paid \$600,000 and a Councillor \$300,000, we are just pointing out the inequity in payments.
- A recent publication by the Office of Local Government (a new Risk Management and Internal Audit Framework for Councils in NSW, Discussion Paper 2019 page 38) sets the fees to be paid to members of the Audit Risk & Improvement Committee (ARIC) for a small Council - Chair \$12,552/annum and Committee Member \$1,255 per meeting day. The ARIC is to meet 4 times a year, but can be more.

Murrumbidgee Council has had an ARIC since amalgamation, this committee meeting 4 times a year for a maximum of 3 hours. In comparison, an ARIC member will receive \$418/hour and a Chair \$1,000/hour.

This is a ridiculous example we present, and stretched, we admit, to the point of ridiculous, however it can be a factual one.

We are trying to explain comparisons. We have a Councillor working at a minimum two days a week on Council duties and receiving \$12,000/annum, and we have an ARIC Chair working 4 days/annum on \$12,000.

If the Minister was happy to sign off on a publication that suggests these amounts, I would assume that those who are responsible for far more than just the ARIC would be entitled to competitive remuneration. We have heard the argument that we need to pay this amount to get professional people to sit on these Committee. Is it not our desire to have professionals or others elected as Mayors and Councillors? Again, we are not suggesting that a Councillor should get \$271,000 (81 days x 8 hours x \$418/hour) or the Mayor \$1,296,000 (162 days x 8 hours x \$1,000 hour). It is simply to demonstrate the comparative.

While we have clearly established that, on comparison, the Councillors and Mayor should be on a significantly different remuneration to that which they are currently, what would be a fair and reasonable comparative?

Let's look to the north and the Queensland Local Government Remuneration Commission for guidance.

QLD has eight (8) categories, excluding Brisbane City (Brisbane City being an amalgamation of 30 Councils a number of years ago, and its budget alone is more than many Australian State Governments). NSW has 11 categories, plus two County Councils. When looking at the number of categories, remuneration is exactly the same in some categories, so the 8 categories of the QLD remuneration can be applied to the 11 NSW categories as detailed below:

NSW Rural is equivalent to QLD Category 1	Councillor \$54,110, Deputy Mayor \$62,435 and Mayor \$108,222
NSW Regional Rural & NSW Small metropolitan equivalent to QLD Category 2	Councillor \$62,435 Deputy Mayor \$74,923 Mayor \$124,869
NSW Regional Centre equivalent to QLD Category 3	Councillor \$70,759 Deputy Mayor \$83,247 Mayor \$133,196
NSW Metropolitan Medium equivalent to QLD category 4	Councillor \$91,571 Deputy Mayor \$104,059 Mayor \$158,168
NSW Regional Strategic Area & NSW Metropolitan Large equivalent to QLD Category 5	Councillor \$108,222 Deputy Mayor \$124,869 Mayor \$183,143
NSW Major Strategic Area & NSW Major Regional City equivalent to QLD category 6	Councillor \$124,869 Deputy Mayor \$141,520 Mayor \$208,117
NSW Major CBD equivalent to QLD category 7	Councillor \$233,091 Deputy Mayor \$161,499 Mayor \$233,091
NSW Principal CBD equivalent to QLD category 8	Councillor \$154,006 Deputy Mayor \$178,981 Mayor \$258,066

From the above, you can actually see that the current remuneration is close to the proposed remuneration for the NSW Principal CBD Mayor but for no others, so it should not be a stretch to apply the above and rationalise it against what is already determined for the NSW Principal CBD Mayor.

In legislation, and you reference in the Local Government Remuneration Tribunal Annual Report and Determination 23 April 2021, you are constrained by section 242A of the *Local Government Act 1993*. We can see the constraint which exists by this section, and have raised the issue with the Minister for Local Government on several occasions. The Minister for Local Government continually conveys to us that you are an independent body, even with this constraint. We have expressly asked the Minister to suspend or delete section 242A so that the Tribunal can be truly independent. The Minister has inferred that she does not have to remove the section, as you are independent.

Our request to you is that you ignore section 242A in you determinations this year, act as the truly independent body the Minister for Local Government says you are, and put forward the above categories and remuneration platform as suggested.

We have even requested that the Minister makes a special determination in accordance with section 242, her reply is that she will not while the Independent Tribunal can make independent determinations.

Again we request that you make a determination equivalent to what is suggested above, to harmonise the inequity as demonstrated by two examples.

However, the remuneration must inspire more people to put their hand up and run for Council, ensuring those who do care and wish to make a difference are valued and not negatively financially impacted by their decision.

Further, we request you make changes to the Regional Rural category to include former amalgamated Rural Councils, reclassifying Murrumbidgee Council from Rural to Regional Rural.

Yours faithfully

A handwritten signature in black ink, appearing to read 'John Scarce', written in a cursive style.

John Scarce
GENERAL MANAGER



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SC208/SC62

1 November 2021

Local Government NSW
GPO Box 7003
SYDNEY NSW 2001

Email: lgnsw@lgnsw.org.au

Dear Sir

LGNSW 2022 SPECIAL CONFERENCE - NOTICE OF MOTION - LOCAL GOVERNMENT REMUNERATION

Moved..... Seconded that Council endorse the Local Government Remuneration Notice of Motion and submit for consideration to the Local Government NSW 2022 Special Conference.

That LGNSW lobby the Minister for Local Government to make a special determination in accordance with Section 242 of the Local Government Act 1993 as follow:

Fees for General Purpose and County Councils

Category		Councillor/Member Annual Fee		Mayor/Chairpers on Annual Fee
		Councillor	Deputy Mayor	
General Purpose Councils - Metropolitan	Principal CBD	\$150,986	\$175,472	\$253,006
	Major CBD	\$138,745	\$158,332	\$228,521
	Metropolitan Large	\$106,100	\$122,421	\$179,552
	Metropolitan Medium	\$89,795	\$102,019	\$155,067
	Metropolitan Small	\$61,211	\$73,454	\$122,421
General Purpose Councils – Non-Metropolitan	Major Regional City	\$122,421	\$138,745	\$204,036
	Major Strategic Area	\$122,421	\$138,745	\$204,036
	Regional Strategic Area	\$106,100	\$122,421	\$179,552
	Regional Centre	\$89,795	\$102,019	\$155,067
	Regional Rural	\$61,211	\$73,454	\$122,421
	Rural	\$53,049	\$61,211	\$106,100
County Councils	Water	\$1,820	\$10,140	\$16,660
	Other	\$1,820	\$6,060	\$11,060

*Remuneration derived from the QLD Remuneration Tribunal categories.

Background

The Minister for Local Government has the ability to make a special determination as it relates to remuneration.

242 Special determinations

- (1) The Minister may direct the Remuneration Tribunal to make a determination as to whether, and (if so) how, a determination already made should be altered in relation to such Councillors or Mayors as are specified in the direction.
- (2) Such a determination must be made before the date specified for the purpose in the Minister's direction.
- (3) In making the determination, the Remuneration Tribunal is to take into consideration such matters as are specified in the Minister's direction and such other matters as the Remuneration Tribunal thinks fit.

We have all heard from the Minister for Local Government on many occasions that the Local Government Remuneration Tribunal is independent, unfortunately the Tribunal identifies every year in their Annual Report and Determination that they must work within legislation. A specific section is 242A.

242A Tribunal to give effect to declared Government policy on remuneration for public sector staff

- (1) In making a determination, the Remuneration Tribunal is to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the Industrial Relations Act 1996 when making or varying awards or orders relating to the conditions of employment of public sector employees.
- (2) The policies referred to in subsection (1) do not include any policy that provides for increases in remuneration based on employee-related savings.
- (3) This section does not apply to a determination by the Remuneration Tribunal that changes the category of a Council or Mayoral office (whether or not the effect of the change is to increase the range of amounts payable to the Councillors and Mayor of a Council).
- (4) To avoid doubt, this section extends to a determination of the minimum and maximum amounts payable for a category in existence when the determination is made.

This section 242A, actually hamstrings the Tribunal in its determination, as it cannot be more than that set for the public sector staff, so year in year out the 2% increase or 2.5% increase.

As such this section 242A the Tribunal is not truly independent.

Murrumbidgee Council has requested, with no luck, the Minister delete or suspend section 242A so the Tribunal can be truly independent.

Murrumbidgee Council has specifically asked the Minister to make a special determination using section 242, again with no luck.

Murrumbidgee Council asked, at that time, what the position was for a Berejiklian Government in relation to making significant changes to the Mayor and Councillor Remuneration, with the answer that Government had no willingness to change their position.

Murrumbidgee Council has not asked what the Perrottet Government's stance is on remuneration for Local Government elected representatives.

Yours faithfully

A handwritten signature in black ink, appearing to read 'J. Scarce', written in a cursive style.

John Scarce

GENERAL MANAGER

Attachments: Copies of previous correspondence in relation to this matter.



Submission to Justin Clancy, MP
Member for Albury

Proposed changes to the
Local Government Act 1993

30 September 2020

Proposed changes to the *Local Government Act 1993*

There is a distinct correlation between remuneration and getting the right people into the job. There are definitely some 'jewels in the crown', selflessly giving time for their community. There are other factors for consideration, including freedom to make decisions without being fully controlled by the State Government, and being scrutinised because everything Local Government does must be corrupt. This hinders attracting the best representation for Local Government.

These include, but are not limited to, how we rate, how our constituents are represented, how we are governed, how we are allocated duties of the State without remuneration, and how we are imposed additional compliance regimes without consideration as to whether or not they are possible or will even prove effective.

This is the 'Nanny State feeling' you get from working in NSW Local Government.

I, John Scarce, General Manager of Murrumbidgee Council, have been fortunate enough to work in three different Local Government jurisdictions in my career, Queensland Australia, Manitoba Canada and now New South Wales Australia. I can attest that by a factor of 10, NSW is the greatest controller of Local Government, more than any of these other jurisdictions.

Much can be done, so that State Government can trust Local Government to undertake their job without the ongoing scrutiny. Addressing the points raised in this submission will go part of the way.

Enticing more people to be engaged and run for elected positions in Council is the first step to achieving this goal.

1. Local Government Remuneration.

Offering a remuneration comparable to QLD Local Government sector for Mayor and Councillors is the first essential step in making real change in the way Local Government in NSW behaves.

Attached is the extract from the Queensland Local Government Remuneration and Discipline Tribunal 2018 categorisation and remuneration to each band of Councils.

What we are asking to be done

The simplest way forward to enact such change would be for the Minister to direct the Remuneration Tribunal that, from this day forward, the remuneration for the determined categories be set. The rates the Minister sets once, being similar to the QLD Remuneration for Elected Representatives. The Minister does this under Section 242 Special Determinations of the Local Government Act 1993.

242 Special determinations

(1) The Minister may direct the Remuneration Tribunal to make a determination as to whether, and (if so) how, a determination already made should be altered in relation to such councillors or mayors as are specified in the direction.

(2) Such a determination must be made before the date specified for the purpose in the Minister's direction.

(3) In making the determination, the Remuneration Tribunal is to take into consideration such matters as are specified in the Minister's direction and such other matters as the Remuneration Tribunal thinks fit.

If the Minister has no desire to make such a determination, then the way forward would be to either remove or suspend, for a period of time, Section 242A, so that the remuneration tribunal could make determinations that do not restrict it as detailed in Section 242A.

242A Tribunal to give effect to declared government policy on remuneration for public sector staff

(1) In making a determination, the Remuneration Tribunal is to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the Industrial Relations Act 1996 when making or varying awards or orders relating to the conditions of employment of public sector employees.

(2) The policies referred to in subsection (1) do not include any policy that provides for increases in remuneration based on employee-related savings.

(3) This section does not apply to a determination by the Remuneration Tribunal that changes the category of a council or mayoral office (whether or not the effect of the change is to increase the range of amounts payable to the councillors and mayor of a council).

(4) To avoid doubt, this section extends to a determination of the minimum and maximum amounts payable for a category in existence when the determination is made.

Solution

The simplest and most straight forward approach would be for the Minister to make the Special Determination, and this could be done today as far as I am aware, and well before the nomination period for the 2021 election.

Reason for the change

It is very hard to motivate elected representative to give up more than a day or two a month to attend to Council business, without even mentioning the time requirements on training and development so they can make fully informed decisions. The reason it's hard is because the remuneration currently paid can pay for one or two days relief in a month covering them in their own business. We should not have a situation where people are losing their livelihood to sit on Council. Gone are the days of our grandfather volunteering on the Shire as the Mayor, riding on horseback, taking his own swag to attend two day meetings. The ability to attract many people to stand is the lack of remuneration.

Extract from Queensland Local Government Remuneration & Discipline Tribunal 2018

Councillor argued that there is a lack of consistency between the levels of government which can be seen at community events where, for example, Councillors who sponsor a table at a community event have to pay for it themselves while the local State MPs can pay for it out of their allowance. He argues for consistency across the State to enable a more transparent approach.

The Tribunal is aware that the Queensland Independent Remuneration Tribunal commenced its annual review of allowances on 1 July 2018. Any consideration of the issue should await the results of that review. Again, the Tribunal will refer the issue to the new Local Government Remuneration Commission.

Remuneration schedule

As required by section 246 of the Regulation the Tribunal has prepared a remuneration schedule for the 2019-2020 financial year, which appears on the following two pages.

Arrangements have been made to publish the remuneration schedule in the Queensland Government Gazette and for this report to be printed and presented to the Minister responsible for Local Government.

Remuneration schedule to apply from 1 July 2019

Category	Local Governments assigned to categories	Remuneration determined (from 1 July 2019)	
		(see Note 1)	(\$ pa)
Category 1 (see Note 2)	Aurukun Shire Council	Mayor	106,100
	Balonne Shire Council	Deputy Mayor	61,211
	Banana Shire Council	Councillor	53,049
	Barcaldine Regional Council		
	Barcoo Shire Council		
	Blackall-Tambo Regional Council		
	Boulia Shire Council		
	Bulloo Shire Council		
	Burdekin Shire Council		
	Burke Shire Council		
	Carpentaria Shire Council		
	Charters Towers Regional Council		
	Cherbourg Aboriginal Shire Council		
	Cloncurry Shire Council		
	Cook Shire Council		
	Croydon Shire Council		
	Diamantina Shire Council		
	Doomadgee Aboriginal Shire Council		
	Douglas Shire Council		
	Etheridge Shire Council		
	Flinders Shire Council		
	Goondiwindi Regional Council		
	Hinchinbrook Shire Council		
	Hope Vale Aboriginal Shire Council		
	Kowanyama Aboriginal Shire Council		
	Lockhart River Aboriginal Shire Council		

Category	Local Governments assigned to categories	Remuneration determined (from 1 July 2019)	
		(see Note 1)	(\$ pa)
	Longreach Regional Council Mapoon Aboriginal Shire Council McKinlay Shire Council Mornington Shire Council Murweh Shire Council Napranum Aboriginal Shire Council North Burnett Regional Council Northern Peninsula Area Regional Council Palm Island Aboriginal Shire Council Paroo Shire Council Pormpuraaw Aboriginal Shire Council Quilpie Shire Council Richmond Shire Council Torres Shire Council Torres Strait Island Regional Council Winton Shire Council Woorabinda Aboriginal Shire Council Wujal Wujal Aboriginal Shire Council Yarrabah Aboriginal Shire Council		
Category 2	Mareeba Shire Council	Mayor	122,421
	Mount Isa City Council	Deputy Mayor	73,454
	Somerset Regional Council	Councillor	61,211
Category 3	Cassowary Coast Regional Council	Mayor	130,584
	Central Highlands Regional Council	Deputy Mayor	81,615
	Gympie Regional Council	Councillor	69,372
	Isaac Regional Council		
	Livingstone Shire Council		
	Lockyer Valley Regional Council		
	Maranoa Regional Council		
	Noosa Shire Council		
	Scenic Rim Regional Council		
	South Burnett Regional Council		
	Southern Downs Regional Council		
	Tablelands Regional Council		
	Western Downs Regional Council		
	Whitsunday Regional Council		
Category 4	Bundaberg Regional Council	Mayor	155,067
	Fraser Coast Regional Council	Deputy Mayor	102,019
	Gladstone Regional Council	Councillor	89,775
	Rockhampton Regional Council		
Category 5	Cairns Regional Council	Mayor	179,552
	Mackay Regional Council	Deputy Mayor	122,421
	Redland City Council	Councillor	106,100
	Toowoomba Regional Council		

Category	Local Governments assigned to categories	Remuneration determined (from 1 July 2019)	
		(see Note 1)	(\$ pa)
Category 6	Ipswich City Council	Mayor	204,036
	Townsville City Council	Deputy Mayor	138,745
		Councillor	122,421
Category 7	Logan City Council	Mayor	228,521
	Moreton Bay Regional Council	Deputy Mayor	158,332
	Sunshine Coast Regional Council	Councillor	138,745
Category 8	Gold Coast City Council	Mayor	253,006
		Deputy Mayor	175,472
		Councillor	150,986

Notes to the remuneration schedule

In its 2014 report the then tribunal explained the rationale behind the adoption of a system of remuneration which comprised a base payment (of two thirds of the annual remuneration) and a monthly payment based upon attendance at, and participation in, the 12 mandated Council meetings.

Note 1 The monetary amounts shown are the per annum figures to apply from 1 July 2019. If an elected representative only serves for part of a full year (that is, 1 July to 30 June) they are only entitled to a pro rata payment to reflect the portion of the year served.

Note 2 For councillors in Category 1 councils, a base payment of \$35,366 is payable for the 12 months commencing on 1 July 2019. A meeting fee of \$1,473.60 per calendar month (or \$736.79 per fortnight) is payable for attendance at, and participation in, scheduled meetings of council subject to certification by the mayor and/or chief executive officer of the council. Mayors and deputy mayors in category 1 councils are to receive the full annual remuneration level shown.

4. Other activities of the Tribunal

Exceptional circumstances submissions (Local Government Regulation 2012 Section 248)

On 8 June 2018, following the suspension of then Mayor, Hope Vale Aboriginal Shire Council sought approval to vary the remuneration for the Deputy Mayor until such time as the finalisation of the Mayor's suspension or the appointment of a Mayor. On 25 June 2018, the then Tribunal wrote to Hope Vale Aboriginal Shire Council approving Council's request.

On 25 July 2018, following the suspension of Mayor Andrew Antonioli, Ipswich City Council sought approval to vary the remuneration of the Acting Mayor (Councillor Wayne Wendt) in accordance with Section 165 of the *Local Government Act 2009*. On 3 August 2018, the Tribunal wrote to Ipswich City Council approving Council's request.

On 1 November 2018, following the suspension of the Mayor in April 2018, Doomadgee Aboriginal Shire Council sought approval to vary the remuneration of the Acting Mayor (Councillor Jason Ned) until the end of the elected members term or until the Mayor is either removed from office or the suspension concludes. Following its meeting held on 14 November 2018, the Tribunal wrote to Council seeking further clarifying information. At the time of finalisation of this report no response had been provided by the Council.



The Hon. Shelley Hancock MP
Minister for Local Government

Ref: A765630

Mr John Scarce
General Manager
Murrumbidgee Council
PO Box 96
Jerilderie NSW 2716

mail@murrumbidgee.nsw.gov.au

Dear Mr Scarce

I am writing in response to Murrumbidgee Shire Council's submission proposing reforms to the *Local Government Act 1993* (the Act) which has been shared with me by Mr Justin Clancy MP, the Member for Albury.

At the outset, I would like to thank the Council for taking the time to share its ideas for reform. I have addressed each of the Council's suggestions below.

Councillor fees

The Government recognises the dedication of mayors and councillors across NSW and supports them receiving a level of remuneration that fairly reflects the nature of their roles and responsibilities.

The Government believes the current independent process undertaken by the Local Government Remuneration Tribunal provides a fair means of setting councillor remuneration and does not intend to change the current arrangements. Under this process, the Tribunal decides the fees paid to elected members based on the category their council is placed in, taking into account the council's size and significance and the population, diversity and development of the local government area. This process ensures that mayors and councillors of like-sized councils receive comparable fees.

I acknowledge however, that councillors do not enjoy some of the financial benefits received by other workers in NSW, such as superannuation. To address this, I have introduced a Bill into the Parliament to give councils the ability to make superannuation contribution payments for their councillors in addition to the payment of their fees that are equivalent to the amount councillors would receive under the Commonwealth superannuation guarantee.

Yours sincerely

The Hon. Shelley Hancock MP
Minister for Local Government

12 APR 2021



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SC208/SC62

1 June 2021

The Hon. Shelley Hancock MP
Minister for Local Government
52 Martin Place
SYDNEY NSW 2000

Sent via Email

Dear Minister Hancock

I acknowledge your letter of 12 April 2021 ref:A765630, replying to our formal submission on proposed changes to the *Local Government Act 1993*, which was delivered to you via Mr Justin Clancy, MP, Member for Albury.

Today, I primarily wish to address the matter of Mayor and Councillor remuneration.

I acknowledge that a system is in place that provides for independent assessment of the remuneration for Mayor and Councillors.

I reiterate that the independent process is restricted in being truly independent by virtue of section 242A - *Tribunal to give effect to declared Government policy on remuneration for public sector staff*. In short, if the public sector determination is an increase of 2%, then that is the maximum the Independent Remuneration Tribunal can apply. Therefore, it truly is not independent.

As indicated in my submission, you can suspend or delete section 242A and let the Tribunal be truly independent in setting remuneration levels for Mayors and Councillors, or you can, via section 242 Special Determinations, direct the tribunal in the rates to be set.

I have taken the liberty of drafting an example order you could replicate to sign and forward to the Tribunal (see attached), it is based, to the best of my ability, on the determinations of the Queensland Local Government sector.

Amendments have recently been made to the *Local Government Act 1993* providing superannuation for elected representatives. The Queensland Local Government sector has made provision for this since 2008.

Having had a Local Government career spanning close to 30 years, with most of it as a General Manager/equivalent in three different Local Government jurisdictions, one in a different country, I have seen the best and worst of each jurisdiction's legislation. None are perfect, each can do with amendments. However, NSW is one jurisdiction where the Act needs an overhaul, not just amendments.

I stand ready, along with many of my peers, to be of assistance to the Office of Local Government to undertake a from-scratch review of the *Local Government Act 1993*.

For now, I ask that you produce the attached order on your own stationery, sign and forward it to the Remuneration Tribunal Chair so that our Local Government elected representatives can be appropriately remunerated.

Yours faithfully

A handwritten signature in black ink, appearing to read 'John Scarce', written in a cursive style.

John Scarce

GENERAL MANAGER

CC: Mr Justin Clancy, MP
Member for Albury
Email: albury@parliament.nsw.gov.au

ORDER

In accordance with Section 242, Special Determination of the Local Government Act 1993, I, the Hon Shelley Elizabeth Hancock, MP, direct the Remuneration Tribunal to apply the below remuneration to each category.

Future adjustments against the figures in accordance with Section 241 of the Local Government Act, 1993, the annual fees to be paid in each of the categories to Councillors, Mayors, Members and Chairpersons of County Councils effective on and from 1 July each year.

Fees for General Purpose and County Councils

Category		Councillor/Member Annual Fee		Mayor/Chairpers on Annual Fee
		Councillor	Deputy Mayor	
General Purpose Councils - Metropolitan	Principal CBD	\$150,986	\$175,472	\$253,006
	Major CBD	\$138,745	\$158,332	\$228,521
	Metropolitan Large	\$106,100	\$122,421	\$179,552
	Metropolitan Medium	\$89,795	\$102,019	\$155,067
	Metropolitan Small	\$61,211	\$73,454	\$122,421
General Purpose Councils – Non-Metropolitan	Major Regional City	\$122,421	\$138,745	\$204,036
	Major Strategic Area	\$122,421	\$138,745	\$204,036
	Regional Strategic Area	\$106,100	\$122,421	\$179,552
	Regional Centre	\$89,795	\$102,019	\$155,067
	Regional Rural	\$61,211	\$73,454	\$122,421
	Rural	\$53,049	\$61,211	\$106,100
County Councils	Water	\$1,820	\$10,140	\$16,660
	Other	\$1,820	\$6,060	\$11,060

Signed

The Hon Shelley Elizabeth Hancock, BA, DipEd, MP
Minister for Local Government

Date



Darlington Point Office
21 Carrington Street
PO Box 5
DARLINGTON POINT NSW 2706

Telephone: 02 6960 5500

Coleambally Office
39 Brolga Place
COLEAMBALLY NSW 2707

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35 Jerilderie Street
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JERILDERIE NSW 2716

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SC208/SC62

2 August 2021

The Hon. Shelley Hancock MP
Minister for Local Government
52 Martin Place
SYDNEY NSW 2000

Sent via Email

Dear Minister Hancock

Council Correspondence of 1 June 2021 referring to Mayor and Councillor Remuneration

Since I have not received a response to my last correspondence of 1 June 2021, seeking your agreement with the legislative reality as detailed within the letter, that:

1. The tribunal is not truly independent because of the legislative restrictions Section 242A of the *Local Government Act 1993*; and
2. That you do have the ability under section 242 of the *Local Government Act 1993* to determine a new range of Mayor and Councilor remunerations.

I pose the following questions:

1. Are you prepared to use section 242 of the *Local Government Act 1993* to determine a new remuneration scale for the Mayors and Councillors?
2. If the answer is no to question 1, (as we both know you cannot use the independent reasoning), please detail the Berejiklian Government's position on increasing the remuneration for Mayors and Councillors?

I am asking question 2 simply because the conversations I have had with Berejiklian Government members indicate they are in favour of increasing the remuneration levels for NSW Mayors and Councillors.

I await your reply.

Yours faithfully

A handwritten signature in black ink, appearing to read 'John Scarce', written in a cursive style.

John Scarce
GENERAL MANAGER

CC: Mr Justin Clancy, MP
Member for Albury
Email: albury@parliament.nsw.gov.au



The Hon. Shelley Hancock MP
Minister for Local Government

Ref: A774336

Mr John Scarce
General Manager
Murrumbidgee Council
PO Box 96
JERILDERIE NSW 2716

Dear Mr Scarce

Thank you for your correspondence of 1 June 2021 regarding councillor remuneration.

While I acknowledge your views, the Government has no plans to amend the *Local Government Act* 1993 (the Act) to remove the requirement under section 242A for the Local Government Remuneration Tribunal to give effect to declared Government policy on remuneration for public sector staff when determining the remuneration of mayors and councillors.

The Government has recently amended the Act to give councils the option of making superannuation payments for their mayors and councillors from 1 July 2022 at the superannuation guarantee rate. Assuming the legislated increases in that rate proceeds, this will potentially see mayors and councillors receiving a 10.5% increase in their remuneration on 1 July next year in addition to any increase in their fees approved by the Tribunal.

As the Minister for Local Government and a former Councillor myself, I understand how hard many elected local government representatives work for their community and applaud the tireless efforts made to improve the lives of local residents.

Thank you for taking the time to bring this matter to the Government's attention.

Yours sincerely

The Hon. Shelley Hancock MP
Minister for Local Government

CC: Mr Justin Clancy MP, Member for Albury

5 SEP 2021



Enterprise Risk Management

	Name	Position	Signature	Date
Responsible Officer	Stephen Goodsall	Asset Manager		
Authorised By	John Scarce	General Manager		

Document Revision History	
Date adopted by Council:	21 September 2017
Minute No:	203/09/17
Revision Number:	1
Previous Reviews:	-
Next Review Date:	June 2019
Review Date:	November 2021
Minute Number:	
Review Date:	
Minute Number:	

November 2021

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1. PURPOSE AND SCOPE

To provide an Enterprise Risk Management framework which:

- Outlines Council's commitment to an integrated approach to the management of risk, in all forms, which may have an adverse effect on achieving Council's objectives.
- Acknowledges that managing risk is part of governance and leadership, and is fundamental to how the Council is managed at all levels.
- Integrates risk management into Council's decision-making to assist in making informed choices for the benefit of the organisation, Murrumbidgee Council, its community and our stakeholders.
- Promote an atmosphere of risk awareness and willingness to manage risk at all levels of the organisation.

2. POLICY STATEMENT

Murrumbidgee Council is committed to safeguarding the community, managing Council's resources effectively and achieving the goals as outlined in Council's Strategic Plan.

As such, Council will take a structured and integrated approach to the management of its risks, where a risk is defined (in the standard) as *"the effect of uncertainty on objectives"*. This definition can include any threat or opportunity that could potentially prevent, delay or impede Council from meeting its planned objectives or, conversely, improve the potential for success. Through the Enterprise Risk Management Framework (including this policy, plan and registers), Council will address these threats and opportunities through:

- Having an integrated approach to the identification, management, and mitigation of risk in all forms.
- Ensuring that the management of risk is an integral part of Council's decision-making, functions, operations, and processes.
- Promoting a workplace culture of risk awareness including ensuring that Council employees and contractors have the knowledge and tools to manage risk.

The Enterprise Risk Management (ERM) approach utilised by Council primarily follows AS ISO 31000:2018 *Risk Management – Guidelines*. Other risk management standards will be utilised in Council's ERM Plan as appropriate.

3. RISK MANAGEMENT FRAMEWORK FOR MANAGING RISK

Council's Risk Management Plan (the Plan) establishes the Enterprise Risk Management Framework and associated processes.

The Plan is the principle guiding mechanism for managing risk across Murrumbidgee Council. The Plan sets forth how risk must be managed within Council.

- The processes contained within the Plan for managing Council's risks is consistent with the Australian International Risk Management Standard AS ISO 31000:2018 *Risk Management – Guidelines* (the standard).

4. RELATED LEGISLATION/POLICIES/DOCUMENTS

- Murrumbidgee Council Enterprise Risk Management Plan
- Murrumbidgee Council Enterprise Risk Management Register
- AS ISO 31000:2018
- Local Government Act 1993
- Local Government (General) Regulation 2005
- NSW WHS Act 2011

- Risk Management and Internal Audit Framework (NSW)
- Internal Audit Guidelines 2010 – Office of Local Government

5. TYPES OF RISK

Strategic risk

Strategic risks have the potential to affect Council's strategic direction, usually from a source external to Council. These risks could have an adverse or beneficial impact on Council's pursuit of its objectives, and should be continually addressed and monitored.

Operational risk

Operational risks have the potential to disrupt Council's pursuit of its objectives through the day-to-day operations of the Council. The disruption could be adverse or beneficial and should be continually addressed and monitored.

Project risk

Project risk exists within the confines of a given project or program of multiple projects. They may be at a level to affect the project/program as a whole or arise from aspects within the project. These risks should be identified at project planning stage and updated, addressed and monitored throughout the project, and signed-off or transferred to the appropriate department at the end of the project.

6. ACCOUNTABILITIES AND RESPONSIBILITIES

Position	Accountabilities And Responsibilities
Mayor and other Elected Members	<ul style="list-style-type: none"> • In consultation with the Executive Management Team (EMT) and Audit, Risk and Improvement Committee (ARIC): <ul style="list-style-type: none"> ○ Approves the Council's appetite for taking and/or retaining risk ○ Approves the Council's strategy with consideration of the risk appetite and the threats and opportunities to the Council from that strategy ○ Approves the strategic goals required to achieve the strategy and clearly articulates the critical success factors in achieving those strategic goals ○ Articulates, the strategic risks (threat and opportunity) to the Council from the objectives and strategy • Requires the EMT to actively manage strategic risks and report frequently on their status • Recognises their responsibilities for making informed decisions that take into consideration the associated risks and opportunities • Actively supports the implementation of the ERM Policy and ERMP
Audit, Risk and Improvement Committee (ARIC)	<ul style="list-style-type: none"> • Independent review and oversight of Council's governance, risk management and control activities. • Oversight of risk management at Council and the Internal Audit function • Requires the periodic review of Council's strategic and other significant operational and project risks to ensure appropriate risk treatment/controls have been implemented and maintain effectiveness.
Internal Audit	<ul style="list-style-type: none"> • Risk assurance to the ARIC and GM through execution of the annual internal audit plan.

Position	Accountabilities And Responsibilities
General Manager	<p>The General Manager has overall accountability for Risk Management across Council, and is therefore responsible for:</p> <ul style="list-style-type: none"> • Demonstrating a commitment to Enterprise Risk Management. • Establishment of the Enterprise Risk Management capability within Council and leads the conversation about risk – Council's chief 'Risk Champion' • Setting the tone, culture and expectations for ERM activities, and assigns appropriate responsibilities to the Executive Management Team • Exercising due diligence. • Ensuring the implementation and ongoing evaluation of appropriate risk management systems. • Ensuring that a safe and healthy working environment is provided and maintained in all situations and at all Council sites. • Ensuring adequacy of resources for risk management activities, and sets appropriate delegations for risk management activities
Executive Management Team	<ul style="list-style-type: none"> • Accountable for ownership and management of risks in their respective areas • Creates an environment where managing risk is an accepted and expected part of the normal operations. • Accountable for the effective implementation and continual improvement of the Enterprise Risk Management Plan (ERMP). • Implements monitoring and management of relevant performance measures for strategic goals' critical success factors within their area of responsibility. • Ensures that strategic and significant risks are reported in accordance with the ERM reporting requirements. • Recommends recurrent and discretionary allocation of funding to the broader EMT, for the purpose of managing risks identified as priority in accordance with the ERMP.
Delegated Risk Manager	<ul style="list-style-type: none"> • Leading the risk management function. • Responsible for developing, implementing and managing an Enterprise Risk Management Framework that is fit for purpose. • Responsible for reporting strategic risks and certain residual risks to the Audit, Risk and Improvement Committee. • Supporting the organisation to manage its risks through: <ul style="list-style-type: none"> • provision of risk management advice and guidance to staff, and • custody and maintenance of the Enterprise Risk Management Framework.
<ul style="list-style-type: none"> • Department Managers 	<ul style="list-style-type: none"> • Accountable for managing risk within their area of responsibility, including monitoring and managing measures for the strategic goals' critical success factors. • Ensures that employees and relevant stakeholders apply the appropriate risk management tools and templates in the correct manner. • Are responsible for providing assistance and advice to staff in relation to the management of risks but not to take on the responsibility of another individual. • Monitor the respective operational risk profile assessments, determine and ensure implementation of control measures for risks identified, and escalate any significant risks to management in accordance with the risk management protocols. • Responsible Contract/Project Managers are to ensure risks associated with the engagement of contractors are appropriately identified and managed.

Position	Accountabilities And Responsibilities
	<ul style="list-style-type: none"> Responsible Contract/Project Managers are to ensure the responsibilities and accountabilities vested in the contractor are clearly documented and communicated to the Contractor.
All Staff And Contractors	<p>All employees are responsible to implement and embed risk management in their area of accountability. They are required to:</p> <ul style="list-style-type: none"> Identify, manage and monitor risks and opportunities in their areas of accountability Communicate areas of risk to their supervisor or manager Act appropriately to ensure their own safety, as well as that of other employees, customers, and other workers e.g. contractors and their employees who are undertaking work on behalf of the Council, and members of the public.

7. PERFORMANCE AND REPORTING

Risk Register

- Council's strategic and operational risks are recorded in a singular Master Risk Register. Project risks will be recorded in project or program specific registers that are structured identically to the Council Master Risk Register. Project risks left over from projects or that arise because of projects, will be transferred into the Master Risk Register at the closure of the project, or at any more appropriate time.
- The General Manager will delegate custody and maintenance responsibilities for the Master Risk Register to a suitably trained Council officer.
- As they are identified, the risk management delegate will add appropriate risks to the register.
- The Master Risk Register will be held in Council electronic document management system.

Reporting

- The performance of the risk management framework is to be reported annually to the Audit, Risk and Improvement Committee, Council and the community.
- A standardised reporting template will be used as the basis of all risk reporting.
- The template is kept by Council's risk management delegate.

8. REVIEW

This policy should be reviewed every 2 years. The policy may be reviewed and amended at any time at Council's discretion (or if legislative or State Government Policy changes occur).

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021

STATEMENT OF FINANCIAL PERFORMANCE-CONSOLIDATED

	Original Estimate	Projected to 30/6/22
Revenues from Ordinary Activities		
Rates & Annual Charges	6,197,204	6,197,204
User Charges & Fees	2,679,614	2,679,614
Investment Revenues	208,893	208,893
Grants & Contributions	14,933,999	24,171,674
Rental Income	184,708	184,708
Other Revenues	277,688	277,688
Profit from Disposal of Assets	31,827	31,827
Total Revenues from Ordinary Activities	<u>24,513,933</u>	<u>33,751,608</u>
Expenses from Ordinary Activities		
Employee Costs	7,685,740	7,685,740
Materials & Contracts	3,442,247	4,046,822
Borrowing Costs	287	287
Depreciation & Amortisation	6,433,588	6,433,650
Other Expenses	1,850,803	1,865,156
Loss from Disposal of Assets	31,827	31,827
Total Expenses from Ordinary Activities	<u>19,444,492</u>	<u>20,063,482</u>
Surplus/(Deficit) from Ordinary Activities	<u>5,069,441</u>	<u>13,688,126</u>
Capital Grants & Contributions	7,112,441	12,635,157
Surplus/(Deficit) from Ordinary Activities before Capital Grants	(2,043,000)	1,052,969

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021

STATEMENT OF FINANCIAL PERFORMANCE-WATER SUPPLY

	Original Estimate	Projected to 30/6/22
Revenues from Ordinary Activities		
Rates & Annual Charges	722,755	722,755
User Charges & Fees	616,734	616,734
Investment Revenues	12,458	12,458
Grants & Contributions	2,897,592	2,897,592
Rental Income		
Other Revenues	4,215	4,215
Profit from Disposal of Assets		
Total Revenues from Ordinary Activities	4,253,754	4,253,754
Expenses from Ordinary Activities		
Employee Costs	260,000	260,000
Materials & Contracts	479,187	464,834
Borrowing Costs	0	0
Depreciation & Amortisation	299,430	299,430
Other Expenses	183,018	197,371
Loss from Disposal of Assets		
Total Expenses from Ordinary Activities	1,221,635	1,221,635
Surplus/(Deficit) from Ordinary Activities	3,032,119	3,032,119
Capital Grants & Contributions	2,897,592	2,897,592
Surplus/(Deficit) from Ordinary Activities before Capital Grants	134,527	134,527

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021

STATEMENT OF FINANCIAL PERFORMANCE-SEWER SERVICES

	Original Estimate	Projected to 30/6/22
Revenues from Ordinary Activities		
Rates & Annual Charges	616,502	616,502
User Charges & Fees	28,050	28,050
Investment Revenues	26,979	26,979
Grants & Contributions	0	0
Rental Income		
Other Revenues	1,430	1,430
Profit from Disposal of Assets		
Total Revenues from Ordinary Activities	<u>672,961</u>	<u>672,961</u>
Expenses from Ordinary Activities		
Employee Costs	222,083	222,083
Materials & Contracts	143,732	143,732
Borrowing Costs	0	0
Depreciation & Amortisation	292,238	292,238
Other Expenses	85,445	85,445
Loss from Disposal of Assets		
Total Expenses from Ordinary Activities	<u>743,498</u>	<u>743,498</u>
Surplus/(Deficit) from Ordinary Activities	<u>(70,537)</u>	<u>(70,537)</u>
Capital Grants & Contributions		
Surplus/(Deficit) from Ordinary Activities before Capital Grants	(70,537)	(70,537)

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021

STATEMENT OF FINANCIAL PERFORMANCE-GENERAL FUND

	Original Estimate	Projected to 30/6/22
Revenues from Ordinary Activities		
Rates & Annual Charges	4,857,947	4,857,947
User Charges & Fees	2,034,830	2,034,830
Investment Revenues	169,456	169,456
Grants & Contributions	12,036,407	21,274,082
Rental Income	184,708	184,708
Other Revenues	272,043	272,043
Profit from Disposal of Assets	31,827	31,827
Total Revenues from Ordinary Activities	19,587,218	28,824,893
Expenses from Ordinary Activities		
Employee Costs	7,203,657	7,203,657
Materials & Contracts	2,819,328	3,438,256
Borrowing Costs	287	287
Depreciation & Amortisation	5,841,920	5,841,982
Other Expenses	1,582,340	1,582,340
Loss from Disposal of Assets	31,827	31,827
Total Expenses from Ordinary Activities	17,479,359	18,098,349
Surplus/(Deficit) from Ordinary Activities	2,107,859	10,726,544
Capital Grants & Contributions	4,214,849	9,737,565
Surplus/(Deficit) from Ordinary Activities before Capital Grants	(2,106,990)	988,979

FORECAST BALANCE SHEET - Consolidated

	Proposed for 30/6/22 as at	
	2021/22	30/09/2021
CURRENT ASSETS		
Cash & cash equivalents/Investments	8818	19658
Cash/Investments - Externally Restricted	6819	6932
Receivables	2328	2222
Receivables - Externally Restricted	392	403
Inventories	4558	4340
Inventories - Externally Restricted (Water Fund)	25	25
Inventories - Realisable > 12 months	0	0
Contract Assets		0
Other	0	0
Non-current assets held for sale		
TOTAL CURRENT ASSETS	22940	33580
NON-CURRENT ASSETS		
Receivables	2	0
Inventories	1101	1161
Infrastructure, Property, Plant & Equipment	283617	254298
Equity accounted investments		
Investment Property		
Intangible Assets	2530	2530
Other		
TOTAL NON-CURRENT ASSETS	287250	257989
TOTAL ASSETS	310190	291569
CURRENT LIABILITIES		
Payables	1302	1423
Contract Liabilities	0	0
Borrowings	162	0
Provisions - Payable > 12 months	0	0
Provisions	2875	3175
TOTAL CURRENT LIABILITIES	4339	4598
NON-CURRENT LIABILITIES		
Payables		
Borrowings	4188	1500
Provisions	70	70
TOTAL NON CURRENT LIABILITIES	4258	1570
TOTAL LIABILITIES	8597	6168
NET ASSETS	301593	285401
EQUITY		
Accumulated Surplus	295427	279073
Revaluation Reserves	6166	6328
Council Equity Interest	301593	285401
Minority Equity Interest		
TOTAL EQUITY	301593	285401

FORECAST BALANCE SHEET - Water Fund

	Proposed for 30/6/22 as at	
	2021/22	30/09/2021
CURRENT ASSETS		
Cash & cash equivalents/Investments	2644	2734
Cash/Investments - Externally Restricted		
Receivables	266	279
Receivables - Externally Restricted		
Inventories	25	25
Inventories - Externally Restricted (Water Fund)		
Inventories - Realisable > 12 months		
Contract Assets		
Other		
Non-current assets held for sale		
TOTAL CURRENT ASSETS	2935	3038
NON-CURRENT ASSETS		
Receivables		
Inventories		
Infrastructure, Property, Plant & Equipment	11733	8835
Equity accounted investments		
Investment Property		
Intangible Assets	789	789
Other		
TOTAL NON-CURRENT ASSETS	12522	9624
TOTAL ASSETS	15457	12662
CURRENT LIABILITIES		
Payables		
Contract Liabilities		
Borrowings		
Provisions - Payable > 12 months		
Provisions		
TOTAL CURRENT LIABILITIES	0	0
NON-CURRENT LIABILITIES		
Payables		
Borrowings		
Provisions		
TOTAL NON CURRENT LIABILITIES	0	0
TOTAL LIABILITIES	0	0
NET ASSETS	15457	12662
EQUITY		
Accumulated Surplus	14483	11615
Revaluation Reserves	974	1047
Council Equity Interest	15457	12662
Minority Equity Interest		
TOTAL EQUITY	15457	12662

FORECAST BALANCE SHEET - Sewer Fund

	Proposed for 30/6/22 as at	
	2021/22	30/09/2021
CURRENT ASSETS		
Cash & cash equivalents/Investments	4175	4198
Cash/Investments - Externally Restricted		
Receivables	126	124
Receivables - Externally Restricted		
Inventories		
Inventories - Externally Restricted (Water Fund)		
Inventories - Realisable > 12 months		
Contract Assets		
Other	25	25
Non-current assets held for sale		
TOTAL CURRENT ASSETS	4326	4347
NON-CURRENT ASSETS		
Receivables		
Inventories		
Infrastructure, Property, Plant & Equipment	9930	9955
Equity accounted investments		
Investment Property		
Intangible Assets		
Other	19	19
TOTAL NON-CURRENT ASSETS	9949	9974
TOTAL ASSETS	14275	14321
CURRENT LIABILITIES		
Payables		
Contract Liabilities		
Borrowings		
Provisions - Payable > 12 months		
Provisions		
TOTAL CURRENT LIABILITIES	0	0
NON-CURRENT LIABILITIES		
Payables		
Borrowings		
Provisions		
TOTAL NON CURRENT LIABILITIES	0	0
TOTAL LIABILITIES	0	0
NET ASSETS	14275	14321
EQUITY		
Accumulated Surplus	13808	13765
Revaluation Reserves	467	556
Council Equity Interest	14275	14321
Minority Equity Interest		
TOTAL EQUITY	14275	14321

FORECAST BALANCE SHEET - General Fund

	Proposed for 30/6/22 as at	
	2021/22	30/09/2021
CURRENT ASSETS		
Cash & cash equivalents/Investments	8818	19658
Cash/Investments - Externally Restricted		
Receivables	2328	2222
Receivables - Externally Restricted		
Inventories	4558	4340
Inventories - Externally Restricted (Water Fund)		
Inventories - Realisable > 12 months		
Contract Assets		
Other		
Non-current assets held for sale		
TOTAL CURRENT ASSETS	15704	26220
NON-CURRENT ASSETS		
Receivables	2	
Inventories	1101	1161
Infrastructure, Property, Plant & Equipment	261954	235,508
Equity accounted investments		
Investment Property		
Intangible Assets	1741	1741
Other		
TOTAL NON-CURRENT ASSETS	264798	238410
TOTAL ASSETS	280502	264630
CURRENT LIABILITIES		
Payables	1302	1423
Contract Liabilities		
Borrowings	187	25
Provisions - Payable > 12 months		
Provisions	2875	3175
TOTAL CURRENT LIABILITIES	4364	4623
NON-CURRENT LIABILITIES		
Payables		
Borrowings	4207	1519
Provisions	70	70
TOTAL NON CURRENT LIABILITIES	4277	1589
TOTAL LIABILITIES	8641	6212
NET ASSETS	271861	258418
EQUITY		
Accumulated Surplus	267136	253693
Revaluation Reserves	4725	4725
Council Equity Interest	271861	258418
Minority Equity Interest		
TOTAL EQUITY	271861	258418

FORECAST STATEMENT OF CASH FLOWS - CONSOLIDATED

	Original Estimate	As at 30/6/21
Cash Flows from Operating Activities		
<u>Receipts</u>		
Rates & Annual Charges	6,197,204	6,197,204
User Charges & Fees	2,679,614	2,679,614
Interest Received	208,893	208,893
Grants & Contributions	14,933,999	24,171,674
Rental Income	184,708	184,708
Other Operating Receipts	277,688	277,688
<u>Payments</u>		
Employee Costs	-7,685,740	-7,685,740
Materials & Contracts	-3,442,247	-4,046,822
Borrowing Costs	-287	-287
Other Operating Payments	-1,850,803	-1,865,156
Net cash provided by (or used in) Operating Activities	11,503,029	20,121,776
Cash Flows from Investing Activities		
<u>Receipts</u>		
Proceeds from sale of Property Plant & Equipment	370,000	370,000
Proceeds from sale of Real Estate	100,000	100,000
<u>Payments</u>		
Purchase of Property Plant & Equipment	-16,752,959	-22,889,969
Provision of Advances & Mortgages	0	0
Net cash provided by (or used in) Investing Activities	-16,282,959	-22,419,969
Cash Flows from Financing Activities		
<u>Receipts</u>		
Proceeds from Borrowings & Advances	4,375,000	1,525,000
<u>Payments</u>		
Repayments of borrowings & advances	-25,000	-25,000
Net cash provided by (or used in) Financing Activities	4,350,000	1,500,000
Net Increase (Decrease) in cash held	-429,930	-798,193
Cash Assets at beginning of reporting period	16,060,504	27,388,477
Cash Assets at end of reporting period	15,630,574	26,590,284

FORECAST STATEMENT OF CASH FLOWS - WATER FUND

Cash Flows from Operating Activities

	Original Estimate	As at 30/6/21
<u>Receipts</u>		
Rates & Annual Charges	722,755	722,755
User Charges & Fees	616,734	616,734
Interest Received	12,458	12,458
Grants & Contributions	2,897,592	2,897,592
Rental Income		
Other Operating Receipts	4,215	4,215
<u>Payments</u>		
Employee Costs	-260,000	-260,000
Materials & Contracts	-479,187	-464,834
Borrowing Costs	0	0
Other Operating Payments	-183,018	-197,371
Net cash provided by (or used in) Operating Activities	3,331,549	3,331,549

Cash Flows from Investing Activities

<u>Receipts</u>		
Proceeds from sale of Property Plant & Equipment	0	0
Proceeds from sale of Real Estate		0
<u>Payments</u>		
Purchase of Property Plant & Equipment	-3,193,592	-3,193,592
Provision of Advances & Mortgages	0	0
Net cash provided by (or used in) Investing Activities	-3,193,592	-3,193,592

Cash Flows from Financing Activities

<u>Receipts</u>		
Proceeds from Borrowings & Advances	0	0
<u>Payments</u>		
Repayments of borrowings & advances	0	0
Net cash provided by (or used in) Financing Activities	0	0

Net Increase (Decrease) in cash held

137,957

Cash Assets at beginning of reporting period

2,596,025

Cash Assets at end of reporting period

2,733,982

FORECAST STATEMENT OF CASH FLOWS - SEWER FUND

Cash Flows from Operating Activities

	Original Estimate	As at 30/6/21
<u>Receipts</u>		
Rates & Annual Charges	616,502	616,502
User Charges & Fees	28,050	28,050
Interest Received	26,979	26,979
Grants & Contributions	0	0
Rental Income		
Other Operating Receipts	1,430	1,430
<u>Payments</u>		
Employee Costs	-222,083	-222,083
Materials & Contracts	-143,732	-143,732
Borrowing Costs	0	0
Other Operating Payments	-85,445	-85,445
Net cash provided by (or used in) Operating Activities	221,701	221,701

Cash Flows from Investing Activities

<u>Receipts</u>		
Proceeds from sale of Property Plant & Equipment	0	0
Proceeds from sale of Real Estate		0
<u>Payments</u>		
Purchase of Property Plant & Equipment	-245,000	-245,000
Provision of Advances & Mortgages	0	0
Net cash provided by (or used in) Investing Activities	-245,000	-245,000

Cash Flows from Financing Activities

<u>Receipts</u>		
Proceeds from Borrowings & Advances	25,000	25,000
<u>Payments</u>		
Repayments of borrowings & advances	0	
Net cash provided by (or used in) Financing Activities	25,000	25,000
Net Increase (Decrease) in cash held	1,701	1,701

Cash Assets at beginning of reporting period

Cash Assets at end of reporting period	4,173,036	4,196,225
	4,174,737	4,197,926

FORECAST STATEMENT OF CASH FLOWS - GENERAL FUND

	Original Estimate	As at 30/6/21
Cash Flows from Operating Activities		
<u>Receipts</u>		
Rates & Annual Charges	4,857,947	4,857,947
User Charges & Fees	2,034,830	2,034,830
Interest Received	169,456	169,456
Grants & Contributions	12,036,407	21,274,082
Rental Income	0	0
Other Operating Receipts	456,751	456,751
<u>Payments</u>		
Employee Costs	-7,203,657	-7,203,657
Materials & Contracts	-3,194,825	-3,813,753
Borrowing Costs	-287	-287
Other Operating Payments	-1,206,843	-1,206,843
Net cash provided by (or used in) Operating Activities	7,949,779	16,568,526
Cash Flows from Investing Activities		
<u>Receipts</u>		
Proceeds from sale of Property Plant & Equipment	370,000	370,000
Proceeds from sale of Real Estate	100,000	100,000
<u>Payments</u>		
Purchase of Property Plant & Equipment	-13,314,367	-19,451,377
Provision of Advances & Mortgages	0	0
Net cash provided by (or used in) Investing Activities	-12,844,367	-18,981,377
Cash Flows from Financing Activities		
<u>Receipts</u>		
Proceeds from Borrowings & Advances	4,350,000	1,500,000
<u>Payments</u>		
Repayments of borrowings & advances	-25,000	-25,000
Net cash provided by (or used in) Financing Activities	4,325,000	1,475,000
Net Increase (Decrease) in cash held	-569,588	-937,851
Cash Assets at beginning of reporting period	9,381,554	20,596,227
Cash Assets at end of reporting period	8,811,966	19,658,376

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Operating Income & Expenses

	Total Vote	Consolidated to 30/09/21	Remaining	Revised Estimate	Variance	% Complete	Note
Operating Income							
Governance & Admin	12,345,304	6,060,132	9,995,131	16,055,263	3,709,959	37.75%	
Public Order & Safety	163,849	1,048	162,801	163,849	0	0.64%	
Health	15,440	223	15,217	15,440	0	1.44%	
Environment	420,412	343,503	76,909	420,412	0	81.71%	
Community Services & Education	383,657	79,219	309,438	388,657	5,000	20.38%	
Housing & Community Amenities	302,327	90,815	211,512	302,327	0	30.04%	
Recreation & Culture	97,477	3,748	93,729	97,477	0	3.84%	
Mining, Manufacturing & Construction	70,390	8,421	61,969	70,390	0	11.96%	
Transport & Communication	3,839,152	1,243,676	2,595,476	3,839,152	0	32.39%	
Economic Affairs	373,565	36,056	337,509	373,565	0	9.65%	
Water Supply	1,356,162	725,280	630,882	1,356,162	0	53.48%	
Sewer Supply	672,961	623,302	49,659	672,961	0	92.62%	
Total Income	20,040,696	9,215,423	14,540,232	23,755,655	3,714,959		
Operating Expenses							
Governance & Admin	8,637,114	2,157,307	7,069,482	9,226,789	589,675	23.38%	
Public Order & Safety	689,106	118,890	570,216	689,106	0	17.25%	
Health	45,699	5,377	40,322	45,699	0	11.77%	
Environment	970,071	190,443	779,628	970,071	0	19.63%	
Community Services & Education	459,091	49,216	417,724	466,940	7,849	10.54%	
Housing & Community Amenities	524,765	107,270	417,495	524,765	0	20.44%	
Recreation & Culture	1,893,621	350,843	1,564,244	1,915,087	21,466	18.32%	
Mining, Manufacturing & Construction	37,563	4,610	32,953	37,563	0	12.27%	
Transport & Communication	6,226,230	408,639	5,817,591	6,226,230	0	6.56%	
Economic Affairs	635,303	88,100	547,203	635,303	0	13.87%	
Water Supply	1,221,635	107,950	1,113,685	1,221,635	0	8.84%	
Sewer Supply	743,498	98,848	644,650	743,498	0	13.29%	
Total Expenditure	22,083,696	3,687,493	19,015,193	22,702,686	618,990		

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Operating Income & Expenses

	Total Vote	Consolidated to 30/09/21	Remaining	Revised Estimate	Variance	% Complete	Note
Review of Operating Income							
Governance & Admin							
Governance	0	0	0	0	0		
Administration	118,115	29,398	342,114	371,512	253,397	7.91%	1
Merger Funding	0	0	3,415,674	3,415,674	3,415,674		2
General Manager	0	0	0	0	0		
General Purpose Revenue	9,411,331	5,157,216	4,254,115	9,411,331	0	54.80%	
Insurance Clearing	0	0	0	0	0		
Overhead Clearing	10,000	976	9,024	10,000	0	9.76%	
Oncost Clearing	0	0	0	0	0		
Disposal of Fixed Assets	31,827	25,200	6,627	31,827	0	79.18%	
Engineering Admin	0	0	0	0	0		
DES Admin	0	0	40,889	40,889	40,889		3
Depots	2,923	342	2,581	2,923	0		
Plant Clearing	2,771,108	847,001	1,924,107	2,771,108	0	30.57%	
	12,345,304	6,060,132	9,995,131	16,055,263	3,709,959		
Public Order & Safety							
Animal Control	11,269	1,048	10,221	11,269	0	9.30%	
Emergency Services	0	0	0	0	0		
Fire Control	152,580	0	152,580	152,580	0	0.00%	
	163,849	1,048	162,801	163,849	0		
Health							
Health & Food Control	7,440	0	7,440	7,440	0	0.00%	
Medical Services	8,000	223	7,777	8,000	0	2.78%	
	15,440	223	15,217	15,440	0		
Environment							
Noxious Plants	42,500	0	42,500	42,500	0	0.00%	
Environment Protection	0	0	0	0	0		
Solid Waste Management	377,912	343,503	34,409	377,912	0	90.89%	
Street Cleaning	0	0	0	0	0		
Drainage & Stormwater Management	0	0	0	0	0		
	420,412	343,503	76,909	420,412	0		

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Operating Income & Expenses

	Total Vote	Consolidated to 30/09/21	Remaining	Revised Estimate	Variance	% Complete	Note
Community Services & Education							
Community Services	383,657	79,219	309,438	388,657	5,000	20.38%	4
Housing & Community Amenities							
Housing	160,468	42,561	117,907	160,468	0	26.52%	
Public Cemeteries	43,390	12,004	31,386	43,390	0	27.66%	
Public Conveniences	0	0	0	0	0		
Street Lighting	46,000	0	46,000	46,000	0	0.00%	
Town Planning	52,469	36,251	16,218	52,469	0	69.09%	
	302,327	90,815	211,512	302,327	0		
Recreation & Culture							
Museum	0	0	0	0	0		
Parks Gardens & Lakes	0	0	0	0	0		
Public Halls	9,650	1,733	7,917	9,650	0	17.96%	
Public Library	71,958	200	71,758	71,958	0	0.28%	
Swimming Pool	0	0	0	0	0		
Sporting Grounds	5,869	223	5,646	5,869	0	3.80%	
Other Cultural Services	0	0	0	0	0		
Other Sports & Recreation	10,000	1,593	8,407	10,000	0	15.93%	
	97,477	3,748	93,729	97,477	0		
Mining, Manufacturing & Construction							
Building Control	25,390	8,421	16,969	25,390	0	33.17%	
Quarries & Pits	45,000	0	45,000	45,000	0	0.00%	
	70,390	8,421	61,969	70,390	0		

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Operating Income & Expenses

	Total Vote	Consolidated to 30/09/21	Remaining	Revised Estimate	Variance	% Complete	Note
Transport & Communication							
Aerodrome	0	0	0	0	0		
Bridges	0	0	0	0	0		
Footpaths	0	0	0	0	0		
State & National Highways	1,447,121	104,501	1,342,620	1,447,121	0	7.22%	
Sealed Rural Roads Local	0	0	0	0	0		
Sealed Rural Roads Regional	880,000	646,531	233,469	880,000	0	73.47%	
Unsealed Rural Roads Local	0	0	0	0	0		
Urban Roads	0	0	0	0	0		
Car Parking Areas	0	0	0	0	0		
Roads to Recovery	1,512,031	492,644	1,019,387	1,512,031	0	32.58%	
Transport Other	0	0	0	0	0		
	3,839,152	1,243,676	2,595,476	3,839,152	0		
Economic Affairs							
Caravan Parks	12,360	0	12,360	12,360	0	0.00%	
Industrial Development	0	0	0	0	0		
Real Estate Development	0	0	0	0	0		
Saleyards & Markets	11,205	1,191	10,014	11,205	0	10.63%	
Tourism & Area Promotion	0	0	0	0	0		
Sharefarming	0	0	0	0	0		
Private Works	350,000	34,865	315,135	350,000	0	9.96%	
Other Business Undertakings	0	0	0	0	0		
	373,565	36,056	337,509	373,565	0		
Water Supply							
Water Supply	1,356,162	725,280	630,882	1,356,162	0	53.48%	
Sewer Supply							
Sewer Supply	672,961	623,302	49,659	672,961	0	92.62%	

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Operating Income & Expenses

Review of Operating Expenditure						
	Total Vote	Consolidated to 30/09/21	Remaining	Revised Estimate	Variance	% Complete Note
Governance & Admin						
Governance	279,586	68,679	210,907	279,586	0	24.56%
Administration	1,661,385	450,666	1,479,115	1,929,782	268,397	23.35% 5
Merger Funding	0	2,800	183,876	186,676	186,676	1.50% 6
General Manager's Department	1,062,464	176,136	886,328	1,062,464	0	16.58%
General Purpose Revenue	0	0	0	0	0	
Insurance Clearing	156,274	426,073	-269,799	156,274	0	272.65%
Overhead Clearing	497,555	103,056	488,213	591,269	93,714	17.43% 7
Oncost Clearing	-5,896	-80,153	74,257	-5,896	0	
Disposal of Fixed Assets	31,827	0	31,827	31,827	0	0.00%
Engineering Admin	1,065,987	206,298	859,689	1,065,987	0	19.35%
DES Admin	780,594	102,646	718,836	821,483	40,889	12.50% 8
Depot	316,091	79,827	236,264	316,091	0	25.25%
Plant Clearing	2,791,247	621,278	2,169,969	2,791,247	0	22.26%
	8,637,114	2,157,307	7,069,482	9,226,789	589,675	
Public Order & Safety						
Animal Control	39,494	13,457	26,037	39,494	0	34.07%
Emergency Services	20,739	1,527	19,212	20,739	0	7.36%
Fire Control	628,873	103,906	524,967	628,873	0	16.52%
	689,106	118,890	570,216	689,106	0	
Health						
Health & Food Control	1,900	0	1,900	1,900	0	0.00%
Medical Services	43,799	5,377	38,422	43,799	0	12.28%
	45,699	5,377	40,322	45,699	0	
Environment						
Noxious Plants	218,676	56,040	162,636	218,676	0	25.63%
Environment Protection	119,912	235	119,677	119,912	0	0.20%
Solid Waste Management	346,050	84,366	261,684	346,050	0	24.38%
Street Cleaning	73,144	40,329	32,815	73,144	0	55.14%
Drainage & Stormwater Management	212,289	9,472	202,817	212,289	0	4.46%
	970,071	190,443	779,628	970,071	0	
Community Services & Education						
Community Services	459,091	49,216	417,724	466,940	7,849	

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Operating Income & Expenses

	Total Vote	Consolidated to 30/09/21	Remaining	Revised Estimate	Variance	% Complete	Note
Housing & Community Amenities							
Housing	171,957	26,462	145,495	171,957	0	15.39%	
Public Cemeteries	75,984	25,213	50,771	75,984	0	33.18%	
Public Conveniences	85,428	35,938	49,490	85,428	0	42.07%	
Street Lighting	126,687	9,430	117,257	126,687	0	7.44%	
Town Planning	64,709	10,228	54,481	64,709	0	15.81%	
	524,765	107,270	417,495	524,765	0		
Recreation & Culture							
Museum	17,251	3,183	14,068	17,251	0	18.45%	
Parks Gardens & Lakes	503,602	113,164	390,438	503,602	0	22.47%	
Public Halls	207,509	15,770	211,739	227,509	20,000	6.93%	10
Public Library	279,083	132,903	146,180	279,083	0	47.62%	
Swimming Pool	378,310	29,232	349,078	378,310	0	7.73%	
Sporting Grounds	414,683	28,253	386,430	414,683	0	6.81%	
Other Cultural Services	23,290	7,264	17,492	24,756	1,466	29.34%	11
Other Sports & Recreation	69,893	21,074	48,819	69,893	0	30.15%	
	1,893,621	350,843	1,564,244	1,915,087	21,466		
Mining, Manufacturing & Construction							
Building Control	0	0	0	0	0		
Quarries & Pits	37,563	4,610	32,953	37,563	0	12.27%	
	37,563	4,610	32,953	37,563	0		
Transport & Communication							
Aerodrome	35,661	9,060	26,601	35,661	0	25.41%	
Bridges	91,932	0	91,932	91,932	0	0.00%	
Footpaths	80,000	2,675	77,325	80,000	0	3.34%	
State & National Highways	1,447,121	2,565	1,444,556	1,447,121	0	0.18%	
Sealed Rural Roads Local	1,738,933	127,573	1,611,360	1,738,933	0	7.34%	
Sealed Rural Roads Regional	839,532	43,891	795,641	839,532	0	5.23%	
Unsealed Rural Roads Local	1,469,865	131,463	1,338,402	1,469,865	0	8.94%	
Urban Roads	438,525	44,253	394,272	438,525	0	10.09%	
Car Parking Areas	2,398	0	2,398	2,398	0	0.00%	
Roads to Recovery	0	0	0	0	0		
Transport Other	82,263	47,159	35,104	82,263	0	57.33%	
	6,226,230	408,639	5,817,591	6,226,230	0		

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Operating Income & Expenses

	Total Vote	Consolidated to 30/09/21	Remaining	Revised Estimate	Variance	% Complete	Note
Economic Affairs							
Caravan Parks	23,065	2,826	20,239	23,065	0	12.25%	
Industrial Development	4,096	0	4,096	4,096	0	0.00%	
Real Estate Development	40,328	45,004	-4,676	40,328	0	111.60%	
Saleyards & Markets	45,873	8,439	37,434	45,873	0	18.40%	
Tourism & Area Promotion	213,838	28,105	185,733	213,838	0	13.14%	
Sharefarming	1,983	241	1,742	1,983	0	12.15%	
Private Works	300,000	0	300,000	300,000	0	0.00%	
Other Business Undertakings	6,120	3,485	2,635	6,120	0	56.95%	
	635,303	88,100	547,203	635,303	0		
Water Supply							
Water Supply	1,221,635	107,950	1,113,685	1,221,635	0	8.84%	
Sewer Supply							
Sewer Supply	743,498	98,848	644,650	743,498	0	13.29%	

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Capital Income & Expenses

	Total Vote	Consolidated to 30/09/21	Remaining	Revised Estimate	Variance	% Compl ete	Note
Capital Income							
Governance & Admin	370,000	391	518,323	518,714	148,714	0.08%	
Public Order & Safety	0	0	0	0	0		
Health	0	0	0	0	0		
Environment Protection	0	0	0	0	0		
Community Services & Education	0	0	1,370,823	1,370,823	1,370,823	0.00%	
Housing & Community Amenities	0	0	343,580	343,580	343,580	0.00%	
Recreation & Culture	316,528	351,572	2,210,668	2,562,240	2,245,712	13.72%	
Mining, Manufacturing & Construction	0	0	0	0	0		
Transport & Communication	2,164,321	376,569	3,618,668	3,995,237	1,830,916	9.43%	
Economic Affairs	6,184,000	0	3,100,000	3,100,000	-3,084,000	0.00%	
Water Supply	2,897,592	0	2,897,592	2,897,592	0	0.00%	
Sewer Supply	25,000	0	25,000	25,000	0	0.00%	
Total Income	11,957,441	728,531	14,084,654	14,813,186	2,855,745		
Capital Expenses							
Governance & Admin	1,541,396	127,027	4,683,367	4,810,394	3,268,998	2.64%	
Public Order & Safety	0	1,853	-1,853	0	0		
Health	6,000	26,265	-20,265	6,000	0		
Environmental Protection	118,000	19,931	98,069	118,000	0	16.89%	
Community Services & Education	0	8,620	1,359,354	1,367,974	1,367,974	0.63%	
Housing & Community Amenities	446,000	199,945	589,635	789,580	343,580	25.32%	
Recreation & Culture	339,528	980,513	1,583,261	2,563,774	2,224,246	38.24%	
Mining, Manufacturing & Construction	0	0	0	0	0		
Transport & Communication	4,785,339	1,067,657	5,733,894	6,801,551	2,016,212	15.70%	
Economic Affairs	6,109,000	1,200	3,023,800	3,025,000	-3,084,000	0.04%	
Water Supply	3,193,592	24,849	3,168,743	3,193,592	0	0.78%	
Sewer Supply	245,000	5,747	239,253	245,000	0	2.35%	
Total Expenditure	16,783,855	2,463,608	20,457,257	22,920,865	6,137,010		

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Capital Income & Expenses

	Total Vote	Consolidated to 30/09/21	Remaining	Revised Estimate	Variance	% Complete	Note
Review of Capital Income							
Governance & Admin							
Governance							
Administration	0	391	14,609	15,000	15,000		12
Merger Funding	0	0	0	0	0		
General Manager	0	0	0	0	0		
General Purpose Revenue	0	0	0	0	0		
Insurance Clearing	0	0	0	0	0		
Overhead Clearing	0	0	93,714	93,714	93,714		13
Oncost Clearing	0	0	0	0	0		
Disposal of Fixed Assets	0	0	0	0	0		
Engineering Admin	0	0	0	0	0		
DES Admin	0	0	0	0	0		
Depots	0	0	40,000	40,000	40,000		14
Plant Clearing	370,000	0	370,000	370,000	0		
	370,000	391	518,323	518,714	148,714		
Public Order & Safety							
Animal Control	0	0	0	0	0		
Emergency Services	0	0	0	0	0		
Fire Control	0	0	0	0	0		
	0	0	0	0	0		
Health							
Health & Food Control	0	0	0	0	0		
Medical Services	0	0	0	0	0		
Environment							
Noxious Plants	0	0	0	0	0		
Environment Protection	0	0	0	0	0		
Solid Waste Management	0	0	0	0	0		
Street Cleaning	0	0	0	0	0		
Drainage & Stormwater Management	0	0	0	0	0		

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Capital Income & Expenses

	Total Vote	Consolidated to 30/09/21	Remaining	Revised Estimate	Variance	% Complete	Note
Community Services & Education							
Community Services	0	0	1,370,823	1,370,823	1,370,823		15
Housing & Community Amenities							
Housing	0	0	10,000	10,000	10,000		16
Public Cemeteries	0	0	0	0	0		
Public Conveniences	0	0	333,580	333,580	333,580		17
Street Lighting	0	0	0	0	0		
Town Planning	0	0	0	0	0		
	0	0	343,580	343,580	343,580		
Recreation & Culture							
Museum	0	0	109,579	109,579	109,579		18
Parks Gardens & Lakes	0	14,450	691,013	705,463	705,463		19
Public Halls	0	0	20,000	20,000	20,000		20
Public Library	0	0	0	0	0		
Swimming Pool	316,528	239,520	77,008	316,528	0		
Sporting Grounds	0	97,601	1,215,649	1,313,250	1,313,250		21
Other Cultural Services	0	0	1,466	1,466	1,466		22
Other Sports & Recreation	0	0	95,954	95,954	95,954		23
	316,528	351,572	2,210,668	2,562,240	2,245,712		
Mining, Manufacturing & Construction							
Building Control	0	0	0	0	0		
Quarries & Pits	0	0	0	0	0		
	0	0	0	0	0		

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Capital Income & Expenses

	Total Vote	Consolidated to 30/09/21	Remaining	Revised Estimate	Variance	% Compl ete	Note
Transport & Communication							
Aerodrome	0	0	0	0	0		
Bridges	330,000	0	330,000	330,000	0		
Footpaths	40,000	0	40,000	40,000	0		
State & National Highways	0	0	0	0	0		
Sealed Rural Roads Local	1,634,021	376,569	2,771,551	3,148,120	1,514,099		24
Sealed Rural Roads Regional	150,000	0	150,000	150,000	0		
Unsealed Rural Roads Local	0	0	0	0	0		
Urban Roads	10,300	0	327,117	327,117	316,817		25
Car Parking Areas	0	0	0	0	0		
Roads to Recovery	0	0	0	0	0		
Transport Other	0	0	0	0	0		
	2,164,321	376,569	3,618,668	3,995,237	1,830,916		
Economic Affairs							
Caravan Parks	3,084,000	0	0	0	-3,084,000		26
Industrial Development	0	0	0	0	0		
Real Estate Development	3,100,000	0	3,100,000	3,100,000	0		
Saleyards & Markets	0	0	0	0	0		
Tourism & Area Promotion	0	0	0	0	0		
Sharefarming	0	0	0	0	0		
Private Works	0	0	0	0	0		
Other Business Undertakings	0	0	0	0	0		
	6,184,000	0	3,100,000	3,100,000	-3,084,000		
Water Supply							
Water Supply	2,897,592	0	2,897,592	2,897,592	0		
Sewer Supply							
Sewer Supply	25,000	0	25,000	25,000	0		

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Capital Income & Expenses

	Total Vote	Consolidated to 30/09/21	Remaining	Revised Estimate	Variance	% Complete	Note
Review of Capital Expenditure							
Governance & Admin							
Governance	0	0	0	0	0		
Administration	33,500	5,587	27,913	33,500	0		
Merger Funding	0	7,612	3,221,386	3,228,998	3,228,998		27
General Manager	0	0	0	0	0		
General Purpose Revenue	0	0	0	0	0		
Insurance Clearing	0	0	0	0	0		
Overhead Clearing	0	0	0	0	0		
Oncost Clearing	5,896	0	5,896	5,896	0		
Disposal of Fixed Assets	0	0	0	0	0		
Engineering Admin	2,000	2,168	-168	2,000	0		
DES Admin	7,000	0	7,000	7,000	0		
Depots	80,000	0	120,000	120,000	40,000		28
Plant Clearing	1,413,000	111,660	1,301,340	1,413,000	0		
	1,541,396	127,027	4,683,367	4,810,394	3,268,998		
Public Order & Safety							
Animal Control	0	0	0	0	0		
Emergency Services	0	0	0	0	0		
Fire Control	0	1,853	-1,853	0	0		
	0	1,853	-1,853	0	0		
Health							
Health & Food Control							
Medical Services	6,000	26,265	-20,265	6,000	0		
	6,000	26,265	-20,265	6,000	0		
Environment							
Noxious Plants	0	0	0	0	0		
Environment Protection	0	0	0	0	0		
Solid Waste Management	3,000	399	2,601	3,000	0		
Street Cleaning	0	0	0	0	0		
Drainage & Stormwater Management	0	0	0	0	0		
	3,000	399	2,601	3,000	0		

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Capital Income & Expenses

	Total Vote	Consolidated to 30/09/21	Remaining	Revised Estimate	Variance	% Compl ete	Note
Community Services & Education							
Community Services	0	8,620	1,359,354	1,367,974	1,367,974		29
Housing & Community Amenities							
Housing	100,000	0	110,000	110,000	10,000		30
Public Cemeteries	15,000	62	14,938	15,000	0		
Public Conveniences	0	0	333,580	333,580	333,580		31
Street Lighting	0	0	0	0	0		
Town Planning	0	0	0	0	0		
	115,000	62	458,518	458,580	343,580		
Recreation & Culture							
Museum	0	31,955	77,624	109,579	109,579		32
Parks Gardens & Lakes	0	74,261	631,201	705,463	705,463		33
Public Halls	0	0	0	0	0		
Public Library	20,000	4,572	15,428	20,000	0		
Swimming Pool	316,528	0	316,528	316,528	0		
Sporting Grounds	0	869,725	443,525	1,313,250	1,313,250		34
Other Cultural Services	0	0	0	0	0		
Other Sports & Recreation	3,000	0	98,954	98,954	95,954		35
	339,528	980,513	1,583,261	2,563,774	2,224,246		
Mining, Manufacturing & Construction							
Building Control	0	0	0	0	0		
Quarries & Pits	0	0	0	0	0		

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Capital Income & Expenses

	Total Vote	Consolidated to 30/09/21	Remaining	Revised Estimate	Variance	% Compl ete	Note
Transport & Communication							
Aerodrome	0	0	0	0	0		
Bridges	330,000	0	330,000	330,000	0		
Footpaths	100,000	359	99,641	100,000	0		
State & National Highways							
Sealed Rural Roads Local	1,834,021	745,297	2,788,119	3,533,416	1,699,395		36
Sealed Rural Roads Regional	657,468	0	657,468	657,468	0		
Unsealed Rural Roads Local	331,819	196,534	135,285	331,819	0		
Urban Roads	20,000	16,194	320,624	336,817	316,817		37
Car Parking Areas	0	0	0	0	0		
Roads to Recovery	1,512,031	109,273	1,402,758	1,512,031	0		
Transport Other							
	4,785,339	1,067,657	5,733,894	6,801,551	2,016,212		
Economic Affairs							
Caravan Parks	3,084,000	0	0	0	-3,084,000		38
Industrial Development	0	0	0	0	0		
Real Estate Development	3,025,000	1,200	3,023,800	3,025,000	0		
Saleyards & Markets	0	0	0	0	0		
Tourism & Area Promotion	0	0	0	0	0		
Sharefarming	0	0	0	0	0		
Private Works	0	0	0	0	0		
Other Business Undertakings							
	6,109,000	1,200	3,023,800	3,025,000	-3,084,000		
Water Supply							
Water Supply	3,193,592	24,849	3,168,743	3,193,592	0		
Sewer Supply							
Sewer Supply	245,000	5,747	239,253	245,000	0		

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Report on recommended changes to Budget

		Financial Performance	Cash Flow	Item No
Income variations				
Additional Grant Funding				
	Drought Communities Extension Grant	201,053		1
	New Council Implementation Fund	186,676		2
	Stronger Community Fund Grant	3,228,998		2
	Crown Lands Management Plan Grant	52,344		1
	Planning Portal Grant	40,889		3
	SCCF3 - Youth Project Grant	5,000		4
	Jerilderie Long Day Care Centre - SCF & SCCF Grants	1,362,874		15
	Crown Lands - DP Pre School Fence	5,100		15
	LRCIP Phase 2 Grant Income	746,379		17 & 19
	Crown Lands - DP Museum Upgrade	109,579		18
	FRRR Grant - Community Garden	19,450		19
	SCCF3 - Jerilderie Lake Banks	11,275		19
	SCCF 3 - Jerilderie Skate Park/Pump Track	261,939		19
	Coly Sports Precinct - SCF & SCCF	1,180,662		21
	SCCF 3 - Monash Park Lighting	12,588		21
	Contributions for Coly Sports Precinct	120,000		21
	SCCF 3 Contribution - Gym Modernisation	95,954		23
	Fixing country Roads - Channel Nine	960,223		24
	Bencubbin Ave - HVSP & SCF & LRCI	553,876		24
	Fixing Local Roads - Bolton Street	16,213		25
	Public Spaces Grant	296,500		25
	Streets as Shared Spaces	4,104		25
		<u>9,471,676</u>	<u>0</u>	
Increased Income				
		<u>0</u>	<u>0</u>	
Decreased Grant Funding				
	Caravan Park Upgrade	-234,000		26
		<u>-234,000</u>	<u>0</u>	
Decreased Income				
	Caravan Park Loan Funding		-2,850,000	26
		<u>0</u>	<u>-2,850,000</u>	

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Report on recommended changes to Budget

	Financial Performance	Cash Flow	Item No
Expenditure variations			
Increased expenditure			
Operational			
Drought Program Operational Expenditure	-201,053		5
Crown Land Management Plan	-52,344		5
Asset Revaluation Costs	-15,000		5
Merger Implementation Costs	-186,676		6
Risk Management Costs	-93,714		7
Planning Portal Grant Exps	-40,889		8
Community Grants - DP Landcare	-1,459		9
Youth Week Activities	-1,390		9
Youth Project - Murrumbidgee's Champions	-5,000		9
Public Halls Specific Maintenance	-20,000		10
Show n Shine Arts Project	-1,466		11
		0	
Capital Expenditure	-618,991		
Stronger Community Fund Projects (not elsewhere listed)			
Cover over washdown bay	-3,228,998		27
Long Day Care Centre	-40,000		28
DP Pre School Fence	-1,362,874		29
GM House Upgrades	-5,100		29
DP - Lift & Change Facilities	-10,000		30
Darlington Point Museum Upgrade	-333,580		31
Upgrade playground softfall	-109,579		32
Jerilderie Skate Park/Pump Track	-162,799		33
DP Mini Skate Bowl	-361,939		33
Community Garden - Coly	-150,000		33
Jerilderie Lake Bank Restoration	-19,450		33
Coly Sports Precinct upgrades	-11,275		33
Jerilderie Gym Modernisation	-1,300,662		34
Monash Park Lighting Upgrade	-95,954		35
Bencubbin Avenue Additional Construction Exps	-12,588		34
Channel Nine Road Reconstruction	-553,876		35
Bolton Street Reconstruction	-1,145,519		35
Streets as Shared Spaces Expenses	-16,213		36
Public Spaces Capital Expenditure	-4,104		36
	-296,500	-9,221,010	36

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Report on recommended changes to Budget

Expenditure savings	Financial Performance	Cash Flow	Item No
Capital Expenditure Savings			
Caravan Park Upgrades	0	0	38
		3,084,000	
Financial Performance Variation	8,618,685	-8,987,010	
Total Cash Flow Variance	-368,325		
Funded from Reserves			
Uncompleted Works Reserve - Asset Revaluation Costs	15,000		12
Uncompleted Works Reserve - Risk Management Costs	93,714		13
Uncompleted Works Reserve - Cover over Wash down area	40,000		14
Uncompleted Works Reserve - Community Grant DP Landcare	1,459		15
Uncompleted Works Reserve - Youth Week	1,390		15
Uncompleted Works Reserve - Upgrades to Housing	10,000		16
Uncompleted Works Reserve - Halls Maintenance	20,000		20
Uncompleted Works Reserve - Show n Shine Art Show	1,466		22
	183,029		
Transfers to Reserves			
Contributions Levy	0	0	

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Cash and Investments

	Original Budget 2021/22	Actual to Date	Remaining	Revised Estimate	Variance
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Unrestricted	3,058,085	4,631,287	-1,573,202	3,058,085	
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Externally Restricted

RTA Contributions			0	0	
Unexpended Grants		2,565,832	-2,561,232	4,600	4,600
Unexpended Grants-SCF		6,405,062	-6,405,062	0	
Unexpended Grants-NCIF		184,026	-184,026	0	
Water Supply Funds	2,643,871	2,865,972	-131,990	2,733,982	90,111
Sewerage Funds	4,174,737	4,385,444	-187,518	4,197,926	23,189
Domestic Waste Management	73,804	73,804	0	73,804	
Coleambally Town Development	431,703		431,703	431,703	
Contributions Reserve Sec 94a	379,080	406,630	0	406,630	27,550
Included in liabilities					
Unexpended loans			0	0	
Other		296,416	-296,416	0	
	7,703,195	17,183,186	-9,334,541	7,848,645	145,450

Internally Restricted

Employee Entitlements	1,176,677	1,070,781	5,896	1,076,677	-100,000
Infrastructure Replacement	2,621,105	2,703,655	0	2,703,655	82,550
Plant Replacement	1,071,512	1,542,570	111,660	1,654,230	582,718
Residential Housing Replacement	0		0	0	
Real Estate Development	0		0	0	
Uncompleted Works			0	0	
FAG Advance Payment					
	4,869,294	5,317,006	117,556	5,434,562	565,268

Total Restricted Funds

	12,572,489	22,500,192	-9,216,985	13,283,207	710,718
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Total Cash and Investments

	15,630,574	27,131,479	-10,790,187	16,341,292	710,718
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Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Cash and Investments

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

Restricted funds have been invested as at 30 September 2021 as presented at meeting of 26 October 2021.

A reconciliation of cash with the bank statement to 30 September 2021 has been made as per meeting of 26 October 2021.

Cash and investments were reconciled with funds invested and cash at bank to 30 September 2021 as per item presented at meeting of 26 October 2021.

Murrumbidgee Council
Quarterly Budget Review as at 30 September 2021
Key Performance Indicators Statement

All current statutory financial requirements have been met.

Murrumbidgee Council

Quarterly Budget Review as at 30 September 2021

Contracts and Other Expenses

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


Contractor	Detail and purpose	\$ Value	Commenced	Duration	Budgeted
Haley Constructins Pty Ltd	Design & construct skate park/pump track/mini bowl	507,327			Grant Funded
Bucher Municipal Pty Ltd	Purchase of Street Sweeper	401,198			Yes

Murrumbidgee Council

Quarterly Budget Review as at 30 September 2021

Consultancy and Legal Expenses

Consultancies	Expenditure YTD	Budgeted
Steven Murray Architect	\$22,330	Grant Funded
ParisPlan Urban & Regional Planning	\$9,096	Yes
Connex Group Pty Ltd	\$7,150	Grant Funded
Building & Environmental Services	\$9,580	Yes
Integrated Site Design Pty Ltd	\$27,720	Grant Funded
Rivland Surveyors	\$7,150	Grant Funded
Macrozamia Environmental Consulting	\$11,000	Grant Funded
Somewhere Landscape Architects	\$1,584	Grant Funded
PHL Surveyors	\$9,432	Grant Funded
MJM Consulting Engineers	\$525	Grant Funded
I W Contracting Pty Ltd	\$85,024	Grant Funded
Cathment Simulation Solutions	\$5,676	Grant Funded
Staight Lines Designs	\$7,546	Yes
McMahon Earth Science	\$4,679	Grant Funded
McArthur Recruitment	\$2,090	Yes
Early Childhood Quality Services	\$11,000	Grant Funded
Legal Fees		
Kell Moore Lawyers	\$1,347	Yes

DA No.	DA21-2021
ESTIMATED COST OF DEVELOPMENT	\$4,345,000.00
APPLICANT	Outlook Property Services Pty Ltd
OWNER	G & MJ McDonald
PROPERTY	Lots 1 & 2 DP 569978 and part Lot 2 FP 860991 1-5 Southey St (Newell Highway)/2 Sleeman Street, Jerilderie
PROPOSAL	<p>The applicant in their Statement of Environmental Effects is seeking development consent for the construction and use as a service station on the subject land, involving the following works:</p> <ul style="list-style-type: none"> ▪ Demolition of existing structures and removal of trees. ▪ Provision of a convenience store (360m²) integrating food and drink. ▪ 7 x double sided fuel bowzers for both passenger and heavy vehicles. ▪ 2 x 110KL underground fuel tanks. ▪ 1 x double sided LPG bowser. ▪ 1 x double sided Ad-Blue bowser. ▪ 2 x 7.5kL above ground LPG tanks. ▪ Associated driveways, hardstand areas and canopies. ▪ Signage, fencing, carparking and landscaping. ▪ Road construction; and ▪ Subdivision and consolidation of land. <p>Figure 1: Perspective view from Newell Highway¹</p> 
SITE	<p>The site comprises three (3) lots, legally described as Lots 1 & 2 in DP 569978 and part of Lot 2 of DP 860991 and has the street address of 1-5 Southey Street and part of 2 Sleeman Street Jerilderie. It has consolidated area of approximately 1.242 hectares with a frontage of 91 metres to Southey Street, which is part of the Newell Highway, a classified road. Sleeman Street, located on the western boundary of the subject site is an unsealed local road.</p> <p>The land is at an elevation of approximately 105m AHD and is flat with a fall of about 1:2000 draining in a north-westerly direction.</p>

¹ Statement of Environmental Effects, SLR Consulting Pty Ltd, 2021 p.3

The site currently contains a motel used for short term accommodation and sheds on the rear lot.

The locality comprises mostly of industrial development. The site adjoins a service station to the north, with land to the south, west, and east (on the opposite side of the Newell Hwy) largely vacant.

Figure 2 – Aerial Image/Locality²



Figure 3 – Looking north across subject site to adjoining service station³



² Google Earth Pro

³ Images is Figure 3 © Steven Parisotto Photography, October 2021

Figure 4 – Looking west across Newell Highway to subject site⁴



Section 4.15 Assessment

In determining a development application, a consent authority is to take into consideration Section 4.15 of the Environmental Planning and Assessment Act 1979. The following matters as are of relevance to the development the subject of the development application.

<i>Exempt or complying development</i>	The application is not categorised as complying development for the purposes of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.
<i>Designated development</i>	The proposed development is not categorised designated development for the purposes of Section 4.10 of the Environmental Planning and Assessment Act, 1979 and Schedule 3 of the Environmental Planning and Assessment Regulations, 2000.
<i>Integrated development</i>	<p>The proposed development is categorised as integrated development for the purposes of Section 4.46 of the Environmental Planning and Assessment Act, 1979 as it involves works in or adjacent to a classified road.</p> <p>The application was referred to the Transport for NSW (TfNSW) Authority for their concurrence and general terms of approval.</p>
<i>State significant development</i>	The proposed development is not State significant development as set out in Division 4.7 of the Act, nor is it categorised as regionally significant development for the purposes of Schedule 7 of State Environmental Planning Policy (State and Regional Development) 2011.
<i>Crown Land Management Act, 2016</i>	The existing gravel road located adjacent south of the site is part Crown Land and part classified road. The development is reliant on using and upgrading the existing gravel road for access to the site for this proposal. Council has already considered this and as the local road authority is in the process of having the land transferred from the Crown Land to Council.

⁴ ibid

4.15(1)(a)(i) - the provision of any environmental planning instrument

The following environmental planning instruments have been taken into consideration in the evaluation of the development.

<i>SEPP 33 Hazardous and Offensive Development</i>	<p>The provision of SEPP aims to ensure that the consent authority, in considering any application to carry out potentially hazardous or offensive development, has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact.</p> <p>In determining whether the provisions of SEPP apply consideration has been given to the provisions of Hazardous and Offensive Development Application Guidelines: Applying SEPP 33.</p> <p>Part 2.1 of the Guidelines (p.3) requires the consent authority to “firstly consider whether the proposal falls within the definition of ‘industry’ adopted by the planning instrument which applies or whether or not it is a ‘storage establishment’”. The proposed development does not fall within the definition of an industry, nor does it fall within the category of a ‘hazardous storage establishment’ as defined in Jerilderie Local Environmental Plan 2012.</p> <p>The proposed development and use of the land, and to which the development application relates involves works for a new service station. Appendix 3 of that publication identifies that a petrol station may fall within SEPP 33 as being potentially hazardous.</p> <p>In assisting Council, the applicant has undertaken a multi-level risk assessment for the proposed service station (prepared by Hazkem Pty Ltd) . The assessment found that the required setback distances from the fuel bowers to sensitive receivers are met, and a Preliminary Hazard Analysis (PHA) was not required to be undertaken.</p> <p>On this basis the site and submitted design are deemed to not impose a significant level of risk to the community with the site being assessed as not being potentially hazardous.</p> <p>In this regard the proposed development is deemed satisfactory with regards to SEPP 33</p>
<i>SEPP 55 Remediation of Land</i>	<p>The provisions of State Environmental Planning Policy No. 55 Remediation of Land (SEPP 55) states that a consent authority must not consent to the carrying out of any development on land unless:</p> <ul style="list-style-type: none">(a) <i>it has considered whether the land is contaminated, and</i>(b) <i>if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and</i>(c) <i>if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied</i>

that the land will be remediated before the land is used for that purpose.

With regard to clause 7(4) of SEPP 55 the land concerned:

- (a) not land within an investigation area
- (b) is not land upon which a development which is identified in Table 1 of the Contaminated Land Planning Guidelines has previously and is to be carried out.
- (c) the proposed development is not for a sensitive land use.

The applicant has undertaken an environmental site assessment which identifies that the site was mostly likely used for grazing and agriculture since prior to the 1940s, and that for a period of time prior to the site being used as a motel, the site was used as a service station (from the 1960s to 1980s). Based on this information, it is reasonable to conclude that the site may be potentially contaminated.

The soil and groundwater sampling and the laboratory results indicated that analyte concentrations were below adopted screening levels, including from those boreholes in the vicinity of UPSS (underground petroleum storage systems) associated with the former service station.

In summary the site assessment “considered that the future use of the site is less sensitive than the most recent site use (i.e., from motel to service station) and would have similar risk profile (i.e., commercial/industrial use). The concentrations noted in soil and/or groundwater does not pose a risk to future users under a commercial/industrial land use scenario. It is also noted that there is at least one UST remaining at the site, and it is possible that further underground petroleum infrastructure is still present at the site that may be encountered during site redevelopment (e.g., excavation of pits), which may also contain areas of impacted soil. While the potential presence of petroleum infrastructure and / or impacted soil should be considered as part of the site redevelopment process, we note that any residual risk at the site will need to be managed in accordance with the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 (NSW EPA 2019) (e.g., six monthly monitoring of groundwater).⁵

On the basis that the use of the land is not for a sensitive land use Council can be satisfied that the land is suitable for the purpose of a service station.

**SEPP
Infrastructure**

Council must consider the following provisions within this SEPP, and the relevance of the applicable clauses to this development, are as follows:

The provisions of clause 45 applies to a development application that involves any of the following—

- (a) the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,*
- (b) development carried out—*

⁵ Baseline Environmental Site Assessment, Outlook Property Solutions Pty Ltd, p. 29

- (i) within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or*
- (ii) immediately adjacent to an electricity substation, or*
- (iii) within 5m of an exposed overhead electricity power line....*

The application was referred to Essential Energy and they have made the following comments to make as to potential safety risks arising from the proposed development:

1. Essential Energy's records indicate that existing overhead powerlines are impacted by the proposed development:

- a. The re-located signage is sufficiently clear of the powerlines. However, the Applicant, must understand their requirements when working around powerlines and SafeWork NSW clearances.*
- b. Minimum safety clearance requirements are to be maintained at all times for any proposed driveway access and/or exit (concrete crossovers), as such driveways will pass under Essential Energy's existing overhead powerlines located at the front of the properties. The driveways must comply with clearances for trafficable land, ground clearances (including the maximum sag of the conductor) must be maintained. Refer Essential Energy's policy CEOM7106.25 Minimum Clearance Requirements for NSW and refer the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. It is recommended that the Applicant engage the services of an Accredited Service Provider to assist and to ensure compliance. A list of Level 3 Accredited Service Providers is available at <https://energysaver.nsw.gov.au/households/you-and-energy-providers/installing-or-altering-your-electricity-service>.*
- a. Any proposed pole must remain clear by a minimum of 5.0 metres to any obstruction, at all times, to prevent accidental damage.*
- b. Any vegetation or plantings near the powerlines must be limited to 4.0 metres in height (mature height).*
- c. The existing overhead service will need to comply with the NSW Service and Installation Rules. This means that the existing service will need to be re-located, at the Applicant's expense. A Level 2 Electrician will be able to advise on these requirements and carry out the required work to ensure compliance.*

Essential Energy also makes the following general comments:

- 1. If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.*

2. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above properties should be complied with.
3. As part of the subdivision, easement/s are to be created for any existing electrical infrastructure, using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision. Refer Essential Energy's Contestable Works Team for requirements via email contestableworks@essentialenergy.com.au.
4. Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. Satisfactory arrangements must also be made by the Applicant with Essential Energy for the provision of power with respect to the proposed development. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the development, which may include the payment of fees, contributions and if required, new designated electrical infrastructure. If it is deemed that designated electrical infrastructure is required, then all fees for such infrastructure (which may be substantial) will be borne by the Applicant. Refer Essential Energy's Contestable Works Team for requirements via email contestableworks@essentialenergy.com.au. Despite Essential Energy not having any safety concerns, there may be issues with respect to the subdivision layout, which will require Essential Energy's approval.
5. In addition, Essential Energy's records indicate there is electricity infrastructure located within close proximity to the properties. Any activities within these locations must be undertaken in accordance with ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.
6. Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).
7. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.⁶

The aforementioned comments can be included as conditions of consent should the application be approved. (Refer to conditions 9, 60 & 74).

⁶ Essential Energy, e-mail 2 November 2021

SEPP
(Vegetation in
Non-rural areas)

Clause 104 and Schedule 3 relate to traffic generating development and identify development which must be referred to the Transport for NSW (TfNSW). TfNSW have considered the application and have emphasised the need to minimise the impact of development on the existing public road network and maintain the level of safety, efficiency, and maintenance along the road network. They state:

“Transport for NSW has assessed the Development Application based on the documentation provided and would raise no objection subject to conditions on the basis that the Consent Authority ensures that the development is undertaken in accordance with the information submitted as amended by the inclusion of the conditions listed”⁷ in their letter dated 11 November.

The conditions provided by TfNSW are set out in the section of this report headed “Submissions”. These requirements are included in the recommended conditions set out in Attachment 6 of the Council report numbered 8(a) to 8(x).

The aims of State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 are to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation. The SEPP provides Council the power to issue a permit that enables the clearing of vegetation under certain circumstances.

A Biodiversity Values Map and Threshold Report was generated on 12 November 2021 to identify whether the development proposal occurs on land on the Biodiversity Values (BV) Map and if the Biodiversity Offset Scheme is triggered. In this instance the area of the site to be built upon has been identified on the BV Map.

Figure 5 – Extract from Biodiversity Thresholds Value Map⁸



Notwithstanding that the land to be built upon has not been mapped, Council as part of its due diligence in its assessment has referred to the

⁷ Transport for NSW, letter 11 November 2021

⁸ NSW DPIE, BOSET Mapping tool, 12 November 2021

*SEPP 64
Advertising and
signage*

NSW Office of Local Government's *Biodiversity Assessment and Approvals Navigator (BA&AN)* to determine the relevant biodiversity assessment for the development.

As the proposed development does not take place on land identified in the BV Map and the BA&AN states that a Biodiversity Development Assessment Report (BDAR) is not required.

Vegetation on site comprises a mix of landscaped gardens (mainly lawns) associated with the existing motel and pasture grasses, and several native trees, which are endemic to the area. All the trees have been assessed by an arborist, with the five endemic species rated poor to good in their condition. The extent of vegetation to be cleared is less than 0.25ha which is within the threshold limits identified in the BOSET report. On the basis that the biodiversity offset scheme entry threshold has not been exceeded, Council may as part of the assessment of this development permit the removal of the trees in accordance with 10(2) of the SEPP.

Given the current use of the land and nature of the works associated with the development it is unlikely that the development would have an impact on local native ecological communities, flora or fauna and their habitats on adjoining land.

As the proposed development involves the installation of signage, both free standing and on the building the provisions of SEPP 64 Advertising and Signage apply.

In terms of the canopy signage and the signs affixed to the building Council can be satisfied that these would be categorised as business identification signs representing Caltex and would be exempt from the controls set out in Division 2 of the SEPP.

The proposed free standing pylon signage is subject to the provisions of clause 17 of SEPP 64. Clause 17 applies to an advertisement—

- (a) that has a display area greater than 20 square metres, or*
- (b) that is higher than 8 metres above the ground.*

The proposed sign has a height of 12m and exceeds 20m² and further it is visible from a classified road.

In accordance with clause 17(3) Council must not grant consent to an application to display an advertisement to which this clause applies unless it has advertised the development in accordance with s79A of the Act, which it has; notified TfNSW of the development, which it has; and

the applicant has provided the consent authority with an impact statement that addresses the assessment criteria in Schedule 1 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts,

The applicant has provided an assessment in accordance with clause 17(3)(a) of the SEPP, which forms part of the appendices to applicant's statement of environmental effects (see Attachment 7 of the Council report).

Council is satisfied that the applicant has addressed the provisions of Schedule 1 and that it is unlikely to have a detrimental impact on the

	character of the area, amenity of nearby residential areas, streetscape, nor because of illumination have an adverse impact on traffic safety.
<i>Riverina Murray Regional Plan 2036</i>	The proposed development does not raise any matter that would be inconsistent with the goals set out in the <i>Riverina Murray Regional Plan 2036</i> .
<i>Jerilderie Local Environmental Plan 2012</i>	Murrumbidgee Council administers two local environmental plan covering the former local government areas of Murrumbidgee and Jerilderie. The subject site falls under the provisions of Jerilderie Local Environmental Plan 2012.
<i>Definition</i>	<p>The proposed development is for a <i>service station</i> which is defined in the Dictionary of Jerilderie Local Environmental Plan 2012, as:</p> <p><i>service station</i> means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following—</p> <ul style="list-style-type: none"> (a) the ancillary sale by retail of spare parts and accessories for motor vehicles, (b) the cleaning of motor vehicles, (c) installation of accessories, (d) inspecting, repairing, and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration), (e) the ancillary retail selling or hiring of general merchandise or services or both.
<i>Permissibility</i>	<p>The subject land is zoned IN1 General Industrial under Part 2 Land Use Table of Jerilderie Local Environmental Plan 2012. This is an open zone, and a <i>service station</i> is an innominate land use and is identified as <i>any other development not specified in item 2</i> [permitted without consent] or 4 [prohibited]. It is therefore development that is permitted with consent.</p> <p><i>Subdivision</i> of land is permitted viz. clause 2.6 of JLEP 2012 but only with development consent.</p> <p><i>Demolition</i> of any building or work is permitted viz. clause 2.7 of the local environmental plan, but again only with development consent.</p>

Figure 6 – Extract from Zoning Map⁹



⁹ NSW Department of Planning, Industry and Environment, Murrumbidgee LEP 2012 Zoning Map.

<i>Aims & Objectives</i>	<p>The proposed development has been considered with regard to the aims of Jerilderie Local Environmental Plan 2012 as set down in Part 1, clause 1.2(2) which states:</p> <ul style="list-style-type: none"> <i>(a) to maintain and enhance agricultural land through the proper management, development and conservation of natural and man-made resources,</i> <i>(b) to encourage a range of housing, employment, recreation and community facilities to meet the needs of existing and future residents of Jerilderie,</i> <i>(c) to promote the efficient and equitable provision of public services, infrastructure and amenities;</i> <i>(d) to conserve the environmental heritage of the land to which this Plan applies.</i> <p>The objectives for the IN1 General Industrial zone set down in the Land Use Table are as follows:</p> <ul style="list-style-type: none"> ▪ <i>To provide a wide range of industrial and warehouse land uses.</i> ▪ <i>To encourage employment opportunities.</i> ▪ <i>To minimise any adverse effect of industry on other land uses.</i> ▪ <i>To support and protect industrial land for industrial uses.</i> <p>The proposed development is consistent with the aims of Jerilderie Local Environmental Plan 2012 and the objectives of the IN1 zone.</p>
<i>Development Standards</i>	<p>Section 4 of the Environmental Planning and Assessment Act 1979 defines a <i>development standard</i> as being a provision of an environmental planning instrument in relation to the carrying out of a development, being provisions by or under which requirements are specified or standards are fixed in respect to any aspect of the development.</p> <p>Part 4 of Jerilderie Local Environmental Plan 2012 identifies the principal development standards that apply. In this instance there are no development standards applicable to the proposed development.</p>
<i>Miscellaneous Provisions</i>	<p>Part 5 of Jerilderie Local Environmental Plan 2012 addresses numerous miscellaneous provisions. The following matters are of relevance to the proposed development:</p>
<i>5.10 Heritage conservation</i>	<p>Clause 5.10 of Jerilderie Local Environmental Plan 2012 sets down objectives in respect to the conservation of environmental heritage within part of the Murrumbidgee Council local government area. This clause applies to the protection of heritage items and heritage conservation areas; development affecting places or sites of known or potential Aboriginal heritage significance; development affecting known or potential archaeological sites of relics of non-Aboriginal heritage significance; development in the vicinity of a heritage item; provision of conservation incentives; and development in heritage conservation areas.</p> <p>The subject site is not with a conservation area nor does it contain nor is it within the vicinity an item of environmental heritage.</p> <p>A search of the Office of Environment and Heritage (OEH) Aboriginal Heritage Information Management System (AHIMS) was undertaken on 11 November 2021. The search indicated that no aboriginal sites were</p>

	<p>recorded in or near the location (200m) nor have there been any aboriginal places recorded in or near the subject site. Condition 11 has been imposed as a precaution in the event of unexpected finds.</p>
5.21 Flood planning	<p>Clause 5.21 applies to land that is at or below the flood planning level, which means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.5 metre freeboard.</p> <p>The objectives of this clause are:</p> <ul style="list-style-type: none"> (a) <i>to minimise the flood risk to life and property associated with the use of land,</i> (b) <i>to allow development on land that is compatible with the land's flood hazard, considering projected changes as a result of climate change,</i> (c) <i>to avoid significant adverse impacts on flood behaviour and the environment.</i>
Additional local provisions	<p>The subject land is included within the Jerilderie Floodplain Risk Management Study and Plan however was not identified as being flood affected.</p>
6.1 Earthworks	<p>Part 6 of Jerilderie Local Environmental Plan 2012 identifies a number of additional local provisions that the consent authority must consider when evaluating a development application under section. 4.15(1)(a)(i) of the Environmental Planning & Assessment Act, 1979.</p> <p>The objectives set out in clause 6.1(1) are as follows:</p> <ul style="list-style-type: none"> (a) <i>to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,</i> (b) <i>to allow earthworks of a minor nature without separate development consent.</i> <p>The applicant in their statement of environmental effects (p.25) states that earthworks are proposed as part of the development application in order to establish the development area on the site. As the site is generally flat and no basement of extensive foundation works are required, earthworks are expected to be minimal. The proposed works include excavation to create level driveways and underground tank storage on site.</p> <p>Council may be satisfied that the proposed earthworks are not likely to result in impacts to drainage patterns or soil stability in the locality; impact future use or redevelopment of the land; impact the quality of the soil to be excavated; impact development and likely amenity of adjoining properties; or disturb relics or negatively impact any waterway, drinking catchment area or environmentally sensitive area.</p> <p>It is recommended that should the application be approved a condition of consent be imposed requiring appropriate erosion and sediment control measures are in place for the duration of construction (see condition 20 and 26).</p>

<p>Clause 6.3 Stormwater management</p>	<p>The purpose of clause 6.3 is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters. It states:</p> <p><i>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—</i></p> <ul style="list-style-type: none"> <i>(a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and</i> <i>(b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater, or river water, and</i> <i>(c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises, and mitigates the impact.</i> <p>The applicant has provided a concept stormwater management plan (prepared by Northrop). A review of the stormwater management strategy indicates that the post-developed stormwater behaviour will be consistent with the current pre-developed stormwater patterns. Further it is considered that the drainage systems will be designed to ensure safety and minimise stormwater inundation of habitable floor areas, and that there will not be any significant adverse impacts are expected to adjoining properties.</p> <p>Given the extent of paving, the prevailing topographic and soil conditions, the disposal and treatment of stormwater requires an integrated approach which would require a combination of onsite detention and works with the proposed road to properly disperse stormwater from the site. (Refer to Condition 17)</p>
<p>Clause 6.4 Terrestrial biodiversity</p>	<p>The objective of this clause is to maintain terrestrial biodiversity and applies to the land identified as “<i>Biodiversity</i>” on the Terrestrial Biodiversity Map. The subject site has not been mapped as being an area of biodiversity and therefore the provisions of this clause do not apply.</p>
<p>Clause 6.5 Groundwater vulnerability</p>	<p>The object of Clause 6.5 is to maintain the hydrological functions of key ground water systems and to protect vulnerable groundwater resources from contamination because of inappropriate development. The entire site has not been mapped as being groundwater vulnerable land on the Groundwater Vulnerability Map.</p>
<p>Clause 6.6 Riparian land and watercourses</p>	<p>The subject land has not been mapped as being within riparian corridor or within 40 metres of a watercourse as identified on the Watercourses Map. The provisions of clause 6.6 do not apply in this instance.</p>
<p>Clause 6.7 Wetlands</p>	<p>The subject land has not been mapped as being part of a wetland on the Wetlands Map. The provisions of clause 6.6 do not apply in this instance.</p>
<p>Clause 6.8 Essential services</p>	<p>The provisions of Part 6.8 of Jerilderie Local Environmental Plan 2012 states that the consent authority must be satisfied the following services that are essential for the development are available or that</p>

adequate arrangements have been made to make them available when required:

- (a) the supply of water,*
- (b) the supply of electricity,*
- (c) the disposal and management of sewage,*
- (d) stormwater drainage or on-site conservation,*
- (e) suitable vehicular access.*

The subject site is connected to Council's reticulated potable water network and is connected to Council's sewage system. The adjustment of the boundaries as a consequence of the consolidation and subdivision may necessitate the services to be repositioned. Any relocation or amplification of these services because of the subdivision or the development would be at the applicant's expense.

The treatment and disposal of stormwater will need to be designed to ensure the post developed stormwater behaviour is consistent with the pre-developed stormwater patterns. This may include the provision of onsite detention, to control the flow of stormwater from the site entering Council's system, as well as providing off-site drainage systems (kerb and gutter) to ensure safety and minimise stormwater inundation on site and mitigate impacts on adjoining and public land.

The Essential Energy network supplies electricity to the property in the locality. As part of the development, it is understood that any amplification of electrical services will need to conform with the requirements of Essential Energy.

The applicant will be required to make an application under s138 of the Roads Act for all works within the road reserve. This will necessitate seeking approval from both TfNSW for works with the classified road and from Council in respect to the unformed Crown Road reserve and local road. Design details would need to be submitted with those applications.

The above matters have been addressed by way of conditions (refer to conditions 14, 15, 17-19 and 23)

4.15(1)(a)(ii) - the provision of any draft environmental planning instrument

At the time of preparing this report there is no draft environmental planning instrument that applies to the development or to land within the Murrumbidgee Council local government area relevant to the proposed development.

4.15(1)(a)(iii) - Development control plan

The provisions of Section 4.15(1)(a)(iii) require the consent authority to take into consideration any relevant development control plan. Murrumbidgee Council has two (2) development control plans in force, with Jerilderie Development Control Plan being the relevant document.

2.2 Industrial development objectives

These objectives in Part 2.2 of the DCP have been prepared to provide specific guidance for the use and development of land and premises within Jerilderie for industrial uses. The objectives are:

- To enhance the scenic quality and amenity of industrial streetscapes.

	<ul style="list-style-type: none"> • To enhance the industrial amenity and economic viability of the commercial centre. • To ensure that the operation of industrial premises is compatible with and does not adversely impact on the amenity and character of any adjoining residential uses. <p>The proposed development is consistent with the provisions of clause 2.2 of the DCP inasmuch that the finished development enhances the amenity of the industrial streetscape and would not undermine the economic viability of the commercial centre. Further the operation of the premises is unlikely to have a detrimental impact on the amenity of adjoining residential uses.</p>
3.2 Notification	<p>The development application has been notified in accordance with clause 3.2.3 of the DCP. This comprised of neighbour notification to adjoining landowners. Three (3) submissions were received objecting to the development which are set out in Attachment 11 of the Council report.</p> <p>A response to the submissions is detailed under a separate heading "Submissions".</p>
7.1 Minimum lot size	<p>Clause 7.1 states <i>"Council encourages various lot sizes within the industrial zone to ensure that various needs of the community are met. The minimum lot size will be governed largely by the structure proposed and/or the onsite parking and vehicle maneuvering areas required on the site."</i></p> <p>There minimum lot size prescribed in JLEP 2012 of 600m² relate to lot sizes for residential development and do not apply to the development. It should be noted however the proposed lots both exceed this standard.</p>
7.2 Provision of essential services	<p>Clause 7.2 of the DCP states that <i>"all lots that will result from the subdivision are to be serviced with essential services with all costs of providing the infrastructure to be borne by the developer. Essential services include:</i></p> <ul style="list-style-type: none"> • Filter water service • Raw Water service • Sewerage connection • Electricity connection • Phone connection • Vehicle access (cross-over or culvert) • Kerb and gutter in the township of Jerilderie where neighbouring area is kerb and gutter. • Stormwater disposal. For larger developments stormwater detention system may be required • New road, where subdivision requires. • Loading and unloading area • Waste storage area. <p>The proposed development subject site has suitable access to stock a potable water system, sewerage, stormwater, power,</p>

telecommunications, and vehicular access to meet the needs of the development.

Any amplification of services will be to the expense of the developer.

7.3 Prescribed standards for industrial development

Control	Standard	Compliance
Front setback	Governed by the type of development and the maximum sized vehicle required to access the site	Satisfactory. The setback is 15.12 metres from the classified road.
Side setbacks	3.0m	Complies
Rear setback	3.0m	Complies
Onsite carparking	Refer to onsite parking requirements, Schedule 1	Complies (Refer to Schedule 1)
Signage	Signage is limited to 3 external signs in total: <ul style="list-style-type: none"> One sign on the parapet to be flush with the parapet One sign on the side wall 	Does not comply – refer to assessment following table.
Compliance with Building Code of Australia	All applications are required to comply with the requirements of the Building Code of Australia.	Compliance with the BCA is not a matter for assessment at DA stage. Prescribed conditions of consent have been included addressing legislative requirements for BCA/NCC compliance.
Trade Waste	Depending on the type of development proposed trade waste control measures for liquid waste may need to be included in the application.	The disposal of trade waste may be dealt with at CC stage.

Schedule 1 Onsite parking requirements

The parking requirements for service stations and convenience stores are as follows:

- 10 spaces per work bay
- 5 spaces per 100m² of gross floor area (GFA) of convenience store
- 1 space per 3 seats if a restaurant is included.

No work bays are proposed, and the convenience store provides for 360m² of floor space, with no restaurant facilities. The parking demand based on the DCP would be 18 spaces. The submitted plans indicate the following:

- 18 car parking spaces
- 6 truck parking spaces
- 3 bus/caravan parking spaces

Council may be satisfied that the proposed development complies with Schedule 1.

Although not clearly indicated in their submission, accessible spaces will need to be provided in a position that provides safe and convenient access to the shop.

From the table above it has been identified that the proposed development fails to comply with the signage requirements, that limits the number and type of signage that can be erected on the site and on buildings in an industrial zone. The development includes business identification signage comprising of "Caltex" on the street facing edge of the front (car) canopy, its star logo attached to the ends (and projecting above the alignment) of the awning and a Pegasus logo on the walls of the building. In addition, a 12m high pylon sign, featuring the Caltex Star and Pegasus logo along with a 2.7m high price board with the same logos.

While numerically inconsistent with the DCP, the proposed signage accords with the provisions of SEPP 64 in that it is compatible with the desired amenity and visual character of an area; is of high-quality design and finish and provides effective communication to motorists.

TfNSW has also considered the impact of the proposed signage, particularly the illumination and potential impact for passing traffic and has raised no objections subject to conditions being imposed on the developer.

Notwithstanding the one aspect of non-compliance, Council can be satisfied that the proposed development accords with the aims and provisions of the Jerilderie DCP 2012.

4.15(1)(a)(iia) - Planning agreement or draft planning agreement

The developer has not entered into any planning agreement under section 93F of the Act, nor has the developer offered to enter into any draft planning agreement under section 93F.

Relevant Section 94A contributions plan

The development is subject to the Murrumbidgee Council Section 94A contributions plans which applies to all development that is valued in excess of \$100,000. As the proposed development is valued more than \$200,000 a 1% levy applies.

Based on the value of works being \$4,345,000.00 a contribution of **\$43,450.00** is required. A condition has been imposed to this effect.

4.15(1)(a)(iv)- Matters prescribed by the regulations

Section 4.15(1)(a)(iv) requires Council to take into consideration the provisions of clauses 92-94 of the Environmental Planning and Assessment Regulation 2000.

<i>Clause Additional matters consideration</i>	<i>92(b) for</i>	Clause 92(1)(b) of the Environmental Planning & Assessment Regulation 2000 requires the consent authority to consider the provisions of Australian Standard AS 2601-1991: The demolition of Structures. In this instance all existing structures are to be demolished. A condition of consent has been included which address compliance with AS2601-1991.
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	<p>The application is not for the carrying out of development on land that is subject to a subdivision order made under Schedule 5 to the Act.</p> <p>The development is not located within the local government area of Coonamble, City of Dubbo, Gilgandra or Warrumbungle (to which the Dark Sky Planning Guideline applies).</p>
<i>Clause 93 fire safety and other considerations</i>	The development is not for a change of building use for an existing building.
<i>Clause 94 consent authority may require buildings to be upgraded</i>	The development does involve the rebuilding, alteration, enlargement or extension of an existing building.
<i>Clause 94A fire safety and other considerations – temporary structures</i>	The development is not for a temporary structure.
<i>Protection of the Environment Operations (UPSS) Regulation, 2014</i>	<p>Part 4 Use of Storage Systems of the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014 requires an environmental protection plan to be in place prior to the use of a storage system containing petroleum.</p> <p>The applicant has indicated that an environmental protection plan shall be prepared that complies with the Environmental Protection Authority (EPA) guidelines prior to the use of the service station. It shall be reviewed and updated as required and a copy will be kept on site at all times.</p>
<i>Protection of the Environment Operations (Clean Air) Regulation, 2010</i>	The proposed development is to comply with the necessary requirements prescribed under Division 5 – Petrol Service Stations, Subdivision 3 - Stage two vapour recovery of the POEO (Clean Air) Regulation 2010 with stage 2 vapour recovery measures installed at the site.

4.15(1)(b) - The likely impacts of that development

<i>Context and setting</i>	<p>The proposed development is generally keeping with the nature of the surrounding land in terms of bulk, scale, and external appearance.</p> <p>The scenic quality and features of the landscape are not negatively impacted upon by the construction of the works proposed.</p> <p>The applicant has demonstrated to the satisfaction of Council that the service station can be carried out without undue impact on the amenity of the locality and that it is in keeping with adjoining and nearby industrial development.</p> <p>The development will not result in any loss of views or vistas, will not impact on anyone's visual or acoustic privacy, and will not overshadow any other property.</p>
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<p><i>Access, transport and traffic</i></p>	<p>The subject site presently enjoys access to the Newell Highway, and it is proposed to retain a single connection point to the classified Road, being an egress at the northern end of the site for heavy vehicles in particular.</p> <p>The existing access to Sleeman Street, which includes a piped culvert is to be made redundant.</p> <p>The proposed development provides single driveway that connects to the classified road (Newell Highway) and will serve as egress from the site. TfNSW raised not objections to this access point subject to it being constructed to appropriate standards.</p> <p>The plans indicate that a new road is to be constructed over Crown land, which presently is an informal track. Two new driveway crossings will connect the service station site to the proposed road. Presently this parcel of land is managed by the Crown and for the development to proceed the land must be transferred to Council and dedicated as a public road. As part of the recommendation to Council, a resolution is required of Council to begin the process of have the land transferred to it.</p> <p>As access to the development site is predicated on the construction of a road it is recommended that the application be approved subject to deferred commencement, which would allow the transfer and dedication of the land.</p> <p>The proposed development is a traffic generating development and the applicant has provided Council with a Traffic Impact Assessment (TIIA) that provides anticipated rates of traffic likely to be generated from the proposed development with regard to the 'Guide to Traffic Generating Development'.</p> <p>The survey undertaken by the applicant determined existing traffic surrounding the site. It determined Tuesdays to be the busiest day, with two peak periods being between 10.00- 11.00AM and 4.00-5.00PM. It is proposed that the development will attract an estimated combined inbound and outbound total of 238 vehicles per hour (VPH). The TIA noted that all peak hour trips are expected to be 'drop in' trips from vehicles already on the road network and that the vast majority of customers to the site are likely to be passing trade.</p> <p>The application was referred to TfNSW who raised no objections to the development. Based on the adoption of their recommended conditons Council may be satisfied that existing road network will be able to accommodate the additional traffic from the proposed development.</p>
<p><i>Public domain</i></p>	<p>The development will not have an adverse impact on public recreation or the amount, location, design, use and management of public spaces.</p>
<p><i>Utilities</i></p>	<p>The site has access to power, telecommunications, water and sewer. Any amplification of services would be at the expense of the applicant and will have to be designed to meet the relevant authorities' requirements.</p>
<p><i>Heritage</i></p>	<p>The subject site has not been identified as a heritage item.</p>
<p><i>Other land resources</i></p>	<p>There is unlikely to be any impact on land resources such as mineral extractive resources or water supply catchments, is expected.</p>

Water

The applicant has provided concept storm-water management within the appendices of the statement of environmental effects in Attachment 7 of the Council report.

The proposed stormwater strategy has been designed to ensure the post developed stormwater behavior is consistent with the predeveloped stormwater patterns, as well as providing drainage systems to ensure safety and minimise stormwater inundation on site.

Contaminated run-off from beneath the fuel canopy and fill points will be collected by bunded sump pits and conveyed to a proprietary device for treatment, prior to discharging to the stormwater system. It is noted that there is no known in ground stormwater infrastructure in the immediate vicinity of the development. It should be noted water treated in a puraceptor cannot be discharged to Council's sewer however once treated is permitted to enter the stormwater system. Given the prevailing topography this may need to be pumped into the drainage network.

To ensure the water quality meets regulatory requirements conditions of consent have been included (see condition 17, 46 and 72).

Soils

The underground fuel tanks will need to comply with the UPSS Regulation 2019 and NSW EPA requirements and that loss monitoring, and leak detection systems integrated in the fuel tank. Proper management and monitoring procedures that allow for quick detection of failures in the system will enable prompt response and mitigate the impact of any leaks and potential contamination. The applicant will be required to comply with the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 (NSW EPA 2019). Subject to the imposition of conditions, it is considered that any impact upon local and off-site soil conditions can be satisfactorily mitigated through proper ongoing management of the site. (Refer to conditions 64 & 65).

*Air and
microclimate*

The applicant has indicated that they are aware that the proposed development will need comply with the necessary requirements prescribed under Division 5 of the POEO (Clean Air) Regulation 2010.

Flora and fauna

A Biodiversity Values Map and Threshold Report was generated on 12 November 2021 to identify whether the development proposal occurs on land on the Biodiversity Values (BV) Map and if the Biodiversity Offset Scheme is triggered. In this instance the area of the site to be built upon been identified on the BV Map has not been mapped for any biodiversity (see Figure 5). As the proposed development does not take place on land identified in the BV Map and the BA&AN states that a Biodiversity Development Assessment Report (BDAR) is not required.

The applicant has submitted a landscaping plan, designed to compensate for the trees that are being removed.

Landscaping is proposed, primarily around the perimeter of the site, to complement the built form and hardstand areas of the development including mass planting along the Newell Highway and Sleeman Street frontages, screen planting and shrubs, low hardy plants, groundcovers, and grasses. Planting beds will be used to define entry points, provide direction and frame and filter views on site. The landscape design plan

	meets Council's planning objectives through the consideration of environmental concerns and public amenity.
	Council can be satisfied that the proposed development would not have an impact on local native ecological communities, flora or fauna and their habitats.
<i>Waste</i>	<p>The applicant as part of their submission to Council has prepared a Waste Management Plan (WMP) that considers each stage of the development from earthworks and construction through to the ongoing management of waste when the premises is operational (see Appendix C of the applicant's statement of environmental effects which forms part of Attachment 7 of the Council report)</p> <p>The WMP identifies that waste generated during operation of the service station will include food wastes, paper and cardboard, plastics, containers, residual waste, and miscellaneous customer waste. The plans indicate a dedicated waste storage area in which waste can be separated and stored ready for private collection. This waste storage area has been integrated into the design and layout and is readily accessible to service vehicles on the western side of the convenience store.</p> <p>The WMP should also address the matters associated with the demolition of the motel and the removal of contaminated soil. In the case of contaminated waste, including asbestos, it must be disposed of at a waste management facility that is licensed to accept contaminated waste materials. (See condition 21)</p>
<i>Energy</i>	The applicant will be required to provide a Section J report, with the construction certificate, which addresses the provisions of the BCA.
<i>Noise and vibration</i>	The operational activities associated with the development may generate some noise however anticipated noise levels will be in keeping with other nearby land uses and will be consistent with the existing ambient background levels.
<i>Natural hazards</i>	The subject site is not prone to natural hazards such as tidal inundation, subsidence, slip, mass movement, flooding or bushfires.
<i>Technological risks</i>	There are no known technological risks to people, property or the natural environment from the activities.
<i>Safety, security and crime prevention</i>	The applicant has considered the proposed development with regard to Crime Prevention through Environmental Design (CPTED) principles and has provided a Crime Risk Assessment, which identifies and assesses crime risk associated with the proposed development, and to minimise opportunities for crime through design. Council can be satisfied that the design will mitigate the risks associated with crime and provide a safe environment.
<i>Social & economic impact in the locality</i>	The establishment of a 24/7 service station offering drive-through convenience is unlikely to have any significant detrimental social and economic impact on the local Jerilderie area and the broader community.

	The development has the potential to have positive outcomes for Jerilderie including ongoing employment opportunities as well as further job creation during the construction phase.
<i>Site design and internal design</i>	The proposed site and internal design are considered satisfactory.
<i>Construction</i>	Should the application be approved conditions of consent will be placed on the development to ensure that no nuisance, soil erosion and sedimentation transport occurs, and in relation to hours of construction.
<i>Cumulative impacts</i>	Nil.

4.15(1)(c) - The suitability of the site for the development

<i>Does the proposal fit in the locality ?</i>	The proposed development is in keeping with the locality and there are no constraints posed by adjacent development that would restrict or otherwise prohibit the development from proceeding.
<i>Are the site attributes conducive to development ?</i>	<p>The site subject is not prone to natural hazards such as tidal inundation, subsidence, slip, mass movement, flooding or bushfires.</p> <p>The soil characteristics are appropriate for the development, and there are no critical habitats, or threatened species, populations, ecological communities or habitats on the site.</p> <p>The historic use of the site indicates that the land has been contaminated however chemical residues are within acceptable guidelines that would enable the development of the site with minimal risk to human life.</p> <p>The subject site is zoned IN1 General Industrial and the permissibility of the development under Jerilderie Local Environmental Plan 2012 provides a broad indication that the site is suitable for the proposed development.</p> <p>Based on the assessment under this and other sections within this report it is considered that the site is suitable for the proposed development.</p>

4.15(1)(d) - Any submissions made

The provisions of the Environmental Planning and Assessment Act 1979 the Environmental Planning and Assessment Regulation 2000 and Jerilderie Development Control Plan set down consultation, concurrence, and advertising requirements for specific types of development applications and taking into consideration any submissions received in response to the notification process.

Public Notification

The proposed development was notified in accordance with legislative requirements, which include letters to nearby property owners, advertisement, and publication of Council's website – three (3) submissions objecting to the development set out in Attachment 11.

The concerns identified in the submissions may be summarised as follows:

- Noise impacts
- Traffic congestion
- Environmental impacts including erosion, pollution, and littering
- Service station density (economic competition)
- Employment

Noise – concerns were raised in one submission that the noise generated by the use of the site as a service station had the potential to have a detrimental impact on the amenity of nearby residents. The subject site is within an industrial zone and located on a road that presently carries a large volume of heavy vehicles, including road trains and is already subject to noise intrusions, include from the existing service station. The applicant has asked Council to not the nearest residential receptor, a single dwelling is closer to the existing adjoining service station. Given the nature of the existing development is the proposed development is not expected to have any significant noise impacts.

Council has imposed conditions of consent relating to construction and operational noise (see conditions 34 and 60).

Traffic congestion – the applicant has provided Traffic Impact Assessment which was assessed by TfNSW and considered satisfactory. In summary the modelling using SIDRA Intersection 9.0 software provides an estimate of likely queues and delays encounters by all vehicles that travel through the intersection. The assessment indicated that the proposed access arrangements operate well within the maximum desired operation threshold for all assessed scenarios.

Environmental impacts – The information submitted with the development application includes a number of reports that address environmental impacts.

The environmental site assessment was undertaken by the applicant to gain an understanding of site contamination. It identifies those concentrations in the soil and groundwater profiles does not pose a risk to future users under a commercial/industrial land use.

A Risk Screening Analysis report (in respect to the siting and location above and below ground fuel storage systems), based on the setback distances, the site is deemed to be non-hazardous there is no requirement to do a Preliminary Hazard Analysis (PHA) for further analysis. Further the applicant advises that the chemicals are to be stored in specially designed underground fuel tanks in compliance with the UPSS Regulation 2019 and NSW EPA requirements and that loss monitoring, and leak detection systems integrated in the fuel tank along with management and monitoring procedures allow for quick detection of issues in the system to allow for prompt action to resolve the issue. Any residual risk at the Site will be managed in accordance with the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2019 (NSW EPA 2019).

The applicant in response to the submission advises that service station management protocols will be in place to ensure litter is addressed appropriately and efficiently and this would include the circulation of staff around the site during quiet periods of the day to pick up rubbish and empty bins.

Service station density (economic competition) - from the comments in the submissions referring to service station density it appears as if the concerns relating to economic competition.

While Council must consider economic impact on the locality as a matter under Section 4.15(1)(b), case law states that this does not extend to economic competition and the supply and availability of similar products nor necessarily to site proximity.

Employment - A further concern was raised in respect to the lack of existing labour in the town and the new service station may take away staffing opportunities for other businesses. The applicant has responded to this informing Council that the employment required for the service station operation is inclusive of 2-3 staff members at any one time. Further they consider, and Council concurs with, that the service station will provide employment opportunity which will benefit the community due to the varying hours of employment on offer. The proposal has the potential to attract employees from outside the existing town and encourage population growth

Statutory Submissions

The following statutory referrals were also undertaken as part of the assessment, and a summary provided in respect to the responses.

- Transport for NSW (TfNSW)

The application was referred to the TfNSW for comment on the proposed development in terms of traffic generation and the impact the traffic generated by the development may have on the arterial road network. They advised that they have no issues with the proposed development and have recommended the following conditions be imposed:

1. The intersection and driveway to the Newell Highway shall be located and the roadside maintained so as to provide the required Sight Distance criteria in either direction along the highway in accordance with the Austroads Publications for the posted speed limit. Compliance with this requirement is to be certified by an appropriately qualified person prior to construction of the vehicular access.
2. The intersection of the unnamed road with the Newell Highway shall be designed and constructed as public road intersection with a sealed Basic Right Turn (BAR) and Basic Left Turn (BAL) treatment in accordance with the Austroads Guide to Road Design for the posted speed limit. The design shall consider the nearby intersection of the Newell Highway with Saleyards Road. The design vehicle for the treatment and the driveway shall be a B-Triple heavy vehicle combination. The lanes widths within the Newell Highway shall be a minimum of 3.5 metres.
3. As a minimum, the unnamed road shall be upgraded to Council's satisfaction for a public road standard and be sealed for a minimum distance of 50m from the carriageway of the Newell Highway.
4. The required intersection treatment shall be designed and constructed so as to maintain appropriate vehicular access to the properties located on the eastern side of the Newell Highway opposite the subject site in accordance with the Austroads Guide to Road Design for the posted speed limit.
5. The northern driveway to the Newell Highway shall be restricted to egress only as per the submitted plans. This one-way motion for the heavy vehicles within the development site shall be appropriately signposted and line marked at the egress driveway and through the vehicle movement areas within the finished development. No entry signs shall be erected and maintained at this driveway.
6. As a minimum, the egress driveway shall be sealed from the edge of seal of the carriageway to the property boundary and be designed and constructed to a standard to accommodate the proposed vehicle traffic generated by the development including B-triple heavy vehicles. All vehicle movement and parking areas within the subject site shall be sealed.

7. All vehicle parking required to service the development is to be provided on-site. As a minimum the off-street car park associated with the proposed development including driveway design and location, internal aisle widths, parking bay dimensions and loading bays shall be in accordance with AS 2890.1-2004 "Off-street car parking", AS 2890.2-2002 "Off-street commercial vehicle facilities" and the Austroads Guide to Traffic Management Part 11: Parking.
8. The swept path of the largest vehicles entering and exiting the subject site and manoeuvrability through the site is to be in accordance with AS 2890.2-2002 "Off-street commercial vehicle facilities" and to Council's satisfaction. For road safety reasons, all vehicle access driveways, and the internal layout of the development, shall be designed and maintained to allow all vehicles to enter and exit the subject site in a forward direction and not be required to reverse onto the adjoining road reserve.
9. Any landscaping, fencing and signage to be provided within the site or along the boundary with any adjoining road reserve is to be designed and maintained to provide safe sight distance to pedestrians for motorists entering and exiting the site to minimise conflict in accordance with AS2890.1-2004 "Off-street car parking".
10. Facilities are to be provided within the car park to facilitate safe pedestrian movements throughout the car park. Pedestrian crossing stripes are not to be placed as it resembles the pedestrian crossing on the road and creates confusion as to who has the priority. Raised pedestrian walkways enhance the visibility of the walkway and the safety of pedestrians.
11. Internal vehicular manoeuvring aisles, parking areas and loading bays shall be maintained clear of obstruction and used exclusively for the purposes of vehicle access, parking and loading and unloading respectively. This is to provide for the ease of circulation of vehicles within the development site. Under no circumstances shall these areas be used for the storage of goods or waste receptacles or any other purpose.
12. On-street parking shall be denied along the frontage of the development site to the Newell Highway to preserve the required Safe Intersection Sight Distance (SISD) for the exit driveway in accordance with the Austroads Guide to Road Design and on the opposite side of the Newell Highway within the extent of the Basic Right Turn (BAR) treatment. The full time "No Stopping" restriction is to be implemented along the Newell Highway prior to commencement of any works.
13. All activities including, loading, and unloading associated with this development are to take place within the subject site. Fill points for petrol and gas storage are to be located so that tankers can stand clear of access driveways and not impede on access to and from the subject site. A plan is to be submitted to indicate compliance with this condition prior to release of the Construction Certificate.
14. The proposed intersection with the unnamed road and the egress driveway shall be designed and constructed so as not to interfere with the capacity of the current roadside drainage network and to prevent water from proceeding onto, or ponding within, the carriageway of the highway.
15. Stormwater run-off from the subject site onto the adjoining road reserve as a result of the proposed development is not to exceed the existing level of run-off from the subject site. Suitable drainage treatment is to be implemented to deny contaminated storm water run-off from the subject site to the road reserve of the Newell Highway.
16. Any damage or disturbance to the road reserve of the Newell Highway is to be restored to match surrounding landform in accordance with Council requirements. Any redundant vehicular access driveways to the subject property from the Newell Highway shall be removed

and the road reserve, including kerb and gutter, reinstated to match the surrounding roadside landform in accordance with Council requirements.

17. Detailed dimensioned plans demonstrating compliance with all conditions relating to all works within the road reserve shall be submitted to the satisfaction of Transport for NSW for approval prior to release of the Construction Certificate.
18. A management plan to address demolition and construction activity access and parking is to be prepared to ensure that suitable provision is available on site for all vehicles associated with the on-site works for the construction of the development to alleviate any need to park within, or load/unload from the road reserve of the Newell Highway. The storage of any material within the road reserve is denied. Appropriate signage and fencing are to be installed and maintained to effect this requirement.
19. The Newell Highway is part of the State Road network. For works undertaken on the carriageway of the State Road network by or on behalf of a private entity the developer is required to enter into a Works Authorisation Deed (WAD) with Transport for NSW before finalising the design or undertaking any construction work within or connecting to the road reserve. The applicant is to contact the Land Use Manager for the South West Region on Ph. 02 6923 6611 for further detail.
20. All works undertaken within the road reserve of the Newell Highway, shall be designed, and constructed to the satisfaction of Transport for NSW and in accordance with the Austroads Guide to Road Design. The design vehicle for the development is a B-Triple heavy vehicle.
21. Any works within the road reserve of a Classified Road requires approval from the Council and concurrence from Roads and Maritime Services under section 138 of the Roads Act 1993 prior to commencement of any such works. The developer is responsible for all public utility adjustment/relocation works, necessitated by the proposed development, and as required by the various public utility authorities and/or their agents.
22. Works associated with the development shall be at no cost to Transport for NSW.

Further to the above suggested conditions the Council in determining this application may also give consideration to the following:-

1. The provision of on-site car parking, including disabled parking, associated with the subject development is to be in accordance with Council requirements. All car parking spaces required are to be provided on-site and not to be compensated by the on-road parking in the vicinity. Parking, particularly disabled parking is to be located with convenient pedestrian access to the entry doors of the premises.

The submitted information provides details regarding the proposed advertising signage. Any advertising signage is to be assessed against and comply with the provisions of State Environmental Planning Policy (SEPP) No. 64 – Advertising and Signage, and the Department of Planning's Transport Corridor Outdoor Advertising and Signage Guidelines. The following is appropriate unless the provisions for advertising structures under SEPP 64 apply.

- 1) Any signage shall be designed and located so as to comply with the following;
 - a) the sign display shall not include:
 - Any flashing lights,
 - Electronically changeable messages,
 - Animated display, moving parts or simulated movements.
 - Complex display that holds motorist's attention beyond "glance appreciation",

- Display resembling traffic signs or signals, or giving instruction to traffic by using words such as 'halt' or 'stop';
 - b) The method and intensity of any illumination of the sign shall not be directed or transmitted in such concentration or intensity to cause distraction or glare to motorists.
 - c) Any proposed sign and support structure shall be located wholly within the confines of the property boundaries and not protrude over any adjoining road reserve.
 - d) Any proposed sign and support structure to be located within close proximity to a road reserve is required, as a minimum, to comply with the wind loading requirements as specified in AS1170.1 Structural design actions – Permanent, imposed, and other actions and AS1170.2 Structural design actions – wind actions.
 - e) Any proposed sign and support structure shall not obstruct any road regulatory, safety or directional signage in the vicinity,
 - f) Any proposed sign and support structure shall not pose any risk to the safety of pedestrians or motorists.
- NSW Department of Planning, Industry & Environment – Crown Lands

The Department of Planning, Industry and Environment – Crown Lands (Crown Lands) has assessed the proposed works for access to undertake road works on Crown Road between Sleeman St and Newell Highway at Jerilderie and has refused the applicant's proposal on the grounds that the Department is not a roads construction authority and as such cannot approve the road work.

Crown Lands advises that Murrumbidgee Council, as the local road construction authority could request that the road be transferred from the department to council so construction can be administered according to standards specified as the road's authority. Council has considered this at a Workshop and is in the process of seeking the transfer. Part of the recommendation seeks a formal resolution to commence the transfer process.

Crown Lands further advise that the land south of Lot 1 DP 569978 has been determined as being part of State Highway 17 being the Newell Highway. In this regard TfNSW is the roads authority.

Internal Referrals

- Director Engineering Services advises that they have no objection to the proposal. TfNSW will need to approve the access to the Newell Highway, and that applicant applies for S138 for the driveways that connect to the roads. Further the applicant also provides a geotechnical report, a geometric design road, drainage design for the proposed road as shown as Crown Land.

The detail technical reports highlighted by the Director of Engineering Services will be required prior to any civil works commencing and s138 approvals being granted and conditions of consent have been imposed to reflect this.

- Council's Environmental Health Officer notes that the site makes known locations of asbestos and advises that removal needs to be carried out by an accredited Class A removalist. Further they advise that the food shop appears satisfactory, however the plans lack detail.

The fitout details are to be addressed at construction certificate stage. A condition of consent has been imposed that the fitout out of food storage and handling areas be provided with a construction certificate.

- Advanced Environmental Systems advises that a section 68 approval is required for any liquid trade waste entering Council's systems and has provided conditions of consent to this effect.

4.15(1)(e) - The public interest

The provisions of Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 provides an overarching requirement to consider the public interest. It is considered that the public interest is best served by the consistent application of the requirements of the relevant Commonwealth and State government legislation, environmental planning instruments, development control plan, Council policy, and by Council ensuring that any adverse effects on the surrounding area and the environment are avoided.

On the basis that the proposed development is considered to be consistent with the aims and objectives of Jerilderie Local Environmental Plan 2012 and other relevant environmental planning instruments, development control plans or policies; and Land and Environment Court Planning Principles, it is therefore unlikely to raise any issues that are contrary to the public interest.

Conclusion

The development application has been evaluated with regard to the matters for consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979. On the basis of this assessment it is considered the proposal has merit and the development can be supported for the following reasons:

- The proposed development is permissible within the zone under Jerilderie Local Environmental Plan 2012 and is consistent with the aims, objectives and special provisions of that environmental planning instrument.
- The proposed development is consistent with the provision the relevant SEPPs that apply.
- The proposed development is considered satisfactory with regard to performance outcomes and acceptable solutions set down in Jerilderie Development Control Plan.
- The proposed development, subject to the imposition of conditions, is unlikely to have any unreasonable impact on the environment, and where an adverse impact has been identified appropriate conditions have been imposed to mitigate the effects.
- That where submissions have been received, these have been addressed and where required conditions included in the notice of determination.
- The subject site is suitable for the proposed development.
- The proposed development does not raise any matter contrary to the public interest.

Recommendation

- a) Council agree to accept the transfer of the Crown land to be dedicated as a public road.
- b) That Murrumbidgee Council as the consent authority pursuant to Section 4.16(3) of the Environmental Planning & Assessment Act 1979 grant deferred commencement consent to Development Application No: DA 20/2021 for a *service station* and *subdivision* of Lots 1 & 2 in DP 569978 and part of Lot 2 of DP 860991 being 1-5 Southey Street, Jerilderie subject to the conditions, including those set out in Attachment 6; and

- c) That the development application be delegated to the Manager of Planning & Environment for issue of the notice of determination.

Deferred Commencement Consent

- A) Council hereby grants “Deferred Commencement Consent” for a service station and the subdivision of Lots 1 & 2 DP 569978 and part Lot 2 DP 860991 being 1-5 Southey St (Newell Highway)/2 Sleeman Street, Jerilderie.

In accordance with Section 4.16(3) of the Environmental Planning and Assessment Act 1979, this development consent does not become operational until the following conditions have been met and/or satisfied:

- i. That the Crown land parcel connecting the Newell Highway and to be used as a side road shall be transferred to the Council as a public road.
- ii. The applicant shall provide a commitment in writing that they will bear all the costs of the construction of the public road in accordance with the relevant Australian standards and Murrumbidgee Council requirements.
- iii. The applicant shall provide details of a stormwater design including hydraulic calculations that demonstrate that stormwater detention for the critical storm event is to be created on the lot containing the proposed service station.

In accordance with clause 4.53(6) of the Environmental Planning and Assessment Act, 1979, this “Deferred Commencement Consent” remains valid for a period of two (2) years from the date of notification. If Council is not completely satisfied within this time period as to the completion of the above matters, the development application will be deemed to have lapsed and the provisions of Section 8.7 shall apply as if the consent had been refused.

If the conditions listed in the “Deferred Commencement Consent” above are satisfied, Council will issue notice that the consent has become operational and the ‘Operational’ conditions of consent set out hereunder will then apply.

PART A - ADMINISTRATIVE CONDITIONS

Approved Development

1. Development consent has been granted for a *service station* and the *subdivision* of Lots 1 & 2 DP 569978 and part Lot 2 DP 860991 being 1-5 Southey St (Newell Highway)/2 Sleeman Street, Jerilderie

The development must be implemented substantially in accordance with Development Application No. 20-2021 received by Council and the below mentioned document or modified by the conditions of consent.

Prepared By	Plan Title	Project	Date
Lawrence & Associates	A0.02 (A) Feature Survey	Caltex Jerilderie	20.07.2021
	A0.03 (A) Demolition Plan		08.07.2021
	A1.01 (P) Site Plan		22.10.2021
	A1.02 (D) Floor Plan		14.07.2021
	A1.04 (A) RCP Canopy		19.10.2021

	A2.01 (I) Elevations 1 A2.02 (H) Elevations 2 A6.01 (B) Signage Details		19.10.2021 19.10.2021 09.09.2021
MARA Consulting Pty Ltd	Landscape plan Sheets 01-07 (C)	Caltex Jerilderie	21.07.2021
WSP Australia	Environmental Site Assessment	1-5 Southey St Jerilderie	21.07.2021
Mark D McCrone	Arborist Report	United 24 Service Centre Proposal	June 2021
SLR Consulting Australia Pty Ltd	Crime Risk Assessment Report	Service Station Development, 1-5 Southey St Jerilderie	09.08.2021
Northrop	Concept Stormwater & Levels Plan	Caltex	16.07.2021
SLR Consulting Australia Pty Ltd	Waste Management Plan	Service Station Development, 1-5 Southey St Jerilderie	09.08.2021
SLR Consulting Australia Pty Ltd	Statement of Environmental Effects	Service Station Development, 1-5 Southey St Jerilderie	August 2021
Hazkem	SEPP 33 Risk Screening Documentation	Caltex Service Station, 1-5 Southey St Jerilderie	July 2021
SLR Consulting Australia Pty Ltd	Traffic Impact Assessment	Service Station Development, 1-5 Southey St Jerilderie	July 2021

In the event of any inconsistency between conditions of this approval and documents referred to above, the conditions of this approval shall prevail to the extent of the inconsistency.

Environmental Planning & Assessment Act, 1979

2. All building works and subdivision works shall be carried out in conformity with the provisions of the Environmental Planning and Assessment Act, 1979, and the Regulations made thereunder, in accordance with the plans and specifications approved by Council.

Any alteration to the approved building, or expansion of the business, changes to the operating hours or variation of operation conditions and the like will require the submission of a further development application or a modification application under Section 4.55 of the *Environmental Planning and Assessment Act 1979*, to amend the consent.

Lapsing of Consent

3. In accordance with Section 4.53 of the Environmental Planning and Assessment Act, 1979 this consent is valid for a period of five (5) years from the date of consent.

National Construction Code

4. All works must be carried out in accordance with the following:

- (a) All building work must comply with and be carried out in accordance with the requirements of the Building Code of Australia.
- (b) All plumbing and drainage works must comply with and be carried out in accordance with the requirements of the National Construction Code Vol. 3.

Construction & Subdivision Works Certificates

- 5. In accordance with the provisions of Part 6, Divisions 6.2, 6.3 and 6.4 of the Environmental Planning and Assessment Act, 1979 a person must not carry out building works, including associated excavation works (as applicable) or subdivision works until such time as:
 - (a) A *Construction Certificate* for the building works has been obtained from an *Accredited Certifier* holding the appropriate accreditation under the Building and Development Certifiers Act, 2018
 - (b) A *Subdivision Works Certificate* has been obtained from an *Accredited Certifier* holding the appropriate accreditation under the Building and Development Certifiers Act, 2018
 - (c) A *Principal Certifier* has been appointed; and
 - (d) The person with the benefit of the development consent has given at least two (2) days' notice to Murrumbidgee Council and the *Principal Certifier* of the person's intention to commence the erection of the building.

Services

- 6. The applicant is to be responsible for all amplification, extension, and adequate provision for connection to services at their own expense and in accordance with the relevant standards.
 - (a) Council's gravity sewer system is to be extended to service the proposed development. The design for pipelines, as well as manholes and other associated components normally associated with sewerage main installations are to be in accordance with Council's standards. Details and designs are to be submitted to Council for approval **prior to the issue of a Construction Certificate.**
 - (b) Council's reticulated potable water system is to be extended to service the proposed development. The design of all new mains and other associated components normally associated with water main installations are to conform to Council's standards. Details and designs are to be submitted to Council for approval **prior to the issue of a Construction Certificate.**
- 7. It is the responsibility of the applicant to check that the proposed works do not affect any Council, electricity, telecommunications, gas, or other services. Any required alterations to services will be at the developer's expense.

Integrated Development – General Terms of Approval of Transport for NSW (TfNSW)

- 8. The following general terms of approval have been imposed by Transport for NSW:
 - (a) The intersection and driveway to the Newell Highway shall be located and the roadside maintained so as to provide the required Sight Distance criteria in either direction along the highway in accordance with the Austroads Publications for the posted speed limit.

Compliance with this requirement is to be certified by an appropriately qualified person prior to construction of the vehicular access.

- (b) The intersection of the unnamed road with the Newell Highway shall be designed and constructed as public road intersection with a sealed Basic Right Turn (BAR) and Basic Left Turn (BAL) treatment in accordance with the Austroads Guide to Road Design for the posted speed limit. The design shall consider the nearby intersection of the Newell Highway with Saleyards Road. The design vehicle for the treatment and the driveway shall be a B-Triple heavy vehicle combination. The lanes widths within the Newell Highway shall be a minimum of 3.5 metres.
- (c) As a minimum, the unnamed road shall be upgraded to Council's satisfaction for a public road standard and be sealed for a minimum distance of 50m from the carriageway of the Newell Highway.
- (d) The required intersection treatment shall be designed and constructed so as to maintain appropriate vehicular access to the properties located on the eastern side of the Newell Highway opposite the subject site in accordance with the Austroads Guide to Road Design for the posted speed limit.
- (e) The northern driveway to the Newell Highway shall be restricted to egress only as per the submitted plans. This one-way motion for the heavy vehicles within the development site shall be appropriately signposted and line marked at the egress driveway and through the vehicle movement areas within the finished development. No entry signs shall be erected and maintained at this driveway.
- (f) As a minimum, the egress driveway shall be sealed from the edge of seal of the carriageway to the property boundary and be designed and constructed to a standard to accommodate the proposed vehicle traffic generated by the development including B-triple heavy vehicles. All vehicle movement and parking areas within the subject site shall be sealed.
- (g) All vehicle parking required to service the development is to be provided on-site. As a minimum the off-street car park associated with the proposed development including driveway design and location, internal aisle widths, parking bay dimensions and loading bays shall be in accordance with AS 2890.1-2004 "Off-street car parking", AS 2890.2-2002 "Off-street commercial vehicle facilities" and the Austroads Guide to Traffic Management Part 11: Parking.
- (h) The swept path of the largest vehicles entering and exiting the subject site and manoeuvrability through the site is to be in accordance with AS 2890.2-2002 "Off-street commercial vehicle facilities" and to Council's satisfaction. For road safety reasons, all vehicle access driveways, and the internal layout of the development, shall be designed and maintained to allow all vehicles to enter and exit the subject site in a forward direction and not be required to reverse onto the adjoining road reserve.
- (i) Any landscaping, fencing and signage to be provided within the site or along the boundary with any adjoining road reserve is to be designed and maintained to provide safe sight distance to pedestrians for motorists entering and exiting the site to minimise conflict in accordance with AS2890.1-2004 "Off-street car parking".
- (j) Facilities are to be provided within the car park to facilitate safe pedestrian movements throughout the car park. Pedestrian crossing stripes are not to be placed as it resembles the pedestrian crossing on the road and creates confusion as to who has the priority.

Raised pedestrian walkways enhance the visibility of the walkway and the safety of pedestrians.

- (k) Internal vehicular manoeuvring aisles, parking areas and loading bays shall be maintained clear of obstruction and used exclusively for the purposes of vehicle access, parking and loading and unloading respectively. This is to provide for the ease of circulation of vehicles within the development site. Under no circumstances shall these areas be used for the storage of goods or waste receptacles or any other purpose.
- (l) On-street parking shall be denied along the frontage of the development site to the Newell Highway to preserve the required Safe Intersection Sight Distance (SISD) for the exit driveway in accordance with the Austroads Guide to Road Design and on the opposite side of the Newell Highway within the extent of the Basic Right Turn (BAR) treatment. The full time "No Stopping" restriction is to be implemented along the Newell Highway prior to commencement of any works.
- (m) All activities including, loading, and unloading associated with this development are to take place within the subject site. Fill points for petrol and gas storage are to be located so that tankers can stand clear of access driveways and not impede on access to and from the subject site. A plan is to be submitted to indicate compliance with this condition prior to release of the Construction Certificate.
- (n) The proposed intersection with the unnamed road and the egress driveway shall be designed and constructed so as not to interfere with the capacity of the current roadside drainage network and to prevent water from proceeding onto, or ponding within, the carriageway of the highway.
- (o) Stormwater run-off from the subject site onto the adjoining road reserve as a result of the proposed development is not to exceed the existing level of run-off from the subject site. Suitable drainage treatment is to be implemented to deny contaminated storm water run-off from the subject site to the road reserve of the Newell Highway.
- (p) Any damage or disturbance to the road reserve of the Newell Highway is to be restored to match surrounding landform in accordance with Council requirements. Any redundant vehicular access driveways to the subject property from the Newell Highway shall be removed and the road reserve, including kerb and gutter, reinstated to match the surrounding roadside landform in accordance with Council requirements.
- (q) Detailed dimensioned plans demonstrating compliance with all conditions relating to all works within the road reserve shall be submitted to the satisfaction of Transport for NSW for approval prior to release of the Construction Certificate.
- (r) A management plan to address demolition and construction activity access and parking is to be prepared to ensure that suitable provision is available on site for all vehicles associated with the on-site works for the construction of the development to alleviate any need to park within, or load/unload from the road reserve of the Newell Highway. The storage of any material within the road reserve is denied. Appropriate signage and fencing is to be installed and maintained to effect this requirement.
- (s) The Newell Highway is part of the State Road network. For works undertaken on the carriageway of the State Road network by or on behalf of a private entity the developer is required to enter into a Works Authorisation Deed (WAD) with Transport for NSW before finalising the design or undertaking any construction work within or connecting to the road reserve. The applicant is to contact the Land Use Manager for the South West Region on Ph. 02 6923 6611 for further detail.

- (t) All works undertaken within the road reserve of the Newell Highway, shall be designed, and constructed to the satisfaction of Transport for NSW and in accordance with the Austroads Guide to Road Design. The design vehicle for the development is a B-Triple heavy vehicle.
- (u) Any works within the road reserve of a Classified Road requires approval from the Council and concurrence from Roads and Maritime Services under section 138 of the Roads Act 1993 prior to commencement of any such works. The developer is responsible for all public utility adjustment/relocation works, necessitated by the proposed development, and as required by the various public utility authorities and/or their agents.
- (v) Works associated with the development shall be at no cost to Transport for NSW.
- (w) The provision of on-site car parking, including disabled parking, associated with the subject development is to be in accordance with Council requirements. All car parking spaces required are to be provided on-site and not to be compensated by the on-road parking in the vicinity. Parking, particularly disabled parking is to be located with convenient pedestrian access to the entry doors of the premises.
- (x) Any signage shall be designed and located so as to comply with the following;
 - (a) the sign display shall not include:
 - Any flashing lights,
 - Electronically changeable messages,
 - Animated display, moving parts or simulated movements.
 - Complex display that holds motorist's attention beyond "glance appreciation",
 - Display resembling traffic signs or signals, or giving instruction to traffic by using words such as 'halt' or 'stop';
 - (b) The method and intensity of any illumination of the sign shall not be directed or transmitted in such concentration or intensity to cause distraction or glare to motorists.
 - (c) Any proposed sign and support structure shall be located wholly within the confines of the property boundaries and not protrude over any adjoining road reserve.
 - (d) Any proposed sign and support structure to be located within close proximity to a road reserve is required, as a minimum, to comply with the wind loading requirements as specified in AS1170.1 Structural design actions – Permanent, imposed, and other actions and AS1170.2 Structural design actions – wind actions.
 - (e) Any proposed sign and support structure shall not obstruct any road regulatory, safety or directional signage in the vicinity.
 - (f) Any proposed sign and support structure shall not pose any risk to the safety of pedestrians or motorists.

Requirements of Essential Energy

9. The following conditions have been imposed by Essential Energy

(a) Essential Energy's records indicate that existing overhead powerlines are impacted by the proposed development:

- i. The re-located signage is sufficiently clear of the powerlines. However, the Applicant, must understand their requirements when working around powerlines and SafeWork NSW clearances.
- ii. Minimum safety clearance requirements are to be maintained at all times for any proposed driveway access and/or exit (concrete crossovers), as such driveways will pass under Essential Energy's existing overhead powerlines located at the front of the properties. The driveways must comply with clearances for trafficable land, ground clearances (including the maximum sag of the conductor) must be maintained. Refer Essential Energy's policy CEOM7106.25 Minimum Clearance Requirements for NSW and refer the latest industry guideline currently known as ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. It is recommended that the Applicant engage the services of an Accredited Service Provider to assist and to ensure compliance. A list of Level 3 Accredited Service Providers is available at <https://energysaver.nsw.gov.au/households/you-and-energy-providers/installing-or-altering-your-electricity-service>.
- iii. Any proposed pole must remain clear by a minimum of 5.0 metres to any obstruction, at all times, to prevent accidental damage.
- iv. Any vegetation or plantings near the powerlines must be limited to 4.0 metres in height (mature height).
- v. The existing overhead service will need to comply with the NSW Service and Installation Rules. This means that the existing service will need to be re-located, at the Applicant's expense. A Level 2 Electrician will be able to advise on these requirements and carry out the required work to ensure compliance.

Disability Discrimination Act

10. The proposed development must be made accessible in accordance with the Building Code of Australia, Access to Premises Code and AS1428.1. The applicant/owner is advised that this approval does not guarantee compliance with the provisions of the Commonwealth *Disability Discrimination Act 1992* and the applicant should therefore consider their liability under the Act.

Aboriginal or Cultural artefacts

11. Should any Aboriginal artefacts, other cultural artefacts, archaeological relics, or any object having interest due to its age or association with the past be located during the course of works, all works are to cease immediately, and notification shall be provided to the Office of Environment and Heritage in accordance with the National Parks and Wildlife Act 1974. Work shall not recommence in the area until this is authorised by the Office of Environment and Heritage. Specifically,

(a) *If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:*

- (i) *Not further harm the object.*
- (ii) *Immediately cease all work at the particular location.*
- (iii) *Secure the area so as to avoid further harm to the Aboriginal object.*
- (iv) *Notify the Department of Planning, Industry and Environment as soon as practical on 131555, providing any details of the Aboriginal object and its location.*
- (v) *Not recommence any work at the particular location unless authorised in writing by the Department of Planning, Industry and Environment.*

(b) In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and the Department of Planning, Industry and Environment contacted.

Damage to Council property

12. If any damage is occasioned to Council property during construction and associated works, the cost of repairs will be recoverable. It is therefore requested that any damage which is obvious before works commence be immediately notified to Council to avoid later conflict.

Long Service Levy

13. For work costing \$25,000 or more, a Long Service Levy shall be paid. For further information please contact the Long Service Payments Corporation on their Helpline 13 1441.

Other Approvals

14. **Roads Act 1993 approval** - The applicant is to apply to Council for any work within the road reserve (e.g., vehicular footpath crossings, utilities including stormwater, footpath paving, kerb and gutter etc) for local and regional roads or Transport for NSW for state roads, pursuant to Section 138 of the *Roads Act 1993*. Details must be provided with the Construction Certificate application.
15. **Section 68 of the Local Government Act 1993** – Any approvals required under Section 68, Parts A to F, including (but not limited to), any use of public property for crane operation, waste management or installation of a moveable dwelling. Applications are to be made to Council a minimum of six (6) weeks prior to the proposed activity being undertaken.

PART B 1 - PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE
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Construction Certificate

16. A Construction Certificate is required for the development in accordance with Section 6.7(1) of the *Environmental Planning and Assessment Act 1979*. Any copy of documentary evidence submitted must be a complete copy of the original certificate, report or document. The following information shall be submitted for assessment when applying for a Construction Certificate:

- (a) Evidence that building(s) will not be constructed over allotment boundaries.
- (b) Site Classification Report by a professional geotechnical engineer, soil scientist or geologist.
- (c) A signed and dated Compliance Certificate (and associated structural drawings) from a professional engineer certifying that the design and construction of the building complies with the National Construction Code (Volume 1) 2019. The Certificate shall identify the relevant Australian Standards and provisions of the Building Code of Australia that the buildings comply with. The site classification is to be referenced on the engineering plans as identified from the Site Classification Report prepared for the site.
- (d) A Fire Safety System Plan prepared by an accredited Fire Safety Practitioner identifying the layout, extent and location of all statutory fire safety measures or system components to be provided in the building to meet the relevant performance requirements of the Building Code of Australia. Details or specifications must be provided that describes the basis for the design, the performance requirements and the relevant provisions of the Building Code of Australia that are met. Evidence of the satisfactory accreditation, experience or registration of the Fire Safety Practitioner shall be provided with the Plan.
- (e) Architectural plans and specifications.
- (f) An electrical plan showing all services to be provided.
- (g) Plans and/or details demonstrating that the buildings will comply with the relevant Specifications of the Building Code of Australia.
- (h) A Part J Energy Report by an experienced Energy Consultant showing that the building complies with Section J (NSW) of the NCC (Volume 1) 2019.
- (i) An Access Report prepared by an industry recognised and experienced Access Consultant that demonstrates that the development will if constructed in accordance with those plans and details will comply with the performance requirements of the Building Code of Australia and the relevant provisions of AS1428 and AS 2890.6

Note: Where a *Performance Requirement* is proposed to be satisfied by a *Performance Solution*, the following steps must be undertaken to comply with the National Construction Code:

- (a) Prepare a *Performance-based design brief* in consultation with relevant stakeholders.
- (b) Carry out analysis, using one or more of the *Assessment Methods* listed in (2), as proposed by the
- (c) *Performance-based design brief*.
- (d) Evaluate results from (b) against the acceptance criteria in the *Performance-based design brief*.
- (e) Prepare a final report that includes -
 - (i) all *Performance Requirements* and/or *Deemed-to-Satisfy Provisions* identified through A2.2(3) or
 - (ii) A2.4(3) as applicable; and
 - (iii) identification of all *Assessment Methods* used; and
 - (iv) details of steps (a) to (c); and
 - (v) confirmation that the *Performance Requirement* has been met; and
 - (vi) details of conditions and limitations, if any exists, regarding the *Performance Solution*.

When issuing a Construction Certificate, a certifying authority must attach a Fire Safety Schedule specifying all the *fire safety measures* required for the building so as to ensure the safety of the persons in the building in the event of fire.

17. Prior to the issue of a construction certificate a Certification Report including a Stormwater Management Plan is to be submitted to the Principal Certifying Authority for acceptance. The Certification Report shall be prepared by a professional engineer registered with the Institute of Engineers Australia and confirm that the design of the stormwater management system (including pre-treatment and ongoing management) is in accordance with the NSW Environmental Protection Agency's Managing Run-off from Service Station Forecourts Practice Note (June 2019) and the ANZG (2018) Framework.

The stormwater Management Plan is to include, but not be limited to, the following:

- (a) A detailed stormwater design including hydraulic calculations that demonstrate that predevelopment flows for the critical storm event will not be exceeded. Stormwater detention is to be created onsite for the critical storm event.
- (b) Evidence that pre-treatment systems to be installed meets the relevant Australian and International Standards to sustainably treat waste water.
- (c) Evidence that stormwater discharge shall comply with the Australian Water Quality Guidelines, shall not contaminate receiving waters and permit a maximum discharge concentration of 5ppm for total petroleum hydrocarbons (TPH).
- (d) An operation and maintenance schedule in accordance with the manufacturer's specifications and the EPA Practice Note for the proposed stormwater system for the lifetime of the development, including any stormwater treatment system.
- (e) All waste removed from the stormwater system is to be disposed of by an appropriately licenced contractor to an approved disposal facility. The records for the disposal of waste from the stormwater system are to be recorded and retained by the applicant and made available to Council upon request.
- (f) A contingency plan for the site in the event of system failure.
- (g) An emergency response plan.
- (h) Procedure for major spill incidents.
- (i) A sampling and testing regime for the proposed stormwater system.

Local Road Design

18. **Prior to the issue of a Construction Certificate**, detailed engineering design drawings for the roadworks shall be submitted to Council for approval in accordance Austroads *Guide to Road Design* for the construction of the local road (part of Crown Road reserve) south of subject site. Such plans shall include design and specifications for all proposed work as required for approval by Council, including but not limited to a geo-technical report, geometric road design and drainage design.

Kerb and Gutter Design

19. Nominal 150mm high integral kerb & guttering is to be constructed along the northern side of the local road (part of Crown Road reserve south of subject site) for the full length detailed on the development plan. Detailed engineering design drawings for the kerb and gutter and associated works shall be submitted to Council for approval **prior to the issue of a Construction Certificate**.

Construction Site Management Plan

20. Before the issue of a construction certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:

- (a) location and materials for protective fencing and hoardings to the perimeter on the site
- (b) provisions for public safety
- (c) pedestrian and vehicular site access points and construction activity zones
- (d) details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
- (e) protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites and Council's DCP, if applicable) and trees in adjoining public domain (if applicable)
- (f) details of any bulk earthworks to be carried out
- (g) location of site storage areas and sheds
- (h) equipment used to carry out all works
- (i) a garbage container with a tight-fitting lid
- (j) dust, noise, and vibration control measures
- (k) location of temporary toilets

The applicant must ensure a copy of the approved construction site management plan is always kept on-site during construction.

21. Prior to the issue of a construction certificate a revised Waste Management Plan shall be prepared for the approval of the Council. It shall include details regarding the disposal of asbestos and contaminated waste including the identification of waste management facilities that are licensed to accept contaminated waste material.

Payment of Security Deposits, Levies and Contributions

22. The fees listed in the table below must be paid in accordance with the conditions of this consent and Council's adopted Fees and Charges applicable at the time of payment. Payments must be made prior to the issue of the Construction Certificate or prior to the commencement of work (if there is no associated Construction Certificate).

- a) **Payment of building and construction industry long service levy** - The applicant must pay the long service levy as calculated at the date of this consent to the Long Service Corporation or Council under Section 34 of the Building and Construction Industry *Long Service Payments Act 1986* and provides proof of this payment to the certifier.
- b) **Public liability insurance** - Prior to the commencement of any works on Council land including a public road, the applicant is to obtain Public Liability Insurance in the minimum amount of \$20 million. This insurance is to note Council's interest and is to remain current for at least the period from the issue of the Construction Certificate until the issue of a Compliance Certificate/Occupation Certificate for the works. Documentary evidence of the Certificate of Currency is to be provided to Council prior to the issuing of any Construction Certificate for access.
- c) **Payment of development contributions** – In accordance with Section 7.12 of the Environmental Planning and Assessment Act 1979 (former S94A) and Council's Development Contribution Plan 2010, this development requires the payment of a 7.12 contribution. The Section 7.12 Contribution is required towards the provision of public amenities and services in accordance with Councils adopted Section 94A Contributions Plan). A copy of this policy is publicly available from Council's website www.murrumbidgee.nsw.gov.au.

Total payment shall be **\$43,450.00** (1% of the proposed cost of carrying out the development).

The contribution is to be paid **prior to the issue of the Construction Certificate** unless other arrangements acceptable to Council are made. Payment is to be in the form of cash or bank cheque. Where bonding is accepted a bank guarantee is required.

Liquid Trade Waste Approval

23. Prior to the issue of any Construction Certificate an application is to be made to Council for Liquid Trade Waste Approval, pursuant to Section 68C(4) of the Local Government Act, 1993. The application to Council must include the following documentation:

- a) Detailed hydraulic plans which indicate size, type, and location of all pre-treatment devices.
- b) The food preparation activities at this proposed service centre falls under the prescribed pre-treatment provisions which are as follows:
 - i. Installation of a grease trap. The minimum capacity we allow for installation in Regional NSW is 1,000 L operating capacity. The cleaner's sink will also have to be connected to the grease trap. Also, if it is proposed to install a washing machine to wash towels, aprons etc it must not be connected to the grease trap.
 - ii. If it is proposed to wash bins on-site, the area will have to be impervious, roofed and bunded. Also, a floor waste with fixed screen (bucket trap) will have to be installed in the bin wash area and this area should also be connected to the grease trap, if possible.
 - iii. A tap must be installed within 5 m of the grease trap and fitted with an appropriate backflow prevention device.
 - iv. Installation of dry basket arrestors (bucket traps) with fixed screen underneath the baskets in all sinks used for food preparation, including the cleaner's sink, if installed. It is not required in the sinks used for handwashing.
 - v. If floor wastes are proposed they will have to be fitted with dry basket arrestors (bucket traps) with fixed screen underneath the basket and in all floor wastes in the food preparation areas.
 - vi. Provision must be made for the storage of waste cooking oil. This area needs to be impervious, roofed and bunded.
- c) With regard to the refuelling points:
 - i. All contaminated stormwater shall be directed to the on-site stormwater treatment system.
 - ii. Any treated or untreated wastewater from the refuelling forecourt, including any discharge from the proposed treatment system, spillage or any wet weather discharge is prohibited from being discharged either directly or indirectly (tankered) to any Council's sewer infrastructure.
 - iii. Measures must be taken to prevent spillage of chemicals, oil and any other product used. Any spillages must be recovered/removed by dry cleaning

methods and not be discharged into the sewerage system or the on-site stormwater treatment system.

- iv. Solids and sludge resulting from treatment of the waste must be removed from the premises by a licensed contractor, where applicable.
- d) A copy of the Liquid Trade Waste Approval issued by Council shall be provided to the Principal Certifying Authority **prior to the issue of any Construction Certificate**

PART B 2 - PRIOR TO THE ISSUE OF A SUBDIVISION WORKS CERTIFICATE

24. Prior to the issue of a Subdivision Works Certificate detailed engineering plans and specifications of all civil works required to service the allotments as described in Schedule 1, Part 3A Clause 6AB of the NSW Environmental Planning and Assessment Regulation, 2000 are to be provided to the Principal Certifier or Council for acceptance.

PART C - PRIOR TO COMMENCEMENT OF WORK

Plans and Principal Certifying Authority

25. Prior to commencement of the building work it is a legal requirement that:

- a) detailed plans/specifications of the building have been endorsed with a construction certificate by:
 - (i) the Council, or
 - (ii) an accredited certifier, and
- b) the person having the benefit of the development consent:
 - (i) has appointed a principal certifying authority, and
 - (ii) has notified the Council of the appointment, and
- c) the person having the benefit of the development consent must lodge a notice of commencement form with Council prior to commencement of work at least two days prior to commencing the erection of the building.

Erosion and sediment control plan

26. Before the commencement of any works onsite the applicant is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:

- (a) the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book), and
- (b) the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The applicant must ensure the erosion and sediment control plan is always kept on-site during site works and construction.

Signs on site

27. A sign must be erected in a prominent position on any site on which building work or demolition work is being carried out:

- (a) showing the name, address, and telephone number of the principal certifier for the work, and
- (b) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (c) stating that unauthorised entry to the work site is prohibited.

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

Note: This does not apply in relation to building work or demolition work that is carried out inside an existing building that does not affect the external walls of the building.

Toilet facilities

28. Toilet facilities are to be provided at, or in the vicinity of the site, at the rate of one toilet for every 20 persons or part of 20 persons employed at the site. Each toilet provided must be connected to an accredited sewage management facility approved by the Council or some other sewage management facility approved by the Council.

Notice of Work

29. Prior to commencing works plumbers must submit a Notice of Work-to the Council as the local Water Authority.

Note: The form is available on Council's website or at www.fairtrading.nsw.gov.au

The Notice of Work is to be completed by the plumber or drainer and should provide the following information:

- (a) the name of the plumber who will carry out the work and their licence number
- (b) the address of where work will be carried out
- (c) the dates the work will be undertaken and estimated completion date
- (d) the type of work to be carried out (scale and scope)
- (e) details of how the work will comply with the Plumbing Code of Australia and whether a performance solution is being proposed.

Implementation of the Construction Site Management Plan and Waste Management Plan

30. The approved Construction Site Management Plan (incorporating the Sediment and Erosion Control Plan and Construction Traffic Management Plan) and the Waste Management Plan must be implemented and maintained prior to, and during, the construction works on the site until works are completed and all exposed surfaces are landscaped/sealed.

PART D - DURING CONSTRUCTION, DEMOLITION AND SUBDIVISION WORKS

General Matters

31. For the duration of any work on site, the builder must maintain a copy of the specification, stamped approved plans and a copy of the Development Consent (Notice of Determination) and Construction Certificate on site and shall comply with the following requirements:
- (a) Demolition of a building must be carried out in accordance with AS 2601.
 - (b) Compliance with the approved construction management plan.
 - (c) Applicant shall ensure that a suitable builders' toilet is situated on the property during construction.
 - (d) Access to the site shall be restricted by way of safety/security fencing and the access point clearly delineated.
 - (e) Earthworks should be carried out in accordance with AS3798-2007 Guidelines on earthworks for commercial and residential developments.
 - (f) All waste generated during the construction stage shall be stored on-site in suitable receptacles and disposed of to a licensed waste disposal or recycling facility.
 - (g) Work on the project shall be limited to the following hours:
 - (i) Monday to Friday - 7:00 am to 6:00 pm
 - (ii) Saturday - 8:00 am to 5:00 pm
 - (iii) No work to be carried out on Sunday/Public Holidays, without the prior consent of Council.

Procedure for critical stage inspections

32. While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.

Class 5,6,7,8 & 9 Buildings Critical stage inspections are:

- (a) after the commencement of the excavation for, and before the placement of, the first footing.
- (b) in relation to a critical stage inspection of a class 9a and 9c building, as defined in the Building Code of Australia—prior to covering of fire protection at service penetrations to building elements that are required to resist internal fire or smoke spread, inspection of a minimum of one of each type of protection method for each type of service, on each storey of the building comprising the building work, and
- (c) prior to covering any stormwater drainage connections, and
- (d) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

As Murrumbidgee Council is the water supply authority an inspection is also required prior to covering all hot and cold water plumbing and sewer plumbing and drainage.

Class 1 and 10 Buildings Critical stage inspections are:

- (a) after excavation for, and prior to the placement of, any footings, and
- (b) prior to pouring any in-situ reinforced concrete building element, and
- (c) prior to covering of the framework for any floor, wall, roof or other building element, and
- (d) prior to covering waterproofing in any wet areas, and
- (e) prior to covering any stormwater drainage connections, and
- (f) after the building work has been completed and prior to any occupation certificate being issued in relation to the building.

Plumbing inspections

33. All plumbing and drainage work to be carried out in accordance with the performance provisions of the National Construction Code (Volume 3) and AS3500.

During works plumbing Inspections are to be carried out and a Compliance Certificate for the plumbing and drainage work must be obtained from the Council.

TYPE OF INSPECTION	WHEN TO BE INSPECTED
Internal Sewer Drainage	When all internal plumbing and drainage work is installed and prior to concealment.
External Sewer Drainage	When all external plumbing and drainage work is installed and prior to concealment.
Stormwater Drainage	When all external stormwater drainage work is installed and prior to concealment.
Stack Work	When aerial drainage has been completed.
Final	Prior to occupation of the building or structure.

Note: Prior to the final plumbing inspection a sewer service diagram (SSD) drawn to the standard template details of Department of Fair Trading is required to be submitted to the Council and later to the Department.

Construction noise

34. While building work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.

SafeWork NSW

35. The developer is required to comply with any and all requirements of SafeWork NSW.

Discovery of Contamination

36. Should any contaminated, scheduled, hazardous or asbestos material be discovered before or during construction works, the applicant and contractor shall ensure the appropriate regulatory authority is notified and that such material is contained, encapsulated, sealed, handled, or otherwise disposed of to the requirements of such Authority.

Tree Protection

37. Any tree identified in the Arborist's Report as to be retained shall be given full and adequate protection during any future construction works (in accordance with AS4970-2009; Protection of trees on development sites) and all necessary work undertaken on them should be carried out in accordance with AS4373-2007; Pruning of amenity trees and WorkCover NSW Code of Practice 'Amenity Tree Industry' (2007). Applicable Tree Protection Zones (TPZ), as detailed in AS4970-2009, are shown – for trees recommended for retention – on the Existing Tree Mapping included as Appendix A of the Arborist Report

Demolition Work

38. All demolition work shall be carried out in accordance with *Australian Standards AS 2601-1991 Demolition of Structures*, other relevant Australian Standards, and the requirements of SafeWork NSW.

Demolition work must be carried out in accordance with the following:

- (a) The applicant must give relevant notice to all relevant statutory authorities of the demolition.
- (b) All existing utility services to the building to be demolished are to be terminated and sealed off in a manner that ensures there will be no leaks or odours escaping from their respective points of access to or within the building.
- (c) No demolition material shall be burnt on site.
- (d) Dust suppression should be adopted during demolition when required.
- (e) Prior to the commencement of demolition work a licensed demolisher who is registered with SafeWork NSW must prepare a Safe Work Method Statement ('SWMS') to the satisfaction of Council.
- (f) Any material containing asbestos or other hazardous building materials found on site during the demolition process shall be removed and disposed of in accordance with the requirements of SafeWork NSW, the *Protection of the Environment Operations Act 1997*, the *Protection of the Environment Operations (Waste) Regulation 2014* and the NSW Environment Protection Authority *Waste Classification Guidelines 2014*.
- (g) Identified hazardous building materials within the building to be demolished must be removed in accordance with current legislation and the approved Hazardous Building Materials Survey prior to the general demolition of the building. This hazardous building material removal must be undertaken by the relevant licensed specialists, as documented in the Hazardous Building Materials Survey.

PART E - PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE

Arrange issue of Occupation Certificate

39. A final Occupation (Completion) Certificate must be issued by the Principal Certifying Authority prior to occupation or use of the development. In issuing an occupation certificate, the Principle Certifying Authority must be satisfied that the requirements of section 109H of the Environmental Planning and Assessment Act 1979 have been satisfied.
40. When all work as indicated on the approved plans/specifications completed and the following conditions are satisfied, the applicant shall notify the PCA to arrange for the issue of a final **Occupation (Completion) Certificate**.

Fire Safety Certificate

41. A Final Fire Safety Certificate must be issued for the building prior to the issue of an Occupation Certificate. As soon as practicable after a Final Fire Safety Certificate is issued, the owner of the building to which it relates must cause a copy of the certificate (together with a copy of the current fire safety schedule) to be prominently displayed in the building.

An **ongoing requirement of the development** is to provide an annual Fire Safety Statement, each twelve months after the original certificate was issued.

Commercial recycling Services

42. Prior to the issue of an occupation certificate, evidence that commercial recycling services have been made available for the development must be provided to the Council.

Food Premises

43. **Prior to the issue of an Occupation Certificate and the commencement of operation**, an inspection of the premises is to be undertaken by Council's Officers. The following matters are to be implemented prior to the issue of the Occupation Certificate and complied with at all times throughout the use of the development.

(a) Food Premises – General

The construction and operation of the food premises shall comply with all applicable legislation/regulation and standards, including:

- The Food Act 2003
- Food Regulation 2015
- Food Standards Australia and New Zealand - Food Standards Code

The cooking appliances require an approved air handling system designed in accordance with AS1668.1-1998 and AS1668.2-1991 or alternative solution satisfying the performance objectives of the National Construction Code. No approval is granted for the burning of wood fired fuel.

The construction, fitout and finishes of the food premises must comply with Standard 3.2.3 of the Australian and New Zealand Food Standards Code under the Food Act 2003 and AS 4674 - Design, Construction and Fitout of Food Premises.

(b) Floor surfaces

The floor of the food premises must be finished in an approved non-absorbent material, evenly laid, graded, and drained to a trapped floor waste.

The floor must be coved at the intersection with the walls.

(c) Walls and Ceilings

The walls of the food preparation area must be of solid construction and finished with glazed ceramic tiles or other rigid, smooth-faced impervious material.

Ceilings within the food preparation and storage areas must be free of gaps and open joints and must be finished with an impervious sealed material. Suspended ceiling panels are not permitted in food preparation areas, food storage areas or areas where open food is displayed or served.

(d) Hand Washing Facilities

Hand wash basin/s, with hot and cold running water mixed through a common spout, liquid hand wash soap and hand drying facilities must be provided in all food preparation, bar areas, and toilets used by food handlers and must be no further than 5m travel distance from a place where a food handler is handling food.

(e) Fixtures, Fittings and Appliances

- i. A single bowl sink and a dishwasher or a double bowl sink must be provided in the food preparation or designated area, (of a capacity to handle the food preparation equipment) in addition to the hand basin.
- ii. A separate and dedicated food preparation sink is to be provided within the food premises (where foods are prepared by immersion in water.)
- iii. A cleaners sink for the purpose of cleaning floor mops and other cleaning equipment must be provided within the premises separate from the food preparation and storage area.
- iv. The appliances used to store potentially hazardous food must have a capacity to keep food hotter than 60°C or colder than 5°C and be provided with a thermometer, accurate to 1°C and which can be easily read without opening the appliance.
- v. All self-service unpackaged ready to eat food must be provided and maintained with protective barriers and have separate serving utensils, in accordance with Standard 3.2.2 of the Food Standards Code under the Food Act 2003.
- vi. All service pipes, electrical conduits, refrigeration condensate pipes and the like must be chased into walls and floors or at least 25mm off the wall.
- vii. All openings in walls, floors, and ceilings, through which service pipes pass, must be vermin proof.

- viii. Where fittings are butt joined together, they must be sealed to eliminate any cavities or crevices. Alternatively, a clear space of at least 75mm is to be provided between fittings.

The following requirements apply to clearances and supports of equipment:

- ix. All stoves, refrigerators, cupboards, and similar fittings must have metal legs made of non-corrosive metal or moulded plastic at a minimum height of 150mm above the floor. If placed flush on solid plinths the solid plinth is to be a minimum of 75 mm high.
- x. All shelving must be fixed 25mm clear of the walls on solid metal brackets.

(f) Entry of Pests

The design and construction of food premises must not permit the entry of pests through windows and/or other entrances e.g., fly screens on opening windows.

(g) Final inspection

Prior to the issue of the Occupation Certificate, an Inspection report is to be obtained from Council confirming satisfactory compliance with applicable food legislation.

Installation of Landscaping

44. The approved landscaping areas shall be installed to the satisfaction of Council prior to the issue of the Final Occupation Certificate. The maintenance of the landscaping areas within Council's Road reserve shall be the responsibility of the person with the benefit of the development consent and to the satisfaction of Council.

Drainage Diagram

45. Where development includes the installation of sanitary plumbing and drainage works between the building and Council's sewer, the applicant is required to submit to Council a drainage diagram. This diagram shall be prepared and submitted to Council prior to the issue of the Occupation Certificate. The diagram shall be drawn to scale at a ratio of 1:100 showing the location of the buildings and fittings and all pipelines, junctions, inspection openings and the like. Alternatively, Council can be requested to carry out the work upon payment of the fee listed in Council's current Revenue Policy
46. **Prior to the issue of an Occupation Certificate**, written confirmation from the contractor responsible for installing the stormwater system (including any water treatment equipment/system) is to be submitted to Council confirming that the installation of the stormwater system was completed in accordance with the manufacturer's specifications.

Liquid Trade Waste Inspections

47. The applicant is to contact Council to arrange a final Liquid Trade Waste inspection prior to applying for an Occupation Certificate.
48. **Prior to the issue of any Occupation Certificate** or Commencement of Business Activities, Council's final certificate of compliance shall be provided to the Principal Certifying Authority that all liquid trade waste requirements have been satisfied to ensure

the Liquid Trade Waste discharge meets the acceptance criteria outlined in the Liquid Trade Waste Approval.

Road Construction

49. **Prior to the issue of an Occupation Certificate**, the local road (part of Crown Road reserve) south of subject site shall be constructed in accordance with the approved plans.

Kerb and Gutter Construction

50. **Prior to the issue of an Occupation Certificate** a Nominal 150mm high integral kerb & guttering is to be constructed along northern side of the local road (part of Crown Road reserve south of subject site) for the full length of the property in accordance with the approved plans.

Works-as-Executed (WAE) Drawings

51. Works-as-Executed plans for approved civil works are to be submitted to Council upon completion of the development prior to the issue of an Occupation Certificate. Works As Executed plans are to be in accordance with Council's requirements.

Stormwater Drainage

52. Adequate arrangements are to be made for the disposal of stormwater. Stormwater runoff shall not be permitted to flow over the property boundaries onto the adjoining properties unless legally created easements in accordance with Section 88B of the Conveyancing Act are created.

Off-Street Parking

53. Prior to the issue of the Occupation Certificate all car and truck parking spaces identified on the approved plans are to be constructed and line-marked, including the provision of accessible parking spaces.

Legal and Practical Access to a Public Road

54. There shall be no issue of the Occupation Certificate until legal and practical access to a public road has been provided to the proposed allotments.

PART E - PRIOR TO THE ISSUE OF SUBDIVISION CERTIFICATE

Before Council releases the subdivision plan, you will need to demonstrate compliance with the following conditions. The necessary documentation and information must be provided to the Principal Certifying Authority (PCA), as applicable.

Subdivision Certificate

55. A Subdivision Certificate must be issued prior to lodgement of the Final Plan of Survey with the Land Property Information Office. An application for a Subdivision Certificate is required upon completion of all conditions of consent. The application is to be lodged with the Principal Certifier and the application shall include the Final Plan of Subdivision plus six (6) copies.

Water Services

56. **Prior to the issue of a Subdivision Certificate**, Council's reticulated potable water system is to be extended to service the proposed subdivision and works are to be completed in accordance with Council's standards.
57. **Prior to the issue of a Subdivision Certificate**, the developer is to provide a separate water service to each of the proposed allotments. Installation and location of the water services are to be in accordance with Council's standards.

Sewer

58. **Prior to the issue of a Subdivision Certificate**, Council's sewer system is to be extended to service the proposed subdivision. All works are to be completed in accordance with the Council's standards.

External Service Providers

59. **Prior to the issue of a subdivision certificate** written advice shall be obtained from the electricity supply authority, an approved telecommunications carrier, and an approved gas carrier (where relevant) stating that satisfactory arrangements have been made to ensure provision of adequate services to the development.
60. A Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, **prior to Council releasing the Subdivision Certificate**. Satisfactory arrangements must also be made by the Applicant with Essential Energy for the provision of power with respect to the proposed development. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the development, which may include the payment of fees, contributions and if required, new designated electrical infrastructure. If it is deemed that designated electrical infrastructure is required, then all fees for such infrastructure (which may be substantial) will be borne by the Applicant. Refer Essential Energy's Contestable Works Team for requirements via email contestableworks@essentialenergy.com.au.

Easement for Services

61. **Prior to the issue of the Subdivision Certificate** easements shall be established pursuant to Section 88B of the *Conveyancing Act 1919* where services cross property boundaries. The location and widths of the easements are to be specified in the instrument for the purpose of protecting and identifying the services.

PART F - ONGOING CONDITIONS

Amenity

62. The use shall not interfere with the amenity of the locality by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, wastewater, waste products or grit, oil or otherwise.

Access, loading and unloading

63. The person or entity with the benefit of the development consent shall ensure the following requirements are adhered to for the lifetime of the development:

- (a) The turning path of the largest sized vehicle to access the site is to be clear of obstructions at all times.
- (b) All vehicles are required to enter and leave the development in a forward direction to ensure traffic/pedestrian safety.
- (c) All vehicular loading and unloading are to be carried out within the site to prevent interference with the use of the public road by vehicles and pedestrians.
- (d) All requirements outlined in the approved Stormwater Management Plan.
- (e) The upkeep and maintenance of the accessway and associated facilities for the lifetime of the proposed development.

UPPS Regulation

64. The person or entity with the benefit of the consent shall be responsible for the underground petroleum storage system (UPSS) will need to ensure that the requirements of the Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014 are implemented and that the appropriate regulatory authority is notified in the event of a UPSS leak.

65. In addition to the ongoing requirements under the UPSS Regulation, the person or entity with the benefit of the consent shall undertake any and all required investigations, in accordance with State Environmental Planning Policy 55 Remediation of Land, to potential off-site contamination that may have occurred as a consequence of the historical use of the site as a depot and know fuel releases or spills recorded by the NSW Environmental Protection Authority.

Storage of Goods and Trade Waste

66. No goods, materials or trade waste are to be stored at any time outside the other than in the approved garbage facilities or storage facilities.

Road Reserve to be kept clear

67. The road reserve/nature strip including footpath shall be kept clear of advertising signage, fixtures, vehicles, goods, and materials at all times. There is to be no storage of materials on the public reserve adjoining the property.

Hours of operation

68. The hours of operation are 24 hours per day, Monday to Sundays.

Accessible water meter

69. The water meter servicing the subject allotment is to be kept free of any obstructions to ensure that the meter is accessible to Council officers at all times.

Outdoor lighting

70. Any outdoor display and/or security lighting is to be so located or shielded so that no additional light is cast on adjoining land or that it will distract traffic.

Sole Occupancy

71. The premise is to be used solely as one unit and is not to be sub-let or divided into separate sections or used for any additional or unauthorised purposes.

Stormwater Monitoring

72. The quality of water discharged from the stormwater system is to be monitored/tested annually by an approved National Association of Testing Authorities (NATA) laboratory. Results of the testing are to be recorded and retained by the applicant and made available to Council upon request.

Annual Fire Safety Statement

73. Each year, the owner of a building to which an essential fire safety measure is applicable must cause the council to be given an annual fire safety statement for the building, which.
- (a) must deal with each essential fire safety measure in the building premises, and
 - (b) must be given:
 - i within 12 months after the date on which an annual fire safety statement was previously given, or
 - ii if a fire safety certificate has been issued within the previous 12 months, within 12 months after the fire safety certificate was issued, whichever is the later.

Advisory Notes

The following information is provided for your assistance to ensure compliance with the Environmental Planning & Assessment Act 1979, Environmental Planning & Assessment Regulation 2000, or other relevant legislation and Council's policies. This information does not form part of the conditions of development consent pursuant to Section 4.16 of the Act.

74. The following advice has been provided by Essential Energy

- (a) If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.*
- (b) Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above properties should be complied with.*
- (c) As part of the subdivision, easement/s are to be created for any existing electrical infrastructure, using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision. Refer Essential Energy's Contestable Works Team for requirements via email contestableworks@essentialenergy.com.au.*
- (d) In addition, Essential Energy's records indicate there is electricity infrastructure located within close proximity to the properties. Any activities within these locations must be undertaken in accordance with ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.*

- (e) *Prior to carrying out any works, a “Dial Before You Dig” enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the Electricity Supply Act 1995 (NSW).*
- (f) *Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the Code of Practice – Work near Overhead Power Lines and Code of Practice – Work near Underground Assets.*

Reasons for Conditions

- A. To protect the amenity of the locality and public interest.
- B. To minimise impact on the environment.
- C. To ensure compliance with legislative requirements.

STATEMENT OF ENVIRONMENTAL EFFECTS

**Proposed Service Station
1-5 Southey Street and 2 Sleeman Street, Jerilderie NSW 2716**

Prepared for:
Outlook Property Services Pty Ltd

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BASIS OF REPORT

This report has been prepared by SLR Consulting Australia Pty Ltd (SLR) with all reasonable skill, care and diligence, and taking account of the timescale and resources allocated to it by agreement with Outlook Property Services Pty Ltd (the Client). Information reported herein is based on the interpretation of data collected, which has been accepted in good faith as being accurate and valid.

This report is for the exclusive use of the Client. No warranties or guarantees are expressed or should be inferred by any third parties. This report may not be relied upon by other parties without written consent from SLR.

SLR disclaims any responsibility to the Client and others in respect of any matters outside the agreed scope of the work.

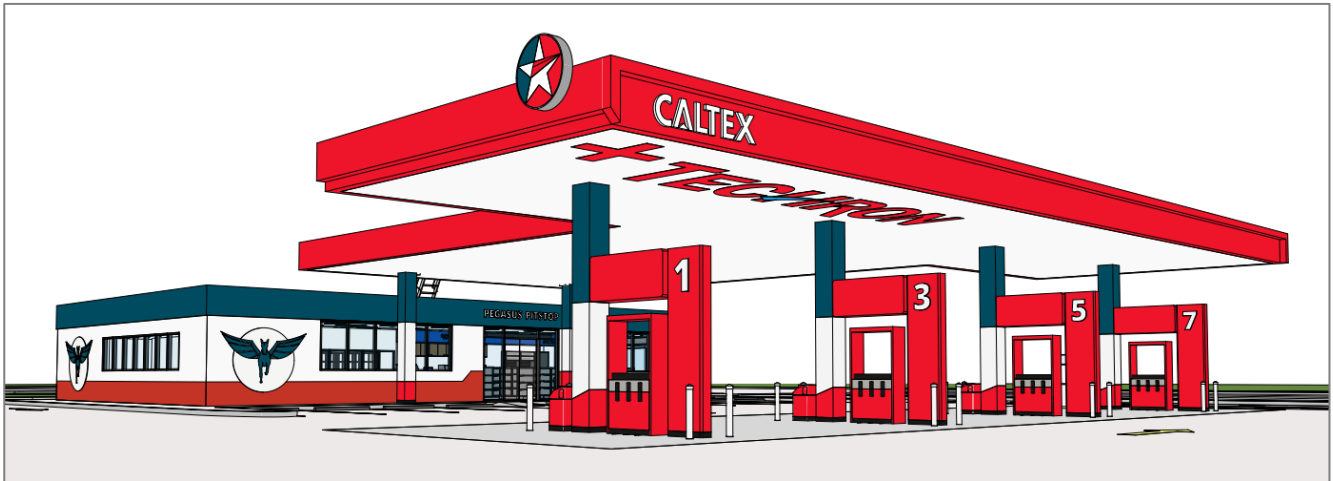
DOCUMENT CONTROL

Reference	Date	Prepared	Checked	Authorised
631.30283_R01-v0.3-20210707	9 August 2021	Grace Moses	Clare Brennock	
631.30283_R01-v0.3-20210707	9 August 2021	Grace Moses	Clare Brennock	Clare Brennock

EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) is submitted to Murrumbidgee Council (Council) in support of a Development Application (DA) at 1-5 Southey Street (also known as Newell Highway) Jerilderie NSW 2716, (the site) for the use of a service station. Figure 1 provides a 3D perspective of the proposal.

Figure 1 3D Perspective (Newell Highway)



The proposal will provide a valuable service and convenient facility for motorists travelling along Southey Street/ Newell Highway, as well as resident and workers in the area. The proposal is considered to be in the public interest as it will deliver a number of public, social and economic benefits with minimal adverse impacts.

The proposed development incorporates high-quality building presentation and signage with an integrated overall approach to site development. The proposed development will provide a safe, functional and environmentally responsive development outcome for what is currently a vacant brownfield site.

The proposal is compliant with relevant legislative requirements and Environmental Planning Instruments (EPIs). The proposal is permissible and consistent with the objectives for the IN1 General Industrial zone under the Jerilderie Local Environmental Plan (LEP) 2012 as well as being compliant with all standards and controls under the LEP. The development is generally compliant with the relevant controls of the Jerilderie Development Control Plan (DCP) 2012 with the exception of minor signage controls. These variations have been discussed and justified in Section 0 of this SEE and are considered acceptable in the context of the proposal.

This SEE has addressed the potential impacts arising from the proposal on surrounding properties including traffic, access and parking, noise, fuel hazard, visual amenity, and waste and water management. Where necessary, mitigation measures are proposed to minimise these potential impacts and reduce potential risk associated with the development. Furthermore, it is in the interest of the future operator to employ strict management procedures to ensure that the development is a safe, efficient, and pleasant operation in which to work and visit.

Given the merit of the design and the absence of any significant adverse environmental impacts or planning issues, the DA is considered to be in the public interest and worthy of Council's support.

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Appendix F	Arborist Report
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1 Introduction

This Statement of Environmental Effects (SEE) is submitted to Murrumbidgee Shire Council (Council) in support of a Development Application (DA) at 1-5 Southey Street, Jerilderie NSW 2716 and part of 2 Sleeman Street, Jerilderie NSW 2716 (the site) for the construction and use of a service station including the following elements:

- Demolition of the existing buildings on the site;
- Proposed 360sqm convenience store, with integrated food and drink offering;
- Loading bay, bin storage area and service yard;
- 4 x double sided petrol bowsers with car canopy;
- 3 x double sides petrol bowsers with truck canopy;
- 2 x 110kL underground fuel tanks and 2 x 7.5kL above ground LPG tanks;
- 1 x standalone double-sided LPG bowser and 1 x standalone double-sided Ad-Blue Bowser;
- Development of separate ingress and egress driveways in accordance with Australian Standards (AS2890);
- Development off sealed paved access road on the south-western boundary of the site in accordance with Australian Standards (AS2890)
- Associated signage, fencing, parking and landscaping;
- Subdivision and lot consolidation;
- Tree removal: and,
- Other minor details as found in the architectural plans.

A Construction Certificate (CC) for the development will be sought separately.

This SEE has been prepared by SLR Consulting Australia Pty Ltd (SLR) on behalf of Outlook Property Service Pty Ltd. It describes the site, its environs, the proposed development and provides an assessment of the proposal in terms of the matters for consideration under Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It should be read in conjunction with all supporting information and Plans prepared by Lawrence Associates included at Appendix A.

1.1 Consultation with Council

A Pre-DA meeting was held with Murrumbidgee Shire Council via video conference on 04 June 2021 to discuss the proposed developed.

A summary of the items discussed are provided in Table 1.

Table 1 Responses to Council's Pre-DA Advice

Council Comment	Response
Main Issues	
Referrals: Transport for NSW and Essential Energy through the planning portal	Noted.
SEPPS: SEPP 33 preliminary hazard analysis at least required. SEPP 64: Signage on main roads.	The relevant State Environmental Planning Policies have been addressed in Section 4 of this report.
Crown Land: Side road access was proposed on Crown land. Landowners consent required and this would likely take a long process as native title and aboriginal land claims would need to be sorted and if agreed tenure. This access if maintained would require to be constructed and sealed for the entire length of the property frontage. The consultants stated they could redesign so that entry and exit points were all contained on site.	Access is proposed to be via the side road located on Crown Land. An enquiry with the NSW Department of Land, Industry and Environment will be submitted for this proposal.
<p>Traffic Impact Assessment</p> <p>Truck standing area along the Highway was an issue which would need to be managed as well as internal traffic movement and flow.</p> <p>Current design has large vehicles channelled around convenience store through pedestrian movement areas and around car park. To prevent conflict, it was recommended to channel caravan and RV parking through to a dedicated aisle in the truck parking area. Distance between side entry point and first bowser may be insufficient and choke traffic flow- dedicated pass aisle recommended to prevent cars blocking back over the entrance.</p> <p>Need to ensure that any required maintenance of purceptor and UPSS or arresters would be able to be carried out without disrupting on site traffic movements and standing areas</p>	<p>The truck parking along the frontage is an informal area, there is adequate parking for trucks to rest within the site.</p> <p>A Traffic Impact Assessment has been prepared by SLR Consulting and included at Appendix C. The general site layout has been amended to prevent any pedestrian / small vehicle conflicts with larger trucks.</p> <p>Maintenance requirements for the units will be sparse, on the odd occasion maintenance is required it can be scheduled during quiet periods. There is adequate space within the site to temporarily divert traffic if required.</p>
<p>Services</p> <p>Need to confirm service and utilities available. Reticulated water supply, raw water. Site power lines to be underground.</p>	The provision of all essential services relevant to the proposal are able to be provided for the site.
<p>Trade Waste</p> <p>Application and approval required (food and waste water).</p>	<p>A Waste Management Plan has been included with this proposal, refer to Appendix H.</p> <p>A trade waste application will be sought as part of CC documentation.</p>

Council Comment	Response
<p>Stormwater Drainage</p> <p>A stormwater management plan would be required including hydraulic calculations to ensure pre development flows were not exceeded in a 100 ARI event. On site detention would be required given the extent of pavement.</p>	<p>A Stormwater Management Plan has prepared for the site, refer to the civil plans located at Appendix E.</p>
<p>Commercial Opportunity</p> <p>There is a need for a public car wash in Jerilderie and this could potentially be incorporated within the development.</p>	<p>Noted. This has been considered however, is not a standard part of this operators services.</p>
<p>Landscaping</p> <p>Detailed plan required.</p>	<p>A detailed landscaping plan has been prepared for this proposal, refer to Appendix D.</p>
<p>Noise and Vibration</p> <p>Acoustic report may be required dependent on likely impacts to background levels and location of sensitive receptors</p>	<p>An acoustic report is not considered required for this proposal, as the proposed sits is not located in close proximity to any sensitive receptors.</p>
<p>Construction Certificate</p> <p>Detailed plans showing conformance to NCC. Prior to Occupation Certificate being issued a range of compliance certificates would be required. (ie Spec C1.10) Floor Area of Service Station - If greater than 500m2 hydrants required. A detailed fire safety systems plan would be required to be submitted prepared by an accredited fire safety practitioner. Part J Energy report also required and Access report. Accessibility required into and out of required exits throughout paths of travel and to all areas used by occupants. Facilities based on Table D1.13- (assessed no. of occupants per class) Extent of dining/ table seating area needs to be identified for calculations.</p> <p>Possibility that an additional female sanitary facility required. Staff unisex facility needs to be accessible and only permitted in lieu of separate facilities when total employees less than 10 people. Facilities must be provided without walking through another separate sex facility.</p> <p>Paths of travel from any further point on road must not exceed 20m or where 2 options they cannot converge >5m and one must not exceed 40m.</p>	<p>Noted. The listed items will be provided as conditions of consent prior to obtaining a construction certificate.</p> <p>A construction certificate will be sought separately to this application.</p>

2 Site Analysis

2.1 Site Location and Context

The site, being 1-5 Southey Street, Jerilderie 2716 and part of 2 Sleeman Street, Jerilderie 2716, is located within the Jerilderie Local Government Area (LGA) which is governed by Murrumbidgee Council.

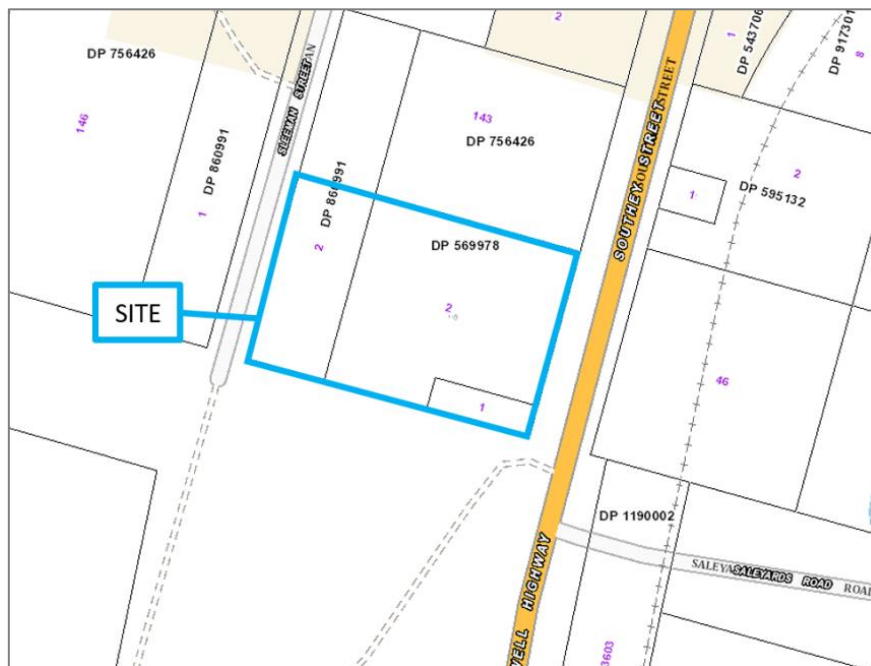
Newell Highway/ Southey Street is a State Classified Road. In the vicinity of the site, the road provides a two-lane carriageway with one traffic lanes in each direction. It has a 50 kilometre per hour speed limit fronting the site. Sleeman Road is located on the western boundary of the subject site. The road is an unsealed, local road with one traffic lane in each direction, the unnamed gravel road running along the southern boundary is owned by Crown Lands.

Refer to Figure 2 and Figure 3 below for the site and its surrounds.

Figure 2 Site Aerial (Source: Near Maps)



Figure 3 Cadastre (Source: Six Maps)



2.2 Site Description

The site is located over three lots, legally described as Lot 1 and Lot 2 of Deposited Plan (DP) 569978 and part of Lot 2 of DP860991 and is generally known as 1-5 Southey Street Jerilderie and part of 2 Sleeman Street Jerilderie. The proposed service station will be located across Lot 2 of DP569978 and part of Lot 2 of DP 860991.

The site is relatively flat and has an area of approximately 1.242 hectares. It has a 91m frontage to Southey Street/Newell Highway. Proposed ingress and egress to the site will be via the existing gravel road for with ingress/egress over two crossovers and while egress only for heavy vehicles will be via Newell Highway.

The site currently contains a motel used for short term accommodation and sheds on the rear lot. All existing structures on site are proposed to be demolished, a demolition plan is included in the architectural set.

Photo 1 View of site from Southey Street (Source: Google Maps)



2.2.1 Site History

A search of the council DA tracker found no previous applications on either site.

2.2.2 Surrounding Development

The site is surrounded by predominately cleared rural and industrial land to the east and west, containing dispersed dwellings and sheds. The land cleared south of the site is zoned SP2 and is for infrastructure purposes. Located north of the site is an existing service station.

The adjoining land to the south is listed as Crown Land. The land is currently vacant. The existing gravel road located on this land is intended to be utilised as an access road to the site.

3 Proposed Development

This section of the SEE provides a detailed description of the proposed development.

3.1 Development Description

The proposed service station will be a Caltex branded service stations, and will include:

- Demolition of the existing buildings on the site;
- Proposed 360sqm convenience store, with integrated food and drink offering;
- Loading bay, bin storage area and service yard;
- 4 x double sided petrol bowsers with car canopy;
- 3 x double sides petrol bowsers with truck canopy;
- 2 x 110kL underground fuel tanks and 2 x 7.5kL above ground LPG tanks;
- 1 x standalone double-sided LPG bower and 1 x standalone double-sided Ad-Blue Bower;
- Development of separate ingress and egress driveways in accordance with Australian Standards (AS2890);
- Development off sealed paved access road on the south-western boundary of the site in accordance with Australian Standards (AS2890);
- Associated signage, fencing, parking and landscaping;
- Subdivision and lot consolidation;
- Tree removal; and,
- Other minor details as found in the architectural plans.

Please refer to the full set of Architectural Plans prepared by Lawrence Associate at Appendix A.

3.1.1 Demolition and Earthworks

It is proposed that the existing structures located on both 1-5 Southey Street and 2 Sleeman Street will be removed. A demolition plan has been provided within the Architectural Plans located at Appendix A.

The works will be carried out in accordance with the requirements of WorkCover NSW and Australian Standards AS 2601:2001 (The Demolition of Structures) and AS 2436 (Guide to Noise Control on Construction, Maintenance and Demolition Sites). A Hazardous substance audit will be prepared prior to any demolition being carried out.

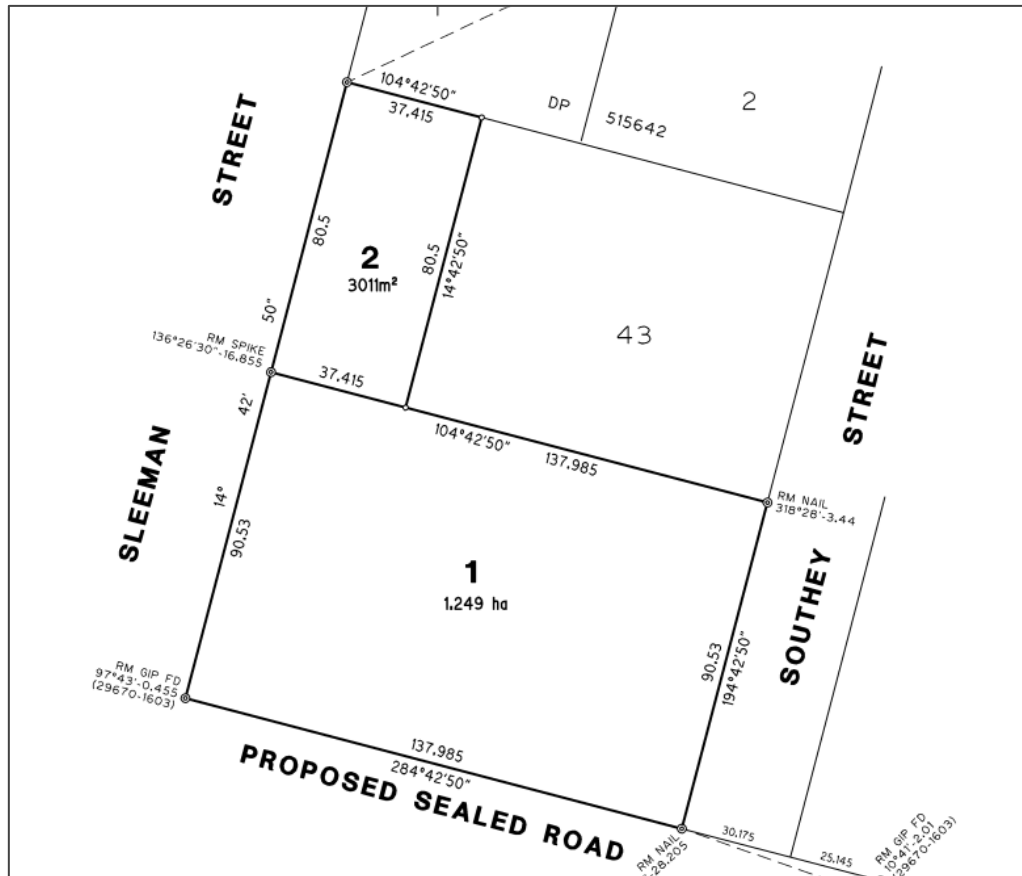
All existing services will be disconnected in accordance with the relevant authority's requirements prior to any demolition works. All demolition waste will be disposed of at an approved facility. A Waste Management Plan covering demolition works is included at Appendix H.

Proposed earthworks are required in order to provide suitable building and canopy levels as well as a suitably graded car park and site access levels. Excavation will also occur for the underground fuel storage systems and to implement below natural ground surface stormwater management measures. Refer to the Civil Engineering Plans contained at Appendix E for full details.

3.1.2 Subdivision

The proposal seeks to consolidate the lot relating to the development area, being all of Lot 1 DP5678 and part of Lot 2 DP 860991, resulting in the plan of subdivision as outlined in Figure X below and the Plan of Subdivision at Appendix K.

Figure 4 Plan of Subdivision Extract



3.1.3 Built Form

The building is of a modern design, consistent with standard service station designs nationwide. The proposal has undergone extensive site planning to ensure the development is unobtrusive to the Highway and surrounding developments, including providing for a single storey development, with canopy and integrated landscaping to reduce the visual impact of hardstand areas from the road and internally for users of the site.

3.1.4 Fuel Storage Tanks

There will be two underground triple wall fuel tanks (split compartment) with a combined capacity of 110KL. Another underground fuel tank will Fuel tank capacity of 70kL is proposed on site. This is outlined in Table 2.

Table 2 Fuel Tank Capacity

Tank/Compartment No.	Compartment Capacity (L)	Tank Capacity (L)	Product
1	35,000	110,000	ULP
2	40,000		ULP
3	35,000		P98
4	50,000	110,000	DSL
5	40,000		DSL
6	20,000		ADB
LPG (above ground)	7.5KL	15KL	LPG

The new underground fuel tanks are prefabricated off-site and will be transported to the site. The proposed installation of the new tanks will take approximately one week. The ancillary works and commissioning of the new tanks will take approximately 4-5 weeks.

The design and installation of the underground storage systems will comply with AS 4897-2008 and the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Construction Management Regulations 2014*.

A SEPP 33 – Risk Screening Assessment prepared by HAZKEM is provided within **Appendix G**.

3.1.5 Operations

The proposed hours of operation for the service station are 24 hours a day, 7 days a week. There will be approximately two (2) to three (3) staff members on site at any one time.

3.1.6 Deliveries

Delivery of consumable goods will be undertaken at the loading bay located at the eastern side of the proposed convenience store building.

The proposed delivery schedule is estimated to be as follows:

- 1-3 fuel deliveries per week (assumed 19m semi-trailer);
- 1-2 dry goods deliveries per week; and
- Daily fresh food deliveries.

Fuel deliveries will typically occur during the day (7am-6pm) with very occasionally deliveries in the evening or night. Tanker deliveries will be made using a large articulated vehicle as shown in the swept paths illustrated within the Plans at Appendix A. Hazardous Substances will be transported to site by approved Petroleum Products Road Tankers.

Food and supplies for the convenience store will be delivered to the delivery bay and generally occur early morning and late evening. This ensures that fresh produce is available each day (sandwiches, sushi, donuts, fruit etc).

The proposed delivery schedule is anticipated to have fresh food deliveries occur daily with dry storage goods twice weekly. This detail will be refined upon commencement of the operation.

3.2 Signage

Proposed signage at the site includes the following:

- 12m high, internally illuminated, freestanding pylon sign;
- 2.7m highway pricing board;
- Two illuminated fuel canopy signs;
- Two illuminated fuel canopy Caltex logos;
- Other ancillary signage including pump numbers and pump information boards, air and water signs, no entry signage.

Signage specifications including size, location, dimensions, and illumination are shown on the Signage Plan at Appendix A.

3.3 Waste Management

Waste will be stored in the designated bin storage area within the site. Waste collection will be undertaken by a private contractor during daytime or morning shoulder hours (5:30am - 10pm). The refuse area is located on the western side of the convenience store. The bins and waste storages areas will be cleaned by staff with protective gloves on a regular basis. Further details on waste management are provided in the Waste Management Plan (WMP) at Appendix H.

3.4 Stormwater Management

A Stormwater Drainage Plan has been prepared by Northrop and is located within the Civil Plans at Appendix E. Specifically, the proposed stormwater management arrangement include;

- Runoff from the roof areas of the convenience store and fuel canopy is to be captured by gutter and downpipes and conveyed to the nearest stormwater pit.
- Runoff from the hardstand areas is to generally sheet from the pavement onto the adjacent landscaped areas. Stormwater swales have been provided around the site perimeter prior to discharge to provide treatment and infiltration of overland runoff. These swales will be bunded to allow for the dissipation of concentrated flows as well as provide a media to allow for infiltration of smaller events prior to discharging from the site.
- Runoff from beneath the fuel canopy and fill points will be collected by bunded sump pits and conveyed to a proprietary device for treatment, prior to discharging to the stormwater system. It is noted that there is no known in ground stormwater infrastructure in the immediate vicinity of the development. As such, surrounding site levels/ topography may require the runoff discharged from the purceptor to be pumped via rising main to be discharged from the site. This will be confirmed at detailed design stage.

Full details of the proposed stormwater drainage network are shown on the proposed Concept Stormwater Plan at Appendix E.

3.5 Vehicular Access and Parking

Vehicle access will be provided via the existing gravel road located south of the site and via Southey Street/Newell Highway. Ingress and egress to the site will be provided via the existing gravel road located south of the site via two crossovers, with egress for heavy vehicles onto Newell Highway. All access driveways will be designed in accordance with relevant Australian standards.

The internal layout of the proposal will provide for service vehicles, including petrol delivery tankers, articulated vehicles and service vehicles small to large rigid trucks, to enter the site, circulate and make deliveries, and exit in a forward direction. A loading bay is provided at the western side of the convenience store building on site.

Swept path were assessed using the larger vehicle design for each access driveway. Internal circulation dimensions satisfy the requirements of the relevant Australian Standards (AS2890).

The development includes 18 car parking spaces, including 1 accessible space, and four double sided fuel bowsters which can accommodate one car actively refuelling and one car waiting. In addition to this, three (3) bus/ caravan car parking spaces will be provided on the western side of the convenience store and six (6) b-triple vehicle parking spaces will be provided on the northern portion of the site. Parking spaces will typically be 2.6 metres wide by 5.5 metres long. The accessible parking space will be 2.6 metres wide by 5.5 metres, with an adjacent 2.6m wide by 5.5m wide shared zone. All car parking is compliant with AS2890.

Full details on access and parking are included in the Traffic Impact Assessment (TIA) at **Appendix C**.

3.6 Landscaping

Landscaping is proposed, primarily around the perimeter of the site, to complement the built form and hardstand areas of the development including mass planting along the Newell Highway and Sleeman Street frontages, screen planting and shrubs, low hardy plants, groundcovers and grasses. Planting beds will be used to define entry points, provide direction and frame and filter views on site. The landscape design plan meets Council's planning objectives through the consideration of environmental concerns and public amenity.

To facilitate the proposal, all trees within the site require removal. The trees removed will be replaced with compensatory landscaping as described below. Trees and landscaping will be retained on site where possible. An Arborist Report has been prepared by Mark D McCrone Landscape Architect and included in Appendix F, the report identifies the majority of trees as being in either 'poor' or 'fair' condition.

The proposed plant schedule is provided in Table 3.

Table 3 Plant Schedule

PLANTING SCHEDULE			
Botanical Name	Common Name	Pot Size	Density
Trees			
<i>Brachychiton populneus</i>	Kurrajong	75 Litre	As shown
<i>Corymbia 'Scentuous'</i>	Dwarf Lemon Scented Gum	45 Litre	As shown
<i>Eucalyptus albens</i>	White Box	45 Litre	As shown
<i>Pyrus 'Capital'</i>	Ornamental Pear	45 Litre	As shown
Shrub			
<i>Banksia ericifolia</i>	Heath Banksia	5 Litre	2m
<i>Callistemon viminalis</i>	Weeping Bottlebrush	5 Litre	2m
<i>Rhagodia 'Aussie Flat Bush'</i>	Salt Bush	5 Litre	1m
<i>Teucrium fruticans</i>	Germander	5 Litre	1m
<i>Westringia 'Zena'</i>	Coastal Rosemary	5 Litre	0.7m
Groundcover, Grasses and Accent Plants			
<i>Anigozanthos 'Regal Velvet'</i>	Kangaroo Paw	5 Litre	6m2
<i>Carex appressa</i>	Rush	Tubestock	4m2
<i>Grevillea 'Mt Tamboritha'</i>	Prostrate Grevillea	2.5 Litre	3m2
<i>Lomandra 'Tropic Cascade'</i>	Matt Rush	2.5 Litre	6m2
<i>Lomandra 'Katrinus'</i>	Matt Rush	2.5 Litre	6m2
<i>Lomandra 'Tanika'</i>	Matt Rush	2.5 Litre	6m2
<i>Melaleuca 'Ulladulla Beacon'</i>	Honey Myrtle	5 Litre	3m2

Refer to the Landscape Plan at Appendix D for full planting specifications.

3.7 Construction Management

A Construction Management Plan will be prepared and be submitted to the Certifier for approval prior to issue of a Construction Certificate.

4 Relevant Legislation and Planning Controls

The following legislation, Environmental Planning Instruments (EPIs) and Development Control Plan (DCPs) are relevant to the proposed development:

- Environmental Planning and Assessment Act 1979
- Crown Land Management Act 2016 No. 58;
- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014;
- Protection of the Environment Operations (Clean Air) Regulations 2010;
- State Environmental Planning Policy No 33 – Hazardous and Offensive Development;
- State Environmental Planning Policy No 55 – Remediation of Land;
- State Environmental Planning Policy 64 – Advertising and Signage;
- State Environmental Planning Policy (Infrastructure) 2007;
- Jerilderie Local Environmental Plan 2012; and,
- Jerilderie Development Control Plan 2012.

4.1 Environmental Planning and Assessment Act 1979

The proposal, as with all development applications, is subject to the provisions of the *Environmental Planning and Assessment Act 1979* (EPA Act). Section 4.15(1) of the EP&A Act provides criteria which a consent authority is to take into consideration, where relevant, when considering a DA. An assessment of the subject DA, in accordance with the relevant matters prescribed under Section 4.15(1), is provided in this report.

It is considered that the proposal will trigger integrated development under Section 4.46 of the EP&A Act. It is acknowledged that Newell Highway is a State Classified Road, therefore referral to Transport for NSW will be required.

4.2 Crown Land Management Act 2016 No. 58

1.3 Objects of the Act

The objects of this Act are—

- (a) to provide for the ownership, use and management of the Crown land of New South Wales, and*
- (b) to provide clarity concerning the law applicable to Crown land, and*
- (c) to require environmental, social, cultural heritage and economic considerations to be taken into account in decision-making about Crown land, and*
- (d) to provide for the consistent, efficient, fair and transparent management of Crown land for the benefit of the people of New South Wales, and*

- (e) to facilitate the use of Crown land by the Aboriginal people of New South Wales because of the spiritual, social, cultural and economic importance of land to Aboriginal people and, where appropriate, to enable the co-management of dedicated or reserved Crown land, and
- (f) to provide for the management of Crown land having regard to the principles of Crown land management.

The existing gravel road located adjacent to the site to the south is Crown Land, refer to 5 below. This existing gravel road is intended to be utilised for access to the site for this proposal. The proposed use of the Crown Land will be consistent with the objectives of this Act. An enquiry with the NSW Department of Land, Industry and Environment will be submitted for this proposal as part of the Council assessment process

Figure 5 Crown Land in proximity to the site (Source: ePlanning Spatial Portal)



4.3 Protections of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014

Part 4 Use of Storage Systems of the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014* requires an environmental protection plan to be in place prior to the use of a storage system containing petroleum.

An environmental protection plan shall be prepared that complies with the Environmental Protection Authority (EPA) guidelines prior to the use of the service station. It shall be reviewed and updated as required and a copy will be kept on site at all times.

4.4 Protection of the Environment Operations (Clean Air) Regulation 2010

The proposed development will comply with the necessary requirements prescribed under Division 5 – Petrol Service Stations, Subdivision 3 - Stage two vapour recovery of the *POEO (Clean Air) Regulation 2010* with stage 2 vapour recovery installed at the site.

4.5 State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

This plan aims to ensure that in considering any application to carry out potentially hazardous or offensive development, the consent authority has sufficient information to assess whether the development is hazardous or offensive and to impose conditions to reduce or minimise any adverse impact.

A Multi-level Risk Assessment for the proposed service station has been carried out by Hazkem Dangerous Goods Consulting and is provided at Appendix F. The assessment found that the required setback distances from the fuel bowzers to sensitive receivers are met, a Preliminary Hazard Analysis (PHA) was not required to be undertaken. The site and current design are deemed to not impose a significant level of risk to the community with the site being assessed as not potential hazardous.

4.6 State Environmental Planning Policy No. 55 – Remediation of Land

In relation to development applications, SEPP 55 requires the consent authority to consider whether the land is contaminated. Clause 7(1) of the SEPP states:

(1) A consent authority must not consent to the carrying out of any development on land unless:

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

As discussed in **Section 2.2.1** and **Section 5.12**, the site does not have a history which suggest the land maybe contaminated from previous land uses. It is considered the proposed use of the site is less sensitive than the most recent use. The concentrations noted in soil and/or groundwater does not pose a risk to future users under a commercial/industrial land use. Refer to the Environmental Site Assessment located at Appendix J for further details.

4.7 State Environmental Planning Policy No. 64 – Advertising and Signage

A number of signs are proposed to be installed both on the building and fuel canopy and within the site to appropriately identify the service station tenant. Clause 8 of SEPP 64 states the following:

“A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1)(a), and*
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1”*

It is considered that the proposed signage satisfies the relevant criteria as described in Clause 8 of SEPP 64.

Clause 17 of SEPP 64 states the following:

“Advertisements with display area greater than 20 square metres or higher than 8 metres above ground

(1) This clause applies to an advertisement—

(a) that has a display area greater than 20 square metres, or

(b) that is higher than 8 metres above the ground.

(2) The display of an advertisement to which this clause applies is advertised development for the purposes of the Act.

(3) The consent authority must not grant consent to an application to display an advertisement to which this clause applies unless—

(a) the applicant has provided the consent authority with an impact statement that addresses the assessment criteria in Schedule 1 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and

(b) the application has been advertised in accordance with section 79A of the Act, and

(c) the consent authority gave a copy of the application to TfNSW at the same time as the application was advertised in accordance with section 79A of the Act if the application is an application for the display of an advertisement to which clause 18 applies.”

The proposed pylon sign is 12m in height, exceeds 20m², and is visible from a classified road, therefore clause 17 and 18 is triggered. It is considered the proposed pylon sign height is acceptable for the proposed site location and proposed use of a service station.

The assessment criteria in Schedule 1 of the SEPP relates to matters for consideration such as character of the area, amenity of residential areas, views and vistas, streetscape, setting and landscape, site and building, illumination, and safety.

Consistency of the development with clause 3(1)(a) is discussed further in Section 5.9 of this report and a detailed assessment of the proposal against the Schedule 1 Assessment Criteria is provided at Appendix B.

4.8 State Environmental Planning Policy (Infrastructure) 2007

Clause 45 Determination of development applications - other development

The relevance of Clause 45 is the potential of the proposal to affect exposed overhead electricity power lines as works may occur within 5m of the powerlines on Southey Street/ Newell Highway. In this regard, written notice will be given to the electricity supply authority inviting comments about potential safety risks. Any response must be taken into consideration by the consent authority.

Clause 101 Development with Frontage to Classified Road

The objectives of Clause 101 of SEPP Infrastructure are:

(a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and

(b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.

The site has frontage to Newell Highway, which is a state classified road. The design and nature of the development ensures vehicles have satisfactory access to and from Newell Highway as well as the proposal being a compatible land use for the location on a State Classified Road

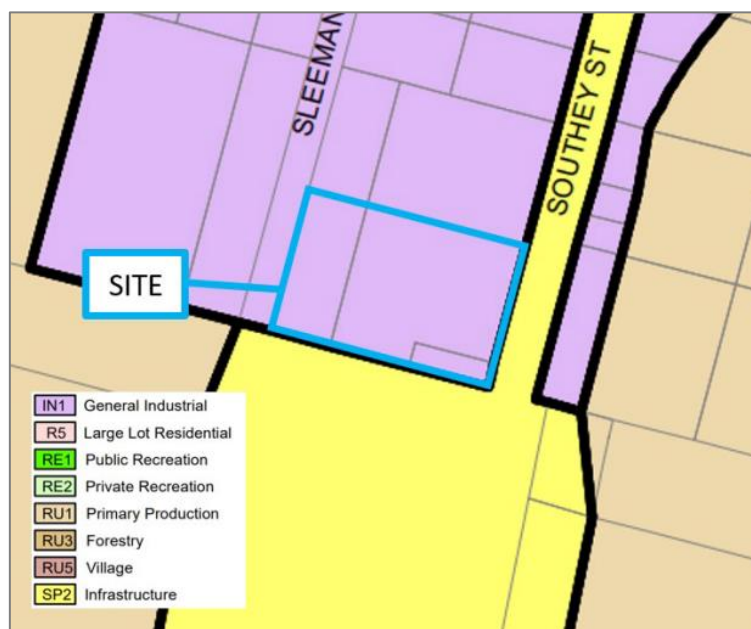
Clause 104 Traffic Generating Development

The proposal triggers traffic generating development as per Clause 104 (and Schedule 3) of the SEPP as a service station of *any size or capacity* and will therefore require referral to TfNSW inviting comment. A TIA has been prepared by SLR Consulting Australia Pty Ltd (SLR) which addresses potential traffic related impacts from the proposal (refer to Appendix C). The report demonstrates that the proposed development will not adversely affect the surrounding road network or cause any unreasonable or unsafe traffic and parking implications. The proposed development is therefore consistent with SEPP (Infrastructure) 2007.

4.9 Jerilderie Local Environmental Plan (LEP) 2012

Pursuant to the Jerilderie Local Environmental Plan (LEP) 2012, the site is zoned IN1 General Industrial as illustrated on the zoning map extract in Figure 66.

Figure 6 Zoning Map Extract from Jerilderie LEP 2012 (LZN_007A)



The objectives and land use table of the IN1 General Industrial Zone are as follows:

1 Objectives of zone

- To provide a wide range of industrial and warehouse land uses.

- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.

2 Permitted without consent

Environmental protection works; Roads; Water reticulation systems

3 Permitted with consent

*Depots; Freight transport facilities; Funeral homes; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Liquid fuel depots; Neighbourhood shops; Oyster aquaculture; Places of public worship; Rural supplies; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; **Any other development not specified in item 2 or 4***

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Pond-based aquaculture Public administration buildings; Registered clubs; Residential accommodation; Respite day care centres; Tourist and visitor accommodation; Water recreation structures; Wharf or boating facilities

In accordance with the Land Use Table, the use of a service station is permitted with consent in the IN1 General Industrial zone as 'Any other development not specified in item 2 or 4.'

The relevant land-use definition is provided below for reference:

service station means a building or place used for the sale by retail of fuels and lubricants for motor vehicles, whether or not the building or place is also used for any one or more of the following—

- (a) the ancillary sale by retail of spare parts and accessories for motor vehicles,
- (b) the cleaning of motor vehicles,
- (c) installation of accessories,
- (d) inspecting, repairing and servicing of motor vehicles (other than body building, panel beating, spray painting, or chassis restoration),
- (e) the ancillary retail selling or hiring of general merchandise or services or both.

Note, there is no servicing / mechanics portion under the proposal.

Clause 2.7 Demolition

The proposal seeks consent for the demolition of all existing structures and trees on the site.

Clause 4.1 Minimum subdivision lot size

There is no prescribed minimum subdivision lot size for the site under Jerilderie LEP 2012.

Clause 4.3 Height of Buildings

There is no height of building limitation for the site under Jerilderie LEP 2012. Notwithstanding, the proposal includes a single storey building, with canopy, typical of a service station development.

Clause 4.4 Floor Space Ratio

There is no maximum floor space ratio limitation for the site under Jerilderie LEP 2012.

Clause 5.10 Heritage Conservation

The site is not identified as a heritage item, nor is it located within a heritage conservation area. There are no heritage items located within proximity of the site.

Clause 6.1 Earthworks

The objectives of this clause are:

(a) to ensure that earthworks for which development consent is required will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land,

(b) to allow earthworks of a minor nature without separate development consent

Earthworks are proposed as part of the development application in order to establish the development area on the site. As the site is generally flat and no basement or extensive foundation works are required, earthworks are expected to be minimal. The proposed works include excavation to create level driveways and underground tank storage on site. The scale of the earthworks will not be the effect of the proposed likely future use or redevelopment of the land.

Proposed earthworks are not likely to result in impacts to drainage patterns or soil stability in the locality; impact future use or redevelopment of the land; impact the quality of the soil to be excavated; impact development and likely amenity of adjoining properties; or disturb relics or negatively impact any waterway, drinking catchment area or environmentally sensitive area. Appropriate erosion and sediment control measures will be put in place, as per the Civil Plans within Appendix F.

Clause 6.2 Flood Planning

According to the 10.7 planning certificate for the site, the subject site is not located on flood prone land.

Clause 6.3 Stormwater Management

The purpose of this clause is to minimise the impacts of urban stormwater on land to which this clause applies and on adjoining properties, native bushland and receiving waters.

- (3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development—*
- (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and*
 - (b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and*
 - (c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.*

A Stormwater Management Plan has been prepared for this proposal by Northrop and is included at Appendix E. The stormwater management strategy has been developed to the post developed stormwater behaviour is consistent with the predeveloped stormwater patterns, as well as providing drainage systems designed to ensure safety and minimise stormwater inundation of habitable floor areas. No significant adverse impacts are expected to adjoining properties.

Clause 6.8 Essential Services

Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required—

- (a) the supply of water,*
- (b) the supply of electricity,*
- (c) the disposal and management of sewage,*
- (d) stormwater drainage or on-site conservation,*
- (e) suitable road access.*

Provision of services relevant to the proposal, such as: water supply, stormwater drainage, and vehicular access suitable for the proposed development are able to be provided for the site.

4.10 Jerilderie Development Control Plan 2012

The Jerilderie Development Control Plan (DCP) 2012 provides detailed guidelines to guide the design and assessment of development applications for land covered by the former Jerilderie LGA, now known as the Murrumbidgee Local Government Area.

The DCP 2012 components relevant to the proposed development are:

- 7. IN1 General Industrial Development

- Schedule 1 – Onsite Parking Requirements

The proposal is generally compliant with the DCP with the exception of minor variations in relation to signage. A detailed compliance table is included at Appendix B and the variations are discussed in detail below.

4.10.1 DCP Variations

7. IN1 General Industrial Zone – Industrial Development

7. IN1 General Industrial Zone – Industrial Development

7.3 Signage is limited to 3 external signs in total:

- One sign on the parapet to be flush with the parapet
- One sign on side wall

The proposed signage on site exceeds the allowable 3 external signs. However, the proposed business identification signage is considered appropriate for the proposed use of the site as a service station. The proposed number of signs are not considered excessive and will not result in visual clutter for the site. The proposed signage is appropriately sized and scaled and will be consistent with Caltex Service Station signage nationally. The signage is considered necessary for business identification purposes and to provide passing motorists the relevant information for the proposed service station, including pricing and fuel options.

5 Assessment of Planning Issues

The following is an assessment of the environmental effects of the proposed development as described in the preceding sections of this report. The assessment considers only those matters under Section 4.15 (1) of the EP&A Act relevant to the proposal.

5.1 Compliance with Planning Instruments and Controls

The proposal is generally compliant and consistent with all applicable legislative requirements, environmental planning instruments, development controls and guides as outlined in Section 4 of this SEE, and as summarised below:

- The service station achieves compliance with SEPP 33 (Hazardous and Offensive Development), Protection of the Environment Operations (Underground Petroleum Storage Systems) and (Clean Air) Regulation;
- Potential contamination of the land has been considered in accordance with SEPP 55 – Remediation of Land;
- Proposed signage is consistent with the criteria contained in SEPP 64 (Advertising and Signage);
- The proposal meets traffic and access requirements and triggers traffic generating development pursuant to SEPP (Infrastructure) 2007;
- The proposed uses are permissible within the IN1 General Industrial zone under Jerilderie LEP 2012 and the proposal meets all LEP development standards;
- The proposed development achieves the aims and objectives contained within the relevant sections of the Jerilderie DCP 2012. Where variation is sought from the requirements of the DCP, it is addressed in Section 0 of this SEE and is considered reasonable in the circumstances of this proposal.

5.2 Traffic, Parking and Access

A Traffic Impact Assessment (TIA) has been undertaken by SLR Consulting and is attached at Appendix C. The report examines the traffic implications of the proposed development including the predicted traffic generation and its impact on existing road and intersection capacities. The report also reviews parking requirements, access provisions and public transport, including assessment against Council, Australian Standards and TfNSW requirements as required.

5.2.1 Access, Servicing, and Internal Layout

The proposed access to the site is via a combined ingress and egress driveway off the existing gravel road (Crown Land) located south of the site for vehicle access. Ingress to the site for heavy vehicles is via the existing gravel road, while egress only will be via a proposed driveway onto Newell Highway/ Southey Street.

The driveways will provide for the turning movements of cars and service vehicles in accordance with the Australian Standard for Parking Facilities (Part 1: Off-street car parking and Part 2: Off-street commercial vehicle facilities), AS 2890.1:2004 and AS 2890.2 –2002.

The proposed circulating roadway widths will be designed to accommodate a vehicle up to the size of a B-triple (36.5m). The circulating road with dimensions exceed the requirements of the Australian Standard for Parking Facilities AS2890.

The internal layout will provide for all relevant vehicles, including fuel trucks to enter the site, circulate, make deliveries to the loading bay and exit safely in a forward direction. Refer to the swept path plans enclosed within the Traffic Report at Appendix C.

5.2.2 Traffic Generation

The anticipated rates of traffic likely to be generated from the proposed development are discussed in the TIA, having regard for the RMS 'Guide to Traffic Generating Development', DCP 2009 and using SIDRA computer analysis.

An automated pneumatic tube counts (ATC) survey was undertaken to determine existing traffic surrounding the site. The survey determined Tuesdays to be the busiest day, with two peak periods being between 10.00-11.00AM and 4.00-5.00PM. It is proposed that the development will attract an estimated combined inbound and outbound total of 238 vehicles per hour (VPH).

Therefore, traffic generated by the proposed development will have its greatest effects during weekday morning and afternoon peak periods when it combines with other traffic on the surrounding road network. It is noted all peak hour trips are expected to be 'drop in' trips from vehicles already on the road network.

It is noted that the vast majority of customers to the site are likely to be passing trade. The additional traffic was modelled on the road network where it was found that road network will be able to accommodate the additional traffic from the proposed development.

5.2.3 Parking Provision

Parking for the proposed development has been calculated in accordance with Council's car parking rates. Schedule 1 of the DCP includes the following parking requirements for *Service station / convenience store*:

Requirements are additive:

10 spaces per work bay

5 spaces per 100m² GFA of convenience store

if restaurant is included then add: 1 spacer per 3 seats

The proposal does not include any work bays or a restaurant. Based on the above parking rates, the required parking for the site is calculated as per below:

Convenience store: 360sqm GFA

$3.6 \times 5 = 18$ spaces.

Therefore, the required parking on site is 18 spaces.

The proposed development will provide 18 car parking spaces, includes 1 accessible parking space. In addition to this, large vehicle parking will be included on site, inclusive of three (3) bus/ caravan spaces and six (6) b-triple vehicle parking spaces. There will also be four double sided light vehicle refuelling positions with adequate space for queuing, and six (6) heavy vehicle refuelling positions provided on site. The proposed on site car parking exceeds the requirements for the site under Jerilderie Shire DCP 2012.

Within the site, parking spaces will be typically 2.6 metres wide by 5.5 metres long. The accessible parking space will be 2.6 metres wide by 5.5 metres, with an adjacent 2.6m wide by 5.5m wide shared zone. All car parking is compliant with AS2890. Parking dimensions satisfy the requirements of the Australian Standard for Parking Facilities (Part 1: Off-street car parking and Part 6: Off-street parking for people with disabilities), AS 2890.1:2004 and AS 2890.6:2009.

The proposal is therefore satisfactory in terms of parking, traffic generation and access provisions.

5.3 Visual Impact

The proposed works will not have a negative impact upon the visual amenity and character of the area given:

- The development incorporates an appropriate scale, bulk, and density for the location on industrial zoned land fronting a Classified Road;
- The proposed development presents positively to Newell Highway with an activated street frontage and complimentary perimeter landscaping;
- The building incorporates high quality finishes and contemporary colours and materials;
- A consistent theme for signage within the site is proposed, in order to achieve an orderly and coordinated site presentation; and
- On-site landscape works and plantings will make a positive contribution to the streetscape and enhance the overall internal amenity of the proposal.

5.4 Overshadowing

The location of buildings and structures on the site has been designed around minimising amenity impact on surrounding properties and land uses. It is acknowledged that the proposed location of the site is not expected to result in overshadowing to any neighbouring properties.

5.5 Stormwater Management

The proposed development's stormwater management scheme has been designed in accordance with Council's requirements. The proposed stormwater strategy has been designed to ensure the post developed stormwater behaviour is consistent with the predeveloped stormwater patterns, as well as providing drainage systems to ensure safety and minimise stormwater inundation on site.

The proposed system of stormwater management satisfies the relevant requirements of Council. Both, stormwater quality and quantity strategies have been taken into consideration and incorporated within the proposed stormwater drainage scheme proposed at the site. A Concept Stormwater Management Plan is provided within the Civil Plans at Appendix F.

5.6 Noise

Due to existing surrounding land uses of the site, a noise impact assessment was deemed not required for the proposed works. The proposed site is predominately surrounding by industrial land uses and vacant rural land, with the exception of one dwelling located approximately 60 metres from the north east corner of the site. This residential dwelling is located within an industrial area, across from an existing service station, therefore noise impacts from the proposed service station are expected to be negligible.

5.6.1 Construction Noise

Noise management measures will be adopted where applicable during noise intensive construction activities to limit impacts on surrounding receivers. Construction work will only be undertaken during reasonable hours.

5.7 Safety and Security

The development has been designed to and shall be managed to minimise and discourage criminal activity and ensure the safety of customers, staff, and the local community. The proposal has been designed to be consistent with Crime Prevention through Environmental Design (CPTED) principles.

A Crime Risk Assessment has been undertaken and is included at Appendix I. The purpose of the Crime Risk Assessment is to identify and assess crime risk associated with the proposed development, and to minimise opportunities for crime through design. The Crime Risk Assessment has regard for the 4 key strategies (surveillance, access control, territorial reinforcement and activity and space management) of crime prevention and public safety.

In addition to CPTED principles, appropriate lighting will be installed on the proposed premises, including lighting for car parking and outdoor areas. External lighting will be directed inward and away from nearby properties with boundary fencing obscuring the majority of the light spill and/or glare. Lighting will be in accordance with AS4282-1997 Control of the obtrusive effects of outdoor lighting. External lighting will contribute to the overall safety of the site, in conjunction with other security measures such as CCTV cameras.

5.8 Signage

An integrated approach has been adopted for signage within the site, comprising a mix of fascia signage on the building facade and the fuel canopy, as well as one freestanding 12m high (pylon) sign, one 2.7m freestanding price board sign, and suitable directional signs.

The location and dimension of all proposed signage is illustrated on the Signage Plans provided at Appendix A.

The aims of the SEPP 64 are to ensure that signage:

- (i) is compatible with the desired amenity and visual character of an area, and*
- (ii) provides effective communication in suitable locations, and*
- (iii) is of high quality design and finish*

It is considered that the proposed signage scheme is compatible with the site's location and setting; and will be of an appropriate height, scale, and proportion.

The proposed signage will be of a high quality and finish and will be illuminated at an acceptable level that will not result in unreasonable glare that would affect the safety of vehicles or pedestrians, nor will the illuminated signage detract from the amenity of neighbouring development. The 12m pylon sign is large enough to display fuel pricing to passing motorists in accordance with legislative requirements.

Overall, the proposed signage is appropriate for the use and setting of the site and will contribute to the visual interest of the area. The proposed signage meets the objectives and provisions of SEPP 64 as demonstrated in the compliance table at Appendix B.

5.9 Arboriculture

An Arborist Report has been prepared by Mark D. McCrone (Landscape Architect) at Appendix F. The report included an assessment of trees on or surrounding the site (with a height greater than three metres) which may be impacted by the proposed development works. This involved an assessment of thirty-three trees on site. The proposal requires all the trees to be removed to operate the site safely and effectively, the majority of the tree have been identified as being in 'poor' or 'fair' condition and extensive tree planting is proposed to compensate for the removed trees.

All tree removal will be conducted in accordance with Australian Standards.

For further details, refer to the Arborist Report located at Appendix F.

5.10 Landscaping

A detailed Landscape Plan prepared by Mara Consulting Pty Ltd is included at Appendix D.

Landscaping is proposed to complement the built form and hard stand areas of the development including shade trees, screen planting and shrubs, low hardy plants, accent plants and groundcovers. Mass landscaping within the front setback of Newell Highway and Sleeman Street have been proposed.

Tree and shrub species, sizing and locations have been chosen to define entry points and ensure that passive surveillance is maintained at building, carpark and driveway entries with smaller groundcovers and shrubs adjacent to paths and buildings in accordance with CPTED principles.

Plant species have been chosen of native species suitable for the local environment have been chosen for the practicality of ongoing management on a service station site. All proposed tree and plant species selection has been considered in terms of soil types, species hardiness and on-going watering maintenance requirements. Predominantly low water use species have been grouped in regard to watering requirements and to reduce reliance on use of potable water.

In summary, the new landscaping proposed will integrate the built form and hardstand areas associated with the proposal.

5.11 Sediment and Erosion Control

Temporary contractors' vehicular access to the site will be restricted to a single point with a vehicle shaker grid and stabilised site access to reduce the likelihood of sediment being trafficked off site. Sediment/silt fencing will be erected around the boundaries of the site as necessary. Sediment control protection measures will be maintained on site until all disturbed areas are stabilised. Permanent stabilisation (landscaping) will be applied to the site.

All sediment control devices will be constructed, placed, and maintained in accordance with respective Council specifications and Landcom "soil and construction" manual and as shown on the proposed Erosion and Sediment Control Plans at **Appendix E**.

5.12 Waste Management

A Waste Management Plan (WMP) has been prepared for the proposed development, addressing each stage of the development from earthworks and construction through to the ongoing management of waste when the premises is operational. The WMP has been prepared in accordance with Council's DCP and is provided at Appendix C.

The types of waste generated during operation of the service station will include food wastes, paper and cardboard, plastics, containers, residual waste, and miscellaneous customer waste. The service station operation is provided with a dedicated waste storage area in which waste can be separated and stored ready for private collection. This waste storage area has been integrated into the design and layout and is readily accessible to service vehicles on the western side of the convenience store.

The refuse area is to be maintained to high cleanliness standard. The bins and waste storages areas will be cleaned by staff with protective gloves on a regular basis. Appropriate vermin control measures will be put in place if required.

5.13 Contamination

A historical assessment of the site indicates the site was previously used for grazing and agricultural purposes since the 1940's. After which, it is suspected the site operated as a service station for an unknown period of time. It is considered the proposed future use of the site is less sensitive than the most recent previous use of the site and would have a similar risk profile. The concentrations noted in soil and/or groundwater does not pose a risk to future users under a commercial/ industrial land use scenario. However, it is noted that at least one UST and possible further underground petroleum infrastructure is still present at the site. Any potential residual risk at the site will be managed in accordance with the Protection of the Environmental Operations (Underground Petroleum Storage Systems) Regulation 2019 (NSW EPA 2019).

5.14 Ecological Sustainable Development

The proposal has been designed to meet the principles of Ecologically Sustainable Development (ESD) as best as possible. The following design principles have been used to promote sustainable building design and operation:

- Building insulation;
- Building orientation;
- Maximise use of natural lighting;
- Energy efficient lighting;
- Recycling programs for ongoing waste management;
- Use of environmentally friendly cleaning products;
- Reduced flush or twin flush cisterns fitted in WC's; and
- Use of native landscaping suitable to the local climate.

It is considered that the above management strategies and design principles will result in the proposed service station having sound levels of sustainability.

5.15 Social and Economic Impact

An analysis of the social and economic impacts associated with the development of the site is detailed in this section to ensure that, where relevant, social and economic considerations are an integral part of the development assessment process.

The proposed establishment of a 24/7 service station offering drive-through convenience is anticipated to have an ongoing positive social and economic impact on the local Jerilderie area and the broader community.

The identified positive social and economic impacts are summarised below:

- The proposal will generate direct employment opportunities as well as further job creation during the construction phase;
- The total construction cost of the development will have flow on value added multiplier benefits to the local region;
- The development will be compliant with relevant disability standards, and will meet the needs of people with physical disabilities, sensory disabilities and intellectual disabilities;
- The proposal will provide much needed services to the area meeting the daily needs of the surrounding residents, workers and visitors;
- The proposal is consistent with the planning intent for IN1 zone under the LEP 2012;
- Specific safety and security measures will be incorporated into the operational procedures of the development to ensure a safe and secure environment for patrons and staff; and
- The development will have a positive impact on the environment by enhancing and improving the site and by ensuring minimal impact on downstream water quality as a result of the development.

The potential adverse impacts arising from the development include:

- Dust, traffic etc. from construction activities.

Comment – Impacts on surrounding premises from construction activities will be temporary in nature and will be addressed in the Construction Management Plan (CMP) to be prepared at construction certificate stage. Mitigation measures will be included in the CMP and consistent with the erosion and sediment control techniques and practices to be implemented for this site, to ensure construction impacts on surrounding premises are kept to a minimum.

- Increased traffic and vehicle movements

Comment – A very large proportion of vehicles which will access the site will be “drop in” trips (i.e. vehicles already in traffic passing the site). Notwithstanding, the Traffic Report has assessed the proposal and found that the design of the development in terms of vehicle access, circulation, parking and servicing is appropriate and that the road system serving the site will be capable of accommodating the additional traffic flows.

- Odour

Comment – In accordance with relevant legislation, the site will be installed with VR2 system which will recover at least 85% of displaced vapour.

- Noise

Comment – Due to the existing surrounding lands uses and the limited sensitive receivers surrounding the development, the noise impacts of the proposal are expected to be minimal. Refer to Section 0 for further detail.

- Antisocial behaviour

Comment – Potential antisocial behaviour at the site should be considered given the 24-hour nature of the proposal. Specific security measures will be used such as CCTV cameras, fencing, external lighting and appropriate landscaping to deter would-be-offenders. A Crime Risk Assessment has been undertaken and is included at Appendix I.

Given the overall positive impacts associated with the proposal and the implementation of mitigation measures as mention within this report, the proposal is expected to provide a net community benefit to the local and wider community.

5.16 Public Interest

The proposal is considered to be in the public interest as it will deliver a number of public, social and economic benefits with minimal adverse impacts (as detailed within this report). The land use and style of development is appropriate for the location and zoning and will provide necessary services to passing traffic and locals.

5.17 Building Access

Access to the building will be compliant with the relevant legislation and criteria including The Building Code of Australia (BCA), The Disability Discrimination Act 1992 and AS1428 – Design for Access and Mobility to ensure that adequate pedestrian and disabled access is provided for the development.

6 Conclusion

The proposed development of a service station located across 1-5 Southey Street, Jerilderie NSW 2716 and part of 2 Sleeman Street, Jerilderie NSW 2716 will provide valuable services and convenient facilities for residents living within the area, employees within the locality and motorists travelling in the area. Operating 24 hours a day, 7 days a week, the development will meet market demand in Jerilderie for this type of service station facility.

The proposal is compliant with relevant legislative requirements and Environmental Planning Instruments including the Jerilderie LEP 20012. The proposal is permissible within the IN1 General Industrial land use zone and is compliant with the applicable LEP clauses.

The proposal is generally compliant with the applicable requirements of Jerilderie DCP 2012, with the exception of a variation to the signage controls. The proposed variation has been discussed in this SEE and are considered reasonable in the circumstances given the merits of the proposal and the lack of significant environmental or amenity impact from the variation.

The proposed development incorporates high quality presentation to the Southey Street/Newell Highway frontage and an integrated site development approach, involving a land use that is permissible and desirable in the location. Landscaping is focused on around the perimeter of the site to effectively buffer the proposal, acoustically and visually. The proposal, including appropriate mitigation measures where necessary, is compatible with surrounding land uses due to its modest bulk and scale and as a result, will cause minimal adverse environmental and amenity impact.

This SEE has addressed the potential impacts arising from the proposal on surrounding properties including traffic and access, noise, odour, solar access, privacy, visual amenity and waste and water management. Where required, mitigation measures are proposed to minimise these impacts and reduce potential risk associated with the development. Furthermore, strict management procedures will be employed for the premises to ensure that the development is a safe, efficient and pleasant environment in which to work and visit.

Given the merit of the design and the absence of any significant adverse environmental impacts or planning issues, the DA is considered to be in the public's interest and worthy of Council's support.

APPENDIX A

Architectural Plans

APPENDIX B

Compliance Tables

Jerilderie DCP 2012 Compliance Table

Control	Requirement	Comment	Compliance
7. IN1 General Industrial Zone – Industrial Development			
7.1 Minimum Lot Size	<p>Council encourages various lot sizes within the industrial zone to ensure that various needs of the community are met. The minimum lot size will be governed largely by the structure proposed and/or the onsite parking and vehicle manoeuvring areas required on the site.</p> <p>Please note minimum lot size under the Jerilderie Local Environmental Plan 2012 is 600 square metres.</p>	The proposed subdivision will result in 2 parcels that exceed the minimum requirement of 600m ² .	Y
7.2 Provision of Essential Services	<p>All lots that will result from the subdivision are to be serviced with essential services with all costs of providing the infrastructure to be borne by the developer. Essential services include:</p> <ul style="list-style-type: none"> • Filter water service • Raw Water service • Sewerage connection • Electricity connection • Phone connection • Vehicle access (cross-over or culvert) • Kerb and gutter in the township of Jerilderie where neighbouring area is kerb and gutter. • Stormwater disposal. For larger developments stormwater detention system may be required • New road, where subdivision requires. • Loading and unloading area • Waste storage area. <p>All works are to undertaken in accordance with Council's requirement and the relevant Australian Standards.</p>	The proposal will be located across two existing lots that currently have access to adequate services. All required essential services will be provided on site in accordance with the relevant Australia standards.	Y
7.3 Prescribed Standards for Industrial Development			
Front Setback	Will be governed by the type of development and the maximum sized vehicle that will be required to access the site	The proposal will have a 15.120m setback from Southey Street/ Newell Highway.	Y
Side Setback	3000mm or compliance with Building Code of Australia Requirements	The proposed building side setbacks are considered appropriate for the proposed development. It is noted there is no existing development located at the rear of the site	Y

Rear Setback	3000mm or compliance with Building Code of Australia Requirements	The proposed building setbacks to the rear of the site, fronting Sleeman Street, are considered appropriate for the proposed development. It is noted there is no existing development located at the rear of the site	Y
Onsite Parking	Please refer to Onsite parking requirements, Schedule 1	This is addressed on Schedule 1 of this Table below.	Y
Signage	<p>Signage is limited to 3 external signs in total:</p> <ul style="list-style-type: none"> One sign on the parapet to be flush with the parapet One sign on side wall 	The proposed signage exceeds this control. However, the proposed signage is considered appropriate for the proposed use of the site being a service station. All signage is for business identification purposes. The proposed pylon sign and pricing board sign are considered necessary to inform passing motorists of fuel pricing for the site. The proposed number of signs are not considered unreasonable or excessive, and will not result in clutter or an untidy visual appearance.	N- Justified.
Compliance with Building Code of Australia	All applications are required to comply with the requirements of the Building Code of Australia	Development designed to comply with BCA requirements, will be further detailed a part of CC documentation.	
Trade Waste	Depending on the type of development proposed trade waste control measures, for liquid waste, may need to be included in your development. Please contact Council for additional information.	A trade waste permit will be applied for during CC stage.	Y
Schedule 1 – Onsite Parking Requirements			
Service stations and convenience stores	<p>Requirements are additive:</p> <p>10 spaces per work bay</p> <p>5 spaces per 100m² GFA of convenience store if restaurant is included then add: 1 space per 3 seats</p>	<p>It is noted that no working bay or restaurant is included as part of this proposal.</p> <p>Convenience store: 360sqm GFA</p> <p>$5 \times 3.6 = 18$</p> <p>According to this rate, the DCP parking requirements for the site is 18 spaces.</p> <p>The site will provide 18 car parking spaces, 6 truck parking space and 3 bus/caravan parking spaces.</p>	Y

SEPP 64 Assessment

Assessment Criteria		Comment	Compliance
1) Character of the area	Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signs are considered compatible with the scale of the proposed building and also consistent with the existing character of the area.	Y
	Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	No. There is no apparent advertising theme within the area.	N/A
2) Special areas	Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed business identification signage is not of a scale to detract from any environmentally sensitive areas nor any residential areas given the location and orientation of proposed signage.	Y
3) Views and vistas	Does the proposal obscure or compromise important views?	All proposed signs will be either wall mounted to the proposed building/ fuel canopy, fixed to the building shopfront or presented as a pylon sign. The proposed signage will not obscure or compromise important views.	Y
	Does the proposal dominate the skyline and reduce the quality of vistas?	As above. The signage will not dominate the skyline or reduce the quality of vistas.	Y
	Does the proposal respect the viewing rights of other advertisers?	The proposed signage does not obscure any advertising.	Y
4) Streetscape, setting or landscape	Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale of the proposed signage has been designed to be proportionate to the scale of the building. The majority of the signage is set back from the streetscape and considered appropriate for the context of the site and locality.	Y
	Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage will contribute to the visual interest of the site and appropriately display fuel pricing to passing motorists	Y
	Does the proposal reduce clutter by rationalizing and simplifying existing advertising?	N/A - the site is currently does not contain any signage.	N/A
	Does the proposal screen unsightliness?	The proposed signage does not screen unsightliness.	Y
	Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No. The height of the pylon is proposed at 9m which is below the maximum building height or the surrounding area.	Y
	Does the proposal require ongoing vegetation management?	No. Landscaping at the base of the pylon is groundcovers only.	N/A
5) Site and building	Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signage has been designed to be consistent with the built form and design of the proposed land use.	Y
	Does the proposal respect important features of the site or building, or both?	The proposed signage does not detract in any way from important features of the building or site.	Y

Assessment Criteria		Comment	Compliance
	Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage uses innovative technology in accordance with design specifications.	Y
6) Associated devices and logos with advertisements and advertising structures	Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The internally illuminated signage will be of an appropriate level of brightness for outdoor display.	Y
7) Illumination	Would illumination result in unacceptable glare?	No, the proposed illuminated signage will not result in excessive glare as the signs will be illuminated in accordance with the relevant Australian Standards.	Y
	Would illumination affect safety for pedestrians, vehicles or aircraft?	As above. The proposed signage is partially obscured due to on site landscaping and front setback resulting in no safety concern relating to illumination or light spill.	Y
	Would illumination detract from the amenity of any residence or other form of accommodation?	The proposed illuminated signage will not be of a LUX level to detract from the amenity of surrounding residences.	Y
	Can the intensity of the illumination be adjusted, if necessary?	No, however, the brightness levels of LED signage will be appropriate for surrounding properties and roads.	Y
	Is the illumination subject to a curfew?	No, signs will be lit during operational hours.	Y
8) Safety	Would the proposal reduce the safety for any public road?	The signs will not affect road safety on Newell Highway/ Southey Street or Sleeman Street.	Y
	Would the proposal reduce the safety for pedestrians or cyclists?	No, the signage will not affect pedestrians or cyclists. The majority of the signs are affixed to the building away from the pedestrian footpath.	Y
	Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No, sightlines are not affected as all signage is located within the site bounds.	Y

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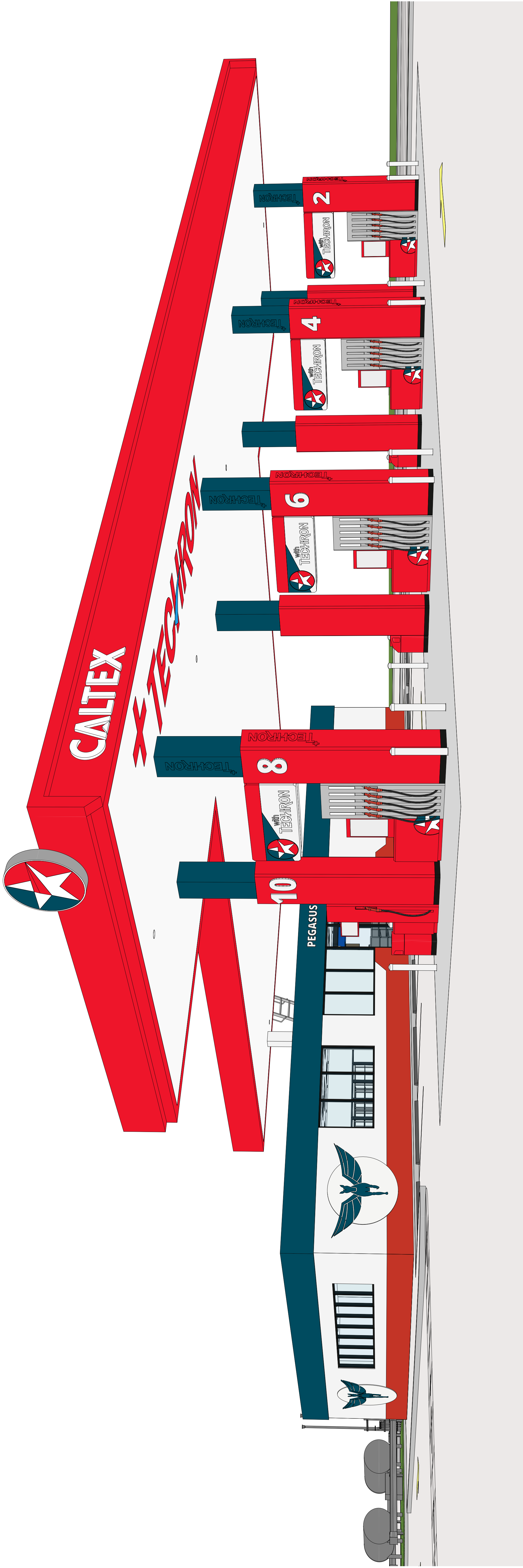
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Sheet List			
Sheet Number	Sheet Name	Current Revision	Current Revision Date
A0.01	Title, Contents, Render	H	15/10/21
A0.02	Feature Survey	A	20/07/21
A0.03	Demolition Plan	A	08/07/21
A0.04	External Traffic		
A1.01	Site Plan	P	22/10/21
A1.02	Floor Plan	D	14/07/21
A1.04	RCP - Canopy	A	19/10/21
A2.01	Elevations 1	I	19/10/21
A2.02	Elevations 2	H	19/10/21
A6.01	Signage Details	B	09/09/21

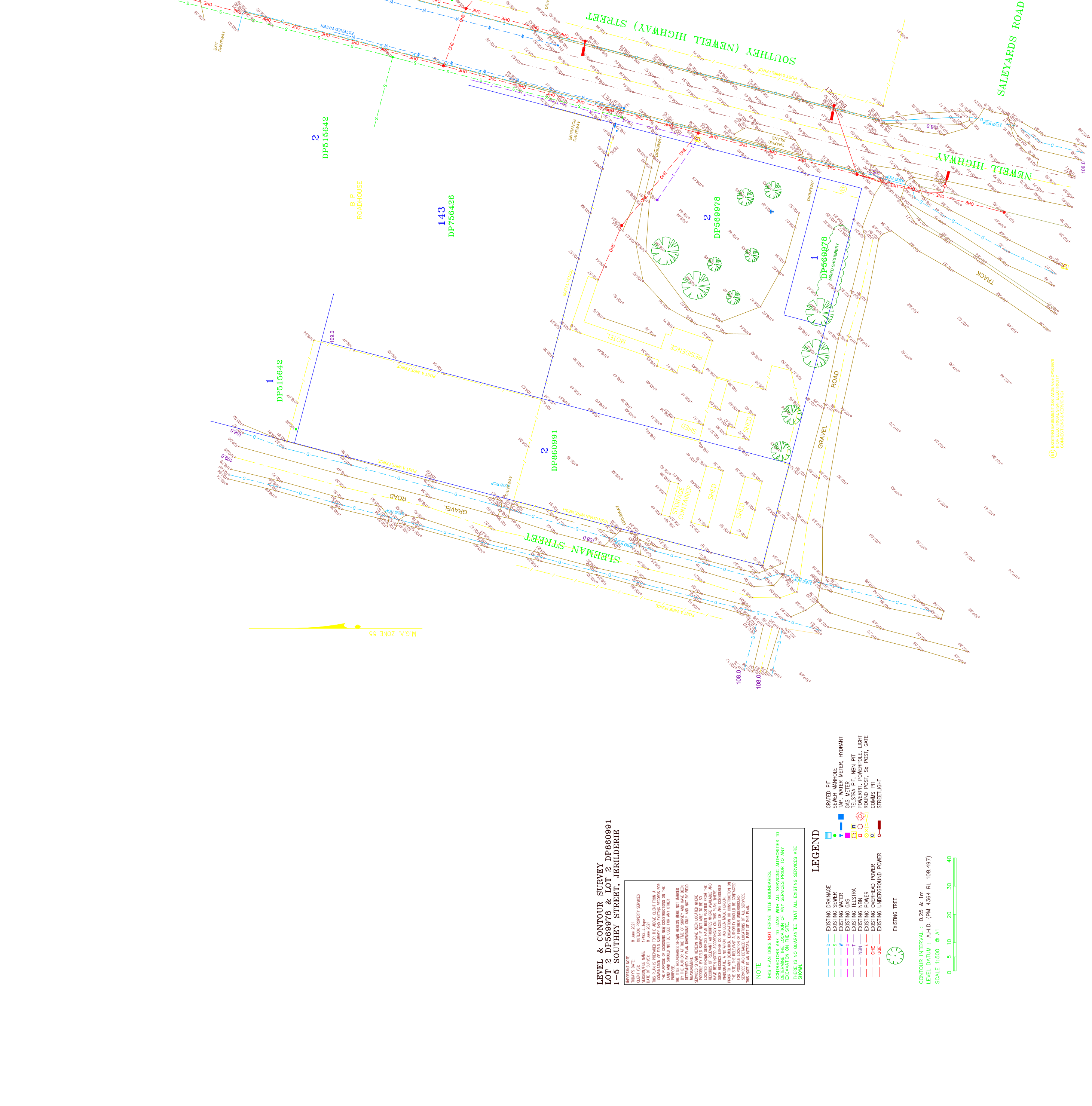


Revision	Site descrip	Description	Date
A	Site descrip	Added Sheet A0.13 Signage Details	04/02/21
B	Rebrand to Caltex	Rebrand to Caltex	18/02/21
C	Added Sheet A0.02 Feature Survey, Building colour scheme updated	Added Sheet A0.02 Feature Survey, Building colour scheme updated	04/06/21
D	Added Sheet A0.03 Demolition Plan	Added Sheet A0.03 Demolition Plan	22/06/21
E	Vent Stack Shifted	Vent Stack Shifted	07/07/21
F	Revised Canopy Signage	Revised Canopy Signage	14/07/21
G	Revised Canopy Signage	Revised Canopy Signage	14/07/21
H	Added Sheet A0.04 External Traffic	Added Sheet A0.04 External Traffic	15/10/21

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Sheet Name			
Title, Contents, Render: A0.01			
Scale: at A1	at A3	Print Date	22/10/2021 6:14:15 PM
Project Number	Project Name		
323	Caltex Jerilderie		
Address			
Caltex - Jerilderie			
1-5 Southey Street (Chr Newell Highway) Jerilderie NSW 2716			

PRELIMINARY



Feature Survey

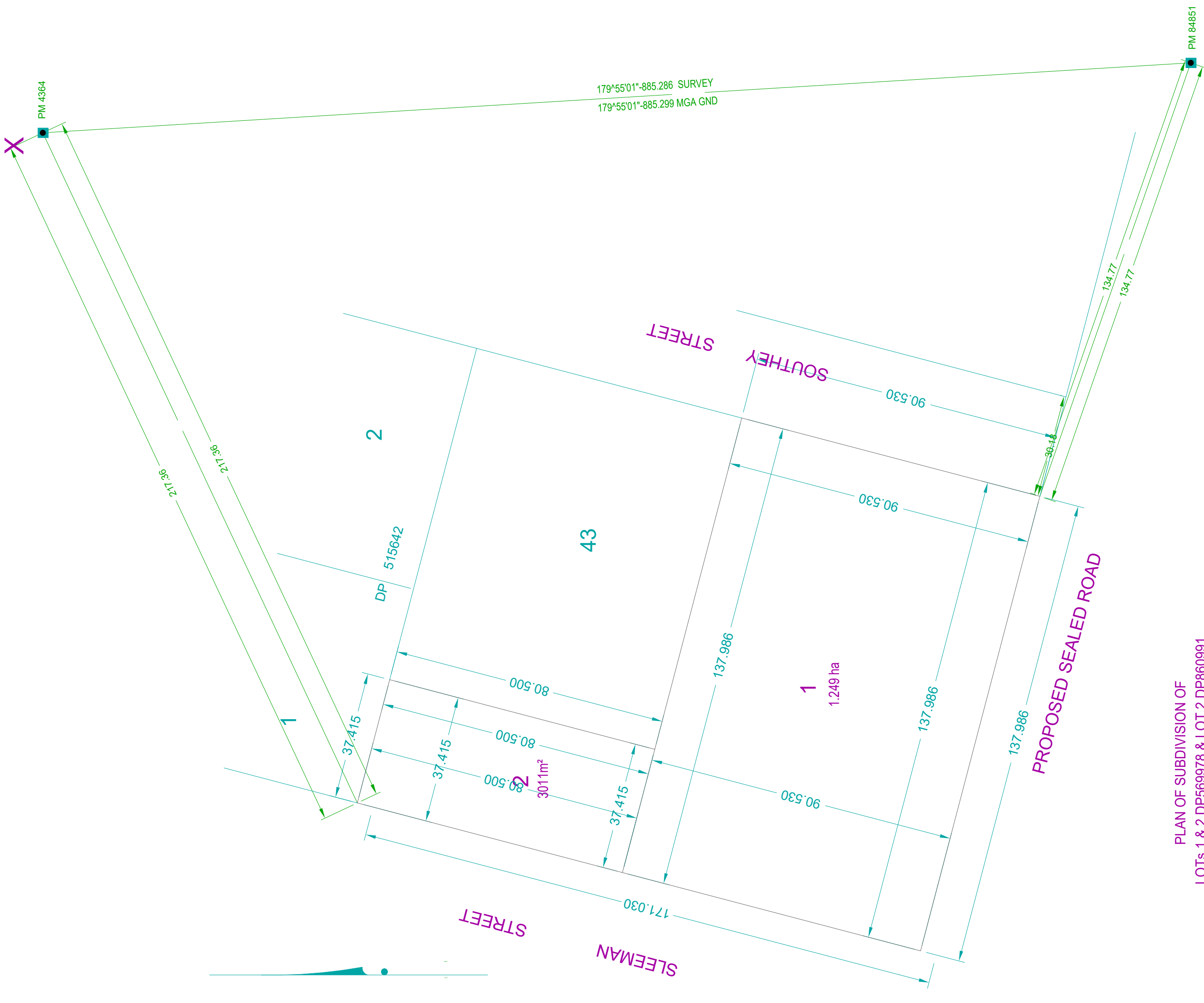
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Revision	Description	Date
A	Plan of Subdivision added	20/07/21

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Sheet Name Feature Survey: A0.02			
Scale: 1 : 1000 at A1	at A3	Print Date	22/10/2021 6:14:16 PM
Project Number 323	Project Name Caltex Jerilderie	Address Caltex - Jerilderie 1-5 Southey Street (Cnr Newell Highway) Jerilderie NSW 2716	

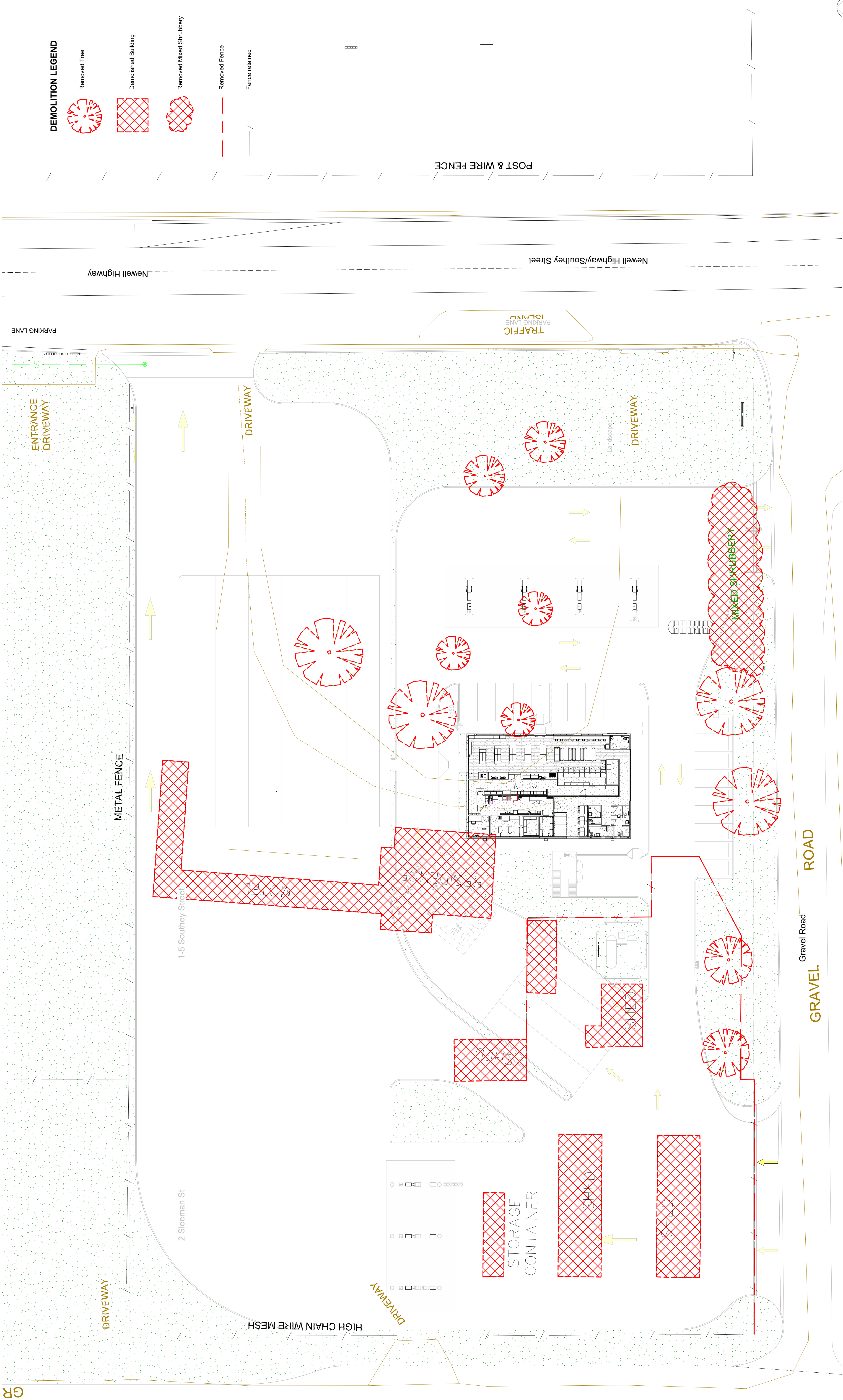


Plan of Subdivision

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PRELIMINARY

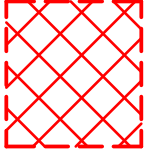
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DEMOLITION LEGEND



Removed Tree



Demolished Building



Removed Mixed Shrubbery



Removed Fence



Fence retained

1 Demolition Plan

1 : 250

Revision	Demolition updated	Description	Date
A			08/07/21

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Sheet Name Demolition Plan: A0.03			
Scale: 1 : 250 at A1		at A3	Print Date 22/10/2021 6:14:19 PM
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Address Caltex - Jerilderie 1-5 Southey Street (Cnr Newell Highway), Jerilderie NSW 2716			

PRELIMINARY

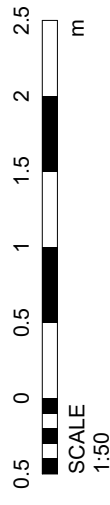
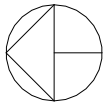


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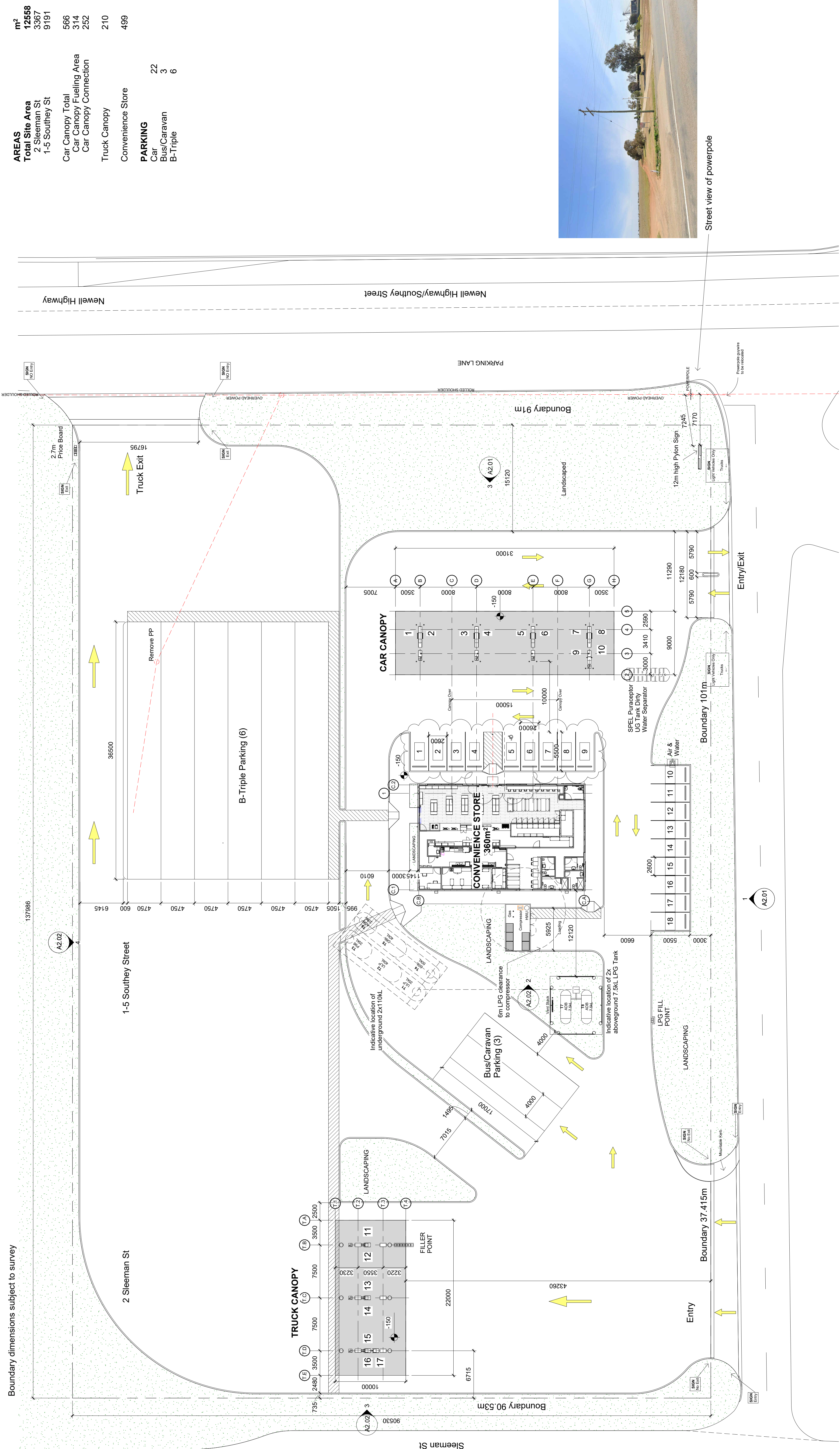
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Boundary dimensions subject to survey



AREAS	
Total Site Area	12558 m ²
2 Sleeman St	3367
1-5 Southey St	9191
Car Canopy Total	566
Car Canopy Fueling Area	314
Car Canopy Connection	252
Truck Canopy	210
Convenience Store	499
PARKING	
Car	22
Bus/Caravan	3
B-Triple	6

1 Site
1 : 250

Revision	Description	Date
G	Final Update, Feature Survey removed from site plan	06/07/21
H	LPG Fill Point Added	07/07/21
I	External Traffic Update, South carparking and kerbs shifted, LPG tanks shifted, SPEL shifted, path added to side sliding door and ramp aligned	08/07/21
J	Vent Stack Shifted	14/07/21
K	SPEL Shifted	21/07/21
L	Bus/Caravan Updated	09/09/21
M	Overhead powerlines and powerpoles shown, dimensioned to 12m pylon sign	09/09/21
O	Shopfront Columns moved onto shopfront, concrete panels shifted for	19/10/21
P	Pylon sign moved a further 1.5m away from PP	22/10/21

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Sheet Name	
Site Plan: A1.01	
Scale: 1 : 250 at A1	Print Date: 22/10/2021 6:14:26 PM
Project Number: 323	Project Name: Callex Jerilderie
Address: Callex - Jerilderie	

PRELIMINARY



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0404 864 146
contact@lapl.com.au

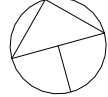
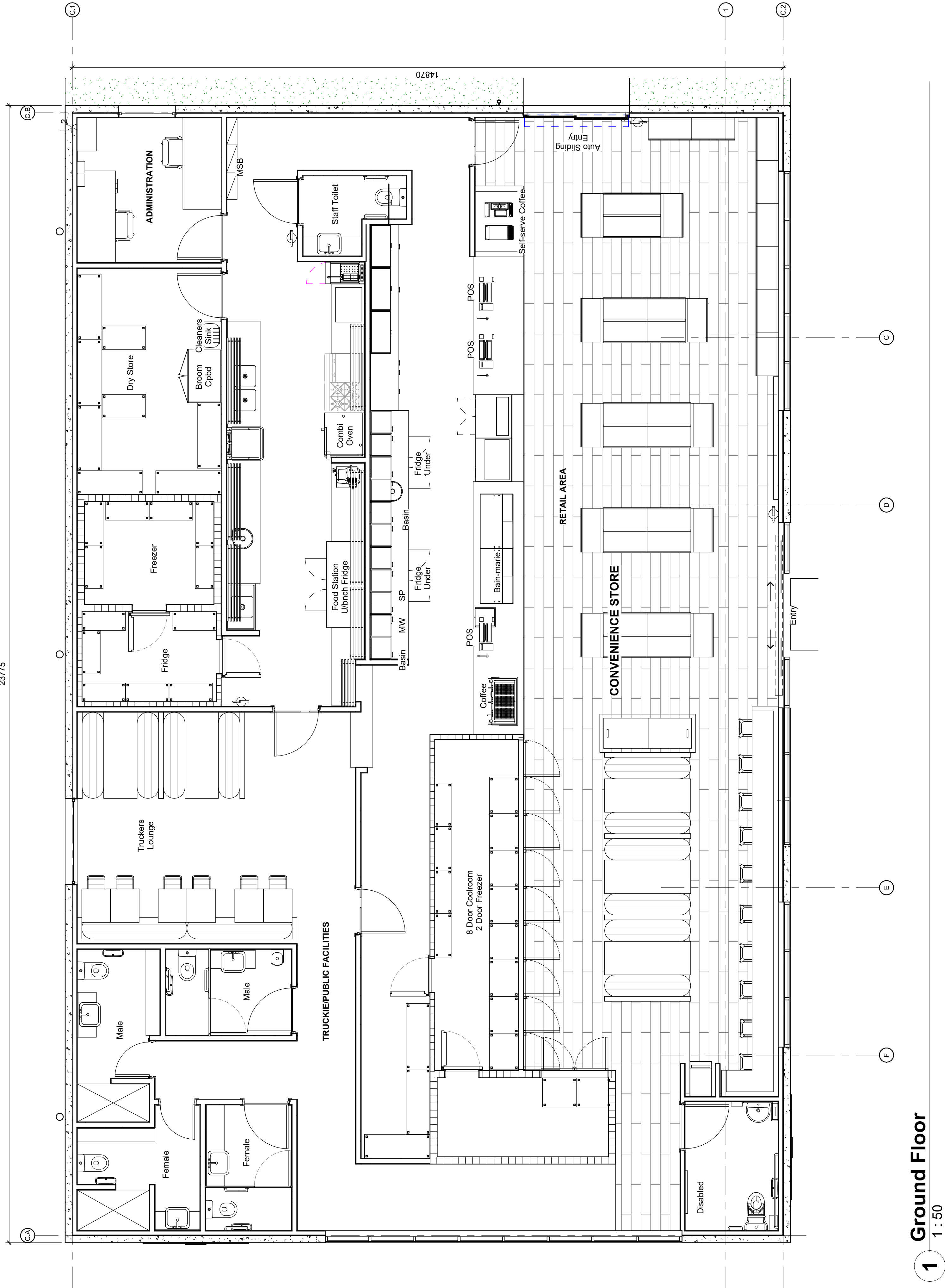
Revision	Description	Date
A	Design revision	03/05/21
B	Revised to Caltex	04/06/21
C	Floor Plan Updated	08/06/21
D	Vent Stack Shifted	14/07/21

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Sheet Name Floor Plan: A1.02		
Scale: 1 : 50 at A1	at A3	Print Date 22/10/2021 6:14:28 PM
Project Number 323	Project Name Caltex Jerilderie	
Address Caltex - Jerilderie 1-5 Southey Street (Chr Newell Highway) Jerilderie NSW 2716		

PRELIMINARY

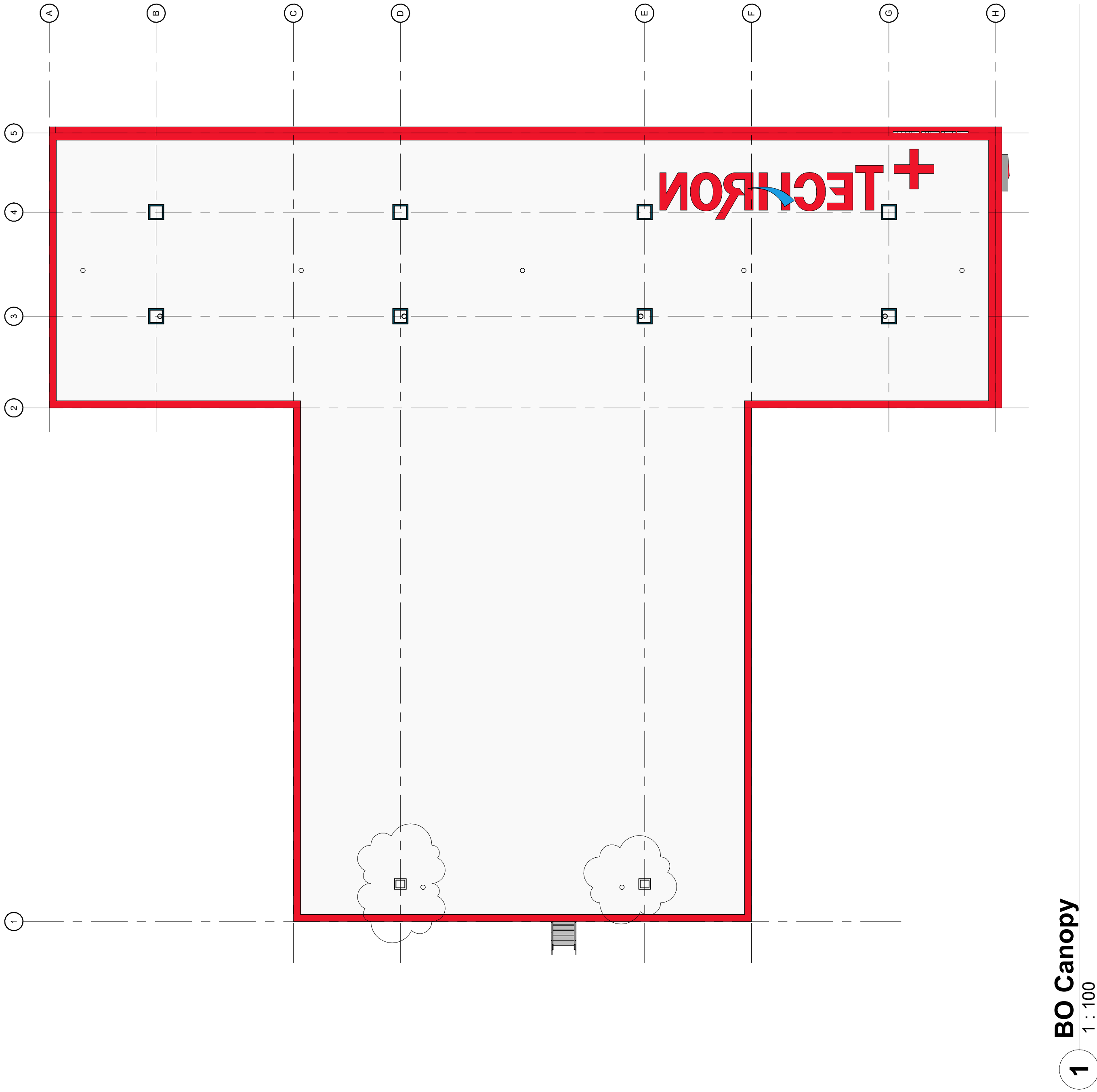


0.5 0 0.5 1 1.5 2 2.5
SCALE
1:50
m

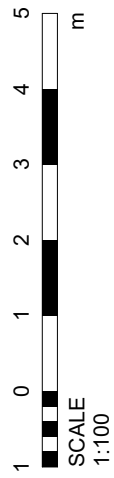
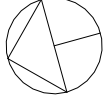
Revision	Description	Date
A	Structural Columns moved onto asphalt, concrete panels shifted for columns	19/10/21

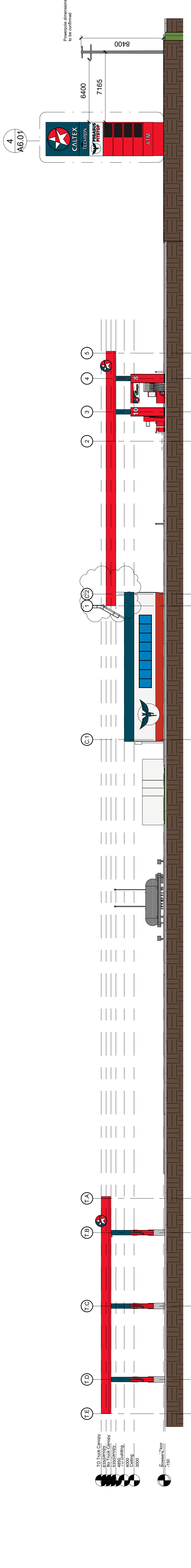
Drawings produced in Autodesk Revit. Noted dimensions shall be taken in preference to scaling. Do not scale drawings. Dimensions shall be taken from the latest revision of the drawing. Upon receipt of updated plans, discard previous versions.	The intellectual manifestation of this drawing and its Revit file generated origin is subject to Global copyright. Its use is subject to the approval of its implementation of a construction process specific to a single site and location. Reproduction and/or use of this drawing without the written approval of its owners and authors is illegal and is subject to prosecution.
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Sheet Name RCP - Canopy: A1.04		
Scale: 1 : 100 at A1	at A3	Print Date 22/10/2021 6:14:28 PM
Project Number 323	Project Name Caltex Jerilderie	
Address Caltex - Jerilderie 1-5 Southey Street (Cnr Newell Highway) Jerilderie NSW 2716		

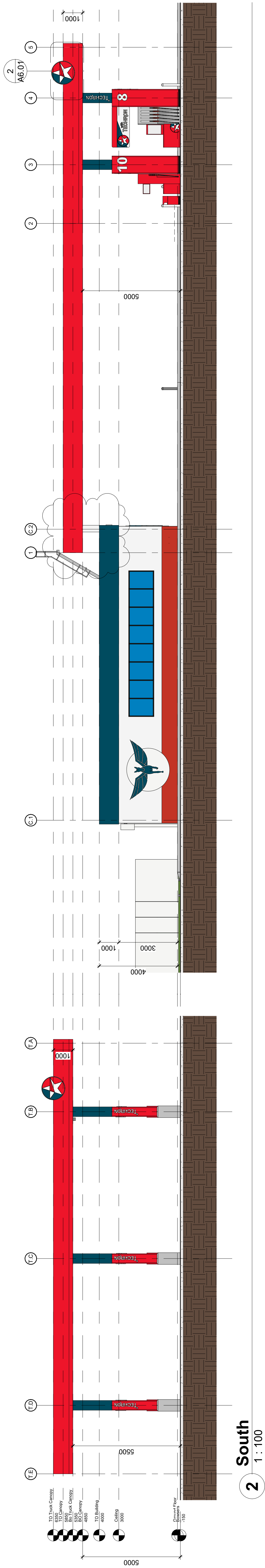


PRELIMINARY

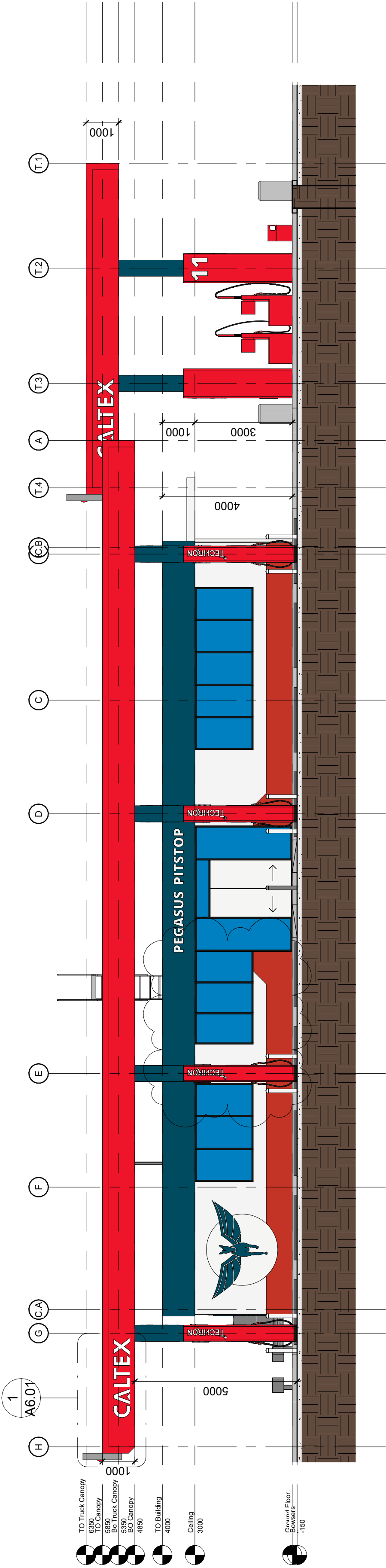




1 South Overall
1 : 200



2 South
1 : 100



3 East
1 : 100

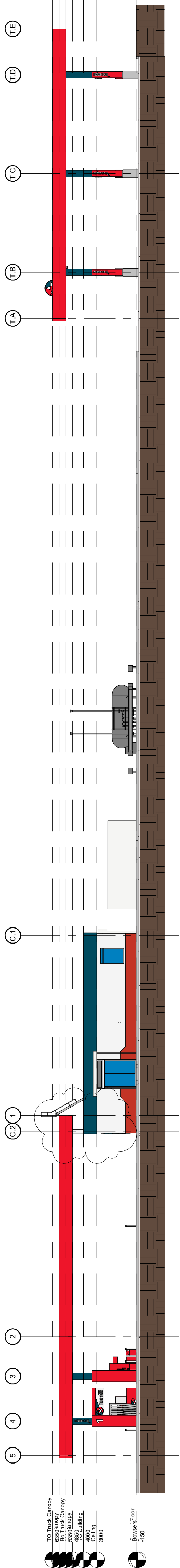
Revision	Size	Description	Date
A	Site redesign		04/02/21
B	Design revision		03/05/21
C	Rebrand to Caltex		04/06/21
D	Truck Bower Spacing increased		08/06/21
E	Building Colour scheme updated		22/06/21
F	Vent Slats Shifted		14/07/21
G	Bower Layout Update, Bower Signage Update		05/10/21
H	Shopfront Columns moved onto shopfront, concrete panels shifted for columns		19/10/21
I			

Sheet Name Elevations 1: A2.01			
Scale: As indicated at A1		at A3	Print Date 22/10/2021 6:14:39 PM
Project Number 323	Project Name Caltex Jerilderie		
Address Caltex - Jerilderie			
1-5 Southey Street (Chr Newell Highway) Jerilderie NSW 2716			

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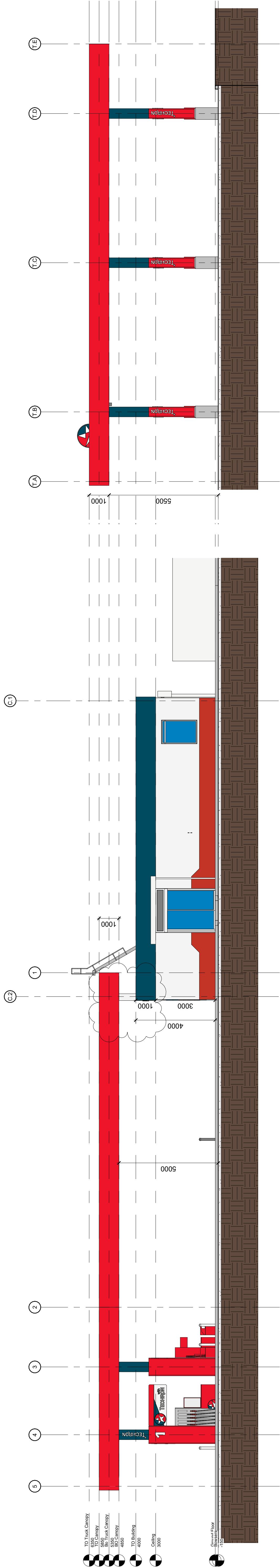
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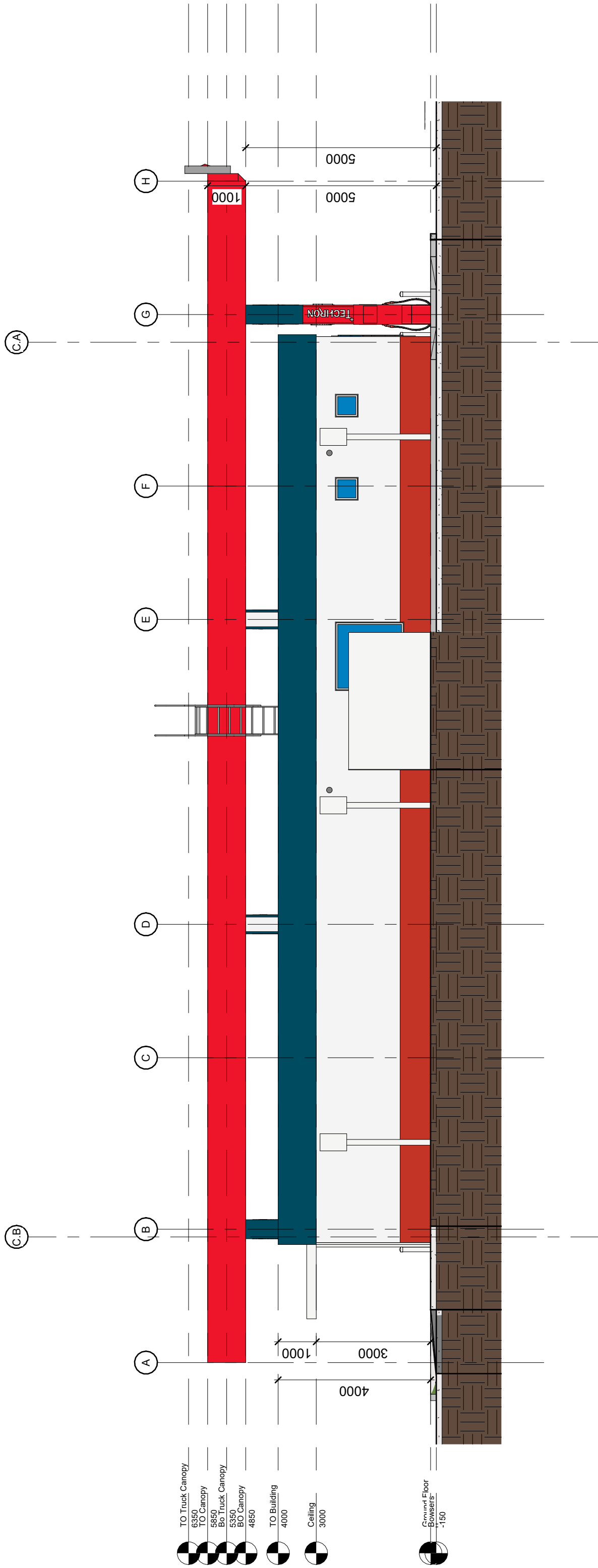
4 North - Overall

1 : 200



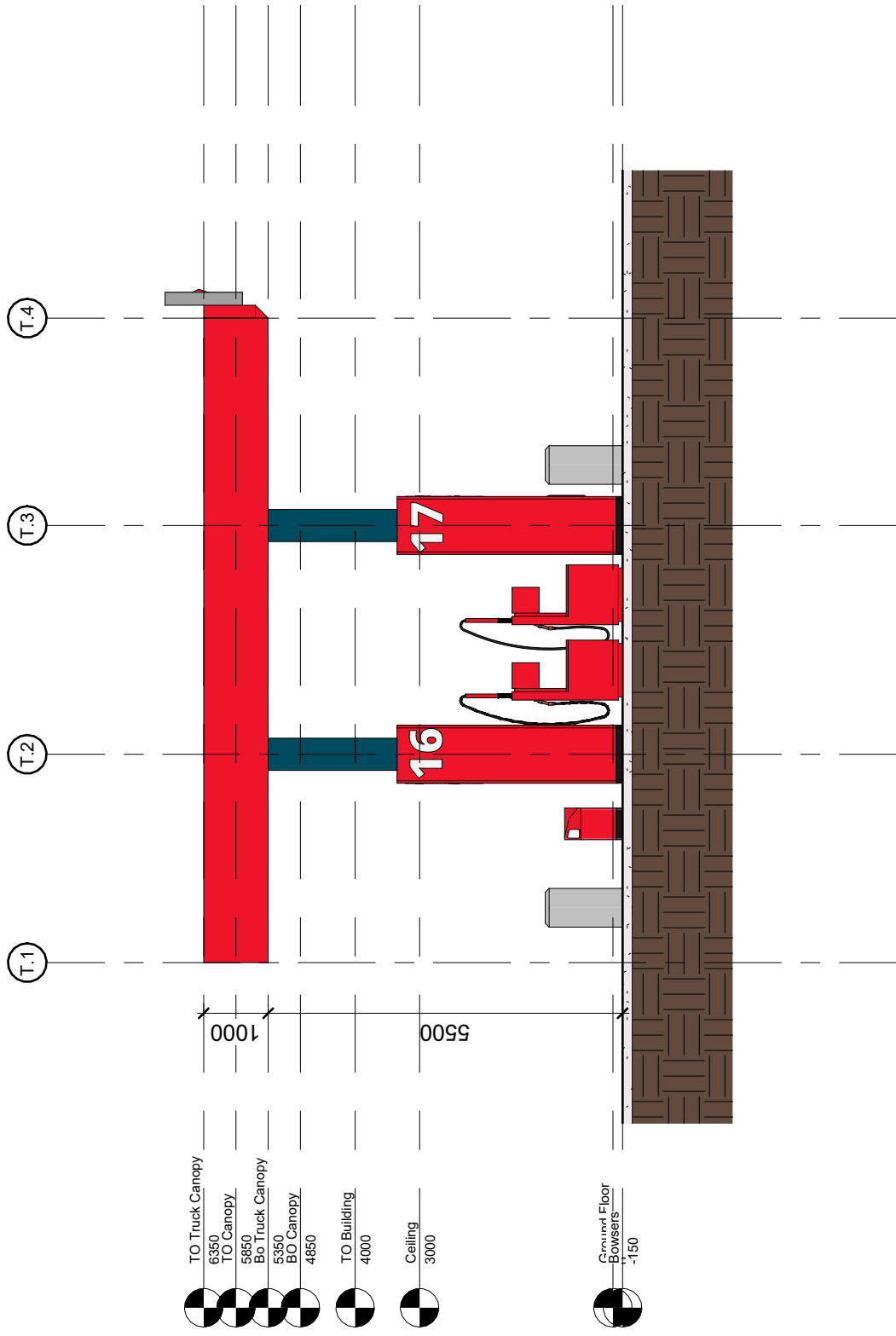
1 North

1 : 100



2 West

1 : 100



3 West - Truck Canopy

1 : 100

Revision	Site redesign	Description	Date
A	Site redesign	Site redesign	04/02/21
B	Design revision	Design revision	03/05/21
C	Rebrand to Callex	Rebrand to Callex	04/06/21
D	Truck Bower Spacing increased	Truck Bower Spacing increased	08/06/21
E	Building Colour scheme updated	Building Colour scheme updated	22/06/21
F	Vent Slats Shifted	Vent Slats Shifted	14/07/21
G	Bower Layout Update, Bower Signage Update	Bower Layout Update, Bower Signage Update	14/07/21
H	Concrete Columns moved onto asphalt, concrete panels shifted for columns	Concrete Columns moved onto asphalt, concrete panels shifted for columns	19/10/21

Drawings produced in Autodesk Revit. Noted dimensions shall be taken in preference to scaling. Do not scale dimensions. Dimensions shall be taken on site prior to construction or quote. Upon receipt of updated plans, discard previous versions.

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Sheet Name	Elevations 2: A2.02
Scale: As indicated at A1	Print Date
Project Name	at A3
Project Number	323
Address	Callex - Jerilderie
Address	Callex - Jerilderie
Address	1-5 Southey Street (Chr Nevel Highway) Jerilderie NSW 2716

PRELIMINARY

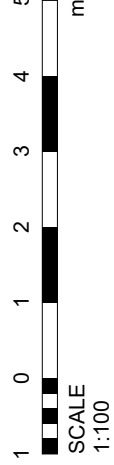


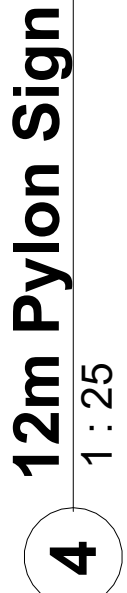
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Street Name

Signage Details: A6.01

Scale: As indicated at A1

Project Number

323

Address

Caltex - Jerilderie

Project Name

Caltex Jerilderie

Print Date

22/10/2021 @ 14:48 PM

at A3

1000000



Our ref: SWT21/00003
Contact: Cam O'Kane

3 November 2021

Murrumbidgee Council
BY EMAIL: mail@murrumbidgee.nsw.gov.au

Attention: Kelly Tyson

DA 20/21 (CNR-27937) – PROPOSED SERVICE STATION DEVELOPMENT, LOTS 1-2 DP569978 & LOT 2 DP860991, SOUTHEY STREET (NEWELL HIGHWAY), JERILDERIE.

I refer to your correspondence regarding the subject Application which was referred to Transport for NSW (TfNSW) for assessment and comment.

From the information provided it is understood that the proposal is for the construction of a service station, including convenience store, landscaping, car parking, signage and associated infrastructure. The subject site has frontage and access to both the Southey Street (Newell Highway) and an unnamed gravel road (listed as Crown Land) within a 50 kmh speed zone.

TfNSW has completed an assessment of the application, based on the information provided and focussing on the impact to the state road network. TfNSW notes for this application:

- The proposal is supported by a Statement of Environmental Effects (SEE) dated August 2021 and Traffic Impact Assessment (TIA) dated July 2021 prepared by SLR Consulting Australia Pty Ltd;
- The Newell Highway is an approved Road Train Route;
- The SEE states that the site currently contains a motel and sheds on the rear lot. All existing structures on the subject site are proposed to be demolished;
- The layout as per **attachment 2** provides separation for on-site circulation to the light and heavy vehicle fuel bowsers. This circulation relies on access for all vehicles from the existing unnamed gravel road located south of the subject site, with only heavy vehicles requiring egress directly to the Newell Highway;
- Vehicular access to the site from the Newell Highway is reliant on approval for its use for heavy vehicles. Currently the unnamed road is not an approved Road Train Route. It is understood that the unnamed road is to be dedicated to Council as a public road;
- The unnamed gravel road is proposed to be upgraded to a sealed road to cater for B-Triples as part of this development. The documentation includes swept paths for the largest design vehicle anticipated to access the site, being a B-triple (36.5m);
- The documentation includes a strategic design for a Basic Right Turn (BAR) and Basic Left Turn (BAL) treatment at the intersection of the Newell Highway and the unnamed road. The strategic design (Attachment 3) demonstrates that this treatment can be constructed within the existing road reserve;
- The TIA anticipates that the development has the potential to generate 238 vehicles per hour (IN and OUT combined) during the peak hour;
- The proposed hours of operation for the service station are 24 hours a day, 7 days a week. There will be approximately 2-3 staff members on site at any one time.

TfNSW emphasises the need to minimise the impact of development on the existing public road network and maintain the level of safety, efficiency and maintenance along the road network. As the proposed development has frontage to the Newell Highway (HW17) the proposed conditions listed below are appropriate for road safety and network efficiency reasons.

Transport for NSW has assessed the Development Application based on the documentation provided and would raise **no objection subject to conditions** on the basis that the Consent Authority ensures that the development is undertaken in accordance with the information submitted as amended by the inclusion of the conditions listed in **Attachment 1**.

TfNSW highlights that in determining the application it is the consent authority's responsibility to consider the environmental impacts of any road works which are ancillary (proposed or deemed necessary) to the development. This may include the need for further environmental assessment for any ancillary road works.

Upon determination of this matter, please send a copy of the Notice of Determination to development.south.west@transport.nsw.gov.au.

Any enquiries regarding this correspondence may be referred to Cam O'Kane, TfNSW (South Region), phone (02) 6923 6582.

Yours faithfully



Maurice Morgan
Team Leader, Development Services South

1. The intersection and driveway to the Newell Highway shall be located and the roadside maintained so as to provide the required Sight Distance criteria in either direction along the highway in accordance with the Austroads Publications for the posted speed limit. Compliance with this requirement is to be certified by an appropriately qualified person prior to construction of the vehicular access.
2. The intersection of the unnamed road with the Newell Highway shall be designed and constructed as public road intersection with a sealed Basic Right Turn (BAR) and Basic Left Turn (BAL) treatment in accordance with the Austroads Guide to Road Design for the posted speed limit. The design shall consider the nearby intersection of the Newell Highway with Saleyards Road. The design vehicle for the treatment and the driveway shall be a B-Triple heavy vehicle combination. The lanes widths within the Newell Highway shall be a minimum of 3.5 metres.`
3. As a minimum, the unnamed road shall be upgraded to Council's satisfaction for a public road standard and be sealed for a minimum distance of 50m from the carriageway of the Newell Highway.
4. The required intersection treatment shall be designed and constructed so as to maintain appropriate vehicular access to the properties located on the eastern side of the Newell Highway opposite the subject site in accordance with the Austroads Guide to Road Design for the posted speed limit.
5. The northern driveway to the Newell Highway shall be restricted to egress only as per the submitted plans. This one-way motion for the heavy vehicles within the development site shall be appropriately signposted and line marked at the egress driveway and through the vehicle movement areas within the finished development. No entry signs shall be erected and maintained at this driveway;
6. As a minimum, the egress driveway shall be sealed from the edge of seal of the carriageway to the property boundary and be designed and constructed to a standard to accommodate the proposed vehicle traffic generated by the development including B-triple heavy vehicles. All vehicle movement and parking areas within the subject site shall be sealed.
7. All vehicle parking required to service the development is to be provided on-site. As a minimum the off-street car park associated with the proposed development including driveway design and location, internal aisle widths, parking bay dimensions and loading bays shall be in accordance with AS 2890.1-2004 "Off-street car parking", AS 2890.2-2002 "Off-street commercial vehicle facilities" and the Austroads Guide to Traffic Management Part 11: Parking.
8. The swept path of the largest vehicles entering and exiting the subject site and manoeuvrability through the site is to be in accordance with AS 2890.2-2002 "Off-street commercial vehicle facilities" and to Council's satisfaction. For road safety reasons, all vehicle access driveways, and the internal layout of the development, shall be designed and maintained to allow all vehicles to enter and exit the subject site in a forward direction and not be required to reverse onto the adjoining road reserve.
9. Any landscaping, fencing and signage to be provided within the site or along the boundary with any adjoining road reserve is to be designed and maintained to provide safe sight distance to pedestrians for motorists entering and exiting the site to minimise conflict in accordance with AS2890.1-2004 "Off-street car parking".
10. Facilities are to be provided within the car park to facilitate safe pedestrian movements throughout the car park. Pedestrian crossing stripes are not to be placed as it resembles the pedestrian crossing on the road and creates confusion as to who has the priority. Raised pedestrian walkways enhance the visibility of the walkway and the safety of pedestrians.

11. Internal vehicular manoeuvring aisles, parking areas and loading bays shall be maintained clear of obstruction and used exclusively for the purposes of vehicle access, parking and loading and unloading respectively. This is to provide for the ease of circulation of vehicles within the development site. Under no circumstances shall these areas be used for the storage of goods or waste receptacles or any other purpose.
12. On-street parking shall be denied along the frontage of the development site to the Newell Highway to preserve the required Safe Intersection Sight Distance (SISD) for the exit driveway in accordance with the Austroads Guide to Road Design and on the opposite side of the Newell Highway within the extent of the Basic Right Turn (BAR) treatment. The full time "No Stopping" restriction is to be implemented along the Newell Highway prior to commencement of any works.
13. All activities including, loading and unloading associated with this development are to take place within the subject site. Fill points for petrol and gas storage are to be located so that tankers can stand clear of access driveways and not impede on access to and from the subject site. A plan is to be submitted to indicate compliance with this condition prior to release of the Construction Certificate.
14. The proposed intersection with the unnamed road and the egress driveway shall be designed and constructed so as not to interfere with the capacity of the current roadside drainage network and to prevent water from proceeding onto, or ponding within, the carriageway of the highway.
15. Stormwater run-off from the subject site onto the adjoining road reserve as a result of the proposed development is not to exceed the existing level of run-off from the subject site. Suitable drainage treatment is to be implemented to deny contaminated storm water run-off from the subject site to the road reserve of the Newell Highway.
16. Any damage or disturbance to the road reserve of the Newell Highway is to be restored to match surrounding landform in accordance with Council requirements. Any redundant vehicular access driveways to the subject property from the Newell Highway shall be removed and the road reserve, including kerb and gutter, reinstated to match the surrounding roadside landform in accordance with Council requirements.
17. Detailed dimensioned plans demonstrating compliance with all conditions relating to all works within the road reserve shall be submitted to the satisfaction of Transport for NSW for approval prior to release of the Construction Certificate.
18. A management plan to address demolition and construction activity access and parking is to be prepared to ensure that suitable provision is available on site for all vehicles associated with the on-site works for the construction of the development to alleviate any need to park within, or load/unload from the road reserve of the Newell Highway. The storage of any material within the road reserve is denied. Appropriate signage and fencing is to be installed and maintained to effect this requirement.
19. The Newell Highway is part of the State Road network. For works undertaken on the carriageway of the State Road network by or on behalf of a private entity the developer is required to enter into a Works Authorisation Deed (WAD) with Transport for NSW before finalising the design or undertaking any construction work within or connecting to the road reserve. The applicant is to contact the Land Use Manager for the South West Region on Ph. 02 6923 6611 for further detail.
20. All works undertaken within the road reserve of the Newell Highway, shall be designed and constructed to the satisfaction of Transport for NSW and in accordance with the Austroads Guide to Road Design. The design vehicle for the development is a B-Triple heavy vehicle.
21. Any works within the road reserve of a Classified Road requires approval from the Council and concurrence from Roads and Maritime Services under section 138 of the Roads Act 1993 prior to

commencement of any such works. The developer is responsible for all public utility adjustment/relocation works, necessitated by the proposed development and as required by the various public utility authorities and/or their agents.

22. Works associated with the development shall be at no cost to Transport for NSW.

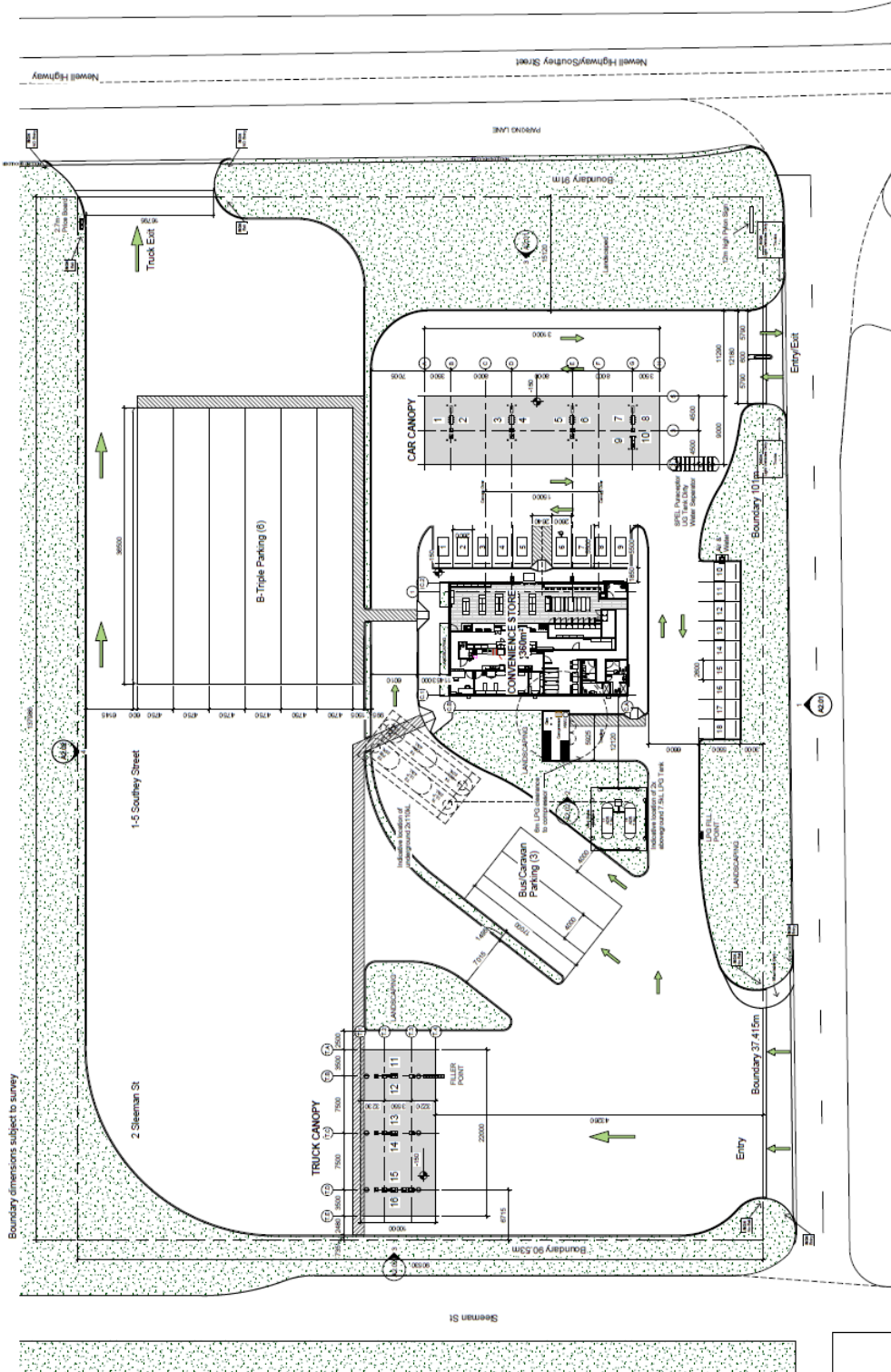
Further to the above suggested conditions the Council in determining this application may also give consideration to the following:-

1. The provision of on-site car parking, including disabled parking, associated with the subject development is to be in accordance with Council requirements. All car parking spaces required are to be provided on-site and not to be compensated by the on-road parking in the vicinity. Parking, particularly disabled parking is to be located with convenient pedestrian access to the entry doors of the premises.

The submitted information provides details regarding the proposed advertising signage. Any advertising signage is to be assessed against and comply with the provisions of State Environmental Planning Policy (SEPP) No. 64 – Advertising and Signage, and the Department of Planning's Transport Corridor Outdoor Advertising and Signage Guidelines. The following is appropriate unless the provisions for advertising structures under SEPP 64 apply.

- 1) Any signage shall be designed and located so as to comply with the following;
 - a) the sign display shall not include:
 - Any flashing lights,
 - Electronically changeable messages,
 - Animated display, moving parts or simulated movements.
 - Complex display that holds motorist's attention beyond "glance appreciation",
 - Display resembling traffic signs or signals, or giving instruction to traffic by using words such as 'halt' or 'stop';
 - b) The method and intensity of any illumination of the sign shall not be directed or transmitted in such concentration or intensity to cause distraction or glare to motorists.
 - c) Any proposed sign and support structure shall be located wholly within the confines of the property boundaries and not protrude over any adjoining road reserve.
 - d) Any proposed sign and support structure to be located within close proximity to a road reserve is required, as a minimum, to comply with the wind loading requirements as specified in AS1170.1 Structural design actions – Permanent, imposed and other actions and AS1170.2 Structural design actions – wind actions.
 - e) Any proposed sign and support structure shall not obstruct any road regulatory, safety or directional signage in the vicinity,
 - f) Any proposed sign and support structure shall not pose any risk to the safety of pedestrians or motorists.

AREAS	m ²
Total Site Area	12558
2 Shearman St	1387
1-5 Southery St	9181
Car Canopy Total	588
Car Canopy Sealing Area	14
Car Canopy Connection	252
Truck Canopy	210
Convenience Store	499
PARKING	
Bus/Caravan	22
B-Trip	3
B-Trip	6



1 Site
1:200

NO.	REVISION	DATE	BY	CHKD
1	Issue for public consultation	10/01/2023	AL	AL
2	Issue for public consultation	10/01/2023	AL	AL
3	Issue for public consultation	10/01/2023	AL	AL
4	Issue for public consultation	10/01/2023	AL	AL
5	Issue for public consultation	10/01/2023	AL	AL
6	Issue for public consultation	10/01/2023	AL	AL
7	Issue for public consultation	10/01/2023	AL	AL
8	Issue for public consultation	10/01/2023	AL	AL
9	Issue for public consultation	10/01/2023	AL	AL
10	Issue for public consultation	10/01/2023	AL	AL

Declaration: I, the undersigned, being a duly qualified person, declare that the information provided in this document is true and correct to the best of my knowledge and belief, and that I am not aware of any circumstances that may render this information misleading or deceptive.

Signature: *[Signature]*
Name: ALAN J. JONES
Position: *[Title]*
Address: *[Address]*
Contact: *[Contact Information]*

Site Name	1-5 Southery Street (City West) Upgrade
Site Ref	AL 21
Scale	1:200 (A1)
Project No.	20220001-10000000
Client	CITY OF WAGGA
Address	1-5 Southery Street (City West) Upgrade
City	Wagga Wagga
State	NSW
Postcode	2650
Country	Australia

PRELIMINARY

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0434 884 148
info@lawrenceassociates.com.au



From: [ConveyancingTeam](#)
To: [Grace Moses](#); [Kelly Tyson](#)
Subject: Re: CNR-27937 / DA20-2021 - 1-5 Southey Street Jerilderie (1-2/569978; 2/860991) Demolish existing improvements & new service station including associated convenience store, signage, carparking & landscaping and 2 lot subdivision
Date: Tuesday, 2 November 2021 11:05:55 AM
Attachments: [image001.jpg](#)
[image002.png](#)
[image003.png](#)
[image766030.png](#)
[image056306.png](#)
[image339127.png](#)
[image954997.png](#)
[image896307.png](#)
[image441895.png](#)
[image895445.png](#)
[image544778.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[DA20-2021 EE response add info 23.9.21 A-32615.pdf](#)
[Architectural Plans \(amended\) - 1-5 Southey Street, Jerilderie.pdf](#)

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Dear Sir/Madam,

We refer to the above matter and to your email correspondence seeking further comment from Essential Energy in relation to the proposed development.

Strictly based on the further documents submitted, Essential Energy makes the following comments to make as to potential safety risks arising from the proposed development:

1. Essential Energy's records indicate that existing overhead powerlines are impacted by the proposed development:
 - a. The re-located signage is sufficiently clear of the powerlines. However, the Applicant, must understand their requirements when working around powerlines and SafeWork NSW clearances.
 - b. Minimum safety clearance requirements are to be maintained at all times for any proposed driveway access and/or exit (concrete crossovers), as such driveways will pass under Essential Energy's existing overhead powerlines located at the front of the properties. The driveways must comply with clearances for trafficable land, ground clearances (including the maximum sag of the conductor) must be maintained. Refer Essential Energy's policy *CEOM7106.25 Minimum Clearance Requirements for NSW* and refer the latest industry guideline currently known as *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*. It is recommended that the Applicant engage the services of an Accredited Service Provider to assist and to ensure compliance. A list of Level 3 Accredited Service Providers is available at <https://energysaver.nsw.gov.au/households/you-and-energy-providers/installing-or-altering-your-electricity-service>.
 - a. Any proposed pole must remain clear by a minimum of 5.0 metres to any obstruction, at all times, to prevent accidental damage.
 - b. Any vegetation or plantings near the powerlines must be limited to 4.0 metres in height (mature height).
 - c. The existing overhead service will need to comply with the NSW Service and Installation Rules. This means that the existing service will need to be re-located, at the Applicant's expense. A Level 2 Electrician will be able to advise on these requirements and carry out the required work to ensure compliance.

Essential Energy also makes the following general comments:

1. If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.

2. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above properties should be complied with.
3. As part of the subdivision, easement/s are to be created for any existing electrical infrastructure, using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision. Refer Essential Energy's Contestable Works Team for requirements via email contestableworks@essentialenergy.com.au.
4. Council should ensure that a Notification of Arrangement (confirming satisfactory arrangements have been made for the provision of power) is issued by Essential Energy with respect to all proposed lots which will form part of the subdivision, prior to Council releasing the Subdivision Certificate. Satisfactory arrangements must also be made by the Applicant with Essential Energy for the provision of power with respect to the proposed development. It is the Applicant's responsibility to make the appropriate application with Essential Energy for the supply of electricity to the development, which may include the payment of fees, contributions and if required, new designated electrical infrastructure. If it is deemed that designated electrical infrastructure is required, then all fees for such infrastructure (which may be substantial) will be borne by the Applicant. Refer Essential Energy's Contestable Works Team for requirements via email contestableworks@essentialenergy.com.au. Despite Essential Energy not having any safety concerns, there may be issues with respect to the subdivision layout, which will require Essential Energy's approval.
5. In addition, Essential Energy's records indicate there is electricity infrastructure located within close proximity to the properties. Any activities within these locations must be undertaken in accordance with *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.
6. Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of Part 5E (Protection of Underground Electricity Power Lines) of the *Electricity Supply Act 1995 (NSW)*.
7. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the *Code of Practice – Work near Overhead Power Lines* and *Code of Practice – Work near Underground Assets*.



Should you require any clarification, please do not hesitate to contact us.

Regards

Fiona Duncan
Conveyancing Officer
Legal & Conveyancing
Governance & Corporate Services



T: 02 6589 8773 (Ext 88773) | conveyancingteam@essentialenergy.com.au
PO Box 5730 Port Macquarie NSW 2444 | essentialenergy.com.au
General enquiries: 13 23 91 | Supply interruptions (24hr): 13 20 80

Follow us  

From: Grace Moses <gmoses@slrconsulting.com>
Sent: Monday, 25 October 2021 1:31 PM
To: Fiona Duncan <fiona.duncan@essentialenergy.com.au>



**Planning,
Industry &
Environment**

Our Reference 21/06317

PO Box 2215, DANGAR NSW 2309
Phone: 1300 886 235
Fax: 02 4925 3517
cl.enquiries@crownland.nsw.gov.au
www.crownland.nsw.gov.au

Grace Moses
SLR Consulting Australia Pty Ltd
Suite 2B, 125 Bull St
Newcastle West NSW 2302
Email: gmoses@slrconsulting.com

Dear Grace,

The department has assessed your proposed works for access to undertake road works on Crown road between Sleeman St and Newell Highway at Jerilderie. In this case, the department has refused your proposal on the grounds that a new constructed access road to a service station crosses an unformed Crown road, the Department is not a roads construction authority and as such cannot approve this road work.

The Department of Planning, Industry and Environment – Crown Lands (the department) uses a consistent approach in making decisions based on available evidence and supporting legislation. Works on Crown roads are evaluated on the basis of whether it is feasible to undertake works in consideration of the potential impacts on the road reserve, adjoining lands and the local environment.

To progress with the proposed development, Murrumbidgee Council, as the local road construction authority could request that the road be transferred from the department to council so construction can be administered according to standards specified as the road's authority.

For the above reasons the department cannot support the proposed works on the Crown road. The department has identified a possible next action that you may consider, if you would like to discuss this further please contact the department with your enquiry.

Alternatively, if the applicant can satisfy the department that no impact to the Crown Road will result from the proposed development and/or, the development application is modified to ensure the proposal does not impact the Crown Road, the objection will be formally withdrawn and no further action or consultation is required.

The land south of Lot 1 DP 569978 has been determined not to be a Crown Road and therefore has not been assessed. It is part of State Highway 17 being the Newell Highway as shown in the attached plan and gazette notice.

Enquiries and information in relation to this matter can be directed to Ryan Mattingly, Snr Property Management Officer, on 1300 886 235 or via email at ryan.mattingly@crownland.nsw.gov.au.

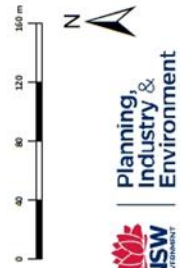
Yours faithfully

A handwritten signature in black ink, appearing to read "Ryan Mattingly".

Ryan Mattingly
Snr Property Management Officer
Department of Planning Industry & Environment - Crown Lands
3 September 2021

Proposed Works Area on Crown Road for Service Station

LEGEND
 Crown Road



Disclaimer: The information contained in this map has been provided in good faith. Whilst all effort has been made to ensure the accuracy of the information, the data providers take no responsibility for errors or omissions nor any loss or damage that may result from the use of this information.



TRANSPORT (DIVISION OF FUNCTIONS) ACT, 1932-1956.—MAIN ROADS ACT, 1924-1954, AS AMENDED.—PROCLAMATION.

(L.S.) J. NORTHCOTT, Governor.

I, Sir JOHN NORTHCOTT, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Knight Commander of the Royal Victorian Order, Companion of the Most Honourable Order of the Bath, Lieutenant-General on the Retired List of the Australian Military Forces, Governor of the State of New South Wales and its Dependencies in the Commonwealth of Australia and with the advice of the Executive Council and by virtue of the provisions of the Transport (Division of Functions) Act, 1932-1956, and in pursuance of the provisions of the Main Roads Act, 1924-1954, as amended, do, by this my Proclamation, declare that so much of the land hereunder described as is Crown land is hereby appropriated, and so much thereof as is private property is hereby resumed under the provisions of the Public Works Act, 1912, for the purposes of the Main Roads Act, 1924-1954, as amended, and that the land hereunder described is hereby vested in the Commissioner for Main Roads, and I hereby further declare the land hereunder described to be a public road, and in accordance with a recommendation of the Commissioner for Main Roads, the said land is hereby placed under the control of the Council of the Shire of Jerilderie.

Signed and sealed at Sydney, this twenty-ninth day of May, 1957.

By His Excellency's Command,

C. A. KELLY, for Minister for Highways.

GOD SAVE THE QUEEN!

DESCRIPTION OF THE LAND REFERRED TO.

All that piece or parcel of land situate in the Shire of Jerilderie, parish of Jerilderie South, county of Urana and State of New South Wales, being part of Reserve 57,174/5 from sale and lease generally, notified in Gazette of 27th June, 1924, as Temporary Common under the control of the Council of the Shire of Jerilderie: Commencing at the north-eastern corner of portion 110 of the said parish and bounded thence on the west by a marked line bearing 3 degrees 15.692 links to the southern boundary of portion 144, parish of Jerilderie South; thence on the north by part of that boundary of that portion, the southern side of West-street, Village of Jerilderie, and part of a southern boundary of railway land (formerly portion 46 of the said parish) shown in miscellaneous plan No. 217, Wagga, at the Department of Lands, bearing 97 degrees 501.2 links; thence on the east by part of a western boundary of railway land shown on miscellaneous plan 217, Wagga aforesaid, bearing 183 degrees 15.630 links; thence on the south by a marked line bearing 269 degrees 54 minutes 500.7 links to the point of commencement,—having an area of 78 acres 1 rood 8½ perches or thereabouts and said to be in the possession of the Crown. (D.M.R. No. 17/226.143) (5275)

TRANSPORT (DIVISION OF FUNCTIONS) ACT, 1932-1956.—MAIN ROADS ACT, 1924-1956, AS AMENDED.—PROCLAMATION.

parish: Commencing at the intersection of the south-western side of River-street with a north-western side of Pacific Highway and bounded thence on the south-east by parts of north-western sides of that Highway bearing 241 degrees 5 minutes 10.3 links and 225 degrees 4 minutes 93 links; thence on the west by a marked line bearing 2 degrees 43 minutes 291.56 links to the aforesaid south-western side of River-street; thence on the north-east by that side of that street bearing 164 degrees 32 minutes 228.86 links to the point of commencement,—having an area of 164 perches or thereabouts and said to be in the possession of W. J. Boorman.

And also all that piece or parcel of land situate in the Shire of Ulmarra, parish of Ulmarra, county of Clarence and State of New South Wales, being part of portions 9 and 501 of the said parish: Commencing at the intersection of the north-western side of Pacific Highway with a north-eastern side of River-street and bounded thence on the south-west by part of that side of that street bearing north-westerly 75 links; thence on the north-east by a line bearing south-easterly 91.4 links to the aforesaid north-western side of Pacific Highway; thence on the south-east by a part of that side of that highway bearing south-westerly 75 links to the point of commencement,—having an area of 4½ perches or thereabouts and said to be in the possession of J. B. Beel. (D.M.R. 10/450-120) (5271)

LOCAL GOVERNMENT ACT, 1919.—PROCLAMATION.

(L.S.) J. NORTHCOTT, Governor.

29th May, 1957.

I, Lieutenant-General Sir JOHN NORTHCOTT, Governor of the State of New South Wales, with the advice of the Executive Council and in pursuance of the Local Government Act, 1919, do hereby proclaim that Part XI of the said Act shall apply as from the issue of this Proclamation to the portion of the Shire of Tumut described in the Schedule hereto. (S. 57-730)

By His Excellency's Command,

J. B. RENSHAW.

GOD SAVE THE QUEEN!

SCHEDULE.

Commencing on the right bank of the Tumut River at the north-western corner of portion 63, parish of Mundongo, county of Buecleuch; and bounded thence by a line along the northern boundary of portions 63, 64, 65 and 86 easterly to the north-eastern corner of portion 86; by a line along the western boundary of portions 85 and 91 southerly to the northern boundary of portion 93; by part of that boundary and by the western boundary of portions 92 and 97, easterly and southerly; by the southern boundary of portion 96 westerly; by a line and the generally eastern boundary of portion 25 generally southerly to the Tumut River; by that river upwards to a line along the northern boundary of portions 1, 6 and 7, parish of Wereldera, county of Wynyard; by that line and the western boundary of portion 7, westerly and southerly; by a line along the northern boundary of portions 33, 97 and 48 westerly to the eastern boundary of portion 87, parish of Gilmore; by part of that boundary and by the eastern boundary of portion 160 northerly; by the generally northern boundary of portion 160 and part of the northern boundary of portion

ATTENTION

Mr John Scarce

General Manager

Murrumbidgee Council

POBox 96

Jerilderie

NSW 2716

SUBJECT: DEVELOPMENT PROPOSAL - DA 20-2021

Proposed Development: Service Station

Subject Land: Lots 1 & 2 DP 569978, 1-5 Southey Street & Lot 2 DP 860991, 2 Sleeman Street Jerilderie 2716

I wish to object to the above mentioned developmental proposal for the following reasons:

-By allowing another Service Station at that location directly next door to the already established one, the amount of extra noise that will be generated will be unbearable for the area residents.

-The proposal appears to be merely taking advantage of Jerilderie's position on the Newell Highway for a major corporation to unnecessarily inflate their profits, rather than being of any benefit to the town.

-More idling cars and trucks will sacrifice the air quality, and the surrounding area will be prone to increased littering. This will put all the threatened plant and bird species that call that large area behind that location home at risk. This includes the plains wanderer, which has lost enough of their habitat due to it being degraded by clearing and introduced grasses.

-As a local resident I am concerned about traffic congestion trying to get in and out of the relatively narrow parcel of land.

-The negative effects to the environment, health and economic impact to the local businesses.

-Indefinitely putting the Wangamong Creek at risk of pollution throughout the building process and while running the business so close to the creek.

Overall, I feel allowing this development to take place is not in the best interests of the citizens of Jerilderie, and I strongly urge you to consider your decision based on the needs of the town.

Yours Sincerely



[REDACTED]

To:

[REDACTED]

[Mail](#)

Subject:

Letter of Objection 1-5 Southey Street

Date:

Friday, 8 October 2021 3:32:43 PM

Attachments:

[REDACTED]

General Manager,

Dear Council,

I would like to voice my concerns in relation to the proposed Service Centre 1-5 Southey street,

[REDACTED], I feel that there is already 3 fully operational service centres in town with two operating 24hrs currently, also a 24 hr fuel POD at Barlow Grain.

Adding another Service Centre to the town will only place pressure on the already strained employment problems we are currently experiencing, ie, finding employees.

There are not enough people in the town and surrounding areas now to fill the employment void, this will only become a greater issue if there is another Service Centre in town.

It doesn't matter what industry your in or a farmer on the land, our greatest challenge at present is Labour!

From this point of view I think it would be not in the towns best interest to grant this application, there are better ways to encourage infrastructure and growth to the town than support an already saturated industry.

Thankyou for taking the time to read my objection

[REDACTED]

[REDACTED]

[REDACTED]

8th October 2021

Mr John Scarce
General Manager
Murrumbidgee Council
PO Box 96
Jerilderie NSW 2716

Dear Mr Scarce,

SUBJECT: OBJECTION OF DEVELOPMENT PROPOSAL - DA 20-2021

Proposed Development: Service Station

Subject Land: Lots 1 & 2 DP 569978, 1-5 Southey Street & Lot 2 DP 860991, 2 Sleeman Street
Jerilderie 2716

I am writing to you in regards to this proposed development located at 1-5 Southey St and part of 2 Sleeman St, Jerilderie as a concerned Jerilderie resident.

I wish to object to this proposal on the grounds of environmental protection.

The proposal brings about several issues regarding the particular surroundings of this location.

A mere 500 meters from this site is the Jerilderie Nature Reserve, map attached as appendix 2 which was established in 2002, this site is detrimental in the protection of the nationally endangered plant Red Swainson Pea (also known as the Darling Pea). This is 1 of only 22 sites around the Jerilderie area containing the pea and this particular location is considered one of the key grassland sites in the Riverina. In which they hope to at minimum maintain the population of the pea but hopefully expand it. The slow increase in numbers since 2008 has been promising so far.

This site also conserves a number of other dwindling threatened grassland species..

I am objecting to this proposal as pictured on Appendix 1 and 4 attached the plan is to have the entrance driveway come off the "existing gravel road". This in turn will have to bring about extensive earthworks of the area to make it a main road for the trucks to be able to use, especially with the load ratings and upgrades required for the heavier trucks that will be using the road.

The earthworks will have to obviously be a fairly large area taking up a wide portion of the NSW Crown Lands owned land/stock route to be able to handle the traffic quantities. This in turn brings the questions of Sleemans Rd will it too have to be upgraded to handle the heavy vehicles? Or will there be a court set up where the trucks will have to turn around at the end of the road making it a bigger area of works needed. This will be coming even closer to the Jerilderie Nature Reserve.

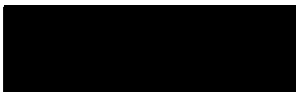
The Nature Reserve works so well for the species there because of the terrain. It is a level plain comprising of light brown/red soils and clay loam. The surrounding areas are open paddocks with light industrial. The Nature reserve has 1 dam which holds water after rain but dries up quickly in hot weather and no other water courses in the reserve. The questionable issues that could arise from the extensive earthworks needed for the proposal is the diversion of the natural running of water in the area. Beside the "gravel road" that needs upgrading is "flood plains" where all the water disperses that comes from the town. Obviously they will have to detour this water away from their site, but to where? Assuming it will somehow impact the water flows connected with the Reserve and cause erosion issues? As attached in appendix 3 the reserve is currently free of unnatural erosion. This area needs to stay free of any interruption so as to not risk decline to the threatened species that are thriving there.

The other issue is the extra pollution in which it will bring to the area with 3 already established Service stations within the town is there a need to put yet another; with the plans stating putting down 220,000 of fuel tanks. Again changing the dynamics of the surrounding earth.

Is it for these reasons for the ongoing protection of the endangered species within close proximity of the proposed development that I am objecting to this development.

I thank you for your time considering my objection to this proposal and I would be grateful if council would take my objections into consideration when deciding this application.

Yours Sincerely,

A solid black rectangular box used to redact the signature of the person writing the letter.

TANKER	mm	
Trawler Wast	: 2500	Lock to Lock Time : 6.0
Trawler Wash	: 2500	Steering Angle : 25.1
Trawler Track	: 2500	Articulating Angle : 70.0
Trawler Track	: 2500	



SLR®

PRELIMINARY ISSUE

[illegible]

HAKEM

ABN 83 616 105 483
DANGEROUS GOODS CONSULTING
LPG & FUEL SYSTEMS - CONSULTING & DESIGN
UNIT 7 273-275 WICKHAM ROAD, MOORABEIN VIC 3189
PHONE (03) 9842 7500
www.hazkem.com.au

CALTEx SERVICE STATION
1-5 SOUTHEY STREET
JERILDERIE, NSW

Notes

5/8

0111

GENERAL ARRANGEMENT - TANKER
PATH LAYOUT-19M TRI AXLE LPG
TANKER



SCALE 1 : 600

PROJECT NO. DESIGNED DRAWN SCALE
HA7 2801 1:500 0.5"

11A2-2004 NM 1:600 @ A3

APPROVED

DEARING H₂ 100417/ABIT

HA7 2804-CA05 0

0000-4007-7411

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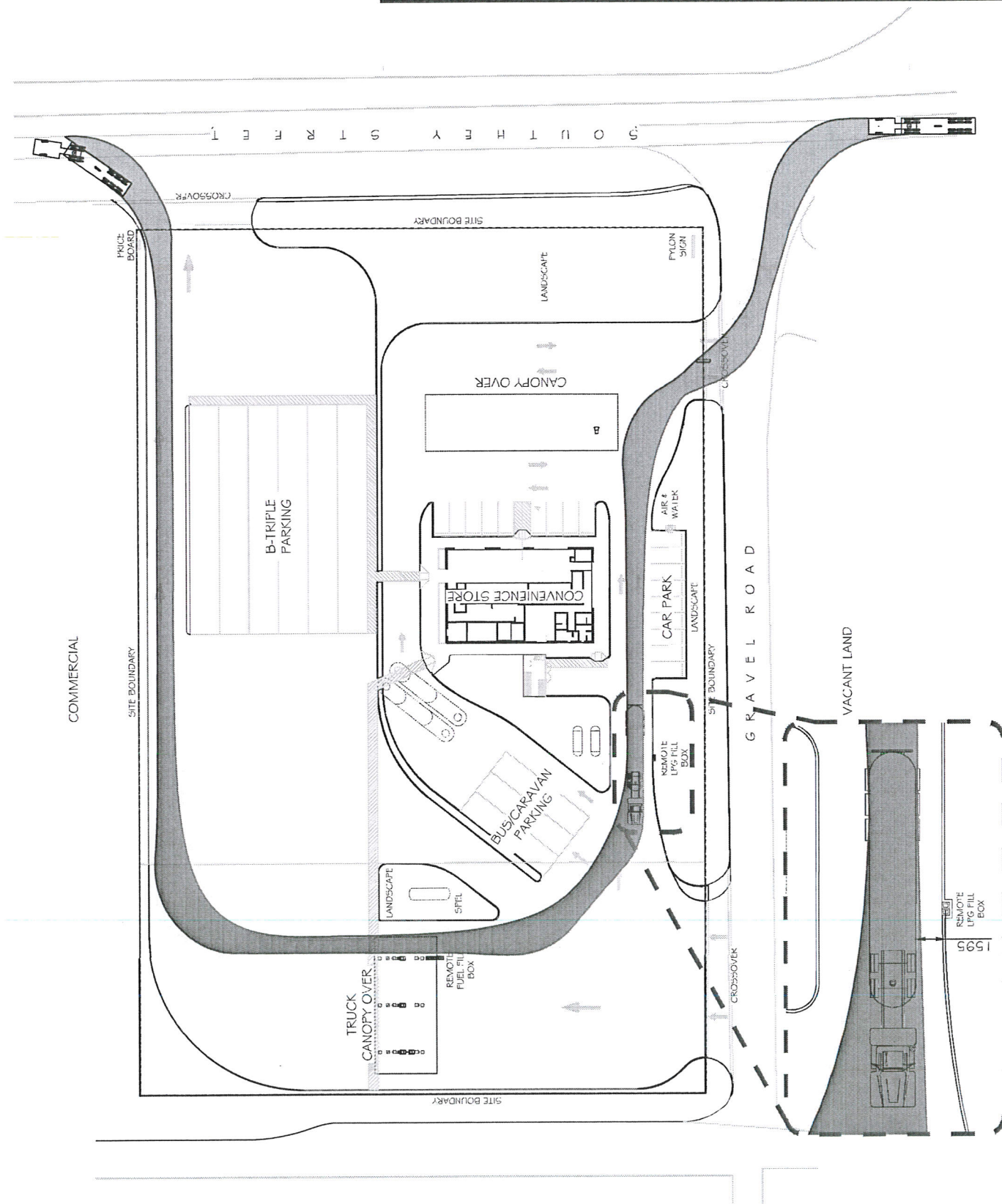
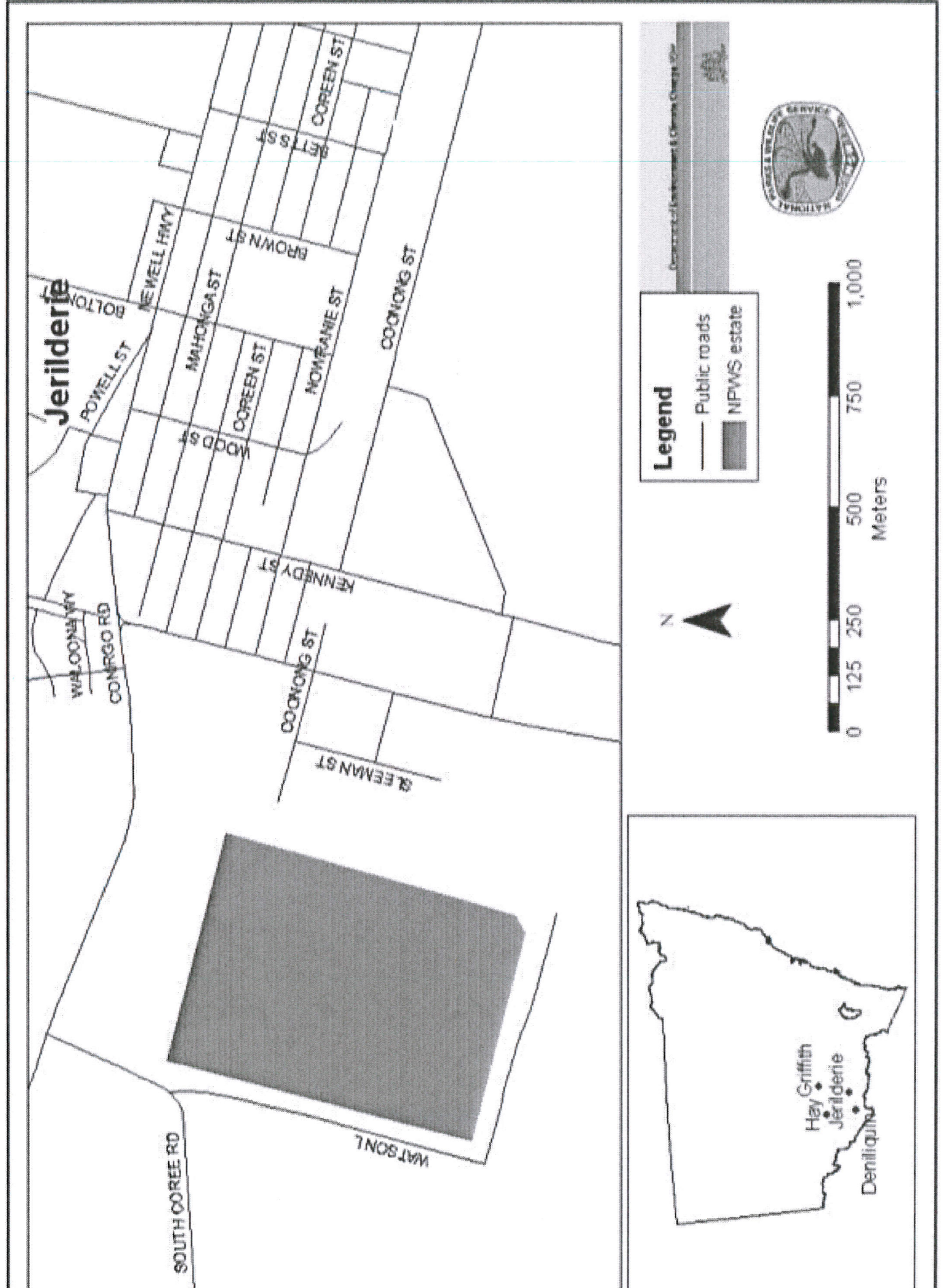


FIGURE 1: LOCATION OF JERILDERIE NATURE RESERVE



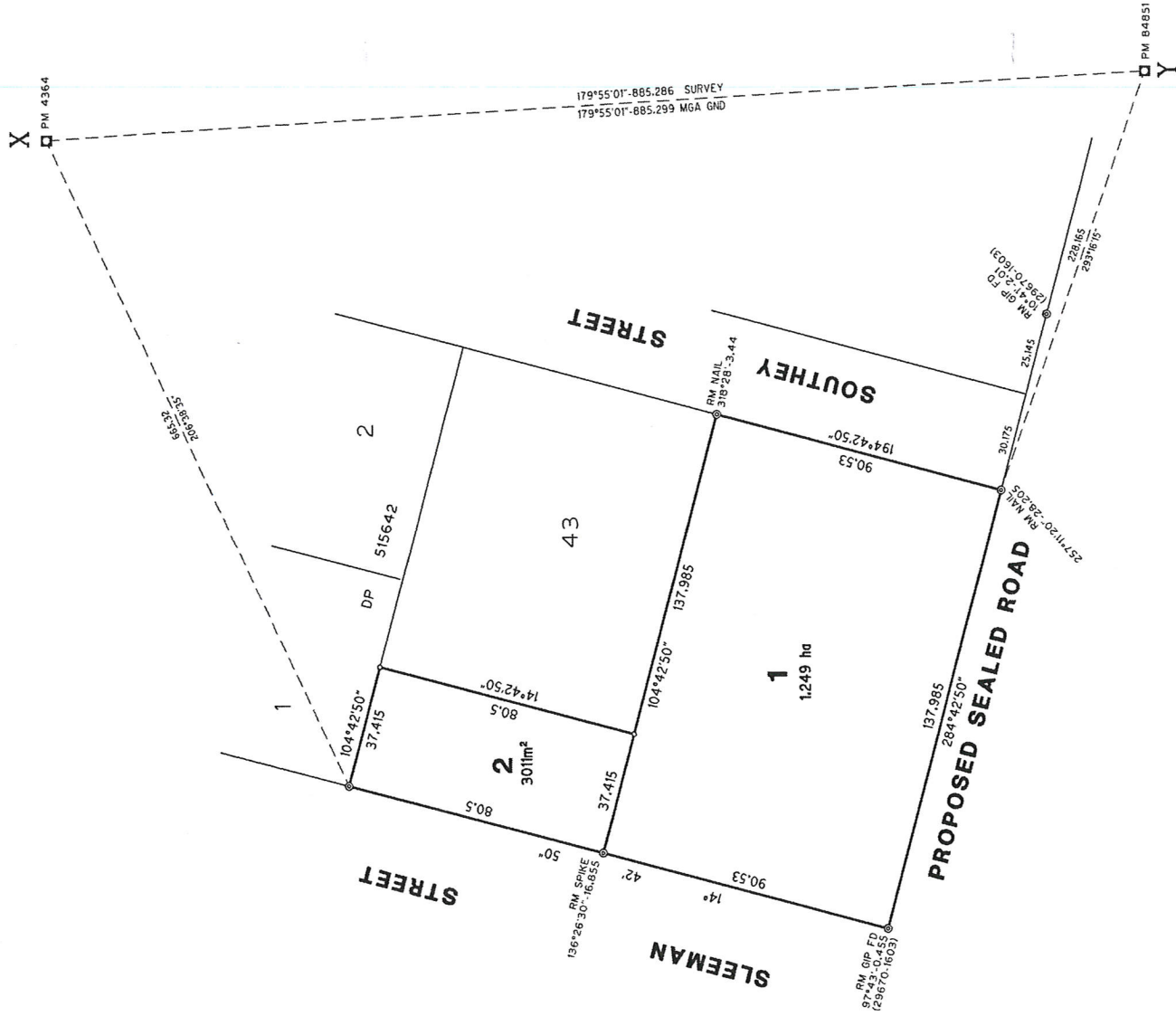
Appendix 3.

4. IMPLEMENTATION TABLE

Current Situation	Desired Outcomes	Strategies	P
Soil and Water Conservation			
There is no unnatural erosion in the reserve.	The reserve remains free of unnatural erosion.	<ul style="list-style-type: none"> The reserve will be monitored for unnatural erosion and remedial action taken where necessary. 	H
A large dam is located in the centre of the reserve. The dam is not creating any management issues and it may be useful for fire fighting.	The dam is retained.	<ul style="list-style-type: none"> No action will be taken to damage the dam. However, the dam will not be actively maintained unless it is later found to be required for management purposes, such as fire fighting. 	H
Native Plant and Animal Conservation			
The reserve contains a rare grassland vegetation community and at least three threatened plants.	The population of Red Darling pea is at least maintained and, if possible, increased.	<ul style="list-style-type: none"> Broad scale herbicide will not be used in the reserve. 	H
Red Darling pea and Murray Swainson pea and other forbs prefer grassland vegetation maintained in a fairly open state. Turnip copperburr also prefers grassland areas.	The native grassland will be maintained in good condition.	<ul style="list-style-type: none"> Mechanical soil disturbance will not be undertaken in the reserve. 	H
A number of <i>Swainsona</i> monitoring sites have been established.		<ul style="list-style-type: none"> Quadrats and photo points at existing monitoring sites will be monitored annually to check <i>Swainsona</i> numbers and the condition of the grassland and records maintained. 	H
Maintenance of the native grassland will provide habitat for those animals dependent on this vegetation community.		<ul style="list-style-type: none"> Fire may be used as a management tool to encourage healthy grassland. 	H

Current Situation	Desired Outcomes	Strategies	P
Introduced Species			
No introduced vertebrate pest species are known to exist in the reserve.	The reserve remains free of vertebrate pests.	<ul style="list-style-type: none"> Vertebrate pests will be excluded where possible from and eliminated if found in the reserve in accordance with the Regional Pest Management Strategy. 	H
The grassland is in good condition with relatively few introduced plants. No noxious weeds occur in the reserve.	The reserve remains free of noxious weeds.	<ul style="list-style-type: none"> Any noxious weeds will be treated in accordance with the Regional Pest Management Strategy. Control measures will be put in place to ensure no impact on endangered plants. 	H
Cultural Heritage			
There is no evidence of either European or Aboriginal cultural heritage on the reserve.	Any items of cultural heritage located on the reserve will be protected.	<ul style="list-style-type: none"> The Cummeragunja Local Aboriginal Land Council will be consulted prior to undertaking any works that could affect potential Aboriginal sites. 	H

Appendix 4.



THIS IS A COPY OF AN UNREGISTERED PLAN. THIS PLAN WAS PREPARED TO BE USED BY THE REGISTRAR OF TITLES AND THE SURVEYOR AND THE REGISTRAR OF TITLES MAY BE REQUIRED BY THE REGISTRAR OF TITLES WHEN THE ORIGINAL IS FINALLY PRESENTED FOR REGISTRATION. ETLERS CAN ACCEPT NO LIABILITY FOR ANY LOSS OR DAMAGE HOWEVER ARISING, TO ANY PERSON OR CORPORATION WHO MAY RELY ON THIS PLAN FOR ANY PURPOSE. THE ORIGINAL OF THIS PLAN REMAINS THE PROPERTY OF THE REGISTRAR OF TITLES AND MUST BE RETURNED TO THE REGISTRAR OF TITLES PRIOR TO REGISTRATION. THIS NOTE, WHICH IS AN INTEGRAL PART OF THE PLAN, MUST NOT BE PRODUCED WITHOUT THIS NOTE.

COORDINATE SCHEDULE														
MARK	MGA		CO-ORDINATES		CLASS	PU	METHOD	STATE						
	EASTINGS	NORTHINGS												
PM 4364	383 838.849	6 086 789.635	B	0.02			FROM SCIMS	FOUND						
PM 84851	383 840.131	6 085 904.559	A	0.02			FROM SCIMS	FOUND						
DATE OF SCIMS COORDINATES: 17-07-2021					MGA ZONE: 55		MGA DATUM: GDA2020							
COMBINED SCALE FACTOR OF 0.999748														
10	20	30	40	50	60	70	80	90	100	110	120	130	140	150

Office of Local Government

Model Code of Conduct Complaints Statistics

Reporting Period: 1 September 2020 - 31 August 2021

Date Due: **31 December 2021**

*To assist with the compilation of the Time Series Data Publication it would be appreciated if councils could return this survey by
30 November 2021.*

Survey return email address: codeofconduct@olg.nsw.gov.au

Council Name:	Murrumbidgee Council
----------------------	-----------------------------

Contact Name:	Sue Mitchell
Contact Phone:	02 69605500
Contact Position:	Manager Corporate & Community
Contact Email:	suem@murrumbidgee.nsw.gov.au

All responses to be numeric.

Where there is a zero value, please enter 0.

Enquiries: Performance Team
Office of Local Government
Phone: (02) 4428 4100
Enquiry email: olg@olg.nsw.gov.au

Model Code of Conduct Complaints Statistics Murrumbidgee Council

Number of Complaints

- 1 a The total number of complaints **received** in the period about councillors and the General Manager (GM) under the code of conduct
- b The total number of complaints **finalised** in the period about councillors and the GM under the code of conduct

0

0

Overview of Complaints and Cost

- 2 a The number of complaints **finalised at the outset** by alternative means by the GM or Mayor
- b The number of complaints **referred to the Office of Local Government (OLG)** under a special complaints management arrangement
- c The number of code of conduct complaints **referred to a conduct reviewer**
- d The number of code of conduct complaints **finalised at preliminary assessment** by conduct reviewer
- e The number of code of conduct complaints **referred back to GM or Mayor** for resolution after preliminary assessment by conduct reviewer
- f The number of finalised code of conduct complaints **investigated by a conduct reviewer**
- g The number of finalised complaints investigated where there was found to be **no breach**
- h The number of finalised complaints investigated where there was found to be **a breach**
- i The number of complaints referred by the GM or Mayor **to another agency** or body such as the ICAC, the NSW Ombudsman, OLG or the Police
- j The number of complaints being investigated that are **not yet finalised**
- k The **total cost** of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs

0

0

0

0

0

0

0

0

0

0

0

Preliminary Assessment Statistics

3 The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:

- | | |
|--|---|
| a To take no action (clause 6.13(a) of the 2018 and 2020 Procedures) | 0 |
| b To resolve the complaint by alternative and appropriate strategies (clause 6.13(b) of the 2018 and 2020 Procedures) | 0 |
| c To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies (clause 6.13(c) of the 2018 and 2020 Procedures) | 0 |
| d To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, OLG or the Police (clause 6.13(d) of the 2018 and 2020 Procedures) | 0 |
| e To investigate the matter (clause 6.13(e) of the 2018 and 2020 Procedures) | 0 |

Investigation Statistics

4 The number of investigated complaints resulting in a determination that there was **no breach**, in which the following recommendations were made:

- | | |
|---|---|
| a That the council revise its policies or procedures | 0 |
| b That a person or persons undertake training or other education (clause 7.37 of the 2018 Procedures or clause 7.40 of the 2020 Procedures) | 0 |

5 The number of investigated complaints resulting in a determination that there **was a breach** in which the following recommendations were made:

- | | |
|---|---|
| a That the council revise any of its policies or procedures (clause 7.36(a) of the 2018 Procedures or clause 7.39 of the 2020 Procedures) | 0 |
| b In the case of a breach by the GM, that action be taken under the GM's contract for the breach (clause 7.36(h) of the 2018 Procedures or clause 7.37(a) of the 2020 Procedures) | 0 |
| c In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 (clause 7.36(i) of the 2018 Procedures or clause 7.37(b) of the 2020 Procedures) | 0 |
| d In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993 and that the matter be referred to OLG for further action (clause 7.36(j) of the 2018 Procedures or clause 7.37(c) of the 2020 Procedures) | 0 |

- | | |
|---|---|
| 6 Matter referred or resolved after commencement of an investigation (clause 7.20 of the 2018 or 2020 Procedures) | 0 |
|---|---|

Categories of misconduct

7 The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:

a General conduct (Part 3)

b Non-pecuniary conflict of interest (Part 5)

c Personal benefit (Part 6)

d Relationship between council officials (Part 7)

e Access to information and resources (Part 8)

Outcome of determinations

8 The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation

9 The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by OLG

Stronger Communities Fund		W/O Number	Jerilderie Budget	Expend to date	Coleambally Budget	Expend to date	Darlington Pt Budget	Expend to date	Still to be Expended	
Jerilderie Community Gym	Purchase of gym equipment	555.4960	43,358.97	43,358.97					Complete	
Jerilderie Tennis Club	Construct shed/disabled toilet	555.5050	45,454.55	45,454.55					Complete	
Jerilderie Tennis Club	Re-roof Jerilderie Sports Club building	555.5040	44,708.69	44,708.69					Complete	
Jerilderie CWA	Upgrade toilet facility	555.5000	18,003.61	18,003.61					Complete	
Jerilderie Cricket Club	Install seating, shade & access	555.4990	21,500.00	21,500.00					0.00	Complete
Jerilderie Football Club	Replace boundary fencing & interchange facility	471	39,674.00	39,674.00					Complete	
Jerilderie Pre School	Refurbish indoor areas		44,098.40						44,098.40	On hold until construction of Long Day Care Centre has been completed
Jerilderie Swimming Club	Upgrade lane ropes & storage box	555.5030	5,859.73	5,859.73					Complete	
Jerilderie Public School P & C	Soft fall rubber in playground	555.5080	49,280.00	49,280.00					Complete	
Jerilderie Arts & Talent Society	Purchase sound equipment & etc	555.4970	9,868.22	9,868.22					Complete	
Jerilderie Tennis Club	Disabled toilet within the Jerilderie Sports Club	555.5060	27,272.73	27,272.73					Complete	
Jerilderie Tennis Club	Upgrade golf green flags & putting cups		1,340.00	1,340.00					Complete	
Jerilderie Public School P & C	Development of computer & musical skills	555.4980	7,946.36	7,946.36					Complete	
Jerilderie Men's Shed	Purchase of property	555.5010	50,000.00	50,000.00					Complete	
Jerilderie RSL Sub Branch	2 Honour Boards and glass display cabinet	555.5020	4,577.27	4,577.27					Complete	
St Joseph's Parent's and Friends Inc	Play area soft fall and shade sail	555.5100	35,374.74	35,374.74					Complete	
Sweatbox Community Gym	Purchase gym equipment, rubber flooring etc	555.5130			30,340.00	30,340.00			Complete	
Coleambally Pistol Club	Build a clubhouse, range & water tank	555.4850			46,538.00	41,463.60			5,074.40	Some minor works to be undertaken
Coleambally Clay Target Club	Construct new trap houses	555.5340			45,260.00	45,260.00			Complete	
Coleambally Pre School	Install solar panels	555.4870			7,233.44	7,233.44			Complete	
Coleambally Pre School	Resurface floor & install storage shed	555.4720			11,412.73	11,412.73			Complete	
Coleambally Lions Club	Purchase of ride on lawn mower	555.4700			7,520.00	7,520.00			Complete	
Coleambally Lions Club	Painting of Bucyrus Dragline	555.4690			4,632.65	4,632.65			Complete	

Stronger Communities Fund		W/O Number	Jerilderie Budget	Expend to date	Coleambally Budget	Expend to date	Darlington Pt Budget	Expend to date	Still to be Expended	
Coleambally Chamber of Commerce	Equipment for community events	555.4760			10,116.20	10,116.20			Complete	
Coleambally Chamber of Commerce	Quilting workshops	555.4780			4,250.00	4,250.00			Complete	
Coleambally Chamber of Commerce	Purchase of sewing machines, overlockers & tables	555.4770			21,122.73	21,122.73			Complete	
Riverina Vintage Machinery Club	Purchase of portable building with disabled access	555.5090			41,000.00	41,000.00			Complete	
Coleambally Community Club	Installation of playground & outdoor family area	555.4800			45,454.55	45,454.55			Complete	
Coleambally Central School P & C	Build sandpit & resurface basketball court	555.4750			50,000.00	50,000.00			Complete	
Coleambally Golf Club Inc	Automatic watering for fairways 3 & 9	555.4810			44,600.00	44,600.00			Complete	
Coleambally Golf Club Inc	Automatic watering for fairways 1 & 6	555.4820			25,450.00	25,450.00			Complete	
St Peters Primary School	Replace school quadrangle	555.5120			28,172.73	28,172.73			Complete	
Coleambally Mens Shed	Construct storage facility	555.4840			44,463.19	44,463.19			Complete	
Murrumbidgee Experimental Farm	Develop 22ha for farming	555.5070			45,454.55	45,454.55			Complete	
Coleambally Pre School	Floor resurfacing	555.4730			13,594.55	13,594.55			Complete	
Coleambally Pre School	Shade sails & shed storage	555.4710			12,272.73	12,272.73			Complete	
Coleambally Lions Club	Jumping castle & trailer project	555.4830			5,835.00	5,835.00			Complete	
Coleambally Community Club	Level Bowling Greens, Upgrade Main Bar & Toilet area	555.4790			21,909.09	21,909.09			Complete	
Coleambally Central School P & C	Outdoor Settings	555.4670			18,840.00	18,840.00			Complete	
St Peters Primary School	Multi purpose court	555.5480			5,000.00	5,000.00			Complete	
Coleambally Darlington Point Country Education Fund	Oral History Book Production	555.4680			3,000.00	3,000.00			Complete	
Coleambally Motorcycle Club Inc	Construct club house & install watering system to track	568			50,000.00	50,000.00			Complete	
Coleambally Pony Club	Grounds upgrade & revamp	567/555.4860			6,642.86	6,642.86			Complete	
Fusion Drop in Centre	Coleambally youth development	555.4740			4,545.45	4,545.45			Complete	
St Peters Catholic Church	Replacement of chairs	555.5110			6,363.64	6,363.64			Complete	
Coleambally Tennis Club	Replacement of synthetic courts	555.4890			50,000.00	50,000.00			Complete	
Anglican Parish of Coly/Darlington Point	Install air conditioning to Darlington Point Hall	555.4650					17,423.59	17,423.59	Complete	
Darlington Point Mens Shed	Construct meeting room & improve stormwater	555.4950					45,454.55	45,454.55	Complete	
Darlington Point Lions Club	Addition of BBQ & bench	186					20,000.00	20,000.00	Complete	

Stronger Communities Fund		W/O Number	Jerilderie		Coleambally		Expend		Darlington Pt		Expend		Still to be	
			Budget	to date	Budget	to date	Budget	to date	Budget	to date	Budget	to date	Expend	
Darlington Point Mens Shed	Installation of solar panels	555.4940							8,547.55	8,547.55			Complete	
Apex Club of Darlington Point	Flag pole installation and fingerling purchase	555.4660							12,659.00	12,659.00			Complete	
Darlington Point Club Ltd	Bowling green & club grounds irrigation	555.4900							45,454.55	45,454.55			Complete	
Darlington Point Club Ltd	Workshop for maintenance staff	555.4920							36,363.64	36,363.64			Complete	
Darlington Point Club Ltd	Machinery storage shed	555.4910							25,650.00	25,650.00			Complete	
Darlington Point Public School P & C	Classroom board upgrade throughout the school	555.4930							43,928.00	43,928.00			Complete	
			448,317.27	404,218.87	711,024.09	705,949.69	255,480.88	49,172.80						
Community Infrastructure Fund (Major Projects)														
Jerilderie														
Tidy Towns Committee	Solar Lighting Walkway Project	555.3500	13,167.00	13,167.00									Complete	
Jerilderie Netball Club	Netball Courts Upgrade	555.3530	204,535.30	204,535.30									Complete	
Central Coree Hall	Upgrade Hall and Play Equipment	555.3470/3550	45,363.42	45,363.42									Complete	
Balmeringa Senior Citizens Units	Kerbing & sealing of driveway & carpark	555.5350	41,100.15	41,100.15									Complete	
Tidy Towns Committee	Installation of playground at Luke Park	237/555.3540	76,516.71	76,516.71									Complete	
Tidy Towns Committee	Installation of exercise stations around Lake	555.3480	53,420.72	53,420.72									Complete	
Tidy Towns Committee	Installation of additional seating in Luke Park	555.5370	29,029.00	29,029.00									Complete	
Tidy Towns Committee	Purchase of equipment/ride on mower	555.3560	9,552.13	9,552.13									Complete	
Tidy Towns Committee	Construction of footpath through Luke Park	555.3490	20,067.53	20,067.53									Complete	
Yamma Management Committee	Yamma Hall Toilet Block/Kitchen Redevelopment	555.4655	156,833.64	156,833.64									Complete	Partial funding for IWCM to be sourced from this grant
Water Filtration Plant Replacement	Water Filtration Plant Replacement	884	685,843.98	15,074.10									670,769.88	
Jerilderie Independent Living Inc	Independent Living Units	555.4805	550,000.00	550,000.00									Complete	
Jerilderie Civic Hall	Kitchen Upgrade	590	182,309.00	135,963.60									46,345.40	Further works to be undertaken

Stronger Communities Fund		W/O Number	Jerilderie	Expend to date	Coleambally	Expend to date	Darlington Pt	Expend to date	Still to be	
			Budget		Budget		Budget		Expended	
Jerilderie Town Water Supply	Purchase of water entitlement	555.4815	686,470.63	686,470.63						Complete
Jerilderie Swimming Pool	Swimming Pool Restoration	555.4825	568,306.02	568,306.02					0.00	Complete
Jerilderie Racecourse	Showground Amenities Upgrade	670.2150	70,332.17	70,332.17						Complete
Jerilderie Pre School & Long Day Care	Long Day Care Centre		636,000.00						636,000.00	Works commenced in conjunction with SCCF grant
Coleambally										
Coleambally Squash Club	Resurface existing walls	555.4880			54,057.39	54,057.39				Complete
Coleambally Sports Ground Upgrade	Coleambally Netball Court Upgrade	411			282,318.57	282,318.57				Complete
Coleambally Sports Ground Upgrade	Coly Sports Precinct Upgrade	643/555.4855			600,000.00	582,704.79			17,295.21	Construction substantially complete
Brolga Place Streetscape/Masterplan Upgrade	Streetscape Upgrade	555.4865			1,500,000.00	30,292.00			1,469,708.00	Delay in proposed project
Coleambally Water Treatment	Treatment Works Upgrade	555.4875			600,000.00				600,000.00	
Bencubbin Avenue	Rehabilitation	11.2160			750,000.00	130,061.46			619,938.54	Construction commenced
Coleambally Sports Ground Upgrade	Multipurpose indoor gym/sports centre	555.5785			500,000.00	500,000.00			0.00	Construction substantially complete
Coleambally Community Hall	Community Hall Upgrade	555.5787			565,000.00	9,315.00			555,685.00	Draft plans finalised
Darlington Point										
Heritage Darlington Point Anglican Parish of Coleambally & Darlington Point	Purchase & install solar panelling	555.3520					6,544.41	6,544.41		Complete
	Upgrade to Op Shop Community Hub	111/555.4895					400,000.00	136,910.61	263,089.39	Works commenced
Darlington Point Townlife Committee	Town information boards & tourism maps	555.4925					58,000.00	8,750.00	49,250.00	To be incorporated with SaSS program
Apex Boat Ramp	Boat Ramp Installation	421					858,212.62	858,212.62	0.00	Complete

Stronger Communities Fund		W/O Number	Jerilderie	Expend to date	Coleambally	Expend to date	Darlington Pt	Expend to date	Still to be Expended
			Budget		Budget		Budget		
Stronger Communities Funding			14,365,000.00						
Interest Received to 30/9/21			853,690.00						
Less expenditure to date			15,218,690.00						
			8,020,071.02						
			7,198,618.98						
Balance unexpended for calc purposes			6,344,928.98						
Available to date			14,365,000.00						
Interest to date			853,690.00						
			15,218,690.00						
Less announced to date			15,454,352.22						
Available/(Oversubscribed)			-235,662.22						