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CREATIVE**PLANNING**SOLUTIONS

PROJECT:

CONCEPT SUBDIVISION PLANS  
YOUNG STREET, DARLINGTON POINT NSW

PREPARED FOR:



DRAWING INDEX

SHEET NUMBER	DRAWING TITLE	SCALE	ISSUE
D448_SDP_01	CONCEPT SUBDIVISION PLAN - OPTION ONE	1:500 @ A1	P1
D448_SDP_02	CONCEPT SUBDIVISION PLAN - OPTION TWO	1:500 @ A1	P1
D448_SDP_03	CONCEPT SUBDIVISION PLAN - OPTION THREE	1:500 @ A1	P1

CONCEPT DATA:

	NUMBER OF LOTS	NUMBER OF LOTS: N-S ORIENTATION	NUMBER OF LOTS: E-W ORIENTATION	SMALLEST LOT SIZE	LARGEST LOT SIZE	AVERAGE LOT SIZE	COMMUNAL OPEN SPACE SIZE	TOTAL LOTS AREA	TOTAL PUBLIC DOMAIN AREA*	TOTAL LENGTH OF NEW ROADWAYS	ROADWAY WIDTH (KERB TO KERB)
OPTION ONE	24	12	12	2105m²	2203m²	2197m²	Nil	52,725m² (65% OF SITE)	27,962m² (35% OF SITE)	1424m	11m
OPTION TWO	26	18	8	1671m²	2116m²	2058m²	3669m²	53,525m² (66% OF SITE)	23,493m² (29% OF SITE)	1097m	11m
OPTION THREE	29	18	11	1698m²	3129m²	2130m²	Nil	61,771m² (76% OF SITE)	18,916m² (24% OF SITE)	824m	11m

\*Includes roadways, street verges, footpaths etc. (not communal open space)  
Note: Site Area calculated at approx. 80.487m² (8,0487ha)

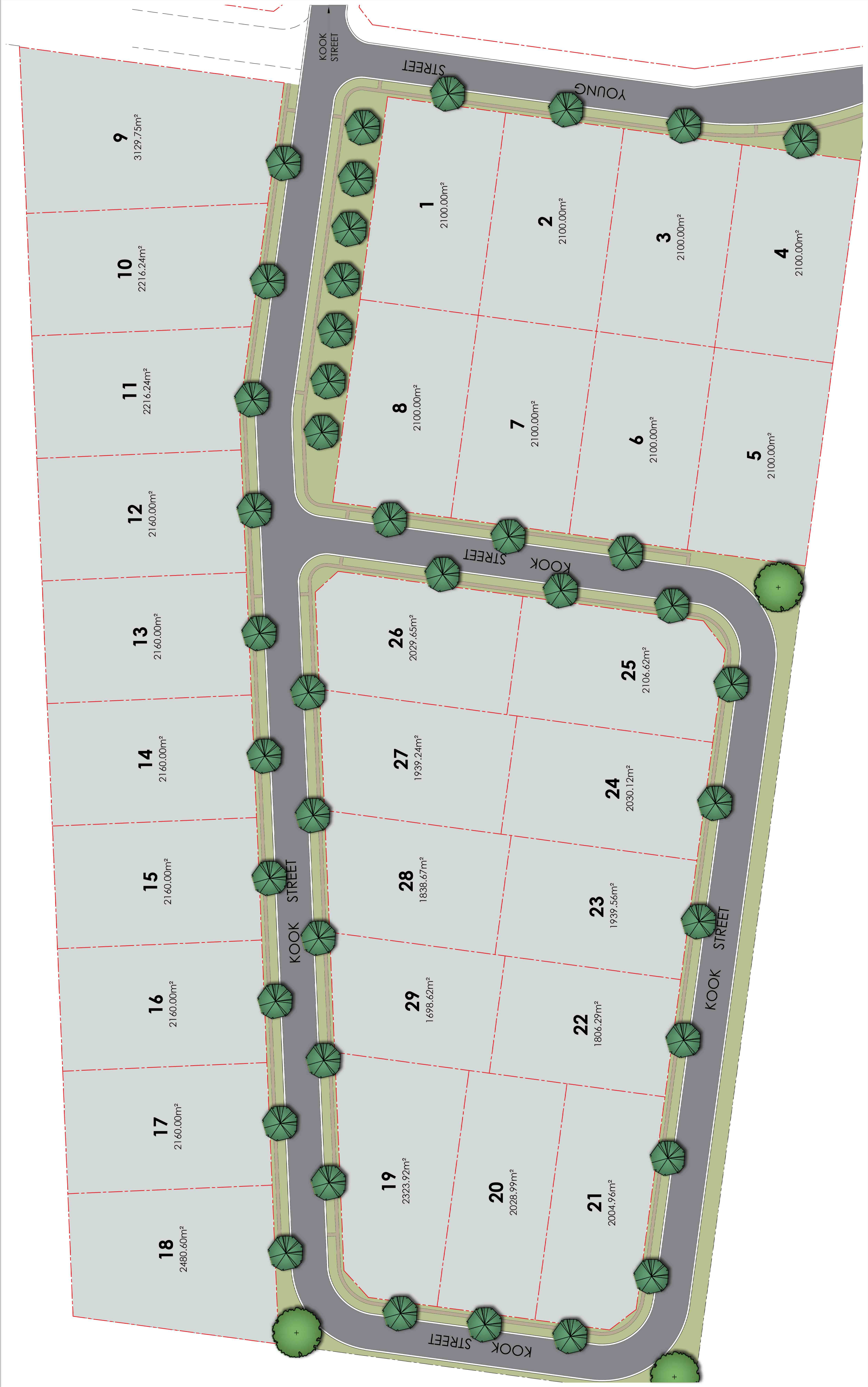












Issue Code	Issue Description	By	Chk	Date
P1	PRE FOR CLIENT REVIEW	TP	GT	04.02.20

PRE - Preliminary OK - Council Approval 1 - Tender COB - Construction

PROJECT

PROPOSED  
RESIDENTIAL SUBDIVISION  
YOUNG STREET  
DARLINGTON POINT

DRAWING TITLE

CONCEPT SUBDIVISION PLAN:  
OPTION THREE

CLIENT

Murrumbidgee  
COUNCIL

Drawn : TP  
Designed : TP  
Project No. : D448  
Bar Scale  
1:500 @ A1 / 1:1000 @ A3  
25 meters  
SHEET NUMBER  
D448\_SDP\_03  
REVISION  
P1





**Murrumbidgee**  
**COUNCIL**

**CODE OF MEETING PRACTICE**

**(DRAFT)**

**2020**



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## 1 INTRODUCTION

This Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is made under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2005* (the Regulation).

This code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

Councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

## 2 MEETING PRINCIPLES

### 2.1 Council and committee meetings should be:

*Transparent:* Decisions are made in a way that is open and accountable.

*Informed:* Decisions are made based on relevant, quality information.

*Inclusive:* Decisions respect the diverse needs and interests of the local community.

*Principled:* Decisions are informed by the principles prescribed under Chapter 3 of the Act.

*Trusted:* The community has confidence that councillors and staff act ethically and make decisions in the interests of the whole community.

*Respectful:* Councillors, staff and meeting attendees treat each other with respect.

*Effective:* Meetings are well organised, effectively run and skilfully chaired.

*Orderly:* Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.



### 3 BEFORE THE MEETING

#### Timing of ordinary council meetings

- 3.1 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

**Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.**

#### Extraordinary meetings

- 3.2 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

**Note: Clause 3.2 reflects section 366 of the Act.**

#### Notice to the public of council meetings

- 3.3 The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

**Note: Clause 3.3 reflects section 9(1) of the Act.**

- 3.4 For the purposes of clause 3.3, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.
- 3.5 For the purposes of clause 3.3, notice of more than one (1) meeting may be given in the same notice.

#### Notice to councillors of ordinary council meetings

- 3.6 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

**Note: Clause 3.6 reflects section 367(1) of the Act.**

- 3.7 The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

**Note: Clause 3.7 reflects section 367(3) of the Act.**



### Notice to councillors of extraordinary meetings

- 3.8 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

**Note: Clause 3.8 reflects section 367(2) of the Act.**

### Giving notice of business to be considered at council meetings

- 3.9 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted **15 business days** before the meeting is to be held.
- 3.10 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.11 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.
- 3.12 A notice of motion for the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the notice of motion. If the notice of motion does not identify a funding source, the general manager must either:
- (a) prepare a report on the availability of funds for implementing the motion if adopted for inclusion in the business papers for the meeting at which the notice of motion is to be considered by the council, or
  - (b) by written notice sent to all councillors with the business papers for the meeting for which the notice of motion has been submitted, defer consideration of the matter by the council to such a date specified in the notice, pending the preparation of such a report.

### Questions with notice

- 3.13 A councillor may, by way of a notice submitted under clause 3.9 ask a question for response by the general manager about the performance or operations of the council.
- 3.14 A councillor is not permitted to ask a question with notice under clause 3.13 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.



- 3.15 The general manager or their nominee may respond to a question with notice submitted under clause 3.13 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.16 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.17 The general manager must ensure that the agenda for an ordinary meeting of the council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
  - (b) if the mayor is the chairperson – any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
  - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
  - (d) any business of which due notice has been given under clause 3.10.
- 3.18 Nothing in clause 3.17 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.19 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.20 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
  - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

**Note: Clause 3.20 reflects section 9(2A)(a) of the Act.**

- 3.21 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.



### Availability of the agenda and business papers to the public

- 3.22 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

**Note: Clause 3.22 reflects section 9(2) and (4) of the Act.**

- 3.23 Clause 3.22 does not apply to the business papers for items of business that the general manager has identified under clause 3.20 as being likely to be considered when the meeting is closed to the public.

**Note: Clause 3.23 reflects section 9(2A)(b) of the Act.**

- 3.24 For the purposes of clause 3.22, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

**Note: Clause 3.24 reflects section 9(3) of the Act.**

- 3.25 A copy of an agenda, or of an associated business paper made available under clause 3.22, may in addition be given or made available in electronic form.

**Note: Clause 3.25 reflects section 9(5) of the Act.**

### Agenda and business papers for extraordinary meetings

- 3.26 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.

- 3.27 Despite clause 3.26, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:

- (a) a motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

- 3.28 A motion moved under clause 3.27(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.

- 3.29 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.27(a) can speak to the motion before it is put.

- 3.30 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.27(b) on whether a matter is of great urgency.



### Pre-meeting briefing sessions

- 3.31 Prior to each ordinary meeting of the council, the general manager may arrange a pre-meeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- 3.32 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.33 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.34 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.35 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

## **4 PUBLIC FORUMS**

- 4.1 The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums are to be chaired by the mayor or their nominee.
- 4.3 To speak at a public forum, a person must first make an application to the council in the approved form. Applications to speak at the public forum must be received by **11.00am 5 business days** before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.4 A person may apply to speak on no more than **2** items of business on the agenda of the council meeting.
- 4.5 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.

- 4.6 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.7 No more than **2** speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 4.8 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.
- 4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
- 4.10 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs no more than **2 business days** before the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 4.11 The general manager or their delegate is to determine the order of speakers at the public forum.
- 4.12 Each speaker will be allowed **5 minutes** to address the council. This time is to be strictly enforced by the chairperson.
- 4.13 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.14 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.15 Speakers are under no obligation to answer a question put under clause 4.14. Answers by the speaker to each question are to be limited to **4 minutes**.
- 4.16 Speakers at public forums cannot ask questions of the council, councillors or council staff.
- 4.17 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to **10 minutes** in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.



- 4.18 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.19 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.20 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.19, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.21 Clause 4.20 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.22 Where a speaker engages in conduct of the type referred to in clause 4.19, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.
- 4.23 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.

**Note: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.**

## **5 COMING TOGETHER**

### Attendance by councillors at meetings

- 5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

**Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.**

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting.
- 5.3 Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.4 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.
- 5.5 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.6 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

**Note: Clause 5.6 reflects section 234(1)(d) of the Act.**

- 5.7 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

#### The quorum for a meeting

- 5.8 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

**Note: Clause 5.8 reflects section 368(1) of the Act.**

- 5.9 Clause 5.8 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

**Note: Clause 5.9 reflects section 368(2) of the Act.**

- 5.10 A meeting of the council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
  - (b) within half an hour after the time designated for the holding of the meeting, or
  - (c) at any time during the meeting.



- 5.11 In either case, the meeting must be adjourned to a time, date and place fixed:
- (a) by the chairperson, or
  - (b) in the chairperson's absence, by the majority of the councillors present, or
  - (c) failing that, by the general manager.
- 5.12 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.13 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the safety and welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster (such as, but not limited to flood or bushfire), the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.14 Where a meeting is cancelled under clause 5.13, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.2.

#### Entitlement of the public to attend council meetings

- 5.15 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

**Note: Clause 5.15 reflects section 10(1) of the Act.**

- 5.16 Clause 5.15 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 5.17 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:
- (a) by a resolution of the meeting, or
  - (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

**Note: Clause 5.17 reflects section 10(2) of the Act.**

### Webcasting of meetings

- 5.18 All meetings of the council and committees of the council are to be webcast on the council's website. Audio recording of council meetings to be uploaded on the council's website as soon as practicable following the meeting.
- 5.19 Clause 5.18 does not apply to parts of a meeting that have been closed to the public under section 10A of the Act.
- 5.20 At the start of each meeting the chairperson is to make a statement informing those in attendance that the meeting is being webcast and that those in attendance should refrain from making any defamatory statements.
- 5.21 A recording of each meeting of the council and committee of the council is to be retained on the council's website for **2 years**. Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

### Attendance of the general manager and other staff at meetings

- 5.22 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

**Note: Clause 5.22 reflects section 376(1) of the Act.**

- 5.23 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

**Note: Clause 5.23 reflects section 376(2) of the Act.**

- 5.24 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

**Note: Clause 5.24 reflects section 376(3) of the Act.**

- 5.25 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.

## **6 THE CHAIRPERSON**

### The chairperson at meetings

- 6.1 The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

**Note: Clause 6.1 reflects section 369(1) of the Act.**

- 6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

**Note: Clause 6.2 reflects section 369(2) of the Act.**



### Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.
- 6.4 The election of a chairperson must be conducted:
- (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
  - (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.
- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- 6.6 For the purposes of clause 6.5, the person conducting the election must:
- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
  - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- 6.7 The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

### Chairperson to have precedence

- 6.9 When the chairperson rises or speaks during a meeting of the council:
- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
  - (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

## **7 MODES OF ADDRESS**

- 7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

## 8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

8.1 The general order of business for an ordinary meeting of the council shall be:

1. Opening
2. Recording of Meeting
3. Apologies and applications for a leave of absence by councillors
4. Confirmation of Minutes
5. Disclosure of Interest Declarations
6. Notice of Rescission
7. Notice of Motion
8. Mayoral Minute
9. Mayoral Report
10. Delegates' Reports
10. Officers' Reports for Consideration
11. Reports/Minutes of Council Committees
12. Officers' Reports for Noting
13. Questions with Notice
14. Confidential Matters
15. Items without Notice
16. Closure

8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

**Note: If adopted, Part 13 allows council to deal with items of business by exception.**

8.3 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.2 may speak to the motion before it is put.

## 9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

### Business that can be dealt with at a council meeting

9.1 The council must not consider business at a meeting of the council:

- (a) unless a councillor has given notice of the business, as required by clause 3.9, and
- (b) unless notice of the business has been sent to the councillors in accordance with clause 3.6 in the case of an ordinary meeting or clause 3.8 in the case of an extraordinary meeting called in an emergency.

9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:

- (a) is already before, or directly relates to, a matter that is already before the council, or
- (b) is the election of a chairperson to preside at the meeting, or
- (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or

- (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
  - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

#### Mayoral minutes

- 9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.
- 9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.
- 9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

#### Staff reports

- 9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.



### Reports of committees of council

- 9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

### Questions

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.9 and 3.13.
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to documents. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

## **10 RULES OF DEBATE**

### Motions to be seconded

- 10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

### Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.

- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
- (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
  - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

#### Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

#### Motions requiring the expenditure of funds

- 10.9 A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

#### Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.

- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

#### Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

#### Limitations on the number and duration of speeches

- 10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.
- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.



- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
- (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
  - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

## **11 VOTING**

### Voting entitlements of councillors

- 11.1 Each councillor is entitled to one (1) vote.

**Note: Clause 11.1 reflects section 370(1) of the Act.**

- 11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

**Note: Clause 11.2 reflects section 370(2) of the Act.**

- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

### Voting at council meetings

- 11.4 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.

- 11.5 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.
- 11.6 The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.
- 11.7 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.8 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.4 of this code.
- 11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.

#### Voting on planning decisions

- 11.10 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.11 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.12 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.13 Clauses 11.10–11.12 apply also to meetings that are closed to the public.

**Note: Clauses 11.10-11.13 reflect section 375A of the Act.**

**Note: The requirements of clause 11.10 may be satisfied by maintaining a register of the minutes of each planning decision.**

## **12 COMMITTEE OF THE WHOLE**

- 12.1 The council may resolve itself into a committee to consider any matter before the council.

**Note: Clause 12.1 reflects section 373 of the Act.**

- 12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

**Note: Clauses 10.20–10.30 limit the number and duration of speeches.**

- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

### **13 DEALING WITH ITEMS BY EXCEPTION**

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.2.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.



## 14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

### Grounds on which meetings can be closed to the public

14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:

- (a) personnel matters concerning particular individuals (other than councillors),
- (b) the personal hardship of any resident or ratepayer,
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
- (d) commercial information of a confidential nature that would, if disclosed:
  - (i) prejudice the commercial position of the person who supplied it, or
  - (ii) confer a commercial advantage on a competitor of the council, or
  - (iii) reveal a trade secret,
- (e) information that would, if disclosed, prejudice the maintenance of law,
- (f) matters affecting the security of the council, councillors, council staff or council property,
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
- (i) alleged contraventions of the council's code of conduct.

**Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.**

14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

**Note: Clause 14.2 reflects section 10A(3) of the Act.**

### Matters to be considered when closing meetings to the public

14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

**Note: Clause 14.3 reflects section 10B(1) of the Act.**

14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the council or committee is involved, and
- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

**Note: Clause 14.4 reflects section 10B(2) of the Act.**

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

**Note: Clause 14.5 reflects section 10B(3) of the Act.**

14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
  - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
  - (ii) cause a loss of confidence in the council or committee.

**Note: Clause 14.6 reflects section 10B(4) of the Act.**

14.7 In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.

**Note: Clause 14.7 reflects section 10B(5) of the Act.**

Notice of likelihood of closure not required in urgent cases

14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:

- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
- (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
  - (i) should not be deferred (because of the urgency of the matter), and
  - (ii) should take place in a part of the meeting that is closed to the public.

**Note: Clause 14.8 reflects section 10C of the Act.**

## Representations by members of the public

- 14.9 The council, or a committee of the council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

**Note: Clause 14.9 reflects section 10A(4) of the Act.**

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by **11.00am, 5 business days** before the meeting at which the matter is to be considered.
- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than **2** speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.
- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more **2** speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed **5 minutes** to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

### Expulsion of non-councillors from meetings closed to the public

- 14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

### Information to be disclosed in resolutions closing meetings to the public

- 14.20 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
  - (b) the matter that is to be discussed during the closed part of the meeting,
  - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

**Note: Clause 14.20 reflects section 10D of the Act.**

### Resolutions passed at closed meetings to be made public

- 14.21 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.22 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the chairperson under clause 14.21 during a part of the meeting that is webcast.

## **15 KEEPING ORDER AT MEETINGS**

### Points of order

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.



- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order – either by upholding it or by overruling it.

#### Questions of order

- 15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.
- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

#### Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

#### Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
- (a) contravenes the Act or any regulation in force under the Act or this code, or
  - (b) assaults or threatens to assault another councillor or person present at the meeting, or
  - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction

- of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
- (d) insults or makes personal reflections on or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
  - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

15.12 The chairperson may require a councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11 (a) or (b), or
- (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for an act of disorder referred to in clauses 15.11(d) and (e).

#### How disorder at a meeting may be dealt with

15.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

#### Expulsion from meetings

15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.

15.15 Clause 15.14 does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.

15.16 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

15.17 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.

15.18 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.

15.19 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person

presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

#### Use of mobile phones and the unauthorised recording of meetings

- 15.20 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.21 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.22 Any person who contravenes or attempts to contravene clause 15.21, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.23 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

### **16 CONFLICTS OF INTEREST**

- 16.1 All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.

### **17 DECISIONS OF THE COUNCIL**

#### Council decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

**Note: Clause 17.1 reflects section 371 of the Act.**

- 17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

#### Rescinding or altering council decisions

- 17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.9.

**Note: Clause 17.3 reflects section 372(1) of the Act.**

- 17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

**Note: Clause 17.4 reflects section 372(2) of the Act.**

- 17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.9.

**Note: Clause 17.5 reflects section 372(3) of the Act.**

- 17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

**Note: Clause 17.6 reflects section 372(4) of the Act.**

- 17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

**Note: Clause 17.7 reflects section 372(5) of the Act.**

- 17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

**Note: Clause 17.8 reflects section 372(7) of the Act.**

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.10 with the consent of all signatories to the notice of motion.

- 17.10 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

**Note: Clause 17.10 reflects section 372(6) of the Act.**

- 17.11 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a notice of motion signed by three councillors is submitted to the chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.



- 17.12 A motion moved under clause 17.11(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.11(b) can speak to the motion before it is put.
- 17.13 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.11(c).

#### Recommitting resolutions to correct an error

- 17.14 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:
- (a) to correct any error, ambiguity or imprecision in the council's resolution, or
  - (b) to confirm the voting on the resolution.
- 17.15 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.14(a), the councillor is to propose alternative wording for the resolution.
- 17.16 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.14(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.17 A motion moved under clause 17.14 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.14 can speak to the motion before it is put.
- 17.18 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.14.
- 17.19 A motion moved under clause 17.14 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

### **18 TIME LIMITS ON COUNCIL MEETINGS**

- 18.1 Meetings of the council and committees of the council are to conclude no later than **8.00pm**.
- 18.2 If the business of the meeting is unfinished at **8.00pm** the council or the committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at **8.00pm**, and the council does not resolve to extend the meeting, the chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
  - (b) adjourn the meeting to a time, date and place fixed by the chairperson.
- 18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the

meeting must fix the time, date and place that the meeting is to be adjourned to.

18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:

- (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
- (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

## 19 AFTER THE MEETING

### Minutes of meetings

19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

**Note: Clause 19.1 reflects section 375(1) of the Act.**

19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:

- (a) details of each motion moved at a council meeting and of any amendments moved to it,
- (b) the names of the mover and seconder of the motion or amendment,
- (c) whether the motion or amendment was passed or lost, and
- (d) such other matters specifically required under this code.

19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

**Note: Clause 19.3 reflects section 375(2) of the Act.**

19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

**Note: Clause 19.5 reflects section 375(2) of the Act.**

19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

### Access to correspondence and reports laid on the table at, or submitted to, a meeting

- 19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

**Note: Clause 19.8 reflects section 11(1) of the Act.**

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

**Note: Clause 19.9 reflects section 11(2) of the Act.**

- 19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

**Note: Clause 19.10 reflects section 11(3) of the Act.**

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

### Implementation of decisions of the council

- 19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

**Note: Clause 19.12 reflects section 335(b) of the Act.**

## **20 COUNCIL COMMITTEES**

### Application of this Part

- 20.1 This Part only applies to committees of the council whose members are all councillors.

### Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- 20.3 A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
- (a) such number of members as the council decides, or
  - (b) if the council has not decided a number – a majority of the members of the committee.

### Functions of committees

- 20.5 The council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

### Notice of committee meetings

- 20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

### Attendance at committee meetings

- 20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

- 20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.

### Non-members entitled to attend committee meetings

- 20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

### Chairperson and deputy chairperson of council committees

- 20.11 The chairperson of each committee of the council must be:

- (a) the mayor, or
- (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
- (c) if the council does not elect such a member, a member of the committee elected by the committee.



- 20.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.
- 20.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

#### Procedure in committee meetings

- 20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.
- 20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.
- 20.17 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

#### Closure of committee meetings to the public

- 20.18 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 20.19 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.19 during a part of the meeting that is webcast.

### Disorder in committee meetings

- 20.21 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

### Minutes of council committee meetings

- 20.22 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) details of each motion moved at a meeting and of any amendments moved to it,
  - (b) the names of the mover and seconder of the motion or amendment,
  - (c) whether the motion or amendment was passed or lost, and
  - (d) such other matters specifically required under this code.
- 20.23 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.24 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.25 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.26 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.27 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

## **21 IRREGULARITIES**

- 21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:
- (a) a vacancy in a civic office, or
  - (b) a failure to give notice of the meeting to any councillor or committee member, or
  - (c) any defect in the election or appointment of a councillor or committee member, or
  - (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
  - (e) a failure to comply with this code.

**Note: Clause 21.1 reflects section 374 of the Act.**

## 22 DEFINITIONS

the Act	means the <i>Local Government Act 1993</i>
act of disorder	means an act of disorder as defined in clause 15.11 of this code
amendment	in relation to an original motion, means a motion moving an amendment to that motion
audio recorder	any device capable of recording speech
business day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
chairperson	in relation to a meeting of the council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in accordance with clause 20.2 of this code (being a committee consisting only of councillors) or the council when it has resolved itself into committee of the whole under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 11.7 of this code requiring the recording of the names of the councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a councillor under clause 10.18 of this code during debate on the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause 10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act

quorum	means the minimum number of councillors or committee members necessary to conduct a meeting
the Regulation	means the <i>Local Government (General) Regulation 2005</i>
webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
year	means the period beginning 1 July and ending the following 30 June





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

Telephone: 02 6954 4060

Jerilderie Office  
35 Jerilderie Street  
PO Box 96  
JERILDERIE NSW 2716

Telephone 03 5886 1200

## FIXED PRICE QUOTATION

### VILLAGE MASTER PLANNING PROJECT

*Brief for preparation of a Landscaping Masterplan as well as a possible implementation programme to allow structural & natural beautification works including sculptural and public art elements for Darlington Point, Coleambally and Jerilderie within the Murrumbidgee Council area.*

#### 1. PURPOSE

The purpose of the Project is to prepare a Landscape Masterplan for the villages of Darlington Point, Coleambally and Jerilderie within the Murrumbidgee Council area. The plan should include natural, built and public art elements that will contribute to the beautification of each town and result in enhanced amenity, residential enjoyment and increased visitation.

#### 2. BACKGROUND

Located in south west NSW, in the Riverina Murray area, Murrumbidgee Council provides services and support to a community of approximately 4000 residents in Darlington Point, Coleambally and Jerilderie. The Council was proclaimed on 12 May 2016 following the amalgamation of the former Jerilderie Shire and Murrumbidgee Shire Councils into one organisation. The Council area is a thriving agricultural region covering an area of 6685 square kilometres of natural river frontage to the Murrumbidgee River. The longest Creek in Australia, Billabong Creek runs through the Council area.

To support the merger, Council has received funding for works to be carried out in the Council area. These works are to benefit the community and are required to be completed by December 2020.

Council has identified that beautification works are needed for the three villages and that these works are their number one priority for implementation. Prior to deciding on the actual works that should be undertaken, the Council requires the preparation of a Landscape Masterplan that details the works and their priority for implementation.

It is envisaged that the Landscape Masterplan will include natural and built landscape elements as well as provision for public art.

The Landscape Masterplans will recognise that each village is geographically diverse with different qualities and characteristics that may require a separate response for beautification.

The Landscape Masterplan will be the basis for progressive implementation of works as funds become available. The Masterplan will be a response to the overwhelming and urgent need to enhance the natural and built environment of public places and spaces in the Council area to benefit not only residents but to inspire and attract settlement, build community pride and revitalise and support the community.

Previous stakeholder engagement has confirmed the need to beautify, rejuvenate, and revitalise the villages for enhanced public amenity and for increased visitation and economic growth. This has been further reinforced through feedback obtained from Councils strategic analysis and LEP programme.

It is expected that once the Masterplan is completed and adopted then stage 1 works shall be commenced immediately.

Given the timeline constraints, Council is inviting three fixed price quotations to prepare the Landscape Masterplan as a matter of urgency. Council will receive quotations up until 4pm **24 February 2020**.

### **3. OBJECTIVES**

The objectives of the Project are to prepare a Landscaping Masterplan to guide the:

- a) Beautification and enhancement of public domain areas within and at the entrances of villages;
- b) Creation and reinforcement of a Murrumbidgee Council from north to south to foster community connections, capture public interest and promote awareness of the Council area through smart natural and built design;
- c) Enhance the amenity of streetscapes, residential and business areas for the enjoyment of the community and to influence future development of a high quality;
- d) Achieve high quality standards for natural and built public domain works including street furniture (bins, seating, lighting, utility boxes ) BBQs, toilet blocks, shade sails, street awnings, roads and footpaths, gardens, bubblers, public art, shops, road and entrance signage, town entrances and public spaces including pools and parks;
- e) Ensure the community and the Council as well as key government agencies have input into the landscaping masterplan to facilitate the completion of a staged works program.

### **4. STUDY AREA**

The study area includes the three (3) villages of Darlington Point, Coleambally and Jerilderie - as depicted at the end of this document.

### **5. METHOD**

1. Engage with key community, Council and agency stakeholders to understand constraints and opportunities for beautification as well as the geographic context for

the development of the Masterplan; This should include reviewing the Brolga Place and Darlington Point 'Masterplans' (conceptual).

2. Identify key public spaces and places including connections and entrances that can be developed and enhanced for increased amenity and public interest;
3. Provide conceptual drawings of structural elements that can be used at main village gateways and within parks and public spaces and possibly for incorporation within future council works programmes to reinforce the Murrumbidgee Council identity.
4. Identify opportunities for the location of public art and its possible nature that is relevant to each village;
5. Prepare a Landscaping Masterplan after consultation with stakeholders. This is to include a street and public place component for each village as well as concepts for public domain works (signage including street signs, BBQs, street and park lighting, shelters, bus stops, rubbish bins and alfresco areas for example). The Masterplan will need to provide for appropriate tree species and location as well as any necessary tree replacement programme;
6. Prepare a prioritised staged implementation programme for the works;
7. Provide indicative costings for the key components of each stage;

#### **6. COMMUNITY ENGAGEMENT**

Ensure and take into account community, council and stakeholder input into the development of the Masterplan including RMS and Essential Energy.

#### **7. PROJECT BUDGET**

The actual works budget is estimated at \$750,000 with around \$250,000 being allocated for each village depending on the identified priorities with the Project Masterplan budget being a reasonable percentage of the proposed cost of works.

#### **8. PROJECT CONTACT**

The contact for the project is Kelly Tyson.

#### **9. CONDITIONS OF CONTRACT**

AS4122-2010- General Conditions of Contract (or as otherwise agreed)

#### **10. NO OBLIGATION TO PROCEED**

This invitation to quote does not oblige Murrumbidgee Council to proceed with the Project, which shall be at the discretion of the Council.

# **RESPONSE TO TENDER AND EVALUATION - SELECTION**

## **CRITERIA**

### **11. PROJECT COST**

Fixed price cost for completion of project.

### **12. PROJECT PLAN**

Prepare a project timeline for completion, indicating how the project can be completed within 8 weeks including how any critical stages and hold points shall be managed.

### **13. PROJECT DELIVERABLES**

- a) Landscaping Masterplan for each village of Darlington Point, Coleambally and Jerilderie.
- b) Concept plans for public domain structures and signage including street furniture, pavement works, public space lighting etc)
- c) Recommendations for location and nature of public art within each village
- d) Tree schedule for each village street
- e) Indicative staged works programme and costing
- f) Electronic and hard copy plans

### **14. TIMING**

Project should be completed by May 2020

### **15. EVALUATION**

The successful tenderer will be appointed on the basis of:

#### **Criteria – Points**

- 1-10 – Price – Project cost
- 1-5 – Value for money
- 1-5 – Demonstrated Capacity – Project team skills and experience
- 1-5 – Estimated quality of finished works, elements and products through provision of detailed information such as specifications, photos, concepts, colours, designs etc.
- 1-5 – Understanding of brief and demonstrated ability to achieve objectives
- 1-10 – Ease of implementation by
  - Quality of conceptual and other material to enable facilitated commissioning establishment and construction;
  - Any recommendations for sourcing, delivery or commissioning of products
- 1-10 – Evidence of local and regional experience and delivery of similar projects
- 1-15 – Use of local or regional participants in project design or delivery
- 1-5 – Referee testimony
- 1-10 – Time frame for delivery and commitment to project deadline.



## DARLINGTON POINT



## COLEAMBALLY



## JERILDERIE



RECEIVED 23 JAN 2020

Susan Neilan,  
34 Showground Road,  
JERILDERIE. 2716 NSW  
22<sup>nd</sup> January, 2020

The General Manager,  
Murrumbidgee Council,  
P.O. Box 96,  
JERILDERIE. NSW 2716

Dear Sir,

RE: Submission for Proposed Sale of Public Land – Lot 126 (DP 790745) –  
Showground Rd, Jerilderie.

I would like to advise Council that I am interested in buying the Council land directly in front of my land (Lot 1) and also to have a boundary adjustment incorporating the section of DP790745 into my Lot 1 Showground Road Jerilderie so that I do not have separate titles.

I believe that Mr. Malony and Mr. Williams are also interested in purchasing the other sections of DP790745 which are directly in front of their properties, this was evident from the meeting we had with Mr. John Scarce, but I understand that they have to put in a separate submission.

Attached is a copy of the subdivision showing the portion of land that I am interested in obtaining.

Kind regards,



Susan Neilan

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**JERILDERI**

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*A. J. Beckwith*

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March 21

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MICHAEL AND MICHELLE MOLONEY

LOT 2 SHOWGROUND RD

JERILDERIE NSW 2716

PH MICHAEL 0428344788

PH MICHELLE 0429344788

Murrumbidgee council

The General Manager, John Scarce

PO Box 96

JERILDERIE NSW 2716

19<sup>TH</sup> JANUARY 2020.

Dear Sir,

RE: Lot 126 DP 790745 Showground Rd Jerilderie NSW 2716.

We Michael and Michelle Moloney own Lot 2 DP 827484 and would like to purchase part of adjoining Lot 126 DP 790745 the area is South and in a line of Lot 2 DP 827484.

Please see attached copy of marked area.

Thanking you,

Michael Moloney.



Michelle Moloney





151512

RECEIVED 30

RECEIVED 30 JAN 2020

28/01/2020  
John Scarce,  
General Manager  
Murrumbidgee Council  
PO Box 96  
JERILDERIE NSW 2716

We are expressing our interest in the land of property Lot 126 DP 790745 Showground road Jerilderie. Our interest is for area of the property which lies adjacent to our current land which is Lot 1252. With this land we would like to consolidate with that current block.

Sincerely,

Gary Williams and Julie Duncan

PO Box 131  
JERILDERIE NSW 2716  
0428845780

<b>DA No.</b>	DA21-19/20
<b>ESTIMATED COST OF DEVELOPMENT</b>	\$1,100,000.00
<b>APPLICANT</b>	Jerilderie Pre-School Kindergarten
<b>OWNER</b>	Crown Land
<b>PROPERTY</b>	Lot 7017 DP 1019596 (Elliott Park) 1A Mahonga Street, Jerilderie
<b>PROPOSAL</b>	<p>The applicant seeks consent for the following:</p> <ul style="list-style-type: none"> <li>▪ The erection of a new single storey building with a floor area of approximately 450m<sup>2</sup> for the purpose of a child-care facility;</li> <li>▪ The erection of external fenced to provide as secure enclosure for outdoor play areas;</li> <li>▪ The construction of an onsite car park for five (5) vehicles for staff, two (2) of which are 'accessible' spaces; and</li> <li>▪ The construction of six (5) off-site car parking spaces within the Mahonga Street road reserve for staff and general public use.</li> </ul> <p>All works, except for the off-site parking facilities are located within the boundaries of the land.</p> <p>The childcare centre will cater for 43 children (ages 0-5) and will provide employment for 11 persons, on a full time (3); part-time (4) and casual basis (4) and will operate Monday to Friday from 8.00am to 5.30pm.</p>
<b>SITE</b>	<p>The subject land can be legally described as Lot 7017 DP 1019596, and forms part of a Crown reserve (RN 9922) is owned by the State Government and managed by Murrumbidgee Council as a place of public recreation.</p> <p>The site has a total area of 11,190m<sup>2</sup> with frontages to Jerilderie Street (A39)<sup>1</sup> to the north, the Southey Street (A39) to the west; Mahonga Street to the south and Kennedy Street to the east. The site to be occupied by the proposed childcare centre is an area of 2552m<sup>2</sup> in the south-eastern corner of the site adjacent to Mahonga and Kennedy streets.</p> <p>The land is flat, and landscaping comprises of lawns, mature shrubs and trees. That part of the site in the south-eastern corner of the site is devoid of any tree and is sparsely planted with lawn having been formerly part of the Jerilderie tennis courts. The site is occupied by a amenities block, located in the north-eastern corner of the site, along with park benches playground equipment and commemorative structures.</p>

<sup>1</sup> The Newell Highway (A39) incorporates Jerilderie Street and Southey Street.

The site is located at the western end of the commercial strip, and is located opposite a park, motel, a pre-school kindergarten and residential dwellings.

**Figure 1 – Aerial Image/Locality<sup>2</sup>**



**Figure 2A – Subject site (looking west at existing parkland)<sup>3</sup>**

<sup>2</sup> NSW Department of Planning, Industry and Environment, Planning Portal

<sup>3</sup> Image in Figure 2A taken on 9 December 2019 © Steven Parisotto Photography





**Figure 2B – Subject site (looking west at approximate location of childcare centre)<sup>4</sup>**



## **Section 4.55 Assessment**

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<sup>4</sup> Image in Figure 2B taken on 9 December 2019 © Steven Parisotto Photography



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>	The proposed development is not categorised as integrated development for the purposes of Section 4.46 of the Environmental Planning and Assessment Act, 1979.
<i>State significant development</i>	The proposed development is not State significant development as set out in Division 4.7 of the Act.
<i>Clause 50 of regulations</i>	<p>In order for a development application to be properly made, the application must, amongst other matters, contain the information specified in Part 1 of Schedule 1 of the Environmental Planning and Assessment Regulation 2000. This includes:</p> <p><i>"(i) evidence that the owner of the land on which the development is to be carried out consents to the application, but only if the application is made by a person other than the owner and the owner's consent is required by this Regulation..."</i></p> <p>At the time of preparing this report, landowner's consent has not been provided, and discussions with the Crown indicate that consent is not forthcoming until such times there is a Plan of Management prepared for Elliott Park that enables a general community use of the land.</p>

#### **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 Remediation Land</i>	55	<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> <p>(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 that the land will be remediated before the land is used for that purpose.</i></p> <p>With regard to clause 7(4) of SEPP 55 the land concerned:</p>
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SEPP  
Infrastructure

- (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 a sensitive land use, that being development for childcare purposes.

The site has been largely used for public recreation, with that part of the site to be for the childcare facility being used as tennis courts.

On the basis that the land has been used for public recreation since 1889 and that there have been no activities listed in Table 1 of the Contaminated Land Planning Guidelines have been carried out, then the land is unlikely to be contaminated.

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—*
  - (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 proposed development involves the erection of a single storey building and associated onsite and off-site parking spaces.

There are no known electricity easements, nor is the site immediately adjacent to an electricity substation. The proposed building is setback 12 metres from the overhead powerlines that run along the northern side of Mahonga Street frontage and 9 metres from the overhead powerlines along the western side Kennedy Street. Further the proposed carpark will not involve the penetration of ground within two metres an electricity distribution pole. On this basis no referral is required to Essential Energy.

Clause 101 relates to development with a frontage to a classified road, and the A39 (Newell Highway and Jerilderie Street) is for the purpose of clause 101 of State Environmental Planning Policy (Infrastructure) 2007, deemed to be a classified road. The clause states that a consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:

- (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and
- (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:
  - (i) the design of the vehicular access to the land, or

- (ii) the emission of smoke or dust from the development, or
- (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and
- (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.

No access to the A39 is proposed and access to the childcare facility is via Mahonga Street and it does not directly connect with the Newell Highway (A39). It is unlikely that the safety, efficiency and ongoing operation of the classified road would be affected by the proposed development.

Clause 102 relates to the impact of noise and vibration on sensitive land uses which includes a centre-based child care facility that are adjacent to roads with an annual average daily traffic volume of more than 20,000 vehicles (based on traffic volume data published on the website of the Transport for NSW – Roads and Maritime Services). The traffic volume data available on the website indicates volumes less than 2044 vehicles per day and therefore the provisions of clause 102 are not applicable.

Clause 104 and Schedule 3 relate to traffic generating development and identify development which must be referred to the Transport for NSW – Roads and Maritime Services. *Centre-based childcare facilities* are not listed in Schedule 3 as requiring a referral.

SEPP (Educational Establishments & Child Care Facilities)

Part 4, clause 22 of *State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017* requires non-compliant centre-based childcare facilities to be referred to the Regulatory Authority for concurrence. The information provided by the applicant indicates the proposed development is compliant.

Clause 23 of the SEPP requires the consent authority to take into consideration any applicable provisions of the *Child Care Planning Guideline*.

The *Child Care Planning Guideline* provides both designers and assessment officers directions for defining quality and compliant facilities in order to meet the following objectives.

- *promote high quality planning and design of childcare facilities in accordance with the physical requirements of the National Regulations*
- *ensure that childcare facilities are compatible with the existing streetscape, context and neighbouring land uses*
- *minimise any adverse impacts of development on adjoining properties and the neighbourhood, including the natural and built environment*
- *deliver greater certainty to applicants, operators and the community by embedding the physical requirements for service approval into the planning requirements for childcare facilities.*

The follow matters for consideration have been set-out in the guideline.

<b>Matter for consideration and controls</b>	<b>Proposed development</b>
<p><b>3.1 Site selection</b></p> <p><i>C1 Appropriate zone considerations</i></p>	<p>The proposed development is permissible within the RU5 Village zone and is consistent with the zone objectives.</p>
<p><i>C2 Site suitability</i></p>	<p>The permissibility of the development within the zone and the absence of risks to natural hazards such as tidal inundation, subsidence, slip, mass movement, flooding or bushfires is an indication that the site is suitable for the development.</p>
<p><i>C3 Appropriate location</i></p> <ul style="list-style-type: none"> <li>▪ <i>Near compatible social uses</i></li> <li>▪ <i>Near or within employment area</i></li> <li>▪ <i>With access to public transport</i></li> <li>▪ <i>In areas with connectivity to the local community, business, shops, services and the like.</i></li> </ul>	<p>The proposed centre-based childcare facility is compatible with the surrounding land uses which comprise a mix of residential and commercial development.</p> <p>Employment in the Jerilderie area is associated with agriculture and associated rural based industries, and retail and commercial uses health, and education.</p> <p>No public transport is available.</p> <p>The siting of the centre-based childcare facility is at the western edge of the commercial centre of the township.</p>
<p><i>C4 Risks from environmental, health or safety hazards</i></p>	<p>There are no nearby hazards in the form of any industrial activities, intensive agricultural uses, service stations, or odour sources.</p>
<p><b>3.2 Local character streetscape and the public domain interface</b></p> <p><i>C5 Compatibility with the local character and surrounding area</i></p>	<p>The proposed single storey building is aesthetically pleasing and in terms of bulk, scale, height and the materials to be used in construction are compatible with the surrounding development.</p>

<i>C6 Clear delineation between childcare facilities and public spaces.</i>	The proposal includes fencing and landscaping delineating the premises from the public domain.
<i>C7 Legibility</i>	The site comprises a legible building and entry separate from the neighbouring development.
<i>C9 Front fences and retaining walls</i>	The proposed fencing is compatible with the area.
<i>C10 High solid acoustic front fencing may be used</i>	No solid fencing is proposed.
<b>3.3 Building orientation envelope and design</b>  <i>C11 Orient a development on a site and design the layout to:</i> <ul style="list-style-type: none"> <li>▪ <i>Ensure visual privacy and minimise potential noise and overlooking impacts on neighbours</i></li> <li>▪ <i>Optimise solar access to internal and external play areas</i></li> <li>▪ <i>Avoid overshadowing of adjoining properties</i></li> <li>▪ <i>Minimise cut and fill</i></li> <li>▪ <i>Ensure buildings define the street by facing it</i></li> <li>▪ <i>Ensure outdoor play areas are protected from wind and other climatic conditions.</i></li> </ul>	<p>The building has been setback and orientated in a manner that respects both the visual and aural privacy of neighbouring residential properties.</p> <p>The building and external play area have a northerly aspect to optimise solar access.</p> <p>The proposed development will not overshadow of adjoining properties.</p> <p>There is minimal cut and fill required.</p> <p>The building addresses Mahonga Street.</p> <p>The outdoor area includes all-weather shelter.</p>



<i>C12 Compatible scale</i>	The proposed development is compatible with the scale of adjoining and nearby development.
<i>C13 Consistent setbacks</i> <i>C14 Prevailing residential setbacks</i>	The proposed development accords with the general setback provisions for residential development.
<i>C15 Built form contribute to the character of the area</i>	<p>The building, although located outside the HCA, is compatible with the heritage character of the locality.</p> <p>The proposed built form contributes to the streetscape including passive surveillance. The general scale and appearance are compatible with the area.</p>
<i>C16 Safe and secure entry</i>	The proposed entry located at the front is safely accessible, visible, and in plain view of the street.
<i>C17 Accessible design for all potential users</i>	The proposal includes paths of travel that will facilitate accessible movements throughout the building from the proposed car park.
<b>3.4 Landscaping</b>  <i>C18 Contributory boundary landscaping</i>	The proposal is submitted with a concept landscape plan that is sympathetic to the character of the surrounding area.
<i>C19 Car parking landscaping</i>	The proposal includes landscaping contributing to soften and screen the car parking area.
<b>3.5 Visual and acoustic privacy</b>  <i>C21 Minimise direct overlooking of indoor and outdoor play spaces from public areas.</i>	The proposed building is setback from the front boundary and does not comprise any overlooking from public areas.

<i>C22 Minimise overlooking of adjoining living areas and private open spaces.</i>	The building is setback from the property boundaries and windows and doors are oriented so as to mitigate any overlooking between properties.
<i>C23 Minimise impact on acoustic privacy of neighbouring residential properties</i>	The orientation and siting of the outdoor play area away from the neighbouring residential properties in Mahonga Street would mitigate any acoustic impacts.
<i>C24 Acoustic report should be prepared a suitably qualified professional</i>	No acoustic report has been prepared.
<p><b>3.6 Noise and air pollution</b></p> <p><i>C25 Minimise outside noise levels on the facility</i></p>	A condition of consent could be imposed requiring the building to be acoustically insulated to mitigate the nuisance for occupants.
<i>C26 Noise attenuation measures for childcare facilities on a major road.</i>	As identified previously the Newell Highway is a potential noise source, however the volume of traffic is unlikely to result any significant adverse noise impact to the proposal. Notwithstanding the low likelihood of nuisance, the applicant should consider noise attenuation measures to provide a quiet environment, especially adjacent to the cot rooms.
<i>C27 Air pollution</i>	The proposed childcare centre site is not located in proximity to any significant sources of air pollution.
<i>C28 Air quality consultant</i>	No air quality report has been provided nor is required.
<p><b>3.7 Hours of operation</b></p> <p><i>C29 Hours of operation</i></p>	The centre seeks to operate from 8:00am to 5:30pm, Monday to Friday. The operating hours are consistent with businesses in the immediate vicinity of the childcare centre.

<p><b>3.8 Traffic, parking and pedestrian circulation</b></p> <p><i>C31 Off-street car parking should be provided at the rate specified by the DCP.</i></p>	<p>The proposal accommodates a maximum of 43 children and includes 11 car parking spaces which accords with Council's requirements</p>
<p><i>C33 Traffic and parking study to be prepared to support the proposal</i></p>	<p>No traffic study has been provided.</p>
<p><i>C36 Provide a safe pedestrian environment</i></p>	<p>The proposal includes the provision of separated pedestrian and vehicular traffic to ensure a safe pedestrian environment.</p>
<p><i>C38 Car parking design should:</i></p> <ul style="list-style-type: none"> <li><i>• Include a child safe fence to separate the car parking area from the building entrance and play areas</i></li> <li><i>• Provide clearly marked accessible car parking as close as possible to the primary entrance</i></li> </ul> <p><i>Include wheelchair and pram accessible parking</i></p>	<p>The proposal includes a child safe fence separating the car parking area from the building entry and internal areas.</p> <p>The proposal includes clear delineation of car parking in proximity to the building entrance.</p> <p>The proposal includes accessible car parking.</p>
<p><b>4.1 Indoor space requirements</b></p> <p><i>Minimum 3.25sqm unencumbered indoor space.</i></p> <p><i>0.3 cubic metres of external storage space per child</i></p> <p><i>0.2 cubic metres of internal storage space per child</i></p>	<p>The proposed development provides the required unencumbered indoor floor space, internal and external storage space in accordance with the regulatory requirements.</p>

<p><b>4.2 Laundry and hygiene facilities</b></p> <p><i>There must be laundry facilities or access to laundry facilities</i></p>	<p>The proposal includes laundry facilities with provision for washer, dryer, laundry sink and storage.</p>
<p><b>4.3 Toilet and hygiene facilities</b></p>	<p>The proposed childcare facility includes bathroom facilities to be fitted and constructed to ensure privacy of the occupants whilst providing supervision.</p>
<p><b>4.4 Ventilation and natural light</b></p>	<p>The proposed building appears to comply with the provisions of the National Construction Code regarding ventilation and natural light.</p>
<p><b>4.5 Administrative space</b></p>	<p>Adequate provision of administrative space is included as part of the proposal.</p>
<p><b>4.6 Nappy change facilities</b></p>	<p>Adequate provision for napping changing and bathing facilities are included as part of the proposal.</p>
<p><b>4.7 Premises designed to facilitate supervision</b></p>	<p>The childcare facility has been designed to facilitate supervision.</p>
<p><b>4.8 Emergency evacuation and procedures</b></p>	<p>This has not been addressed on the plans or in the statement of environmental effects. As it is an operational matter, this can be addressed as a condition of consent.</p>
<p><b>4.9 Outdoor space requirement</b></p> <p><i>Every child is to have a minimum of 7sqm of unencumbered outdoor space</i></p>	<p>The unencumbered outdoor space exceeds the regulatory requirements, providing over 20m<sup>2</sup> of outdoor space per child.</p>
<p><b>4.10 Natural environment</b></p>	<p>The outdoor space is designed in accordance with the concept landscape plan and would permit children to explore and experience the natural environment.</p>

<b>4.11 Shade</b>	The submitted architectural plans show shading devices over the external play area complies with the minimum 30% shading of external areas.
<b>4.12 Fencing</b>	Any provided fencing shall be constructed and designed to be safe and secure. This can be reinforced as a condition of consent.
<b>4.13 Soil assessment</b>	The existing site has been used for the purpose of public recreation, including a park and tennis courts. The site is unlikely to have been used for any uses that would cause the site to be contaminated, however as it involves a sensitive land use a condition of consent could be imposed requiring soil testing in the area to be used for outdoor recreation.

Clause 25 provides non-discretionary development standards for the purposes of section 4.15(2) and (3) of the Act in relation to the carrying out of development for the purposes of a centre-based childcare facility, for which a consent authority cannot refuse a development application.

In terms of location, site area and site dimensions, and the colour of building materials and shade structures there is no restriction. It is noted that colour schemes may be restricted, but only if the development included a heritage item or was within a conservation area, which is not the case in this instance.

The standards for unencumbered both indoor and outdoor space are subject to clauses 107 and 108 [\*Education and Care Services National Regulations\*](#).

<b>Regulation</b>	<b>Proposed</b>	<b>Compliance</b>
3.25m <sup>2</sup> unencumbered indoor space per child  Minimum for 43 children = 139.75m <sup>2</sup>	170.6m <sup>2</sup> or 3.96m <sup>2</sup> per child	Yes
7m <sup>2</sup> unencumbered outdoor space per child.  Minimum for 43 children = 301m <sup>2</sup>	900m <sup>2</sup> or 20.9m <sup>2</sup> per child	Yes



	<p>Council can be satisfied that the proposed development accords with the provisions of the SEPP.</p>
<i>Riverina Murray Regional Plan 2036</i>	<p>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>.</p>
<i>Jerilderie Local Environmental Plan 2012</i>	<p>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.</p> <p>The proposed development is for a childcare facility which is defined in the Dictionary of Jerilderie Local Environmental Plan 2012, as:</p>
<i>Definition</i>	<p><b>centre-based childcare facility</b> means—</p> <ul style="list-style-type: none"> <li>(a) <i>a building or place used for the education and care of children that provides any one or more of the following –</i> <ul style="list-style-type: none"> <li>(i) <i>long day care,</i></li> <li>(ii) <i>occasional childcare,</i></li> <li>(iii) <i>out-of-school-hours care (including vacation care),</i></li> <li>(iv) <i>preschool care, or</i></li> </ul> </li> <li>(b) <i>an approved family day care venue (within the meaning of the <a href="#">Children (Education and Care Services) National Law (NSW)</a>),</i></li> </ul>
<i>Permissibility</i>	<p>The subject land is zoned RU5 Village and under Part 2 Land Use Table of Jerilderie Local Environmental Plan 2012 and a <i>centre-based childcare facility</i> is identified as development that is permitted with consent.</p>
<i>Aims &amp; 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"> <li>(a) <i>to maintain and enhance agricultural land through the proper management, development and conservation of natural and man-made resources,</i></li> <li>(b) <i>to encourage a range of housing, employment, recreation and community facilities to meet the needs of existing and future residents of Jerilderie,</i></li> <li>(c) <i>to promote the efficient and equitable provision of public services, infrastructure and amenities;</i></li> <li>(d) <i>to conserve the environmental heritage of the land to which this Plan applies.</i></li> </ul> <p>The objectives for the RU5 Village set down in the Land Use Table are as follows:</p> <ul style="list-style-type: none"> <li>▪ <i>To provide for a range of land uses, services and facilities that are associated with a rural village.</i></li> </ul> <p>The proposed development is consistent with the aims of Jerilderie Local Environmental Plan 2012 and the objectives of the RU5 Village zone.</p> <p>Section 4 of the Environmental Planning and Assessment Act 1979 defines a <i>development standard</i> as being a provision of an environmental</p>

*Development Standards* | 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.

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.

*Miscellaneous Provisions*

Part 5 of Jerilderie Local Environmental Plan 2012 addresses numerous miscellaneous provisions. The following matters are of relevance to the proposed development:

*5.10 Heritage conservation*

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. Specifically it 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.

The subject site is located outside the Jerilderie Main Street Heritage Conservation Area and does not contain an item of environmental heritage. The subject site is located within the vicinity of the Uniting Church at 21 Jerilderie Street which is a heritage item (I6) listed in Schedule 5 of Jerilderie Local Environmental Plan 2012.

**Figure 3 Uniting Church<sup>5</sup>**



The provisions of clause 5.10(4) states that the consent authority must, in respect of a heritage conservation area, consider the effect of the proposed development on the heritage significance of the area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5).

With regard to clause 10.5(b) & (c) it is considered that a heritage management document is not warranted to enable the consent authority to properly assess the impact of the development has, or in this case

<sup>5</sup> Image in Figure 3 taken on 9 December 2019 © Steven Parisotto Photography

	<p>does not, on the heritage significance of the heritage conservation area and the nearby heritage item.</p> <p>The proposed development involves the construction of a single storey building with contemporary features. The bulk, scale, height, design and selected materials would not have any detrimental impact on the conservation area or upon the heritage item.</p>
<i>Additional local provisions</i>	<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 &amp; Assessment Act, 1979.</p>
<i>6.1 Earthworks</i>	<p>The objectives set out in clause 6.1(1) are as follows:</p> <ul style="list-style-type: none"> <li><i>(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,</i></li> <li><i>(b) to allow earthworks of a minor nature without separate development consent.</i></li> </ul> <p>The proposed development will minor cut and fill which will ultimately alter the existing ground level for the purpose building footings and the construction of the of car park and stormwater disposal. The extent of these work would generally fall within the category of exempt development as set out in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.</p>
<i>6.2 Flood planning</i>	<p>Clause 6.2 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"> <li><i>(a) to minimise the flood risk to life and property associated with the use of land,</i></li> <li><i>(b) to allow development on land that is compatible with the land's flood hazard, considering projected changes as a result of climate change,</i></li> <li><i>(c) to avoid significant adverse impacts on flood behaviour and the environment.</i></li> </ul> <p>In this instance the proposed site is located above the 1:100 ARI event so therefore the provisions of clause 6.2 does not apply.</p>
<i>Clause 6.3 Stormwater management</i>	<p>The objective 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.</p> <p>In the strict sense, the clause would not apply to the RU5 Village zone as this is a rural zone, however it is understood the intent is to consider the impact of urban stormwater on land which is capable of residential and industrial development.</p> <p>Council can be satisfied that the site maximises water permeable surfaces and can if practicable, provide on-site stormwater retention for</p>

	<p>use as an alternative supply to potable or other waters for gardens and toilets. Further stormwater run-off is unlikely to impact on adjoining properties, native bushland or receiving waters.</p>
<p><i>Clause 6.4 Terrestrial biodiversity</i></p>	<p>The objective of this clause is to maintain terrestrial biodiversity and applies to the land identified as “<i>Biodiversity</i>” on the <a href="#">Terrestrial Biodiversity Map</a>. 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><i>Clause 6.5 Groundwater vulnerability</i></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 as a result of inappropriate development. The site has not been mapped as being groundwater vulnerable land on <a href="#">Groundwater Vulnerability Map</a>.</p>
<p><i>Clause 6.6 Riparian land and watercourses</i></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 <a href="#">Watercourses Map</a>.</p>
<p><i>Clause 6.7 Wetlands</i></p>	<p>The subject land has not been mapped as being part of a wetland on the <a href="#">Wetlands Map</a>.</p>
<p><i>Clause 6.8 Essential services</i></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 adequate arrangements have been made to make them available when required:</p> <ul style="list-style-type: none"> <li>(a) <i>the supply of water,</i></li> <li>(b) <i>the supply of electricity,</i></li> <li>(c) <i>the disposal and management of sewage,</i></li> <li>(d) <i>stormwater drainage or on-site conservation,</i></li> <li>(e) <i>suitable vehicular access.</i></li> </ul> <p>The subject site is not connected to Council’s reticulated potable water network. As part of this application a specific connection will have to be made to the water main in either Mahonga or Kennedy streets.</p> <p>The Essential Energy network supplies electricity to properties in the locality, and infrastructure is located along both Mahonga and Kennedy streets. As part of the development, it is understood that any amplification of electrical services will need to conform with the requirements of Essential Energy.</p> <p>The existing amenities building is connected to sewer. The proposed facility will need to connect to sewer, which is located in the north-eastern part of the site.</p> <p>Stormwater is directed to the existing kerb and gutter that runs along Mahonga and Kennedy streets.</p> <p>A new crossing is proposed to access the car park. This, along with the carpark proposed within Mahonga Street will need to be constructed to Council’s Engineering requirements.</p>

#### 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.

2.1 Village development objectives	<p>These objectives in Part 2.1 of the DCP have been prepared to provide specific guidance for the use and development of land and premises within Jerilderie and Schedule 5 has defined areas or precincts for commercial, residential and special uses. The subject land has been identified for special uses, which has the following objective:</p> <ul style="list-style-type: none"> <li>▪ <i>To identify areas which are now owned or used for public or community purposes; and which will be acquired by a public authority for the particular public or community purpose.</i></li> </ul> <p>The proposed development is presently used for a community purpose, that being a public park. It is considered that the proposed childcare centre would serve the public for a community-based purposes.</p>
2.5 Heritage development objectives	<p>A Heritage Conservation Area covers the historic centre of the township of Jerilderie and there are a number of individual sites of environmental heritage that are currently listed in the Jerilderie Local Environmental Plan 2012. The subject site is located outside the HCA and is not listed as a heritage item in Schedule 5 of the LEP.</p> <p>As the subject site is located opposite a heritage item, and is only just outside the HCA it is pertinent to consider the heritage objectives of the DCP, which are</p> <ul style="list-style-type: none"> <li>▪ <i>To identify heritage buildings and encourage the conservation and enhancement of these items</i></li> <li>▪ <i>To promote public awareness of the significance of heritage items</i></li> <li>▪ <i>To provide for public involvement in matters relating to the conservation of</i></li> <li>▪ <i>To ensure that alterations, additions and infill developments are sympathetic and respectful of the values of the heritage site.</i></li> <li>▪ <i>To control the demolition of heritage items or buildings and archaically record these buildings in circumstances of demolition.</i></li> <li>▪ <i>To comply with the basic principle and procedures of the Burra Charter.</i></li> </ul> <p>The proposed development is consistent with the objectives for heritage and would not have a detrimental impact on the significance of the HCA or the nearby heritage item.</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. The notification period commenced on 13 December 2019 and closed on 24 January 2020. No submissions have been received.</p>

*Schedule 1 Onsite parking requirements*

The parking requirements for a childcare centre set down in Schedule 1 requires one parking space per four children in care.

On the basis that the centre will cater for 43 children, 11 carparking spaces are required.

The submitted plans show parking onsite for five (5) vehicles, including two (2) accessible spaces and six (6) spaces within the road reserve.

It is understood that prior to the application being lodged the applicant obtain in principle support for the proposed 90° angle parking along Mahonga Street.

The proposed parking layout, including the design geometry of each space accords with the provisions of the DCP.

The proposed development is deemed to accord with the provisions of the Jerilderie DCP

**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 in excess of \$200,000 a 1% levy normally would apply.

The provisions of clause 1.7 of the Contribution Plan provides exemptions, including those for community and educational facilities for and on behalf of Council. It is considered that the proposed development would satisfy the exemption requirements and a levy is not payable in this instance.

**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.

*Clause 92(b) Additional matters for consideration*

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 no demolition is proposed.

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.

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).

*Clause 93 fire safety and other considerations*

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.

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

<i>Context and setting</i>	<p>The proposed building is in keeping with other development in the locality. The design of the childcare facility is functional in the sense that it has to meet statutory requirements however is also aesthetically pleasing and complements the prevailing streetscape characteristics.</p> <p>The scenic quality and features of the landscape are not negatively impacted upon by the construction of the works proposed, and it is not considered that the character and amenity of the locality will be affected.</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>
<i>Access, transport and traffic</i>	<p>The proposed development is a traffic generating development and the development will generate additional traffic along both Mahonga and Kennedy streets during the morning and afternoon peak. The increase in the volume of traffic will be noticeable, however is unlikely to have a significant impact on local road network.</p> <p>The off-street carpark layout associated with the proposed development including driveway design and location, internal aisle widths, parking bay dimensions and loading bays are to be in accordance with <i>AS2890.1-2004 Off-street car parking</i> and <i>AS2890.2-2002 Off-street commercial vehicle facilities</i>.</p>
<i>Public domain</i>	The development will not have an adverse impact on public recreation or the amount, location, design, use and management of public spaces. Due to the development relying on-street parking, there will be a potential increase in foot traffic. The applicant has acknowledged this by indicating they will upgrade the footpath along Mahonga Street.
<i>Utilities</i>	The site has access to power, gas, 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.
<i>Heritage</i>	The heritage significance of items, and the Jerilderie heritage conservation area has been addressed previously in this report.
<i>Other resources</i>	<i>land</i> There is unlikely to be any impact on land resources such as mineral extractive resources or water supply catchments, is expected.

<i>Water</i>	The proposed development will not impact upon groundwater or any riparian corridor or waterways.
<i>Soils</i>	<p>Standard sedimentation and erosion control conditions should be imposed if the application is approved.</p> <p>Due to the sensitive nature of the land use, a soil contamination report is warranted in accordance with the provisions of SEPP 55 and the <i>Child Care Planning Guideline</i>.</p>
<i>Air and microclimate</i>	There will be minimal impact in terms of odour or dust from the finished development, with conditions to be imposed regarding impacts during the construction/demolition phases.
<i>Flora and fauna</i>	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 waste generated by the demolition and excavated soils will need to be disposed of at a licensed waste management facility.</p> <p>A detailed by the Waste Management Plan is required to address operational waste generated by the use of the premises. This could be addressed by way of a condition of consent.</p>
<i>Energy</i>	The applicant has indicated that the proposed development shall comply with Section 'J' provisions of the current edition of the NCC-BCA and details shall be provided, if required, with a Construction Certificate application.
<i>Noise and vibration</i>	<p>The operational activities associated with the development may generate some noise through the use of outdoor play area by children.</p> <p>The anticipated noise levels and vibration will be entirely in keeping with other nearby land uses and will be consistent with the existing ambient background levels. As it is a day-time activity the use of the land is not likely to result in offensive noise that would affect the amenity of nearby residents.</p>
<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 proposed development would not pose any risk in terms of criminal activity, safety or security.
<i>Social &amp; economic impact in the locality</i>	The proposed development has positive social impact and would be to the benefit to the local community.
<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 is unlikely to be contaminated, however testing is recommended given the sensitive nature of the development.</p> <p>The subject site is zoned RU5 Village 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.

At the time of preparing this report no submissions have been made.

#### **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 accords with *Child Care Planning Guideline*.
- The proposed development 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.
- The subject site is suitable for the proposed development.
- The proposed development does not raise any matter contrary to the public interest.

The assessment undertaken demonstrates that the proposed development has merit, however as landowner's consent has not been obtained the development application cannot be determined.

## Recommendation

- (a) That Murrumbidgee Council provide in principle support to the proposed *centre-based childcare facility* and associated carpark and landscaping at Lot 7017 DP 1019596, being 1A Mahonga Street, Jerilderie; and
- (i) That upon owner's consent being provided, that Murrumbidgee Council as the consent authority pursuant to Section 4.16(1)(a) of the Environmental Planning & Assessment Act 1979 grant consent to Development Application No: DA21-19/20 for a *centre-based child care facility*, car park and associated landscaping, at Lots 7017 DP 1019596, 1A Mahonga Street, Jerilderie subject to the conditions set out in Attachment B; or
  - (ii) That upon a Plan of Management being adopted for Elliott Park, that Murrumbidgee Council as the consent authority pursuant to Section 4.16(1)(a) of the Environmental Planning & Assessment Act 1979 grant consent to Development Application No: DA21-19/20 for a *centre-based child care facility*, car park and associated landscaping, at Lots 7017 DP 1019596, 1A Mahonga Street, Jerilderie subject to the conditions set out in Attachment B; and
  - (iii) That the development application be delegated to the Manager Planning & Environment for issue of the notice of determination.

<b>PART A - ADMINISTRATIVE CONDITIONS</b>
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**Approved Development**

1. Development consent has been granted for a *centre-based child care facility* for 43 children, associated landscaping and carpark at Lot 7017 DP 1019596.

The development must be implemented substantially in accordance with Development Application No. 21-19/20 received by Council and the below mentioned plans and/or documents, except where amended in red on the attached plans or modified by the conditions of consent.

Prepared By	Plan Title	Project	Reference Sheet Numbers /	Version	Date
Steven Murray Architect	Proposed Site Plan and Render views	PROPOSED DAY CARE CENTRE AT PART LOT 7017 DP 1019596, CNR MAHONGA AND KENNEDY STREETS, JERILDERIE NSW	DA-A01	-	17.12.2019
Steven Murray Architect	Proposed floor plan	PROPOSED DAY CARE CENTRE AT PART LOT 7017 DP 1019596, CNR MAHONGA AND KENNEDY STREETS, JERILDERIE NSW	DA-A02	-	17.12.2019
Steven Murray Architect	elevations	PROPOSED DAY CARE CENTRE AT PART LOT 7017 DP 1019596, CNR MAHONGA AND KENNEDY STREETS, JERILDERIE NSW	DA-A03 & 04	-	Nov.19
Steven Murray Architect	Statement of Environmental Effects				

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. The building 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 Certificate (Building Works)**

5. In accordance with the provisions of Part 6, Divisions 6.2 and 6.3 of the Environmental Planning and Assessment Act, 1979 a person must not carry out building works, including associated excavation works (as applicable) until such time as:
  - (a) A *Construction Certificate* has been obtained from *Accredited Certifier* holding the appropriate accreditation under the Building Professions Act, 2005;
  - (b) A *Principal Certifier* has been appointed; and
  - (c) 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.

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.

### **Disability Discrimination Act**

7. 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**

8. 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.

Note. Depending on the significance of the object uncovered, an archaeological assessment and excavation permit under the Heritage Act 1977 may be required before further the work can continue.

### **Stormwater runoff**

9. All stormwater runoff shall be directed to Council's street system for disposal.

### **Long Service Levy**

10. 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

<b>PART B - PRIOR TO THE ISSUE OF A CONSTRUCTION CERTIFICATE</b>
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11. The following information shall be submitted for assessment when applying for a Construction Certificate:

- (a) A schedule and location of all proposed essential services in the building in accordance with Section E of the *Building Code of Australia*.
- (b) Details from a suitably qualified and practising Structural Engineer in regard to:
  - (i) footings;
  - (ii) reinforced concrete slabs;
  - (iii) structural steelwork;
  - (iv) wall bracing and tie-down requirements;
- (c) Proposed method of stormwater disposal.

12. When issuing a Construction Certificate, a certifying authority must attach a Fire Safety Schedule specifying all of 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.

13. **Prior to the issue of the Construction Certificate** a detailed landscaping plan shall be designed for the proposed development. Three (3) copies are to be submitted to and approved by Council:

Landscaping 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 for pedestrians and motorists entering and exiting the site and enhance the development.

All landscaping works approved must be completed **prior to the issue of an Occupation Certificate** and maintained for the lifetime of the development

## **Lease of Crown Land**

14. **Prior to the issue of the Construction Certificate** arrangements are to be made with Murrumbidgee Council, as Crown Land Manager, for the lease of site of the childcare centre. All cost associated with preparation and formalisation of the lease, including any site survey plan identifying the lease area shall be borne by the applicant unless other suitable arrangements to Council are made.

<b>PART C - PRIOR TO COMMENCEMENT OF CONSTRUCTION WORK</b>
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15. Prior to the commencement of construction works the person of entity with the benefit of the development consent shall ensure that:

- (a) A Construction Certificate must be obtained from an Accredited Certifier prior to work commencing.
- (b) Any construction works, including vehicle access, footpaths, stormwater drainage or the like on a public road require a road opening permit from the Council.
- (c) Prior to commencing work the person having the benefit of the consent has:
  - (i) appointed a principal certifying authority for the building work, and
  - (ii) notified the principal certifying authority that the person will carry out the building work as an owner-builder, if that is the case, and
  - (iii) The principal certifier has, no later than 2 days before the building work commences:
  - (iv) notified the person having the benefit of the consent of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
  - (v) the person having the benefit of the consent, if not carrying out the work as an owner-builder, has:
    - appointed a principal contractor for the building work who must be the holder of a contractor licence if any residential building work is involved, and
    - notified the principal certifying authority of any such appointment, and
    - unless that person is the principal contractor, notified the principal contractor of any critical stage inspections and other inspections that are to be carried out in respect of the building work, and
    - the person having the benefit of the complying development certificate has given at least 2 days' notice to the council, and the principal certifying authority if that is not the council, of the person's intention to commence the erection of the building.
- (d) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
  - (i) showing the name, address and telephone number of the principal certifying authority for the work, and
  - (ii) showing the name 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
  - (iii) stating that unauthorised entry to the work site is prohibited.

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

- (e) A section 68 approval under the Local Government Act 1993, shall be obtained prior to any plumbing or drainage works.
- (f) A traffic Control Plan (TCP) shall be prepared in accordance with the Roads and Maritime Services most current edition of Traffic Control at Work Sites Manual (RMSTCWSM) prior to any works on the road reserve commencing.
- (g) Essential Energy shall be consulted in relation to the possible relocation of any existing overhead powerlines within 5 metres of the proposed building, to comply with the minimum safe distance, as specified in *AS/NZS 7000:2010 Overhead line design – Detailed procedures* and the *Service and Installation Rules of NSW, OR*, the requirements of Essential Energy.

16. The following stages must be inspected and passed prior to the subsequent stages of construction. **Twenty-four (24) hours'** notice shall be given to the Principal Certifying Authority allow scheduling of the inspection.

- (a) After excavation for, and prior to the placement of, any footings, and prior to pouring any in-situ reinforced concrete building element;
- (b) When internal sanitary drainage is laid ready for test. All drainage must be under water test at the time of the inspection;
- (c) When external sanitary drainage is laid ready for test. All drainage must be under water test at the time of the inspection;
- (d) The framework for any floor, wall, roof, or other building element prior to covering with any external element (including sarking, brickwork or cladding);
- (e) Pre-sheet inspection of the framework upon completion of hot and cold plumbing, electrical work and insulation.  
**Note:** Hot and cold water should be under pressure test at the time of inspection
- (f) Prior to covering waterproofing in any wet areas;
- (g) Prior to backfilling or covering any stormwater drainage and connections to point of discharge;
- (h) After all building work has been completed and prior to any occupation certificate being issued in relation to the building.

**Note:** All plumbing and drainage works shall be designed and constructed to cater for reactive soils including flexible joints and slab penetration design in accordance with the relevant standards including AS3500 and AS2870.

<b>PART DURING CONSTRUCTION</b>
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17. 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) applicant shall ensure that a suitable builders' toilet is situated on the property during construction;
- (b) Access to the site shall be restricted by way of safety/security fencing and the access point clearly delineated;

(c) 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.

(d) 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.

### **Plumbing and Drainage**

18. All plumbing and drainage work shall comply with the requirements of the National Construction Code Vol. 3.

A plumbing and drainage design plan is to be submitted to and approved by Council **prior to the external drainage inspection being booked.**

19. The proposed development shall be connected to Council's sewer main to service the proposed development. Design drawings and work-as-executed (WAE) drawings are required to be submitted and approved to the satisfaction of Council.

20. The water service shall have a testable backflow prevention device in accordance with AS/NZS 3500.1 and to the satisfaction of Council.

21. Stormwater shall be collected and discharged in accordance with the approved stormwater plan.

### **SafeWork NSW**

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

<b>PART E - PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE</b>
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### **Arrange issue of Occupation Certificate**

23. 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.

24. 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 Certificates**

25. A Final 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 and annual Fire Safety Statement, each twelve months after the original certificate was issued.

## **Liquid Trade Waste**

26. **Prior to the issue of the Occupation Certificate** the person with the benefit of the development shall complete and submit an *Application to Discharge Liquid Trade Waste* and enter into a Liquid Trade Waste Agreement with Council (application fees may apply).

No discharge of liquid trade waste shall occur prior to the discharger having made an agreement with Council for the Discharge of Liquid trade waste.

## **Food Handling & Preparation**

27. The construction and operation of any area used for the handling and preparation of food 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
- Australian Standard AS4674-2004 (Code): "Design, construction and fit-out of food premises.

**Prior to the operations commencing**, the premises will need to be registered with the NSW Food Authority.

<b>PART F - ONGOING CONDITIONS</b>
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## **Hours of operation**

28. The hours of the operation of shall be of the childcare centre shall be confined to 8.00am and 5.30pm Monday to Friday unless other arrangements satisfactory to Council are made.

## **Amenity**

29. 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**

30. 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) All loading and unloading of vehicles shall be conducted on site with the lease area.
- (b) All vehicles shall enter and leave the site in a forward direction. This may exclude the on-street indented parking arrangement.
- (c) The provision of a minimum of eleven (11) car parking spaces, including two (2) disabled, shall be constructed in accordance with the provisions of AS2890. The

spaces are to be made freely available to staff and visitors to the site at all times during the approved hours of operation.

**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.





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November 2019

## **STATEMENT OF ENVIRONMENTAL EFFECTS**

**PROPOSED DAY CARE PREMISES AT LOT 7017, DP 1019596, CORNER OF MAHONGA AND KENNEDY STREETS, JERILDERIE, NSW**

### **1 PROPOSED DEVELOPMENT**

#### **Overview**

There is no existing development to the site. The site is vacant and cleared and flat.

The proposed development shall comprise the following: -

- The construction of a new single storey building for the purpose of a child-care facility with 'accessible' access to and from the main entrance. The internal layout is shown on the submitted drawings.
- External fenced secure areas for child play where shown on the submitted drawings.
- The construction of on-site car park for staff use and 'accessible' users where shown on the submitted drawings.
- The construction of off-site car parking to Mahonga Street for staff and general public use where shown on the submitted drawings.

#### **Operational Use**

The operational use of the proposed development shall be for a child-care facility.

#### **Setbacks**

The works are within the existing boundaries of the allotment and complies with setback provisions 'Prescribed Standard' as set out in the Jerilderie Shire Development Plan 2012. The set back dimensions are shown on the site plan to the submitted drawings.

#### **Design, Context and Setting**

Design: The building is a 'modest' contemporary design incorporating 'passive' solar design principles (use of winter sunlight into the main children's areas and protection from summer sun using verandahs). 'Artistic' impressions of the proposed building from southeast and northeast corners of the site are included on the submitted drawings. The proposed material finishes (final colours may vary slightly) are as follows: -

- Roofing, fascias and gutters – 'Colorbond' 'Surfmist'
- External walls – consists of a low level band of 'Colorbond' finish 'Windspray' corrugated metal and the remaining wall above being colour finish compressed fibre cement sheet.
- Entrance – the surround to the entrance doors shall be timber type paneling.
- Windows and doors – 'Colorbond' finish aluminium frames and panels.

Context and Setting: The building shall compliment the surrounding diverse building styles. The scale is similar to adjoining residential developments that are located at a considerable distance from the site.

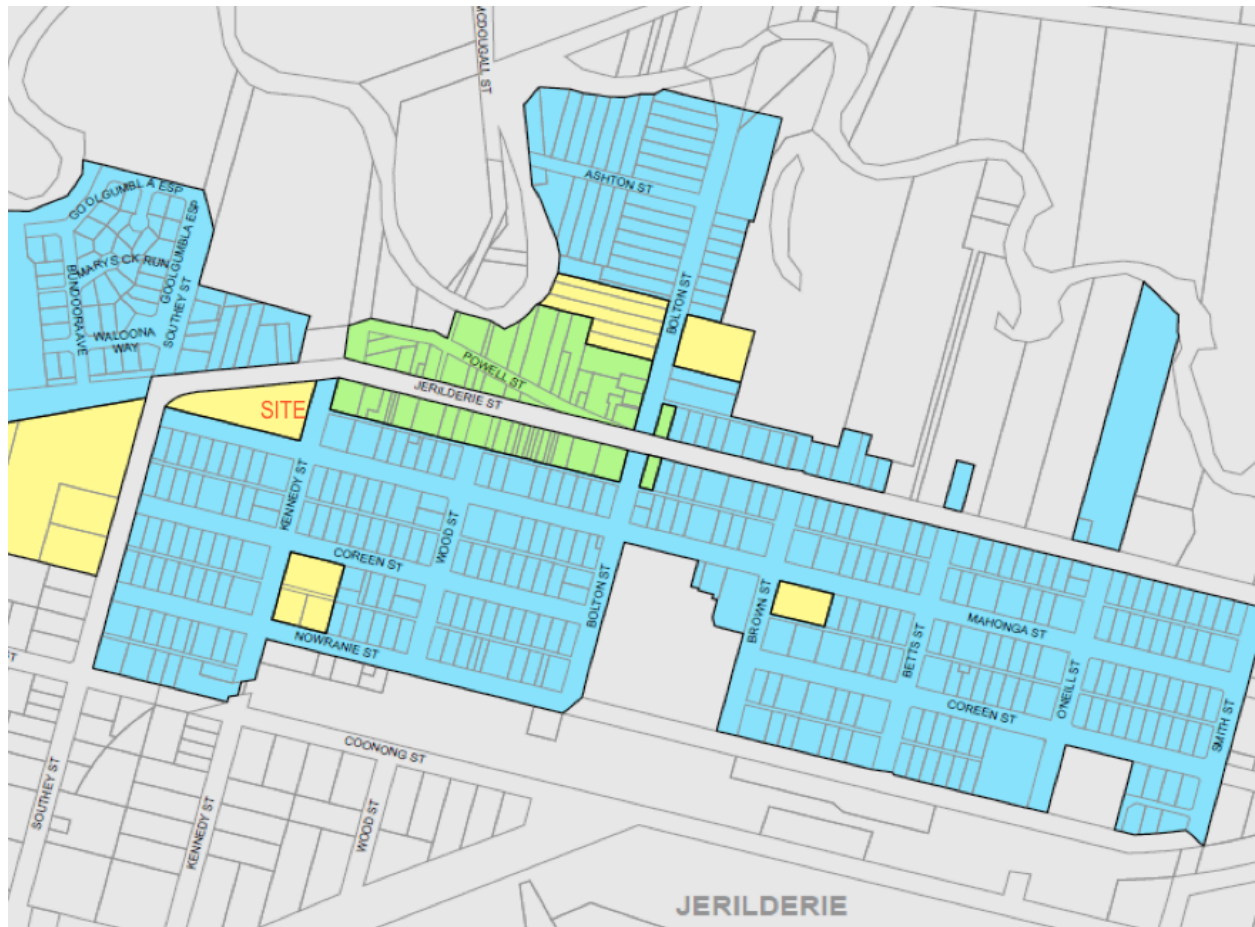
### **2 APPLICABLE DEVELOPMENT STANDARDS**

The Jerilderie Development Control Plan 2012 is considered relevant to the site and the proposed development.

### **3 SITE AND SITE SUITABILITY**

The site is located within the 'Precinct Map for Village Zone' within the area coloured 'yellow', (Schedule 5), which is designated 'Special Uses'. DCP 2012 states the following: -

*'The Special Uses Precinct identifies areas that are used for public or community purposes. This precinct allows the continuation of existing public uses and identifies areas to be used for community purposes.....subject to merit based assessment.'*



Jerilderie Village Zone plan

DCP 2012 permits the following with consent: -

*'Building identification sign; Business identification sign; **Child care centres**; Community facilities; Educational establishments; Emergency services facilities; Entertainment Facilities; Function Centres; Health services facilities; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Schools;'*

#### **NCC-BCA Issues**

Compliance with NCC-BCA will be fully addressed at Construction Certificate application stage for a building of 'Type C' construction.

#### **4 HERITAGE**

The site is not within a heritage conservation area.

#### **5 PRESENT AND PREVIOUS ISSUES**

There are no issues that would prohibit or restrict the proposed development.

#### **6 OPERATIONAL DETAILS**

The hours of operation shall be between the hours 8am – 5.30pm, Monday – Friday inclusive.

The anticipated staff numbers shall be as follows: -

- Full time staff = 3
- Part time staff = 4
- Casual staff = 4

## **7 VEHICULAR ACCESS, PARKING AND LOADING**

**Loading and Unloading:** Driveway access to the site shall be available for occasional deliveries if a vacant car- parking space permits. Generally, deliveries would be kerb-side parked small vans or the like.

**Car Parking and Pedestrian Access:** With reference to DCP 12 'Schedule 1' the required car parking rate is to be '1 space for every 4 children in attendance'. Based upon a total number of 43 children in attendance, a total of eleven (11) car parking spaces are required, which are shown on the submitted drawings. Note: Murrumbidgee Council has approved of the provision of 'nose-in' car parking to the Mahonga Street kerbside for a total of six (6) spaces. The remainder of car parking spaces shall be located on site.

## **8 FLOOR LEVEL**

The proposed floor level shall be approximately 450mm above existing ground level. The site is generally flat.

## **9 PRIVACY, VIEWS AND OVERSHADOWING**

There will be no impact on the adjacent properties with respect to the above due to the considerable distance from these properties.

## **10 AIR AND NOISE**

There will be no sources of air and noise pollution emanating from the development.

## **11 PROVISION OF UTILITY SERVICES**

Utility services such as water, sewer, telephone and electrical services appear to be currently available to the site and it is anticipated that they can cater for the demand required by this development.

## **12 ENERGY EFFICIENCY**

The proposed additions shall comply with Section 'J' provisions of the current edition of the NCC-BCA. Details shall be provided, if required, with a Construction Certificate application.

## **13 STORMWATER DRAINAGE**

Stormwater from roof areas shall be piped into either Mahonga or Kennedy Street kerbs.

## **14 HEALTH ISSUES, HAZARDOUS MATERIALS AND TRADE WASTE**

**Health and Hazardous Materials:** It is anticipated that health issues and/or use hazardous materials shall be managed with appropriate controls in place.

### **Trade Waste**

**Sewer and soil waste:** generated from toilet, laundry and kitchen facilities shall be directed into existing sewer drains.

**'Domestic' type waste:** organic, and recyclable items (paper, glass, plastics) shall be removed by Murrumbidgee Council street side services. A third party provider, if required, shall remove larger waste items.

### **Environmental Effects During Construction**

Anticipated environmental effects during the course of construction are as follows: -

- Noise: shall be controlled via restriction of the hours during which power tools will be used. This will be 7:30am until 4pm Monday to Saturday or otherwise in accordance with the conditions of the development consent.
- Dust: shall be controlled where required by wetting down of the site and avoidance of vehicular movement over dusty areas.
- Erosion control and Sediment runoff: where required a sediment fence will be installed.
- Construction Waste: a dedicated waste disposal point will be installed and maintained during the course of construction. All waste will be regularly removed and disposed at the Council's landfill.

The proposed development is permissible with Council's consent and satisfies the considered objectives of the zone.



Steven Murray





NOTES


- 1) STAFF CAR PARKING SPACES ARE TO BE SIGN-POSTED 'STAFF PARKING'
- 2) REMAINING ALLOCATED CAR PARKING SPACES (NUMBERED 1 - 8 INCLUSIVE) FACILITATE PEDESTRIAN ACCESS TO PATHWAYS AT THE FRONT OF VEHICLES THAT DIRECTLY LEAD TO THE DAYCARE CENTRE ENTRANCE. THIS AVOIDS VEHICLE BACK-OUT CONFLICT WITH CHILD PEDESTRIAN MOVEMENT.



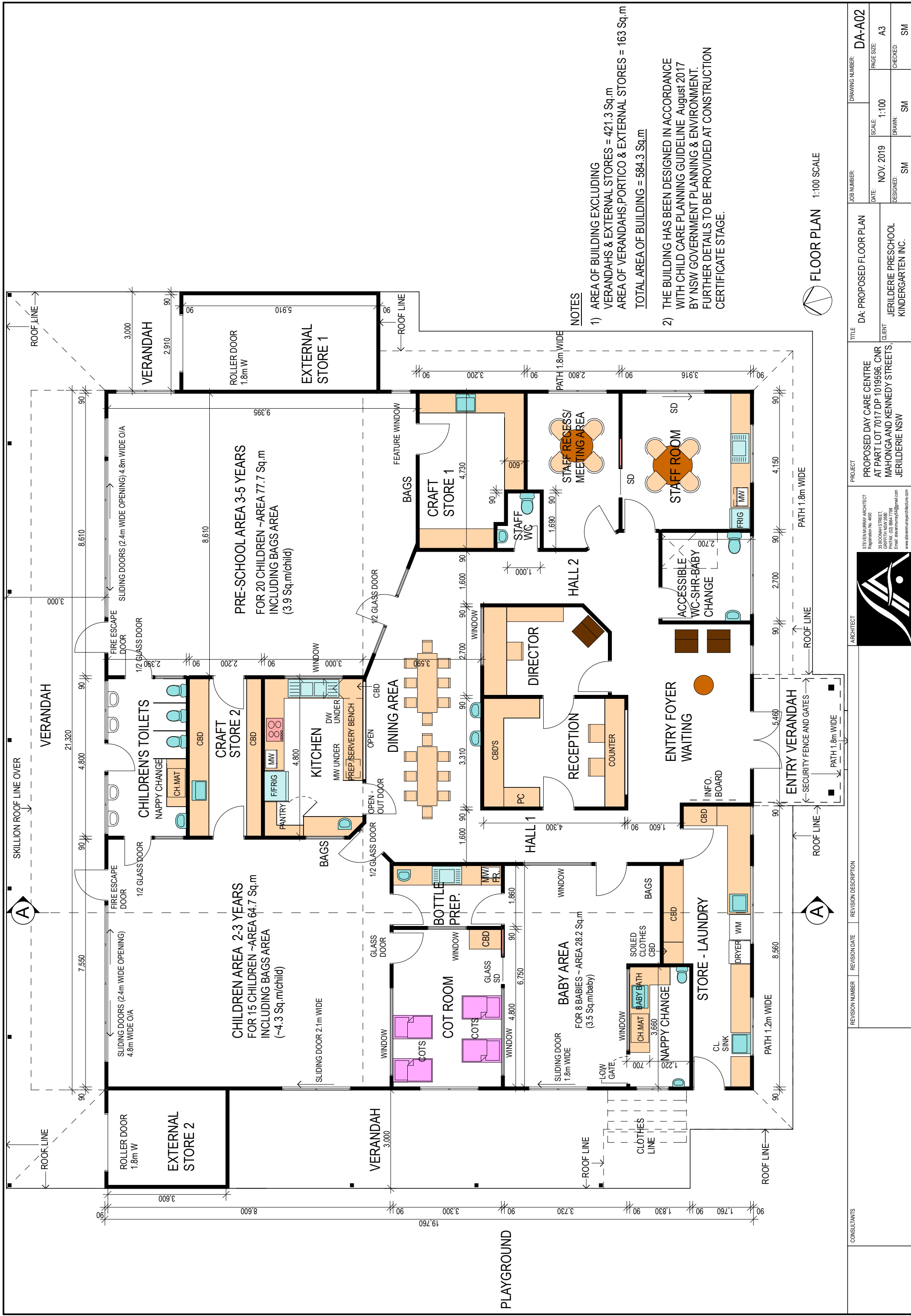
VIEW OF PROPOSED BUILDING FROM SOUTHEAST




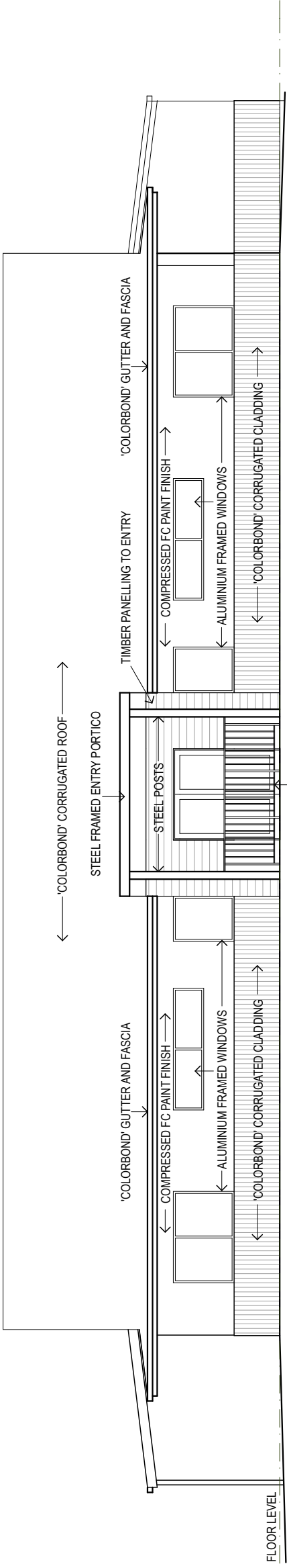
VIEW OF PROPOSED BUILDING FROM NORTHEAST

CONSULTANTS	REVISION NUMBER			REVISION DATE			REVISION DESCRIPTION		
	ARCHITECT			PROJECT			TITLE		
	 STEVENS MURRAY ARCHITECT Registration No. 4450 35 BUCKINGHAM STREET GLEBE NSW 1530 PH/FAX: (02) 964 7798 Email: stevemurray54@gmail.com www.stevensmurrayarchitecture.com			PROPOSED DAY CARE CENTRE AT PART LOT 7017 DP 1019596, CNR MAHONGA AND KENNEDY STREETS, JERILDERIE NSW			DEVELOPMENT APPLICATION PROPOSED SITE PLAN, RENDER VIEWS CLIENT JERILDERIE PRESCHOOL KINDERGARTEN INC.		
			JOB NUMBER:			DRAWING NUMBER:			DA-A01
			DATE:			SCALE:			1:300
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			CHECKED:			PAGE SIZE:			A3
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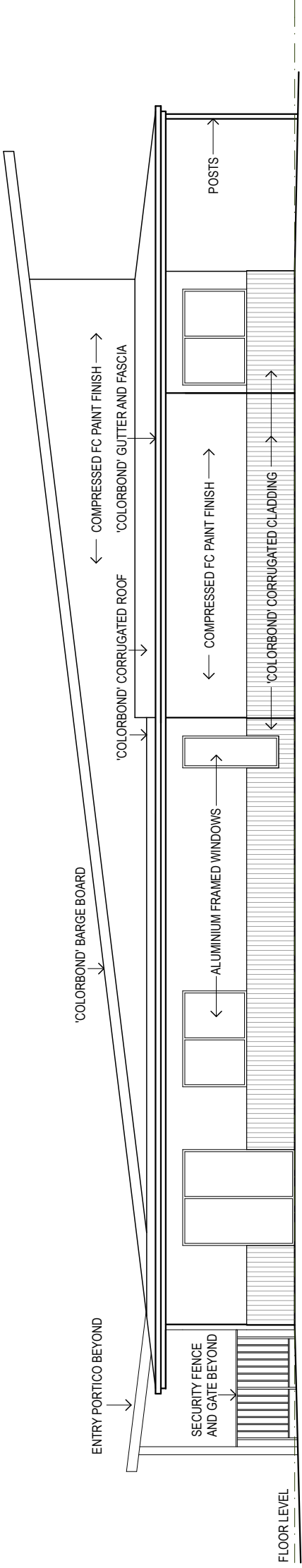




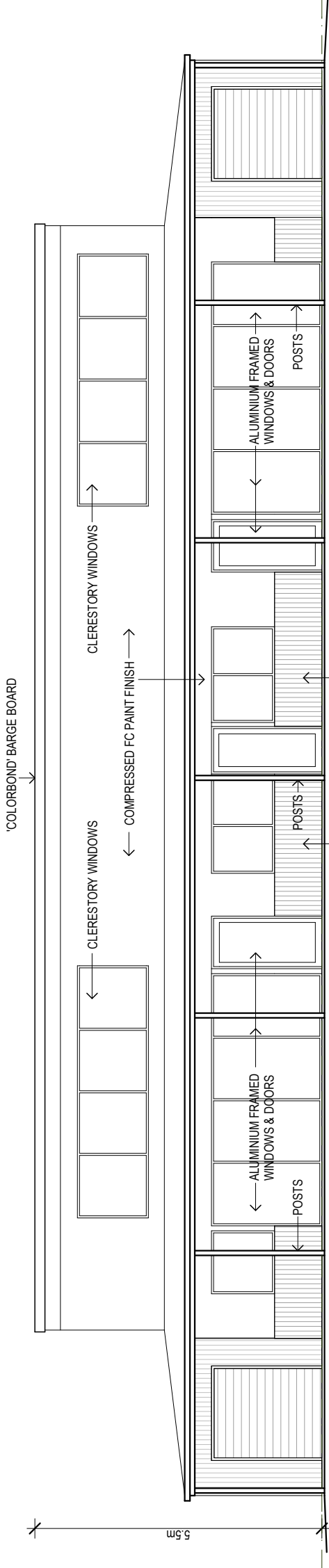
CONSULTANTS				ARCHITECT		PROJECT		TITLE		JOB NUMBER:		DRAWING NUMBER: DA-A02					
						STEVEN MURRAY ARCHITECT Registration No. 4405 155-55 KAY STREET GRIFFITH NSW 2530 PH/FA: (02) 8684 7798 Email: stevemurray-a4@gmail.com www.stevemurrayarchitecture.com		PROPOSED DAY CARE CENTRE AT PART LOT 7017 DP 1019596, CNR MAHONGA AND KENNEDY STREETS, JERILDERIE NSW		DA: PROPOSED FLOOR PLAN		JOB NUMBER:		DRAWING NUMBER: DA-A02			
										CLIENT		DATE: NOV. 2019		SCALE: 1:100		PAGE SIZE: A3	
												DESIGNED: SM		DRAWN: SM		CHECKED: SM	



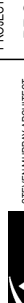
SOUTH ELEVATION 1:100 SCALE



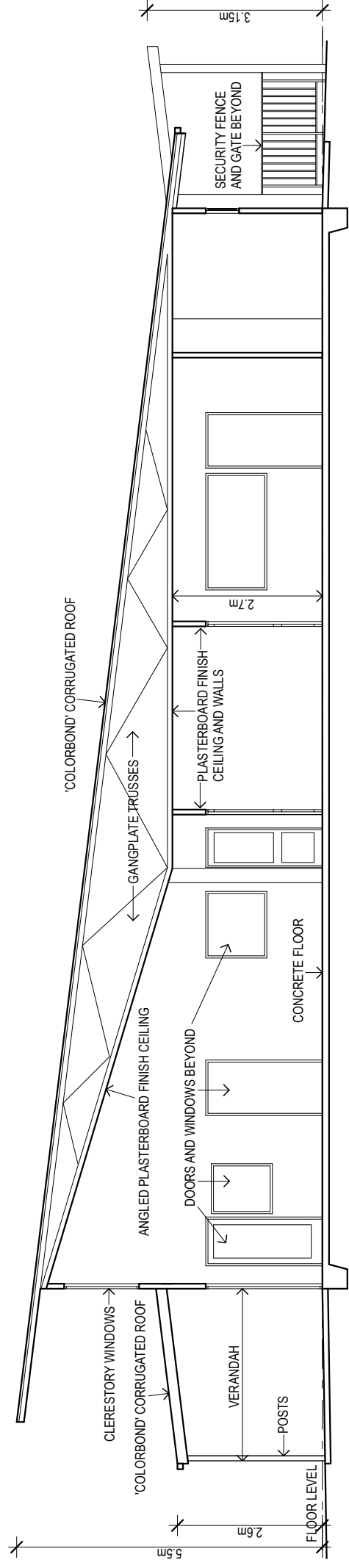
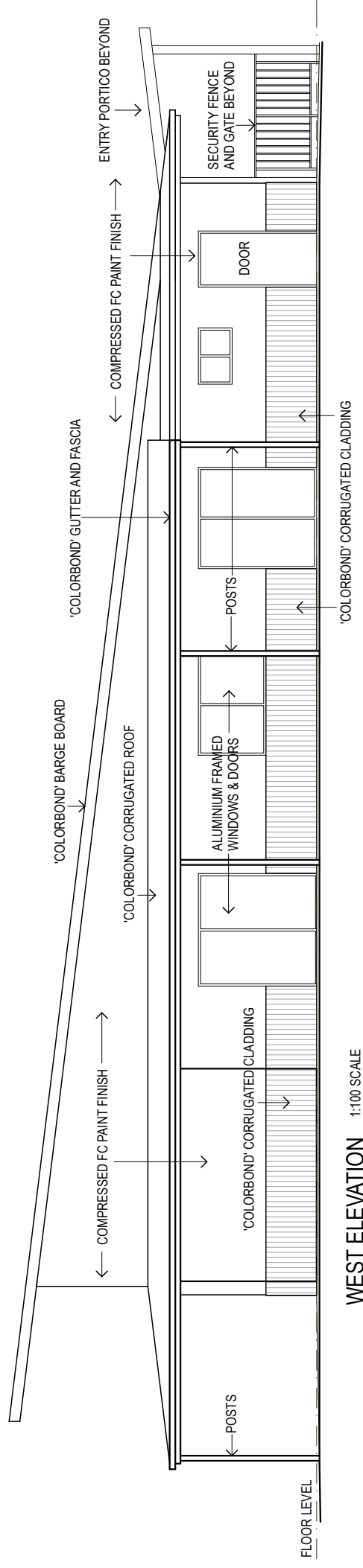
EAST ELEVATION 1:100 SCALE




NORTH ELEVATION 1:100 SCALE

CONSULTANTS		REVISION NUMBER		REVISION DATE		REVISION DESCRIPTION		ARCHITECT		PROJECT		TITLE		JOB NUMBER:		DRAWING NUMBER:			
										STEVEN M. GRAY ARCHITECT Registration No. 4450 35 BROWN STREET GRIFITH NSW 2580 PHONE: (02) 8641 7750 FAX: (02) 8641 7750 Email: <a href="mailto:stevenmgray@smga.com">stevenmgray@smga.com</a> <a href="http://www.stevenmgrayarchitects.com">www.stevenmgrayarchitects.com</a>		PROPOSED DAY CARE CENTRE AT PART LOT 7017 DP 1019596, CNR MAHONGA AND KENNEDY STREETS, JERILDERIE NSW		DA: ELEVATIONS					
										CLIENT		DATE: NOV. 2019		SCALE: 1:100		PAGE SIZE: A3			
												DESIGNED:		SM		DRAWN: SM		CHECKED: SM	





CONSULTANTS		ARCHITECT		PROJECT		TITLE		JOB NUMBER:		DRAWING NUMBER:		DA-A04	
				 <p>STEVEN MURRAY ARCHITECT Registration No. 4450 38 BLOOMIN STREET, SYDNEY, NSW 1570 PH/FAX: (02) 8647 7798 Email: stevemurray54@gmail.com www.stevenmurrayarchitects.com</p>		PROPOSED DAY CARE CENTRE AT PART LOT 7017 DP 1019596, CNR MAHONGA AND KENNEDY STREETS, JERILDERIE NSW		ELEVATION, SECTION		DATE:		PAGE SIZE:	
						CLIENT		NOV. 2019		AS SHOWN		CHECKED: A3	
						JERILDERIE PRESCHOOL KINDERGARTEN INC.		DESIGNED: SM		DRAWN: SM		CHECKED: SM	

# Crown land managed by council Crown land managers Form

## Written notice of assigned categorisation

Council Crown land managers should use this form to notify the minister administering the *Crown Land Management Act 2016* of the initial categorisation assigned to Crown land, as referred to in section 36 of the *Local Government Act 1993*.

## Important information

Please refer to the accompanying *Guideline—initial categorisation of Crown land managed by council Crown land managers* for further information.

## Contact us

For more information, please contact us at:

NSW Department of Industry—Lands & Water  
PO Box 2155  
DANGAR NSW 2309

Phone: 1300 886 235

Fax: 02 4925 3517

Email: [council.clm@crownland.nsw.gov.au](mailto:council.clm@crownland.nsw.gov.au)

Web: [industry.nsw.gov.au/lands](http://industry.nsw.gov.au/lands)

Web: [olg.nsw.gov.au/crownland](http://olg.nsw.gov.au/crownland)

## Lodgement

Email the completed form to: [council.clm@crownland.nsw.gov.au](mailto:council.clm@crownland.nsw.gov.au)

or

Mail to:

NSW Department of Industry  
Attn: Council Crown land management  
PO Box 2155  
DANGAR NSW 2309

## Applicant details

Table 1. Applicant details

Council Crown land manager	Murrumbidgee Council
Postal address	PO Box 5, Darlington Point NSW 2706
Contact	Steven Parisotto
Email	mail@murrumbidgee.nsw.gov.au

## Declaration

- I Steven Parisotto, Town Planning Consultant, in accordance with section 3.23 of the Crown Land Management Act 2016, hereby provide written notice of initial categorisation applied to Crown land under the management of the above Crown land manager as listed in the below schedule.
- I declare and affirm that the information provided on this form is accurate to the best of my knowledge and belief.
- I declare that I am authorised by the Council to make this application.

Name:	Steven John Parisotto		
Position:	Town Planning Consultant		
Signature:		Date:	

## Schedule

### Particulars of reserves

Council is required to assign a category or categories that most closely relates to the reserve purpose. Council should provide detailed description of the activities and characteristics of the land in the table below to justify the assigned categorisation. Where multiple categories are assigned, please provide a map, delineating the areas of the reserve to which the categories will apply.

Table 2. Categorisation

Reserve/Dedication	Purpose(s)	Categorisation	Justification for assigned category
R9983	Public recreation	Park + General community use	<p>The current purpose of Elliot Park is for <i>public recreation</i>.</p> <p>The general improvements to the land include landscaping comprising formalised tree planting, and a large section of the site planted to lawns. The site also features a public amenities' building, picnic tables and park seating and an undeveloped portion of the park which was the site of tennis courts.</p> <p>The land is zoned RU5 Village under Jerilderie Local Environmental Plan 2012. The zoning of the land permits a number of uses including centre-based childcare facilities, community facilities and recreation areas and facilities (both indoor and outdoor).</p> <p>The current use is consistent with the core objectives for the management of community land primarily as <b>park</b> and also would meet the core objectives as <b>general community use</b>.</p> <p>See Table 3 for detailed justification for dual categorisation.</p>
R9984	Public recreation	Sportsground	<p>Monash Park has a long-established use as a multi-purpose venue for <i>public recreation</i>, providing facilities used for active recreation, involving Australian Rules football, cricket and netball.</p> <p>Facilities include the main oval which is used for football with goal posts and interchange benches and for cricket (turf wicket). The main oval is fenced and includes floodlights and a scoreboard.</p> <p>External to the main oval are two practice nets for cricket and two netball courts.</p> <p>The sportsground provides facilities for spectators, including grandstands, amenities, and kiosk facilities as well as club house rooms for the various sporting groups.</p> <p>The land is zoned RE1 Public Recreation under Jerilderie Local Environmental Plan 2012.</p> <p>The proposed categorisation as a <b>sportsground</b> is consistent with both the current purpose assigned to the Crown land and the current use of the land.</p>

Reserve/Dedication	Purpose(s)	Categorisation	Justification for assigned category
R31393	Public recreation	Natural area (bushland)	<p>The Pines Reserve is located off Cape Road, Jerilderie and contains a pine tree plantation. It has been identified as a place for <i>public recreation</i>.</p> <p>The land is zoned RU1 Primary Production under Jerilderie Local Environmental Plan 2012.</p> <p>Although not containing natural vegetation, it is considered that the site contains significant botanical features within the local landscape of ecological and aesthetic value and therefore is to be categorised as a <b>natural area</b> within the sub-category of <b>bushland</b>.</p>
R33953	Refuge in time of flood	Natural area (bushland)	<p>Thurrova Reserve adjoins the billabong that is part of the Yanko Creek system and is identified as being a <i>refuge in the time of flood</i>. It also forms part of a travelling stock route.</p> <p>The land is zoned RU1 Primary Production under Jerilderie Local Environmental Plan 2012.</p> <p>The current purpose does not fit specifically into the new community land categories. Given the intermittent nature of travelling stock routes, and that the area contains the remnant natural vegetation, which is mostly undisturbed, the best categorisation for this reserve is <b>natural area</b>, specifically within the sub-category of <b>bushland</b>.</p> <p>The categorisation initially intended is not aimed at preventing any activities associated with the intermittent use as a travelling stock route.</p>

Reserve/Dedication	Purpose(s)	Categorisation	Justification for assigned category
R55431	Access	General community use + natural area (bushland/foreshore)	<p>The current purpose the Cape Reserve is for access is the site forms part of a travelling stock route and on this basis the best categorisation is for <b>general community use</b>.</p> <p>The land is zoned RU1 Primary Production under Jerilderie Local Environmental Plan 2012.</p> <p>While the principal use of the land would remain unchanged, part of the reserve along Billabong Creek is in a relatively undisturbed state and can also be categorised as a <b>natural area</b> – both within the <b>bushland</b> and <b>foreshore</b> sub-categories. This has been mapped separately – see table 4.</p> <p>The second categorisation would not prevent any activities associated with the intermittent use as a travelling stock route.</p>
R55928	Racecourse and showground	Sportsground + general community use	<p>The current purpose of the reserve is for a <i>racecourse and showground</i>.</p> <p>The land is zoned RE1 Public Recreation under Jerilderie Local Environmental Plan 2012.</p> <p>The <b>sportsground</b> categorisation is consistent with the current and proposed use of the land for horse racing.</p> <p>The second categorisation as <b>general community use</b> also reflects the current use of the land as a showground. This categorisation is in keeping with the Local Government Regulations and the core objectives that the land is to be used for cultural and social pursuits aiding the welfare of the Jerilderie community.</p> <p>The use of the land and categorisations have a degree of overlap however the racecourse proper has been specifically identified in Table 6.</p>



Reserve/Dedication	Purpose(s)	Categorisation	Justification for assigned category
R60373	Public recreation	General community use + Natural area (bushland/foreshore)	<p>The current purpose of the reserve is for <i>public recreation</i> is the site of the Darlington Point Caravan Park.</p> <p>The caravan park comprises two lots, being Lot 62 DP 751688 and Lot 7008 DP 1027096 (being Crown Land). Improvements to the site include a two-story brick and weatherboard managers residence and office/reception area used for managing the day-to-day operations of the caravan park; brick amenities' buildings for visitors to the caravan park, manufactured homes (cabins); caravan sites and primitive camping grounds all set amongst formal gardens and natural bushland.</p> <p>The land is zoned RE1 Public Recreation under Murrumbidgee Local Environmental Plan 2013 and caravan parks are listed as prohibited development. The existing development appears to benefit from existing use rights.</p> <p>The current use of the land as a caravan park fits the category of <b>general community use</b>, while the bushland along the boundaries of the site up to the river's edge is considered to be a <b>natural area</b> comprising <b>bushland</b>. These areas have been delineated in the map forming part of Table 5.</p>
R62157	Preservation of graves	Area of cultural significance + natural area (bushland)	<p>The current purpose of this reserve, which includes the Jerilderie pump station, is for the <i>purpose of preserving graves</i>.</p> <p>The land is zoned SP2 Infrastructure under Jerilderie Local Environmental Plan 2012 and has been mapped for its terrestrial biodiversity.</p> <p>In order to maintain the current purposes, the proposed category should be considered as an <b>area of cultural significance</b>.</p> <p>The natural characteristics of the area are also a contributory attribute of the reserve and therefore warrants, a second categorisation, that being a <b>natural area</b> within the <b>bushland</b> sub-category.</p> <p>The categorisations would overlap one another.</p>

Reserve/Dedication	Purpose(s)	Categorisation	Justification for assigned category
R68938	Public recreation	Natural area (bushland/foreshore)	<p>Bunyip Hole Reserve is a parcel of natural bushland along the foreshore of the Murrumbidgee River at Darlington Point.</p> <p>The land has multiple zones under Murrumbidgee Local Environmental Plan 2013 including E3 Environmental Management, RU1 Primary Production and RU5 Village.</p> <p>The principal purpose of the reserve is for <i>public recreation</i> and this would remain unchanged. Given the inherent characteristics of the reserve the most appropriate categorisation would be <b>natural area</b> – both within <b>bushland</b> and <b>foreshore</b> sub-categories.</p>
R72160	Public recreation	Sportsground	<p>Jerilderie Golf Club is for the purpose of <i>public recreation</i> and provides facilities for golf, lawn bowls and tennis.</p> <p>Improvements to the land include an 18-hole golf course, lawn bowl rinks and synthetic grass tennis courts. Other improvements include a licensed club house, including a bar and bistro facilities along with associated machinery sheds and outbuildings.</p> <p>The golf course, being Lot 224 DP 728926 and Lots 7010 and 7011 DP 1002228 is Crown land and is zoned RE1 Public Recreation under Jerilderie Local Environmental Plan 2012. The licensed club house, lawn bowls rink and tennis courts are located on Lot 214 DP 756426 is not Crown land and is zoned RE2 Private Recreation.</p> <p>The proposed categorisation as a <b>sportsground</b> is consistent with the current purpose assigned to Crown land, being public recreation, and the current use of the land.</p>

Reserve/Dedication	Purpose(s)	Categorisation	Justification for assigned category
R75491	Public recreation; children's playground	Park	<p>Darlington Point Lions Park provides a large area of open space for passive <i>public recreation</i> and a <i>children's playground</i>.</p> <p>The land is zoned RU5 Village under Murrumbidgee Local Environmental Plan 2013.</p> <p>Improvements upon the land include a public amenities' building, storage shed, barbeque shelters, picnic tables and seating and a large shelter provide all-weather protection to children's playground equipment.</p> <p>The current use is consistent with the core objectives for the management of community land as <b><i>park</i></b>.</p>
R82278	Rubbish depot	Operational	<p>The use of this reserve for the purpose of <i>rubbish depot</i>.</p> <p>The reserve is not considered community land for the purpose of the Local Government Act, 1993 and is deemed to be <b><i>operational land</i></b>.</p>
R82340	Public reserve	Natural area (bushland/foreshore)	<p>This reserve is located on the northern side of the Murrumbidgee River and adjoins Murrumbidgee Valley Regional Park to the east.</p> <p>The land is zoned RU1 Primary Production under Murrumbidgee Local Environmental Plan 2013.</p> <p>Apart from boundary fencing, the land is largely undisturbed comprising of natural grass and riverine bushland.</p> <p>The most appropriate categorisation for this reserve is as a <b><i>natural area</i></b>, within the <b><i>bushland</i></b> and <b><i>foreshore</i></b> sub-categories.</p>
R85679	Plantation	General community use	<p>This reserve part of a travelling stock route located on the southern edge of Jerilderie.</p> <p>The land and is zoned RU1 Primary Production under Jerilderie Local Environmental Plan 2012.</p> <p>The current purpose, that being for a <i>plantation</i>, does not match what is on the ground as the land does not include any evidence of a plantation.</p> <p>Given that the land cannot be considered a natural area, and is used intermittently as a travelling stock routes, the most appropriate categorisation is for <b><i>general community use</i></b>.</p>

Reserve/Dedication	Purpose(s)	Categorisation	Justification for assigned category
R88058	Museum	Area of cultural significance	<p>Darlington Point Museum contains the original Council building and courthouse and is used for the purpose of a <i>museum</i>.</p> <p>The land is zoned RU1 Primary Production under Murrumbidgee Local Environmental Plan 2013 and the former courthouse group of buildings are listed as a heritage item.</p> <p>The current use is consistent with the categorisation as an <b>area of cultural significance</b>.</p>
R88219	Rubbish depot	Operational	<p>The use of this reserve for the purpose of <i>rubbish depot</i>.</p> <p>The reserve is not considered community land for the purpose of the Local Government Act, 1993 and is deemed to be <b>operational land</b>.</p>
R88451	Public recreation	Sportsground	<p>Jerilderie Sports Centre contains an indoor sports complex, gymnasium and outdoor swimming pools and is used for the purpose of active <i>public recreation</i>.</p> <p>The land and is zoned RE1 Public Recreation under Jerilderie Local Environmental Plan 2012.</p> <p>The proposed categorisation as a <b>sportsground</b> is consistent with the both its current purpose and current use of the land.</p>
R88754	Public recreation	Sportsground	<p>Darlington Point Golf Course is for the purpose of <i>public recreation</i> and provides facilities for golf, lawn bowls and tennis.</p> <p>The land has multiple zones under Murrumbidgee Local Environmental Plan 2013.</p> <p>Improvements to the land include an 18-hole golf course, lawn bowl rinks and tennis courts. Other improvements include a licensed club house, including a bar and bistro facilities along with associated machinery sheds and outbuildings. Other facilities include short-term visitor accommodation in the form of cabins.</p> <p>The proposed categorisation as a <b>sportsground</b> is consistent with the current purpose assigned to Crown land, being public recreation, and the current use of the land.</p>

Reserve/Dedication	Purpose(s)	Categorisation	Justification for assigned category
R89633	Museum	Area of cultural significance	<p>The Willows contains buildings associated with Ned Kelly and his hold-up of Jerilderie in 1879 and is used for the purpose of a <i>museum</i>.</p> <p>The land and is zoned RU5 Village under Jerilderie Local Environmental Plan 2012.</p> <p>The current use is consistent with the core objectives for the management of community land an <b>area of cultural significance</b>.</p>
R90713	Homes for the aged	General community use	<p>Balmeringa contains a number of self-contained dwellings used for the purpose of <i>homes for the aged</i>.</p> <p>Balmeringa comprises three Lots, being Lot 215 DP 756426 (Crown land), Lot 217 DP 41481 and Lots 205-206 DP 240764. The site is zoned part RU5 Village and part IN1 General Industrial. That part of the site comprising Crown land is within the RU5 zone.</p> <p>The current use is consistent with the core objectives for the management of community land as a <b>general community use</b>.</p>
R91114	Public recreation	Sportsground	<p>Coleambally Golf Course is for the purpose of public recreation and provides facilities for golf.</p> <p>Improvements to the land include an 18-hole golf course. Other improvements include a club house along with associated machinery sheds and outbuildings.</p> <p>The land is zoned RU1 Primary Production under Murrumbidgee Local Environmental Plan 2013 and recreation facilities (outdoor) which includes a golf course is permissible within the zone.</p> <p>The proposed categorisation as a <b>sportsground</b> is consistent with the current purpose assigned to Crown land, being public recreation, and the current use of the land.</p>

Reserve/Dedication	Purpose(s)	Categorisation	Justification for assigned category
R94084	Children's playground	Park + general community use	<p>The current use of Adrian Douglas Park extends beyond that of its listed purpose, being a children's playground.</p> <p>Improvements upon the land include picnic tables and seating and a large shelter provide all-weather protection to children's playground equipment. Most significantly the land incorporates a hall which is used by local play groups.</p> <p>The land is zoned RU5 Village under Murrumbidgee Local Environmental Plan 2013. The zoning of the land permits a number of uses including centre-based childcare facilities, community facilities and recreation areas and facilities (both indoor and outdoor).</p> <p>The current use is consistent with the core objectives for the management of community land both as <b>park</b> and because of the existing hall as <b>general community use</b>.</p>
R97197	Children's playground	Park	<p>White Street playground is undeveloped and appears to be occupied by the neighbouring landowner.</p> <p>The land is zoned RU5 Village under Murrumbidgee Local Environmental Plan 2013.</p> <p>The proposed category for the land is for a <b>park</b>.</p>

Reserve/Dedication	Purpose(s)	Categorisation	Justification for assigned category
R97198	Children's playground	Park + general community use	<p>Chant Street playground is undeveloped and there is no landscaping or playground equipment installed. The only improvements being a bus shelter along the western boundary which is in the road reserve.</p> <p>The playground comprises Lots 38-45 DP 252736, with Lots 38-41 being Crown land. It has a total area of approximately 1583m<sup>2</sup> of which 793.92m<sup>2</sup> is Crown land.</p> <p>The lack of improvement to the land means the current purpose of the reserve as a <i>children's playground</i> is not being fulfilled.</p> <p>The land is zoned RU5 Village under Murrumbidgee Local Environmental Plan 2013.</p> <p>The current use is largely consistent with the core objectives for the management of community land as a <b>park</b> and in its present state would meet the core objectives as <b>general community use</b>. This can be split along the boundary between Lot 41 and 42 DP 242736 (see Table 7).</p> <p>With the core objectives to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public, the general community use overlaps that of a park, both of which seek to promote and facilitate recreational, cultural, social and educational welfare of the community.</p> <p>The ongoing use of the land as park would not intrude on the peaceful enjoyment of other land by others.</p>
R98071	Public recreation	General community use	<p>Central Coree Hall contains a hall with associated tennis courts, basketball courts and children's playground equipment and is used for the purpose of public recreation and general community use.</p> <p>The land and is zoned RU1 Primary Production under Jerilderie Local Environmental Plan 2012.</p> <p>The proposed categorisation is for <b>general community use</b> which reflects the current use of the land.</p>



Reserve/Dedication	Purpose(s)	Categorisation	Justification for assigned category
R150042	Community purposes; heritage purposes	General community use + Area of cultural significance	<p>The former Jerilderie Court House is presently used for community purposes. Its historical significance is also acknowledged in Schedule 5 of Jerilderie Local Environmental Plan 2012 as an item of local heritage significance.</p> <p>The land is zoned RU5 Village under Jerilderie Local Environmental Plan 2012.</p> <p>The proposed categorisation is for <b>general community use</b> and as an <b>area of cultural significance</b>.</p>
R1010748	Community purposes	General community use	<p>Jerilderie Common, has been set aside for community purposes however appears to be used for agricultural purposes.</p> <p>Apart from boundary fencing, there are no improvements to the land.</p> <p>The land is zoned RU1 Primary Production under Jerilderie Local Environmental Plan 2012.</p> <p>The proposed categorisation is for <b>general community use</b> which aligns with the current assigned purpose.</p>
R1018508, R101528 & R76870	General cemetery; addition to cemetery	General community use	<p>The current use of these three (3) reserves are associated with the Jerilderie Cemetery.</p> <p>The land is zoned SP2 Infrastructure under Jerilderie Local Environmental Plan 2012.</p> <p>Improvements to the land include landscaping comprise of gardens, lawns, perimeter fencing, including a formalised entrance and internal roads. The cemetery has been divided into religious denominations, with each section containing a variety of grave markers, including large stone and marble monuments, many of which are in a state of disrepair.</p> <p>The proposed categorisation is for <b>general community use</b> as it is deemed to be the best fit for the current use of the land as a cemetery.</p>


Reserve/Dedication	Purpose(s)	Categorisation	Justification for assigned category
R1021748 & R102768	General cemetery	General community use	<p>The current use of the reserves is for the purpose of a <i>general cemetery</i> at Darlington Point.</p> <p>The land is zoned RU5 Village under Murrumbidgee Local Environmental Plan 2013. A cemetery is permitted within the zone as an innominate land use.</p> <p>The general improvements to the land include landscaping comprising formalised tree planting, lawns, perimeter fencing and internal roads.</p> <p>The proposed categorisation is for <b>general community use</b> as it is deemed to be the best fit for the current use of the land as a cemetery.</p>

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**Table 3. Justification for additional categorisation – R9983**

Reserve No: R9983 Elliott Park – Justification for additional categorisation	
Council justification	Map
<p>The current purpose of Elliot Park is a <i>public recreation</i>.</p> <p>The general improvements to the land include landscaping comprising formalised tree planting, and a large section of the site planted to lawns. The site also features a public amenities' building, picnic tables and seating and an undeveloped section which was the site of tennis courts. The club house building (located in the centre of the site) was used as a for general community purposes, but primarily as a kiosk for the tennis club members. It has since been demolished.</p> <p>The current use is consistent with the core objectives for the management of community land primarily as <b>park</b> and also would meet the core objectives as <b>general community use</b>.</p> <p>The land is zoned RU5 Village under Jerilderie Local Environmental Plan 2012. The zoning of the land permits a number of uses including centre-based child care facilities, community facilities and recreation areas and facilities (both indoor and outdoor).</p> <p>The core objectives both a park and general community use have overlapping elements as both seek to promote and facilitate recreational, cultural, social and educational welfare of the community. The segregation of use is to enable the land to be managed and will be specified in the drafting of a plan of management.</p> <p>The ongoing use of the land as park would not intrude on the peaceful enjoyment of other land by others.</p>	 <p>Legend</p> <ul style="list-style-type: none"> <li>Park</li> <li>General community use</li> </ul>

**Table 4. Justification for additional categorisation – R55431**

Reserve No: R55431 Cape Reserve – Justification for additional categorisation	
Council justification	Map
<p>The current purpose the Cape Reserve is for access is the site forms part of a travelling stock route.</p> <p>On the basis of its intended purpose the best fit categorisation is for <b>general community use</b>.</p> <p>Clause 106 of the Local Government (General) Regulation, 2005 states that land should be categorised as general community use under section 36(4) of the Act if the land is made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public, and otherwise is not required to be categorised as a natural area under section 36A, 36B or 36C of the Act and does not satisfy the guidelines under clauses 102–105 other categories.</p> <p>It is considered that guidelines set down in clause 106 for general community use will enable the continuing use of Cape Reserve for the purpose of access for a travelling stock route.</p> <p>While the principal use of the land would remain unchanged, part of the reserve along Billabong Creek is in a relatively undisturbed state and can also be categorised as a <b>natural area</b> – both within the <b>bushland</b> and <b>foreshore</b> sub-categories.</p> <p>The second categorisation would not prevent any activities associated with the intermittent use as a travelling stock route.</p>	 <p>Legend</p> <ul style="list-style-type: none"> <li>Natural area</li> <li>General community use</li> </ul>



**Table 5. Justification for categorisation – R60373**

Reserve No: R60373 Darlington Point Caravan Park – Justification for categorisation	
Council justification	Map
<p>The current purpose of the reserve is for <i>public recreation</i> and forms part of the Darlington Point Caravan Park.</p> <p>Improvements to the site include a two-story brick and weatherboard managers residence and office/reception area used for managing the day-to-day operations of the caravan park; brick amenities' buildings for visitors to the caravan park, manufactured homes (cabins) caravan sites set amongst formal gardens and are all within Lot 62 DP 751688. That part of the caravan park which extends into Lot 7008 DP 1027096 includes a brick amenities' building, caravan sites, and primitive camping grounds all set amongst natural bushland.</p> <p>Both lots are zoned RE1 Public Recreation under Murrumbidgee Local Environmental Plan 2013 and caravan parks are listed as prohibited development. The existing development appears to benefit from existing use rights.</p> <p>The current use of Lot 7008 DP 1027096 as a caravan park fits the category of <b>general community use</b>, while the bushland along the boundaries of the site up to the river's edge is considered to be a <b>natural area</b> comprising <b>bushland</b> areas as identified in the attached map.</p> <p>Clause 106 of the Local Government (General) Regulation, 2005 states that land should be categorised as general community use under section 36(4) of the Act if the land is made available for use for any purpose for which community land may be used, whether by the public at large or by specific sections of the public, and otherwise is not required to be categorised as a natural area under section 36A, 36B or 36C of the Act and does not satisfy the guidelines under clauses 102–105 other categories. It is considered that guidelines set down in clause 106 for general community use will enable the continuing use of the land as a caravan park and permit further development.</p> <p>To ensure that public access to the Murrumbidgee River is preserved part of the reserve is categorised as a <b>natural area</b> – both within the <b>bushland</b> sub-category.</p>	 <p>Legend</p> <ul style="list-style-type: none"> <li>Natural area</li> <li>General community use</li> </ul>

Table 6. Justification for categorisation – R55928



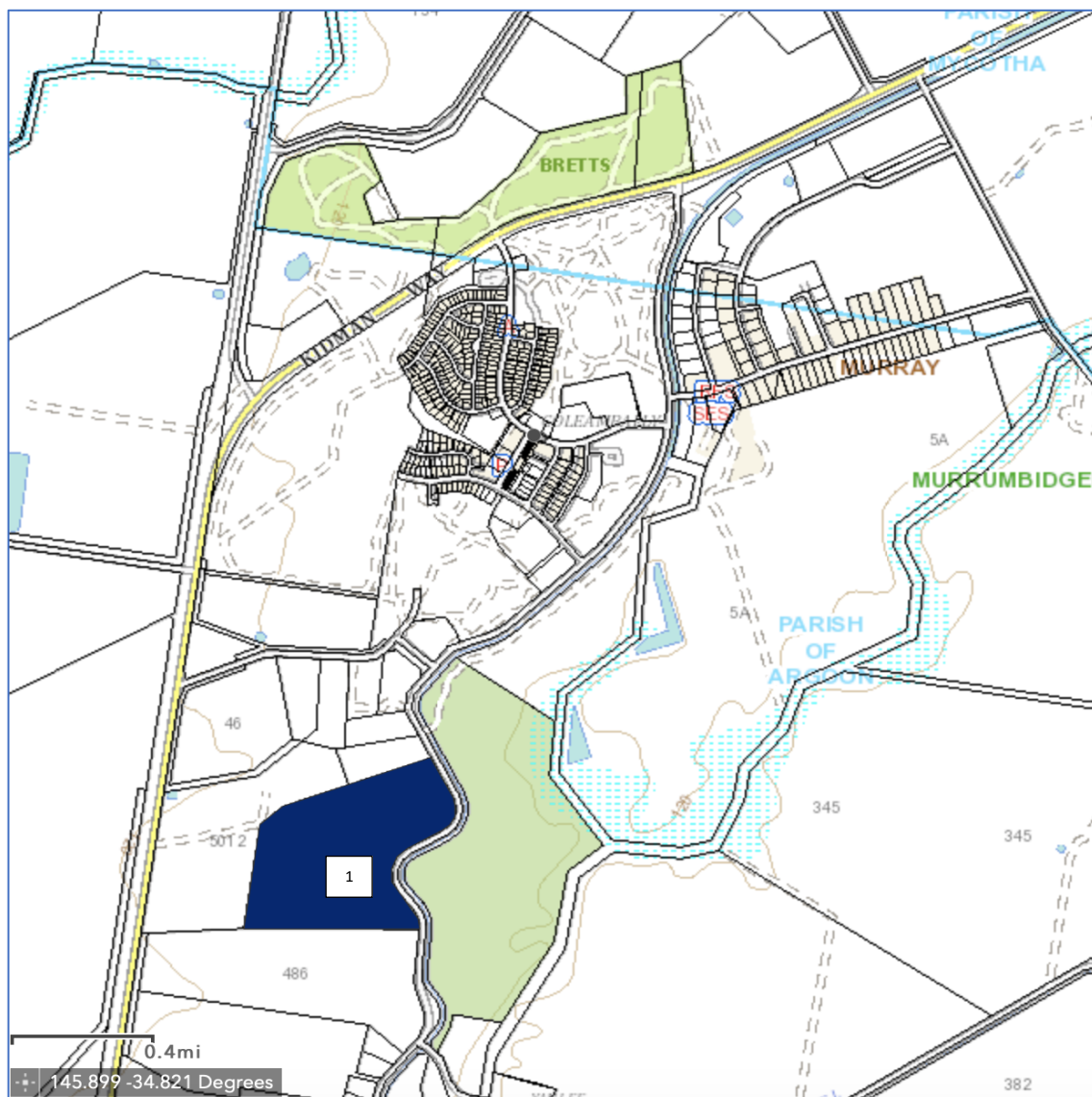
Reserve No: R55928 Jerilderie Racecourse & Showground – Justification for categorisation	
Council justification	Map
<p>The current purpose of the reserve is for a <i>racecourse and showground</i>.</p> <p>The <b>sportsground</b> categorisation is consistent with the current and proposed use of the land for horse racing.</p> <p>The second categorisation as <b>general community use</b> also reflects the current use of the land as a showground. The categorisation is in keeping with the Local Government Regulations and the core objectives that the land is to be used for cultural and social pursuits aiding the welfare of the Jerilderie community.</p> <p>The use of the land and categorisations have a degree of overlap however the racecourse proper has been specifically identified in the attached map.</p>	 <p>Legend</p> <ul style="list-style-type: none"> <li>Sportsground</li> <li>General community use</li> </ul>

Table 7. Justification for categorisation – R97198

Reserve No: R97198 Chant Street Playground – Justification for categorisation	
Council justification	Map
<p>Chant Street playground is undeveloped and there is no landscaping or playground equipment installed. The only improvements being a bus shelter along the western boundary which is in the road reserve.</p> <p>The playground comprises Lots 38-45 DP 252736, with Lots 38-41 being Crown land. It has a total area of approximately 1592m<sup>2</sup> of which 793.92m<sup>2</sup> is Crown land.</p> <p>The lack of improvement to the land means the current purpose of the reserve as a <i>children's playground</i> is not being fulfilled.</p> <p>The land is zoned RU5 Village under Murrumbidgee Local Environmental Plan 2013 which permits a range of land uses within the zone.</p> <p>The current use is largely consistent with the core objectives for the management of community land as a <b>park</b> and in its present state would meet the core objectives as <b>general community use</b>. This can be split along the boundary between Lot 41 and 42 DP 242736 (see Table 7).</p>	 <p>Legend</p> <ul style="list-style-type: none"> <li>Natural area</li> <li>General community use</li> </ul>

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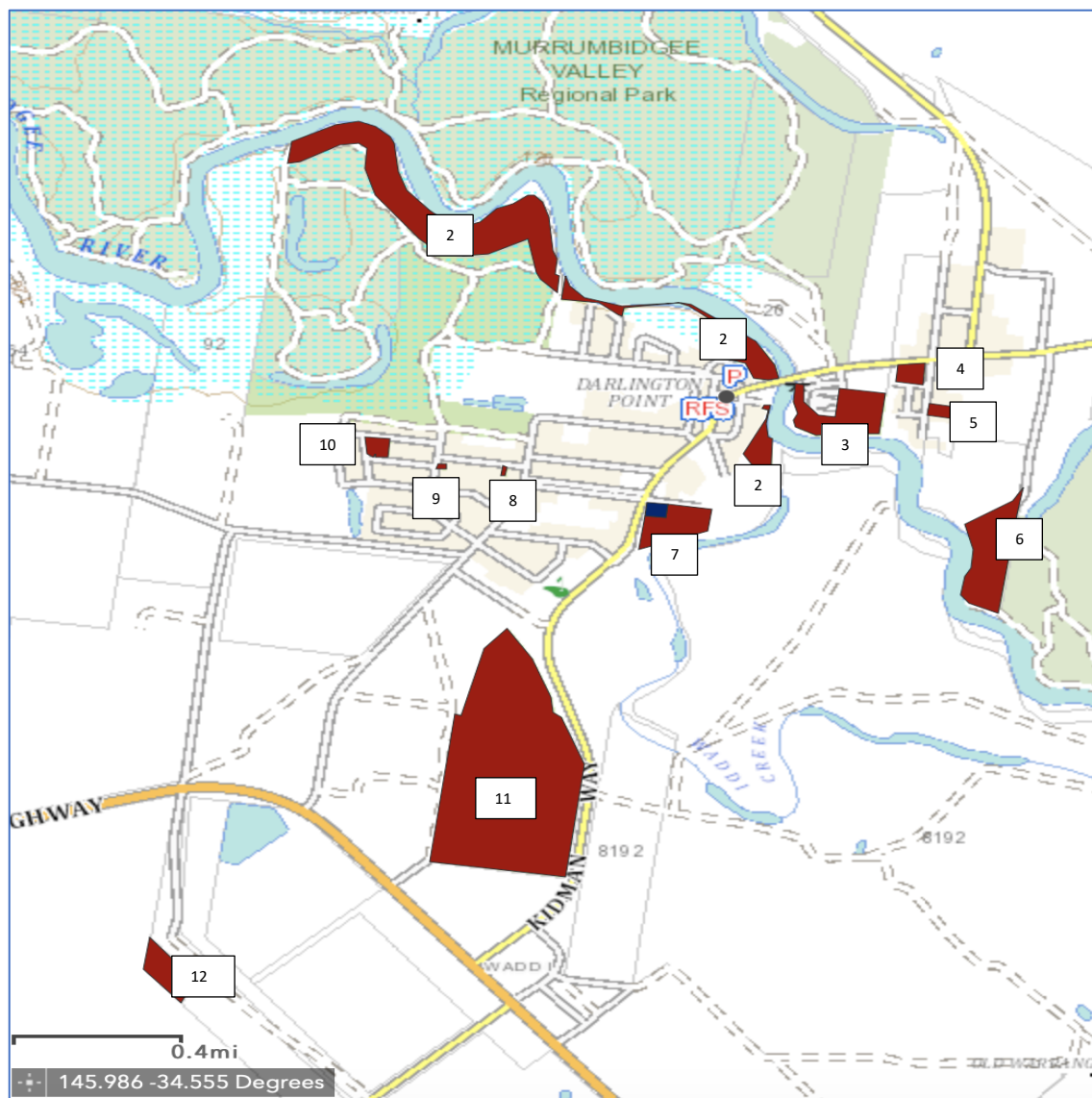




Legend

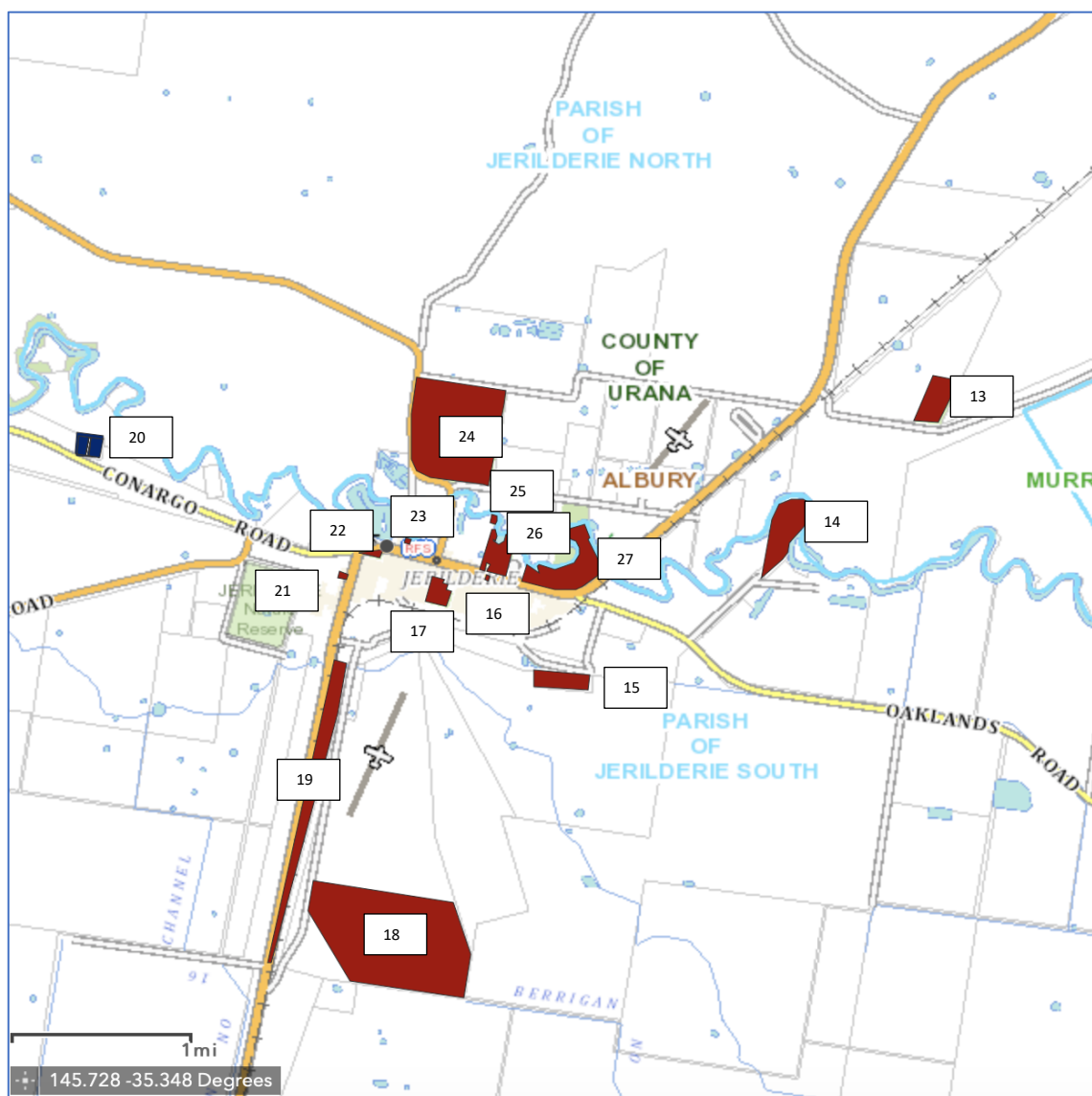
1 Reserve No. 91114

Coleambally Golf Club



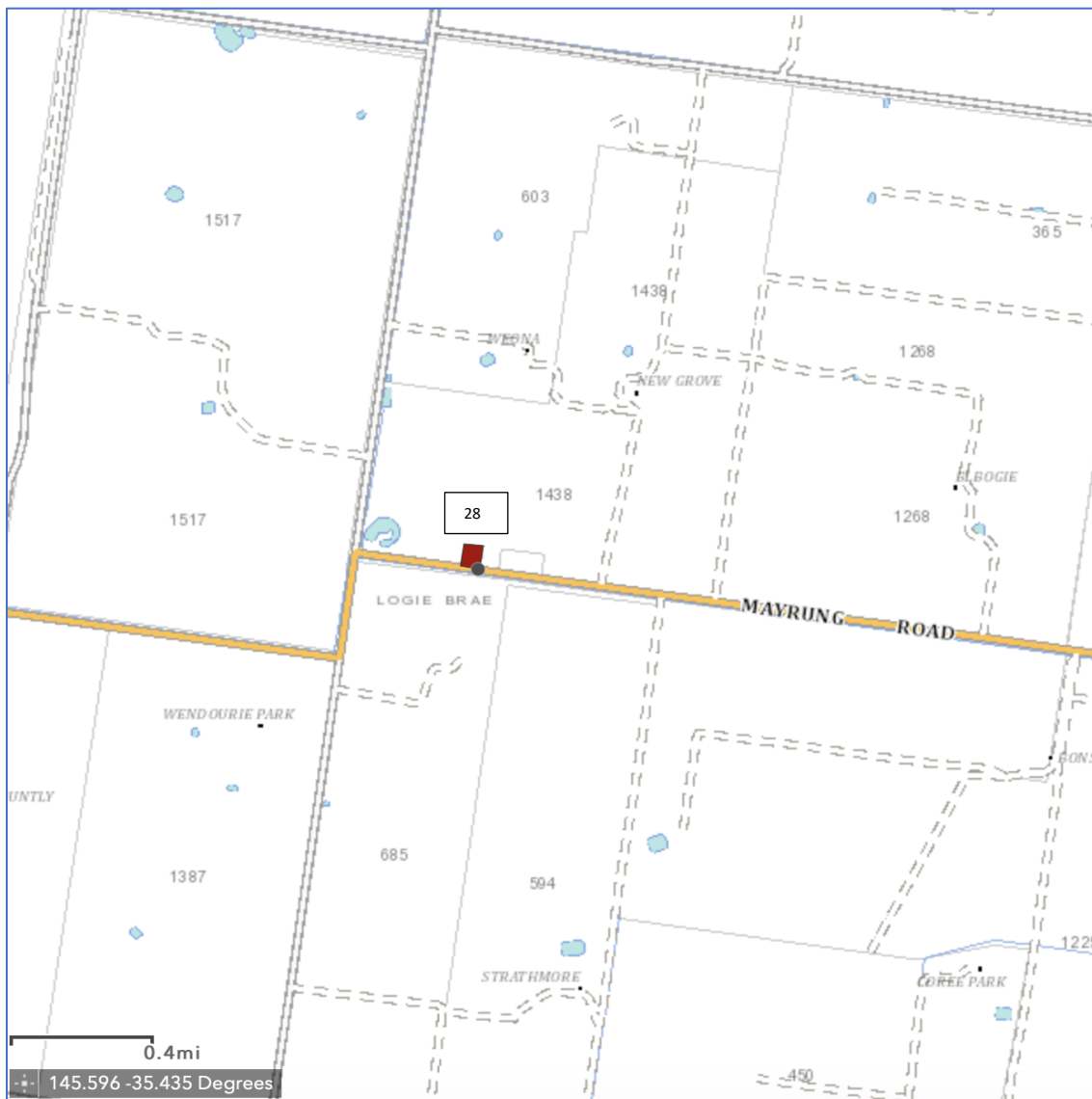
#### Legend

2	Reserve No. 68038	Bunyip Hole Reserve
3	Reserve No. 60373	Darlington Point Caravan Park
4	Reserve No. 75491	Lions Park
5	Reserve No. 88058	Darlington Point Museum
6	Reserve No. 82340	-
7	Reserve No. 1021748 Reserve No. 1021768	Darlington Point Cemetery
8	Reserve No. 97197	White Street Playground
9	Reserve No. 97198	Chant Street Playground
10	Reserve No. 94084	Adrian Douglas Park
11	Reserve No. 88754	Darlington Point Golf Course
12	Reserve No. 82278	Darlington Point Tip



#### Legend

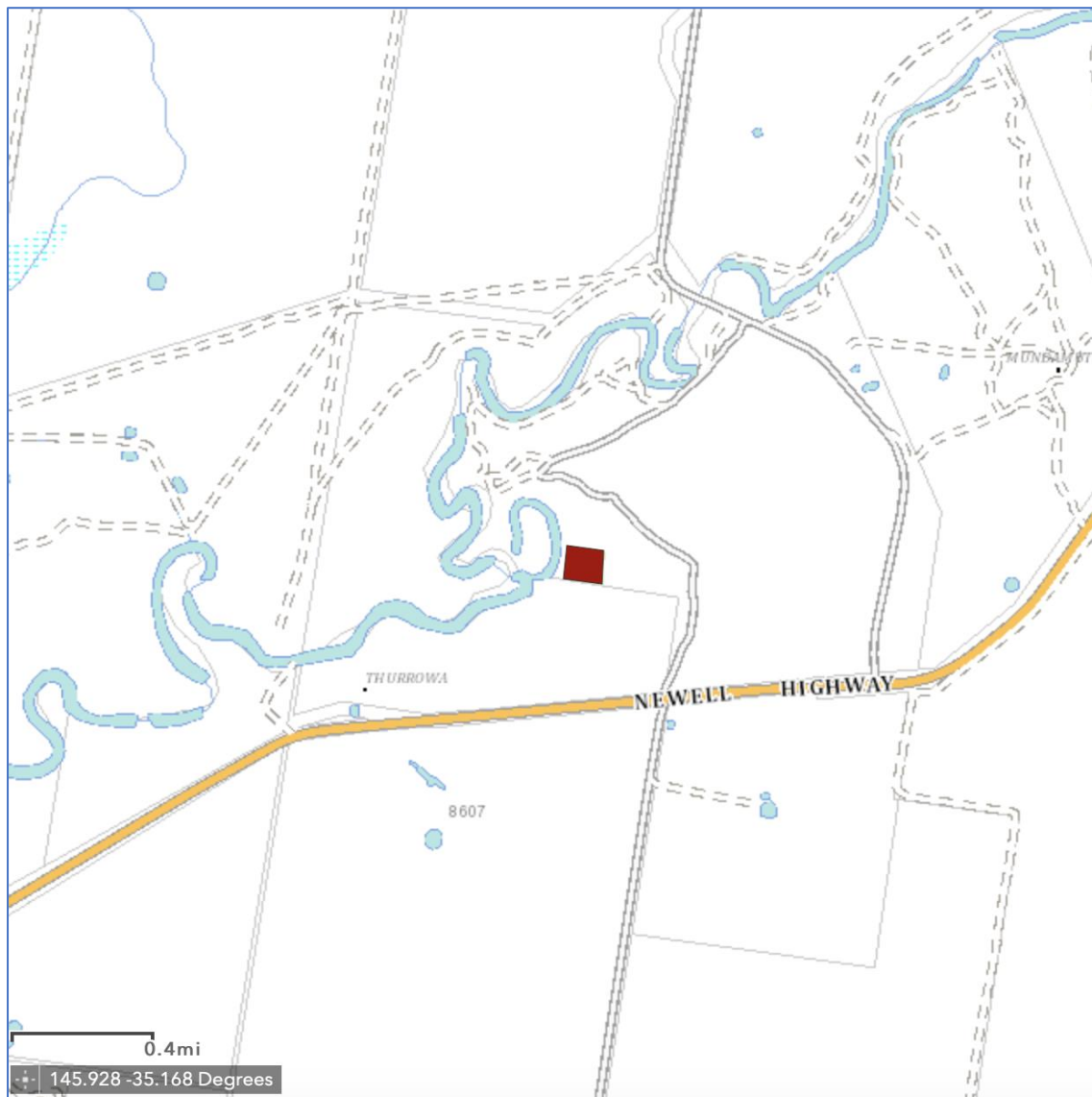
13	Reserve No. 31393	Pines Reserve	21	Reserve No. 90173	Balmeringa
14	Reserve No. 55431	The Cape	22	Reserve No. 9983	Elliott Park
15	Reserve No. 88219	Jerilderie Tip	23	Reserve No. 27698	The Willows
16	Reserve No. 150042	Court House	24	Reserve No. 55928	Racecourse/Showground
17	Reserve No. 9984	Monash Park	25	Reserve No. 62157	Pump station
18	Reserve No. 1010748	Jerilderie Common	26	Reserve No. 88451	Jerilderie Sports Centre
19	Reserve No. 85679	Stock Route	27	Reserve No. 72160	Jerilderie Golf Course
20	Reserve No. 76870	Jerilderie Cemetery			
	Reserve No. 1018508				
	Reserve No. 1018528				



# Legend

28 Reserve No. 98071

Central Corree Hall



Legend

# **Local Strategic Planning Statement**



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## Acknowledgement

Murrumbidgee Council acknowledges the traditional custodians of the land and pays respect to Elders past, present and future. This Plan acknowledges a strong belief amongst Aboriginal people that if we care for country, it will care for us. This is supported by the knowledge that the health of a people and their community is reliant on a strong physical and emotional connection to place.

Conserving Aboriginal heritage and respecting the Aboriginal community's right to determine how it is identified and managed will preserve some of the world's longest standing spiritual, historical, social and educational values.

## Forward

The Murrumbidgee Local Strategic Planning Statement is an important and significant step in planning for the future economic, social and environmental needs in the new local government area resulting from the amalgamation of the former Jerilderie and Murrumbidgee Shires.

The statement recognises that the new Murrumbidgee Council area is a great place to live and work, and that the future is bright and exciting. It outlines a vision for a thriving and prosperous region over the next 20 years and identifies the building blocks to maximise opportunities for jobs and development. Most importantly, the document emphasises the retention of the unique character of our local area and protects what makes it a special place for us all.

Ruth McRae

Mayor

# 1. Introduction

In March 2018, amendments to the *Environmental Planning and Assessment Act 1979* (EP&A Act) introduced requirements for councils in NSW to prepare Local Strategic Planning Statements (LSPS). This document is the first LSPS for the Murrumbidgee Council area.

The statements are intended to shift the NSW planning system into a strategic-led planning framework that provides a connection between the key strategic priorities identified at a regional spatial scale and those at the local level.

The legal requirements for an LSPS are outlined in section 3.9 of the EP&A Act and include:

- (a) **Context** - the basis for strategic planning in the area, having regard to economic, social and environmental matters
- (b) **Planning priorities** - the planning priorities for the area that are consistent with any strategic plan applying to the area and (subject to any such strategic plan) any applicable community strategic plan under section 402 of the Local Government Act
- (c) **Actions** - the actions required for achieving those planning priorities (d) Implementation - the basis on which the council is to monitor and report on the implementation of those actions.
- (d) **Implementation** - the basis on which the council is to monitor and report on the implementation of those actions.

The LSPS relates principally to strategic land use planning and should be read in conjunction with other related strategies, including the *Community Strategic Plan 2017-2027* (CSP) that Council is required to prepare under the *NSW Local Government Act 1993*. The relationship between the LSPS and other plans is expressed diagrammatically in Figure 1.

**Figure 1:** Relationship between LSPS and other planning influences



The LSPS will show how council's vision for the future gives effect to the *Riverina Murray Strategic Plan 2036* and other strategies based on local characteristics and opportunities, and the council's own priorities in the CSP. The LSPS will be the key reference to understand how strategic and statutory plans in the Murrumbidgee Council area will be prepared and implemented at the local level.

The LSPS has to be endorsed by Councillors in each ward because Murrumbidgee is an amalgamated council (see Ministerial Direction and s3.9(3) of EP&A Act).

Section 3.9(5) of the EP&A Act requires the LSPS to be published on the NSW planning portal.

In addition, section 3.9(1) requires council to review the LSPS at least every seven years.

More information on local strategic planning statements can be obtained at <https://www.planningportal.nsw.gov.au/publications/local-strategic-planning-statements>.

## 2. Purpose of the statement

The purpose of the LSPS is for council to establish:

- a 20-year vision for land use planning in the local area;
- the special characteristics which contribute to local identity;
- the shared community values to be maintained and enhanced; and
- how growth and change will be managed into the future.

The LSPS is intended as a unifying document that draws together planning priorities identified through other State, regional and local strategic plans. It will provide the local context and local-scale expression of actions and priorities from these broader plans.

Other examples of when an LSPS could be used include:

- to explain changes and the rationale for zoning, development standards and other controls of an Local Environmental Plan or Development Control Plan;
- to support delivery of strategies for economic growth in the council area where council has clearly defined its employment centres and the nature of uses appropriate for these locations, or identifying areas where a council is seeking to encourage new or innovative employment generating uses;
- to show future amenity outcomes, such as green corridors and areas of environmental significance; and
- to assist in identifying sites or areas of local importance for further investigation and potential future protection.

Councils, in consultation with their communities, will determine the future planning agenda for their local area, informed by and consistent with other strategic plans. The agenda will include actions that respond to the immediate and ongoing planning needs of the local community.

As a recently amalgamated council, the LSPS will inform the structure and content of the new consolidated local environmental plan and development control plan for the new Murrumbidgee Council area. These plans are to be prepared immediately following the initial LSPS. This new planning regime will be supported by other tools such as development contributions plans, place-based planning strategies, growth management strategies and investment in infrastructure.

### 3. The Murrumbidgee Council area

The new Murrumbidgee Council area was proclaimed on 12 May 2016, following the amalgamation of the former Jerilderie and Murrumbidgee Council areas (see Figure 2). The new council area has an area of 688,502 hectares (6,885km<sup>2</sup>) and is located in the Riverina Region of south-western New South Wales, about 640 kilometres west of the Sydney, and 420 kilometres north of the Melbourne.

The official population of council area as of the 30th June 2018 is 3,961. In 2016 the median age of residents was 41 years compared to 43 for regional NSW as a whole indicating a slightly younger age profile. With just 6 percent of the population born overseas the council area is less multi-cultural than most in regional NSW where the overall average is 11 percent. An unemployment rate of 4.5 percent in 2016 compared to 6.6 percent for regional NSW indicates the council area is closer to full employment than many other non-metropolitan areas.

The population of the council area in 2016 was housed in 1,902 dwellings located in the townships of Coleambally, Darlington Point and Jerilderie as well as in rural areas. Nearly all dwellings (91 percent) are single detached housing compared to 65% in NSW as a whole. Coleambally accounts for 35 percent of the Council area population with Darlington Point having 30 percent and Jerilderie 27 percent.

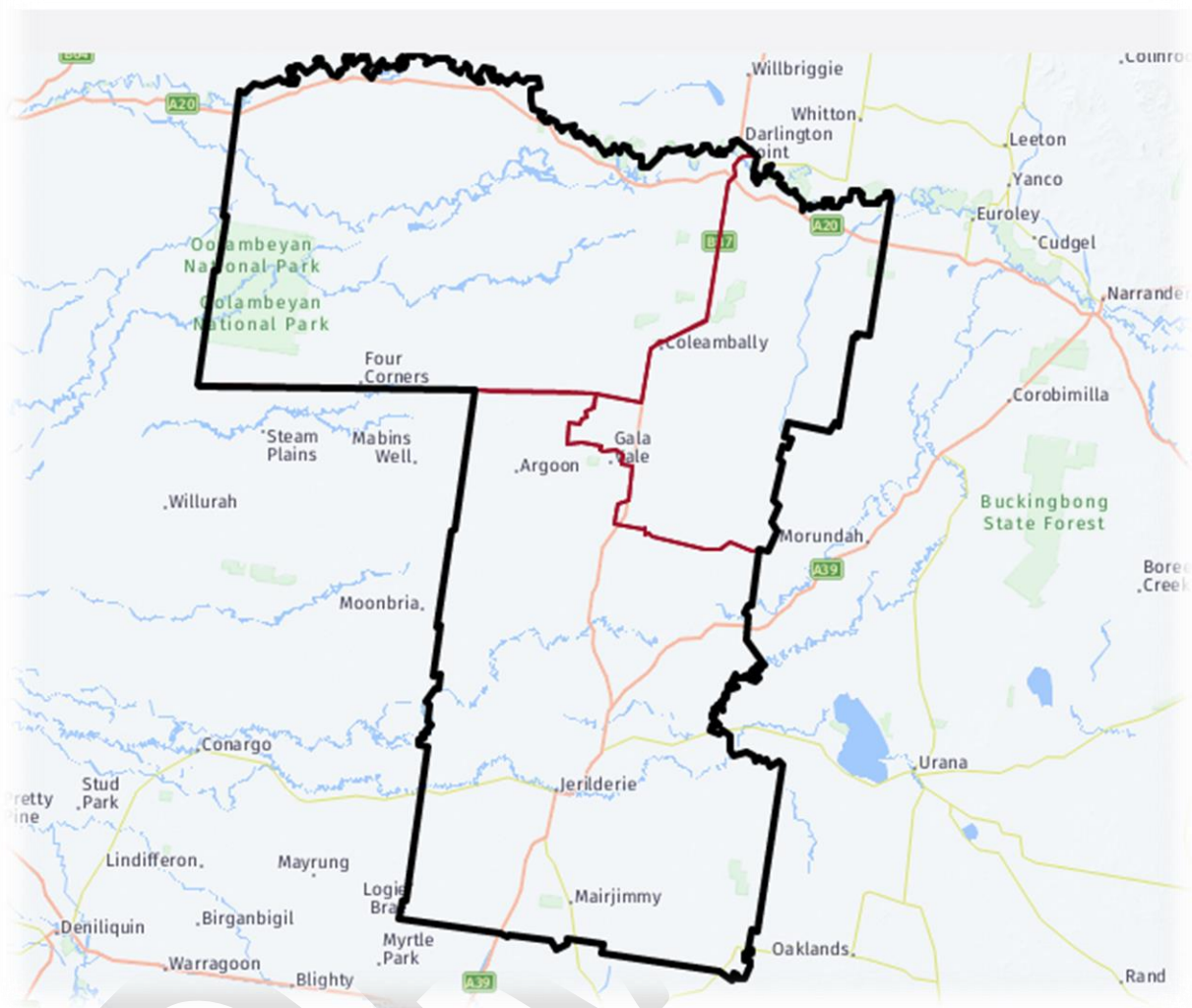
The council area is a thriving agricultural region that has over 100 kilometres of natural river frontage to the Murrumbidgee River. The longest creek in Australia, the Billabong Creek, also runs through the Council. The region is home to a variety of agricultural industries including sheep, cattle, wheat, corn, winter cereal, rice, horticulture, poultry and egg production, and timber milling and food processing, with a growing interest in solar farm and biomass projects. In 2017/18, the total value of agricultural output in the council area was \$237 million whereas for construction it was \$522 million.

In 2016 nearly half of employment in the council area was in agriculture, forestry and fishing with other significant sectors being manufacturing, retail trade, education and training, and health care. Murrumbidgee Council's Gross Regional Product for 2018 was estimated at \$0.41 billion contributed to by 603 local businesses and 1,970 jobs. The main retail areas in the council area are the three townships.

Community and infrastructure assets include health, aged care support, access to modern library services, swimming pools and a range of quality educational facilities. The 2016 SEIFA index of disadvantage measures the relative level of socio-economic disadvantage based on a range of Census characteristics. The index is derived from attributes that reflect disadvantage such as low income, low educational attainment, high unemployment, and jobs in relatively unskilled occupations. A lower score on the index means a higher level of disadvantage. The SEIFA index for the council area is 961 which is higher than 53 other local government areas in NSW.

More detailed information community and economy of the Murrumbidgee Council area can be accessed at <https://economy.id.com.au/murrumbidgee>.

**Figure 2:** The Murrumbidgee Council area proclaimed in 2016



#### 4. A 20-year vision

The LSPS conveys the long-term vision and priorities for land use planning in the Murrumbidgee Council area. This future direction is framed as a 20-year vision that builds on the broader 10-year vision in Council's Community Strategic Plan.

The strategic planning vision for the Murrumbidgee Council area can be expressed as:

*"To experience land use and development outcomes in the future that both benefit the community and minimise environmental impacts."*



## 5. Strategic planning context

The concept of strategic planning is based on having an understanding of trends in economic, social and environmental matters, so they can be planned for in the future. Placed in a planning context, strategic planning is therefore a proactive process rather than reactive.

Strategic planning is undertaken on a number of levels from nationally and down through states, regions, local government areas to specific localities or sites. The level of detail in strategic planning under this hierarchy generally increases as the area to which it is applied decreases.

This section of the LSPS sets out the strategic planning framework within which some of the 'big picture' content of the LSPS is derived. The local specific content is driven by the community of the Murrumbidgee Council area itself.

### 5.1. Regional

Those regional strategies that specifically reference the Murrumbidgee Council area include the following.

#### ***Riverina Murray Regional Plan 2036 (RMRP)***

The RMRP covers a large area extending from Gundagai in the east, the Murray River in the south, Moulamein to the west and Rankin Springs to the north. It encompasses a diverse range of built and natural environments as well as types of agriculture.

The RMRP describes itself as *"a framework to grow the region's cities and local centres, supports the protection of high-value environmental assets and makes developing a strong, diverse and competitive economy central to building prosperity and resilience in the region."* In addition, it is intended to *"guide the NSW Government's land use planning priorities and decisions over the next 20 years."*

The RMRP identifies the specific *"priorities"* for Murrumbidgee Council area as:

- *Attract businesses and industry to the shire – in particular those industries that support or value-add to the agricultural sector and will provide local employment opportunities.*
- *Develop a strong tourism industry that leverages the area's strong high environmental values.*
- *Create a resilient agricultural sector by securing long-term water supply and developing strong partnerships within the agricultural sector.*
- *Protect local heritage and the environment, and promote the sustainable use of natural resources.*
- *Provide infrastructure that supports business and industry growth and productivity, and responds to community needs.*

These priorities are carried through into the LSPS.

#### ***A 20-Year Economic Vision for Regional NSW***

This 2018 regional vision focusses on economics and acknowledges that regional NSW is divided into a number of *"functional economic regions"*. The Murrumbidgee Council area, along with Carrathool

Griffith, Leeton and Narrandera Councils, is nominated as part of the Western Riverina economic region, which itself is part of a type of regional group defined as “inland”.

The vision identifies the following global forces or ‘megatrends’ as shaping our regional economies:

- the rise of Asia (by 2030 four of the five largest economies in the world will be in Asia)
- rapid urbanisation (the relocation to people not only to Sydney but other urban centres)
- demographic and social change (the over 65 year old group will soon become the fastest growing segment of the population)
- digital disruption (the exponential growth of digital technology)

It is claimed “*regional NSW is well positioned to take advantage of the opportunities presented by these megatrends. It has the quality goods and services demanded by the Asian middle class, and an advanced agriculture and manufacturing base supported by some of the best research and development organisations in the world.*” The vision estimates that between 3,900 and 8,100 additional jobs will be created between 2018 and 2038 in the Western Riverina economic region.

### **Other regional strategies**

Other regional strategies for NSW that are non-specific to the Murrumbidgee Council area include:

- NSW Making it Happen in the Regions: Regional Development Framework
- NSW Future Transport Strategy 2056
- NSW State Infrastructure Strategy (2018)
- Economic Development Strategy for Regional NSW (2015)

## **5.2. Local**

At the local level, the following planning references are relevant to the LSPS.

### **Murrumbidgee Council Statement of Vision & Priorities 2017**

It was a requirement for all recently merged Councils to prepare a statement of vision and priorities to act as a guide in the preparation of the first Community Strategic Plan for the new Murrumbidgee Council. The document was prepared following an extensive community consultation process where residents were asked to describe their community and expectations as to how the new Council would serve their future needs.

### **Murrumbidgee Council Community Strategic Plan 2017-2027**

The CSP has a broader focus than the LSPS and works to a shorter planning horizon of 10 years. The purpose of the CSP is to set out the long-term aspirations of the community within the Murrumbidgee Council area based on the guiding principles of social justice and sustainability. It is intended to influence and guide Council’s decision in everything it does. Extensive community consultation was undertaken in preparing the CSP.

The CSP establishes five strategic themes in:

1. Our community – who we are
2. Our environment – where we live
3. Our infrastructure – what we have built

4. Our economy – creating our own opportunities
5. Our leadership – looking to our future

Within each theme are listed a number of broader strategies under which there a number of specific strategies.

The first four strategic themes are relevant to planning and form the basis of the planning priorities in the LSPS.

### ***Darlington Point Structure Plan 2017***

The Darlington Point Structure Plan was prepared to provide direction for the future use and development of land in the township for the next 20 years. The Plan provides a vision for the township and a framework to guide land use planning, as well as the provision of infrastructure and community facilities. It also contains detailed investigations of the projected development capacity of the area and confirms land use suitability and infrastructure requirements for future development. Extensive consultation with the town's community was undertaken in preparing the Plan.

The Plan identifies issues surrounding a number of planning themes and recommended actions to address those issues going forward.

## **6. Strategic planning ambitions**

This section of the LSPS sets out the ambitions of the Murrumbidgee Council area community for its local strategic planning agenda for the next 20 years.

The specific agenda items are nominated under one of four broad categories in the built environment, the natural environment, infrastructure and economic growth. These categories are based on the structure of other strategies, including the CSP (see Section 5 above) to enable cross referencing and avoid contradiction.

Each agenda item is supported by a specific ambition to be achieved over the projected 20-year time frame. An overview is then provided as to how the ambition is to be achieved and implemented by Council. A time frame and responsibility for implementing the ambition is then indicated.

## 6.1. Built environment

STRATEGIC AGENDA	AMBITION	ACHIEVING THE AMBITION	IMPLEMENTING THE AMBITION	PRIORITY	RESPONSIBILITY
BE1 Supply of land.	To ensure there is 15-20 year supply of zoned land and choice of sites for urban development.	Calculation of land supply through a strategic land use planning process.  Nomination of areas in a strategic land use plan to provide additional supply (if required).	Environmental assessment of land proposed in the strategic land use plan for up-zoning.  Inclusion of proposed up-zoned land in the proposed consolidated Murrumbidgee Local Environmental Plan.	Now	Council and NSW government department responsible for planning.
BE2 Town centres.	To maintain cohesive, interesting, welcoming and activated precincts for the provision of goods and services to residents and visitors.	Defining town centres through a strategic land use planning process.  Preparation of township structure plans.	Inclusion of township structure plans in the proposed consolidated Murrumbidgee Development Control Plan.	Now	Council.
BE3 Location of industrial development.	To prevent land use conflicts with adjoining non-industrial land.	Defining industrial areas through a strategic land use planning process.  Preparation of township structure plans.	Inclusion of township structure plans in the proposed consolidated Murrumbidgee Development Control Plan.	Now	Council.
BE4 Township mainstreets.	To make the town centres of Darlington Point, Coleambally and Jerilderie attractive to visit for both residents and visitors.	Review and prioritise the need for main street studies in the towns.  Encourage property owners to enhance building facades.  Investigate funding opportunities for property owners to enhance buildings.	Implement the recommendations of Main Street Studies for townships.  Exerting influence through assessment of development applications.	Ongoing	Council and property owners.

STRATEGIC AGENDA	AMBITION	ACHIEVING THE AMBITION	IMPLEMENTING THE AMBITION	PRIORITY	RESPONSIBILITY
BE5 Post-European settlement heritage.	To ensure the rich heritage of the Murrumbidgee Council area is evident.	Undertake a heritage study.	Inclusion of heritage items and conservation areas in proposed consolidated Murrumbidgee Local Environmental Plan.  Include guidelines for works affecting heritage in the consolidated Murrumbidgee Development Control Plan.	Before next LSPS review	Council and property owners.
BE6 Streetscapes.	To ensure streetscapes make a positive contribution to amenity.	Prepare guidelines for street frontages for commercial, industrial and residential developments.	Include development guidelines for street frontages in the consolidated Murrumbidgee Development Control Plan.	Now	Council and developers.
BE7 Energy efficiency.	To reduce the impact on the environment caused by demand for energy.	Applying guidelines for the development of energy efficient buildings.	Administer the requirements of the <i>State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004</i> for development.	Ongoing	Council and developers.
BE8 Community facilities.	To ensure residents are provided with access to essential community facilities.	By addressing residents needs for community services in Council's <i>Community Strategic Plan 2017-2027</i> .	Providing community services in accordance with Council's <i>Community Strategic Plan 2017-2027</i> .	Ongoing	Council and government agencies.

STRATEGIC AGENDA	AMBITION	ACHIEVING THE AMBITION	IMPLEMENTING THE AMBITION	PRIORITY	RESPONSIBILITY
BE9 Township presentation.	To increase population in the Murrumbidgee Council area.	Nomination of areas having attributes attractive to new residents in a strategic land use plan.	Environmental assessment of land proposed in the strategic land use plan for up-zoning.	Now	Council and NSW government department responsible for planning.
	To leverage natural assets such as the Murrumbidgee River.	Assessing township entrances for welcoming 'value'.	Inclusion of proposed up-zoned land in the proposed consolidated Murrumbidgee Local Environmental Plan.		
	To have attractive and welcoming entrances to townships.		Prepare and implement plans where appropriate for enhancement of township entrances.		
BE10 Building design.	To create environments within which residents feel safe and comfortable.	Prepare guidelines for residential development.  Encourage project home builders to have a presence in the townships.	Include development guidelines for residential development in the consolidated Murrumbidgee Development Control Plan.	Now	Council and developers.



STRATEGIC AGENDA	AMBITION	ACHIEVING THE AMBITION	IMPLEMENTING THE AMBITION	PRIORITY	RESPONSIBILITY
BE11 Housing needs.	To ensure all residents are provided with the opportunity for the type of housing that meets their needs.	<p>In preparing guidelines for residential development, ensure that no type is unfairly prejudiced.</p> <p>Encourage the provision of affordable housing.</p> <p>Encourage the use of State Environmental Planning Policies <i>Housing for Seniors or People with a Disability 2004, No 36—Manufactured Home Estates, No 21—Caravan Parks and Affordable Rental Housing 2009.</i></p>	<p>Include encouraging and flexible development guidelines for all types of residential development in the consolidated Murrumbidgee Development Control Plan.</p>	Ongoing	Council and developers.
BE12 A healthy community.	To improve the general health of the community and reduce the demands on local health services.	<p>Make provision in controls for all types of development in the consolidated Murrumbidgee Development Control Plan that promote good health.</p>	<p>Include provisions that promote good health in the consolidated Murrumbidgee Development Control Plan.</p>	Now	Council and developers
BE13 Contaminated land.	To ensure the community is not put at risk from contaminated land.	<p>Being aware of provisions and processes relating to contaminated land.</p> <p>Identify areas of potentially contaminated land.</p> <p>Liaise with the Environment Protection Authority on matters relating to land contamination.</p>	<p>In assessing development applications, apply the requirements and processes required <i>under State Environmental Planning Policy No. 55 – Remediation of Land</i> to land considered to be potentially contaminated.</p> <p>Create and maintain a register of contaminated land.</p>	Ongoing	Council and developers

## 6.2. Natural environment

STRATEGIC MATTERS	AMBITION	ACHIEVING THE AMBITION	IMPLEMENTING THE AMBITION	PRIORITY	RESPONSIBILITY
NE1 Environmentally sensitive land.	To ensure environmentally sensitive areas are identified and provided with the appropriate level of safeguards against detrimental environmental impacts.	Research and review existing resources to identify environmentally sensitive areas within the Murrumbidgee Council area. Being aware of provisions and processes in legislation in addition to the EP&A Act relating to consideration of environmental impacts.	Map environmentally sensitive areas and include associated provisions in the proposed consolidated Murrumbidgee Local Environmental Plan. Where relevant, give consideration to companion environmental legislation when assessing development applications.	Now	Council and government agencies.
NE2 Aboriginal cultural heritage.	To ensure the required consideration is given to the impact of development on Aboriginal cultural heritage.	Being aware of provisions and processes in legislation in addition to the EP&A Act relating to consideration of impacts on Aboriginal cultural heritage (e.g. <i>National Parks &amp; Wildlife Act 1974</i> ). Engaging with the Aboriginal community on matters of cultural significance such as sandhills.	Utilising the AHIMS tool to identify known locations of items of Aboriginal cultural heritage.  Require the appropriate level of 'due diligence' as part of development applications in locations with a higher likelihood of items being present (e.g. near watercourses).	Ongoing	Council and developers.

STRATEGIC MATTERS	AMBITION	ACHIEVING THE AMBITION	IMPLEMENTING THE AMBITION	PRIORITY	RESPONSIBILITY
NE3 Threatened species of flora and fauna.	To ensure the required consideration is given to the impact of development on threatened species of flora and fauna.	Being aware of provisions and processes in legislation in addition to the EP&A Act relating to consideration of impacts on threatened flora and fauna species, including the <i>NSW Biodiversity Conservation Act 2016</i> and <i>Federal Environment Protection and Biodiversity Conservation Act 1999</i> .	In assessing development applications, apply the requirements and processes required under relevant legislation.	Ongoing	Council
NE4 Harmful development.	To ensure due consideration is given to the environmental impacts of development.	Being aware of the provisions and processes for considering the environmental impacts development proposals under the EP&A Act.	Ensuring the appropriate level of interrogation is undertaken for development applications (i.e. Statement of Environmental Effects, Environmental Impact Statement, etc).  Ensuring that sufficient information is provided with development applications to make an assessment of development proposals.	Ongoing	Council and developers
NE5 Public open space.	To ensure all residents and visitors have access to passive and active open space.	Identifying existing and future open space through a strategic land use planning process.  Preparation of township structure plans to show key areas of open space.	Inclusion of township structure plans in the proposed consolidated Murrumbidgee Development Control Plan.  Use development contributions to provide and embellish open space.	Ongoing	Council

STRATEGIC MATTERS	AMBITION	ACHIEVING THE AMBITION	IMPLEMENTING THE AMBITION	PRIORITY	RESPONSIBILITY
NE6 Climate change.	To ensure land use and development is prepared for the consequences of climate change.	Be more vigilant of climate related planning matters such as energy use, efficient water use and bush fire protection.  Monitor shifts in government policy relating to climate change.	Ensure regulations relating to climate change issues (e.g. bush fire protection) are administered as part of the planning process.	Ongoing	Governments and Council
NE7 Murrumbidgee River and floodplain.	To ensure the floodplain environment is not detrimentally affected by incompatible development.	Putting in place development guidance and controls for proposals on the floodplain.	Identifying and incorporating a Flood Planning Area (land below the 1 in 100 year flood event) in planning instruments.  Inclusion of a clause in the consolidated Murrumbidgee Local Environmental Plan setting out matters to be considered for proposals in and adjacent to the Murrumbidgee River.	Now	Council
NE8 Waste management.	Seek to reduce the amount of waste generated.  To identify and take up opportunities for the processing and recycling of all forms of waste.	Continuing to educate the community on waste minimisation and recycling.  Investigate commercial opportunities for recycling.  Facilitate proposals for waste processing such as power generation.	Ensuring planning controls do not unnecessarily hinder developments involving waste recycling and processing.	Ongoing	Council

STRATEGIC MATTERS	AMBITION	ACHIEVING THE AMBITION	IMPLEMENTING THE AMBITION	PRIORITY	RESPONSIBILITY
NE9 Natural hazards (principally flooding and bush fire).	To take account of the risks presented by natural hazards to development proposals.	Identifying areas that are bush fire and flood prone.  Maintaining awareness of State government guidelines for development requiring consideration of the bush fire and flooding hazard.	Continue to administer the requirements of the <i>Rural Fires Act 1997</i> in the planning process.  Apply the required buffers between development and bush fire hazard.  Review and maintain a current bush fire prone land map.  Incorporating a Flood Planning Area (land below the 1 in 100 year flood event) in planning instruments.  Inclusion of a clause in the consolidated Murrumbidgee Local Environmental Plan setting out matters to be considered for proposals on flood prone land.  Inclusion of guidance and controls in the consolidated Murrumbidgee Development Control Plan to address development on land that is bush fire or flood prone.	Now	Council

### 6.3. Infrastructure

STRATEGIC MATTERS	AMBITION	ACHIEVING THE AMBITION	IMPLEMENTING THE AMBITION	PRIORITY	RESPONSIBILITY
IP1 Newell and Sturt Highways and Kidman Way.	To ensure the key transport routes are maintained.	Support the NSW government in its responsibilities for the function and maintenance of State highways.	Continue to liaise with NSW Roads & Maritime Services on the form and function of State highways.	Ongoing	Council and NSW Roads & Maritime Services
IP2 Development contributions.	To have developments contribute to the cost of local infrastructure provision.	<p>Levy contributions in accordance with plans prepared under the EP&amp;A Act and the <i>NSW Local Government Act 1993</i>.</p> <p>Having major development make an appropriate contribution to the community to offset impacts.</p>	<p>Prepare and administer a Development Contributions Plan under Section 7.12 of the EP&amp;A Act.</p> <p>Prepare and administer a levy on development for water and sewer works under Section 64 of the <i>Local Government Act 1993</i>.</p> <p>Negotiate a contribution via a Voluntary Planning Agreement from proposals for State Significant Development.</p>	Ongoing	Council
IP3 Funding for infrastructure.	To ensure opportunities for grant monies to fund infrastructure are maximised.	<p>Participating in the allocation of grants by governments.</p> <p>Monitor opportunities to apply for grants.</p>	Apply for grants as the opportunities arise.	Ongoing	Council



STRATEGIC MATTERS	AMBITION	ACHIEVING THE AMBITION	IMPLEMENTING THE AMBITION	PRIORITY	RESPONSIBILITY
IP4 Civil infrastructure in urban and rural areas.	To ensure local infrastructure adequately performs its intended purpose.	Understand the capacity of existing infrastructure to service existing and future development.  Adopt a Works Program for the provision and maintenance of infrastructure.  Establish minimum standards for infrastructure provision.	Carry out construction and maintenance of infrastructure in accordance with Council's Works Program.	Ongoing	Council
IP5 Local telecommunications infrastructure.	To ensure residents and businesses are provided with the best possible telecommunication service.	Keeping abreast of advances telecommunications technology and the opportunities this presents for the community.	Lobby telecommunications sector to provide the appropriate level of infrastructure for the local community.	Ongoing	Council & telecommunications providers
IP6 Council assets.	To ensure Council's assets are adequately maintained to provide the necessary level of service to the community.	Prepare and adopt a Works Program for the provision and maintenance of Council's assets.  Respond to the need for additional assets as required.	Carry out maintenance of assets in accordance with Council's Works Program.  Provide for new assets as the need arises.	Ongoing	Council

## 6.4. Economic growth

STRATEGIC MATTERS	AMBITION	ACHIEVING THE AMBITION	IMPLEMENTING THE AMBITION	PRIORITY	RESPONSIBILITY
EG1 A diversified economy.	To 'future proof' the local economy.	Ensuring that new planning instruments do not unreasonably constrain new development opportunities.	Draft new planning instruments that are as much as possible flexible in their provisions and application.	Now	Council
	To minimise the impacts of a downturn in one economic sector.	Anticipate as much as possible unconventional developments so that it can be accommodated from a planning perspective.	Draft new planning instruments that are a help and not a hindrance for new development.		
	To generate economic growth and employment in the local community.		As much as is possible under the Standard Instrument, draft the new Local Environmental Plan so that developed proposals can be considered on their merits rather than exclusion by prohibition.		
EG2 Supply and choice in commercial development sites.	To ensure there is always choice of sites for new commercial development.	Prepare township structure plans that identify a range of potential commercial development sites.	Include township structure plans in the new Development Control Plan to identify sites preferred for commercial development.	Now	Council

STRATEGIC MATTERS	AMBITION	ACHIEVING THE AMBITION	IMPLEMENTING THE AMBITION	PRIORITY	RESPONSIBILITY
EG3 Ecotourism.	To create opportunities for eco-tourism in areas featuring natural assets.	Ensure eco-tourism is permissible in areas of natural significance.	<p>In areas with natural features, make eco-tourism permissible with consent in the new consolidated Local Environmental Plan.</p> <p>Include a section in the new consolidated Development Control Plan that provides guidance and controls for tourist development.</p>	Now	Council
EG4 Unique 'sense of place'.	To create opportunities for development associated with unique features in the towns such as the Ned Kelly legacy in Jerilderie.	<p>Identifying unique features that can be capitalised upon for tourism.</p> <p>Acknowledging unique features in township structure plans.</p>	<p>Ensure the provisions of the new consolidated Local Environmental Plan don't preclude development around unique features.</p> <p>Include a section in the new consolidated Development Control Plan that provides guidance and controls for tourist development.</p>	Now	Council
EG5 Long-distance travellers on State highways to stop in towns.	To entice travellers through towns to stop at least briefly.	Identify and investigate ways and means of encouraging travellers to stop.	Put in place the ways and means.	Ongoing	Council

STRATEGIC MATTERS	AMBITION	ACHIEVING THE AMBITION	IMPLEMENTING THE AMBITION	PRIORITY	RESPONSIBILITY
EG6 Water supply for agriculture.	<p>To provide as much water as is needed to sustain farms reliant on irrigation.</p> <p>To prevent any further loss of water allocation to farms in the district.</p>	<p>Continue to lobby authorities responsible for water allocation.</p> <p>Acknowledge the importance of irrigation in strategic planning documents.</p>	<p>Ensure the provisions of the new consolidated Local Environmental Plan don't preclude innovation in agriculture.</p>	Ongoing	Council and government agencies
EG7 Productive agricultural land.	<p>To prevent development that reduces the amount of land available for agriculture.</p> <p>To prevent development that creates conflict with agriculture.</p>	<p>Identify and map agricultural land capability in the Murrumbidgee Council area.</p> <p>Prepare planning controls that give effect to the objectives.</p> <p>Acknowledge the importance of agriculture in strategic planning documents.</p>	<p>Ensure provisions of the new consolidated Local Environmental Plan provide the necessary protection for agriculture.</p> <p>Administer <i>State Environmental Planning Policy (Primary Production and Rural Development) 2019</i> when required.</p>	Now	Council
EG8 Major agribusiness projects.	<p>To encourage and facilitate large agribusiness developments that benefit the community.</p> <p>To have large agribusiness make a positive contribution to local communities.</p>	<p>Promote Murrumbidgee Council to large agribusiness developers as 'open for business'.</p>	<p>Be responsive and receptive to enquiries for agribusiness.</p> <p>Facilitate the planning process for large agribusiness developments such as community consultation etc.</p>	Ongoing	Council
EG9 Innovation and resilience in agriculture.	<p>To encourage innovation in agriculture that is less reliant on irrigation.</p> <p>To support farmers in a planning context as much as is possible.</p>	<p>Identify opportunities for unconventional agriculture and where possible assist farmers in implementing it.</p>	<p>Ensure provisions of the new consolidated Local Environmental Plan does not impede innovation in agriculture.</p>	Ongoing	Council and landowners

STRATEGIC MATTERS	AMBITION	ACHIEVING THE AMBITION	IMPLEMENTING THE AMBITION	PRIORITY	RESPONSIBILITY
EG10 Intensive agriculture.	To encourage intensive agriculture in appropriate locations within the Murrumbidgee Council area.	Work with proponents of intensive agriculture to site developments.	Carry over clause 5.18 for intensive livestock agriculture from both the current Jerilderie and Murrumbidgee Local Environmental Plans into the new consolidated plan.	Now	Council
	To ensure intensive agriculture does not have a detrimental impact on the environment.	Be aware of industry specific guidelines and the like for intensive agriculture that apply to development.	Apply the relevant guidelines and controls for various types of intensive agriculture.		
			Ensure that the environmental impacts of intensive agriculture are addressed in sufficient detail in applications.		
EG11 The planning process.	To make the planning process as straightforward as possible for development.	Review existing planning provisions for opportunities to simplify.	Approach preparation of the new consolidated Local Environmental Plan and Development Control Plan with a view to implementing effective but uncomplicated provisions.	Now	Council and NSW government department responsible for planning

STRATEGIC MATTERS	AMBITION	ACHIEVING THE AMBITION	IMPLEMENTING THE AMBITION	PRIORITY	RESPONSIBILITY
EG12 Major freight routes.	Continue to leverage the accessibility to interstate transport routes through the Murrumbidgee Council area for local business.	Identifying development opportunities that can benefit from access to transport corridors.	<p>Liaise with the RMS on access to State highways.</p> <p>Advocate on behalf of developers for access to State highways.</p> <p>Promote the locational advantage of access to transport corridors when espousing the economic virtues of the Murrumbidgee Council area.</p> <p>Ensure planning provisions in the new consolidated Local Environmental Plan and Development Control Plan do not impede access to the transport corridor.</p>	Ongoing	Council and RMS
EG13 Renewable energy projects.	To support projects for renewable energy and in particular solar farms.	Actively engage with proponents for renewable energy projects.	Assist proponents of renewable energy projects through the planning process.	Ongoing	Council
EG14 Retention of population	To grow and retain the number of residents within the Shire.	<p>Favour the concept of the 'family farm' over 'corporate farming'.</p> <p>Encourage and support the creation of employment in the Shire.</p>	Assist as much as possible the establishment of new businesses that create additional jobs.	Ongoing	Council

**BILL OF QUANTITIES**

Bencubbin Avenue

Coleambally

PROJECT SUMMARY SHEET

CLIENT: MURRUMBIDGEE COUNCIL

**PROJECT SUMMARY SHEET REV A**

<b>SECTION 1</b>		
1.	ROADWORKS TOTAL	\$ 1,794,145.70
2.	STORMWATER TOTAL	\$ 409,310.00
4.	SERVICES TOTAL	\$ 57,500.00
3.	MISCELLANEOUS TOTAL	\$ 116,465.00
TOTAL (excluding GST)		\$ 2,377,420.70
GST		\$ 237,742.07
TOTAL (including GST)		\$ 2,615,162.77

**NOTE:** This bill of quantities is to be read in conjunction with civil plans C\_190429 by Xeros Piccolo Consulting Engineers. The quantities provided in this document are estimates only and are to be confirmed on site.



**SECTION 1: ROADWORKS**

ITEM	DESCRIPTION	UNIT	QTY	RATE (Exc. GST)	AMOUNT
<b>1.1</b>	<b>CLEARING AND STRIPPING</b>				
a.	Strip topsoil with grass to a depth of approximately 100mm from road reserve and where batters in nature strip	m <sup>2</sup>	10,000.0	\$0.75	\$ 7,500.00
b.	Stockpile and seed topsoil in accordance council requirements	No.	3.0	\$750.00	\$ 2,250.00
<b>CLEARING AND STRIPPING TOTAL</b>					<b>\$ 9,750.00</b>
<b>1.2</b>	<b>EARTHWORKS</b>				
a.	Excavate and stockpile: existing silty sand and sandy silty gravel material for re-use as select fill (existing layer approx. 225mm thick)	m <sup>3</sup> (solid)	2,880.0	\$8.00	\$ 23,040.00
b.	Excavate and stockpile: in all classes of material to finished surface and subgrade level for use as controlled fill. Includes; - excavation to pavement subgrade level - formation of cut batters and open drains - overcut of rock lined drains - other cut areas	m <sup>3</sup> (solid)	8,995.0	\$3.00	\$ 26,985.00
c.	Place and compact: controlled fill for the formation of batters, earth banks and other fill areas, excluding pavement works:-	m <sup>3</sup> (solid)	600.0		
d.	Re-use from stockpiled material	m <sup>3</sup> (solid)	600.0	\$8.00	\$ 4,800.00
e.	Imported from contractor source	m <sup>3</sup> (solid)	0.0	\$15.00	\$ -
f.	Remove excess spoil from site	m <sup>3</sup> (solid)	8,395.0	\$2.50	\$ 20,987.50
<b>EARTHWORKS TOTAL</b>					<b>\$ 75,812.50</b>
<b>1.3</b>	<b>Gravel Pavement (refer ARTL report S17-412)</b>				
a.	Import, place and compact approved pavement materials:-				
(i)	Scarify subgrade to min 200mm depth, recompact to 98% S.M.D.D refer ARTL report	m <sup>2</sup>	19,360.0	\$2.50	\$ 48,400.00
	250mm thick select fill subbase, compacted in two equal layers to 100% S.M.D.D:-	m <sup>3</sup> (solid)	4,840.0		
	Re-use from stockpiled material	m <sup>3</sup> (solid)	2,880.0	\$54.80	\$ 157,824.00
	Imported from contractor source	m <sup>3</sup> (solid)	1,960.0	\$70.00	\$ 137,200.00
(ii)	150mm compacted thickness select DGS40 compacted in max 150mm (min 75mm) layers to 100% S.M.D.D	m <sup>2</sup>	19,360.0	\$15.50	\$ 300,080.00
(iii)	150mm compacted thickness DGS20 gravel base course compacted in max 150mm (min 75mm) layers to 102% S.M.D.D	m <sup>2</sup>	19,360.0	\$16.46	\$ 318,665.60
b.	Supply and place 2 coat bitumen pavement as per detailed provided	m <sup>2</sup>	19,360	\$19.00	\$ 367,840.00
c.	Testing:-				
(i)	Density testing at start of road and 50m cts along road each layer	No.	32.0	\$410.00	\$ 13,120.00
(ii)	Proof Rolling (Deflection testing), Subgrade, Select Fill, Base	m	26,400.0	\$0.10	\$ 2,640.00
(iii)	Works as executed survey signed by licensed surveyor of subgrade & finished levels of pavement. Survey to show difference between actual and design levels in mm at design edge of bitumen & road centreline as per cross sections & intersection bell-mouth levels.	No.	1.0	\$5,000.00	\$ 5,000.00
<b>PAVEMENTS TOTAL</b>					<b>\$ 1,350,769.60</b>
<b>1.4</b>	<b>Driveways</b>				
a.	200mm compacted thickness DGS20 gravel base course compacted in max 150mm (min 75mm) layers to 102% S.M.D.D	m <sup>2</sup>	4,660	\$16.46	\$ 76,703.60
b.	150mm reinforced concrete driveway at RFS Station	m <sup>2</sup>	160	\$120.00	\$ 19,200.00
<b>Driveways TOTAL</b>					<b>\$ 95,903.60</b>
<b>1.5</b>	<b>Concrete Kerbing and Dish Drain</b>				
a.	Construct barrier kerb and gutter & stamp service locations:-	m	81	\$90.00	\$ 7,290.00
b.	Construct 900mm concrete dish drain:-	m	1,350	\$90.00	\$ 121,500.00
c.					
<b>Concrete Kerbing and Dish Drain TOTAL</b>					<b>\$ 128,790.00</b>
<b>1.6</b>	<b>REINSTATEMENT</b>				
a.	Trim and compact nature reserve and allotment batters with particular attention given to service trenches after services have been installed.	m <sup>2</sup>	12,800.0	\$3.40	\$ 43,520.00
b.	Spread & lightly (machine) compact 100 mm thickness of moist topsoil on all disturbed surfaces.	m <sup>2</sup>	12,800.0	\$4.80	\$ 61,440.00
c.	Seed and water all topsoiled areas	m <sup>2</sup>	12,800.0	\$2.20	\$ 28,160.00
<b>REINSTATEMENT TOTAL</b>					<b>\$ 133,120.00</b>
<b>ROADWORKS TOTAL</b>					<b>\$ 1,794,145.70</b>

**SECTION 2: STORMWATER**

ITEM	DESCRIPTION	UNIT	QTY	RATE (Exc. GST)	AMOUNT
<b>2.1 STORMWATER DRAINAGE</b>					
a. <b>PIPE ROAD RESERVE</b> - Excavate trench, Supply, deliver, lay & joint pipes. Sand bed. Backfill with compacted select material:-					
(i) 900wx300h x2400L precast box culvert with precast base	No.	160.0	\$1,056.00	\$	168,960.00
(ii) 900wx300h x1200L precast box culvert with precast base	No.	39.0	\$750.00	\$	29,250.00
(iii)	m				-
b. <b>PIPE ROAD CROSSINGS</b> - Excavate trench, Supply, deliver, lay & joint pipes.					
(i) -	m				-
(i) -	m				-
c. <b>PITS/HEADWALLS ETC</b> -Excavate, backfill & construct concrete drainage					
(i) 900x300 precast head wall with low height top plate	No.	84.0	\$2,500.00	\$	210,000.00
(ii) Shape concrete swale drain to suit existing 600dia culvert	No.	1.0	\$1,100.00	\$	1,100.00
(iii)	No.				-
(iv)	No.				-
<b>STORMWATER DRAINAGE TOTAL</b>					<b>\$ 409,310.00</b>
<b>STORMWATER AND SEWER TOTAL</b>					<b>\$ 409,310.00</b>

**SECTION 3: SERVICES**

ITEM	DESCRIPTION	UNIT	QTY	RATE (Exc. GST)	AMOUNT
<b>3.1 Water Service</b>					
<b>a. Water services crossings</b>					
(i) Check depth and adjust water services crossings as required	No.	2.0	\$10,000.00	\$	20,000.00
(ii) Expose and back fill water services crossings with cement stabilised sand	No.	10.0	\$2,500.00	\$	25,000.00
<b>b. OTHER</b>					
(i) Telstra Expose and back fill service crossings with cement stabilised sand	No.	5.0	\$2,500.00	\$	12,500.00
(ii) -	No.			\$	-
(iii) -	No.			\$	-
<b>Water Service TOTAL</b>				<b>\$</b>	<b>57,500.00</b>
<b>STORMWATER AND SEWER TOTAL</b>				<b>\$</b>	<b>57,500.00</b>

**SECTION 4: MISCELLANEOUS WORKS**

ITEM	DESCRIPTION	UNIT	QTY	RATE (Exc. GST)	AMOUNT
<b>4.1</b>	<b>VARIOUS</b>				
a.	General site setup (toilet facilities, lunch room etc)	No.	1.0	\$3,500.00	\$ 3,500.00
b.	Traffic control for 3 months 6 days a week per day	No.	72.0	\$500.00	\$ 36,000.00
c.	FENCE LINES & RUBBISH - remove from site	No.	1.0	\$2,500.00	\$ 2,500.00
d.	Remove and reinstall signage to match existing as required	No.	1.0	\$5,000.00	\$ 5,000.00
e.	Remove and reinstall signage to match existing as required	No.	1.0	\$5,000.00	\$ 5,000.00
f.	Remove and dispose of existing drive way culverts and head walls	No.	50.0	\$450.00	\$ 22,500.00
g.	Remove and dispose of existing trees	No.	22.0	\$600.00	\$ 13,200.00
h3		No.			\$ -
<b>VARIOUS SUBTOTAL</b>					<b>\$ 87,700.00</b>
<b>4.2</b>	<b>LINEMARKING</b>				
a.	100mm E1 line and RRPM's	m	3,300.0	\$4.70	\$ 15,510.00
b.	100 dashed Centre Line	m	1,650.0	\$4.70	\$ 7,755.00
<b>LINEMARKING SUBTOTAL</b>					<b>\$ 23,265.00</b>
<b>4.3</b>	<b>SEDIMENT AND EROSION CONTROL</b>				
a.	SILT FENCES - Construct. Moved with staged works	m	250.0	\$18.00	\$ 4,500.00
b.	Provide haybales in open drainage for	No.	20.0	\$50.00	\$ 1,000.00
<b>SEDIMENT AND EROSION CONTROL SUBTOTAL</b>					<b>\$ 5,500.00</b>
<b>MISCELLANEOUS WORKS TOTAL</b>					<b>\$ 116,465.00</b>

3 December 2019

[ruthm@murrumbidgee.nsw.gov.au](mailto:ruthm@murrumbidgee.nsw.gov.au)  
[johannp@murrumbidgee.nsw.gov.au](mailto:johannp@murrumbidgee.nsw.gov.au)  
[mail@murrumbidgee.nsw.gov.au](mailto:mail@murrumbidgee.nsw.gov.au)

Mr John Scarce  
 General Manager  
 Murrumbidgee Council  
 35 Jerilderie St  
 Jerilderie NSW 2716

Dear Mr Scarce,

### Non-binding letter of intent – electric vehicle charging stations

Thank you for your time in discussing National Roads and Motorists' Association Limited's (NRMA) development and proposed roll out of an electric vehicle charging network (**Project**), consisting of electric vehicle fast chargers.

I have set out in this letter of intent (**Lol**) the proposed terms of an arrangement between NRMA and Murrumbidgee Council.

This Lol sets out the material commercial terms that have been agreed in principle to date, and that are proposed to form the basis of legally binding documentation. This Lol does not comprise a complete list of all the provisions that will be required in the ultimate agreement(s).

Except where expressly stated, this Lol does not give rise to any legally binding rights or obligations between the parties. It is not an offer capable of acceptance, and no legally binding obligation arises unless and until formal documentation is signed by all parties.

	Topic	Terms
1.	<b>Parties</b>	<p>The parties to any arrangement will be:</p> <ul style="list-style-type: none"> <li>▪ NRMA (or its nominee); and</li> <li>▪ Murrumbidgee Council</li> </ul>
2.	<b>Background</b>	<p>As part of the Project, NRMA seeks to identify appropriate sites across NSW (each, a "<b>Site</b>") in which to locate an electric vehicle fast charging station.</p> <p>NRMA has not yet established any electric vehicle (<b>EV</b>) fast charging stations (<b>Stations</b>) in the relevant area. NRMA would like to work with the (insert entity name) to establish a Station in 33 Jerilderie St, Jerilderie (<b>Location</b>).</p> <p>Any Station will comprise a parking bay or bays (with the number to be agreed between NRMA and Murrumbidgee Council) and an electric vehicle fast charger (<b>Charger</b>) for each bay. No construction plans have been developed for the Location.</p>

		<p>The purpose of this letter is to set out the parties' in principle agreement, at which point NRMA will commence developing an appropriate construction design and other plans for the Location.</p>
3.	<b>Transaction documents</b>	<p>In order to document the arrangement a <b>"Licence to Occupy"</b> will need to be prepared and executed for each Station.</p> <p>NRMA will provide a copy of NRMA's template Licence to Occupy following agreement and signing of this Letter of Intent, and the parties agree that the review of the Licence to Occupy will be promptly progressed through each organisation, and each party will act expeditiously in order to review and execute that document.</p>
4.	<b>Intended timetable</b>	<p>The intended timetable of steps is as follows.</p> <p>The intention is to focus on documenting the Location deal first, and for the parties to then consider other potential Station locations in and around the Site area.</p> <ul style="list-style-type: none"> <li>▪ Confirm preferred Locations – 31 March 2020</li> <li>▪ Finalise Licence to Occupy for preferred Location – 30 April 2020</li> <li>▪ Jerilderie Station construction – TBD</li> </ul>
5.	<b>Location key provisions</b>	<p>The key proposed terms for the Location are as follows:</p> <p><i>Locations and plans</i></p> <p>5.1 NRMA and Murrumbidgee Council to agree on:</p> <ul style="list-style-type: none"> <li>5.1.1 the precise location for the Station on the Site;</li> <li>5.1.2 the number of bays to comprise the Station;</li> <li>5.1.3 the bays will be exclusive for electric vehicle charging</li> <li>5.1.1 working together to ensure any processes for site approval are as streamlined and efficient as possible.</li> </ul> <p><i>Term</i></p> <p>5.2 The term for the Licence to Occupy will be 5 year minimum period with an option for a further 5 year period.</p> <p><i>Rent</i></p> <p>5.3 NRMA will be charged a peppercorn rent for the Licence to Occupy.</p> <p><i>Access and Safety</i></p>

		<p>5.4 Chargers will be accessible to the general public 24 hours a day 365 days a year.</p> <p>5.5 For safety, Murrumbidgee Council will ensure adequate site lighting</p> <p><i>Fitout works</i></p> <p>5.6 NRMA will be responsible for fitout works (as more particularly detailed in the Licence to Occupy), including but not limited to:</p> <p>5.6.1 installation of the Chargers</p> <p>5.6.2 installation of electrical switchboard with meters and electrical protection equipment</p> <p>5.6.3 installation of electrical conduits and cables</p> <p>5.6.4 installation of EV parking and information signs</p> <p>5.6.5 marking/painting of parking bay(s) with EV parking symbols</p> <p><i>Chargers and Station costs</i></p> <p>5.7 NRMA will supply and own the Chargers.</p> <p>5.8 NRMA will be responsible for maintaining the Chargers (physical maintenance and software support) at its cost, as well as upgrade costs (as deemed necessary by NRMA).</p> <p>5.9 The Murrumbidgee Council will be responsible for maintaining the bays at its cost.</p> <p>5.10 NRMA will pay the costs associated with:</p> <p>5.10.1 designing and preparing plans for the station; and</p> <p>5.10.2 constructing the Station including fitout works..</p> <p>5.11 NRMA will be responsible for procuring all necessary permits and paying the associated costs to build the Station.</p> <p>5.12 NRMA will pay the electricity usage charges for the Station. NRMA may require that the Station be separately metered so that it NRMA can select the electricity supplier.</p> <p><i>Branding</i></p> <p>5.13 The Chargers will be co-branded by NRMA and Murrumbidgee Council with the nature of the branding to be agreed between the parties. For clarity, part of the</p>
--	--	--



		<p>branding NRMA require may include some third party branding on the Chargers.</p> <p><i>Public liability</i></p> <p>5.14 NRMA will have current public liability insurance for the purpose of covering EV related activities.</p>
6.	<b>Other Locations key provisions</b>	<p>6.1 The parties acknowledge and agree that:</p> <p>6.1.1 Significant commitment will be made by NRMA once the Licence to Occupy is signed in order to build the Station and enable the Charger to operate;</p> <p>6.1.2 Both parties will use their best endeavours to commit to the longevity of the Station, including ensuring that any redevelopment and land dealings do not adversely affect the Station's availability and user experience; and</p> <p>6.1.3 The Licensor does not currently have any plans to redevelop or sell the Location.</p>
7.	<b>Other general terms</b>	<p><i>Data sharing</i></p> <p>7.1 The parties will work together to share data regarding the Project and use of the Stations. However, this will only occur:</p> <p>7.1.1 subject to the requirements of the Privacy Act and NRMA data governance standards;</p> <p>7.1.2 in relation to anonymised and aggregated data on the use of the Station;</p> <p>7.1.3 when NRMA systems have reached an appropriate level of data maturity to enable data to be shared; and</p> <p>7.1.4 where requested data reports are of a common format and not bespoke requests.</p> <p>Subject to the above, and where practical, NRMA will provide insights about journeys into and around Jerilderie, where those users have accessed the Jerilderie charger.</p> <p><i>Other marketing initiatives</i></p> <p>7.2 The parties will explore opportunities for mutual promotion of NRMA and Murrumbidgee Council initiatives related to the Project, and (where permissible under law) through</p>

		<p>direct communication with NRMA Members and Murrumbidgee Council's customers.</p> <p><i>Creation of IP</i></p> <p>7.3 If any intellectual property is created in connection with the Project (excluding any IP in existence as at the date of this letter), this will be owned by NRMA.</p> <p><i>Risk management</i></p> <p>7.4 The parties will perform regular risk management assessments to identify, understand and mitigate risks that arise from time to time during the arrangements, and to meet and discuss the outcomes of those risk management assessments.</p> <p><i>Revenue from the Chargers</i></p> <p>7.5 At some future stage, parties may be required to pay to use the Chargers, and NRMA will be entitled to 100% of this revenue. It is likely that payment will occur via an NRMA application, which NRMA will develop.</p>
8.	<b>Non-binding</b>	<p>Subject to the below, this Lol is not a legally binding document and the parties do not intend, and do not, create any legal rights or obligations by signing it.</p> <p>The parties acknowledge and agree that this arrangement is non-exclusive, and NRMA may conduct similar discussions with other parties in relation to potential locations in or around the Site area.</p> <p>Either party may terminate their discussions regarding the Project at any time.</p> <p>The following provisions of this Lol are binding on the parties:</p> <p>8.1 Announcements (item 9);</p> <p>8.2 Costs (item 10);</p> <p>8.3 Confidentiality (item 11);</p> <p>8.4 Governing law and execution (item 12); and</p> <p>8.5 this item 8.</p>
9.	<b>Announcements</b>	<p>The parties must not make a media release, announcement or public statement about the Project, except with the prior written consent of the other party or as required by law.</p>
10.	<b>Costs</b>	<p>Each party must pay its own legal costs and expenses in relation to the preparation, negotiation and execution of this Lol and any binding transaction documents.</p>
11.	<b>Confidentiality</b>	<p>The existence and content of this Lol is confidential information. The parties must not disclose such terms or the Lol's existence to</p>

		any person (other than professional advisers) unless required to do so by law.
12.	<b>Governing law and execution</b>	<div>12.1 This Lol is governed by the law applying in New South Wales, Australia and the parties submit to the non-exclusive jurisdiction of the courts of New South Wales.</div> <div>12.2 This Lol may be executed in counterparts, all of which taken together constitute one document.</div>

If the Murrumbidgee Council is agreeable to the terms, please sign and date the letter, below. I'll then provide you with a copy executed by NRMA.

Regards

Jacqueline Crompton  
Manager Community & Stakeholder Engagement

Signed for and on behalf of **National Roads and Motorists' Association Limited:**

)  
)  
) .....

Print Title:

.....  
Print Name:

.....  
Print Name:

Date:

Signed for and on behalf of Murrumbidgee Council

)  
)  
) .....

Print Title:

.....  
Print Name:

.....  
Print Name:

Date:



14<sup>th</sup> January, 2020

General Manager  
Murrumbidgee Council  
PO Box 5  
Darlington Point NSW 2706

Dear Mr Scarce,

**Darlington Point Golf Course Irrigation**

The Darlington Point Sports Club has virtually finalised the arrangements for installation of the golf course irrigation system. The one exception is the installation of a 110mm PVC pipe over/through the levee between the first and second hole.

The Club appreciates that the integrity of the levee must not be compromised and proposes to install high grade pipe up and over the structure at a maximum depth of 300mm below the surface. It is understood that this depth will not impact on the core of the levee.

Accordingly it would be appreciated if Council could consider this proposal on the understanding that the existing clay will be used to cover the pipe and be compacted to Council's specifications.

Yours faithfully

A handwritten signature in blue ink, appearing to be "Josh Townsend". The signature is fluid and cursive, with a large loop at the end.

Josh Townsend  
A/g General Manager

# Pipe Crossing Darlington Point Golf Course



Map prepared by Stephen Goodsall February 2020  
Copy right LPI, Murrumbidgee Council

100 0 100 200 300  
Meters

## Legend



Levee Bank



Sealed Road



Unsealed Road

Scale: 1:5,000

## Stronger Communities Funding as at 31 January 2020

Stronger Communities Fund		Civicview No	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	17437756	555 4960	43,358.97	43,358.97					Complete	
Jerilderie Tennis Club	Construct shed/disabled toilet	10045447	555 5050	45,454.55	45,454.55					Complete	
Jerilderie Tennis Club	Re-roof Jerilderie Sports Club building	10045448	555 5040	44,708.69	44,708.69					Complete	
Jerilderie CWA	Upgrade toilet facility	10045454	555 5000	18,003.61	18,003.61					Complete	
Jerilderie Cricket Club	Install seating, shade & access	17437535	555 4990	21,500.00	17,613.06					Complete	Works completed and awaiting final invoices
Jerilderie Football Club	Replace boundary fencing & interchange facility	17437635	471	39,674.00	39,674.00					Complete	
Jerilderie Pre School	Refurbish indoor areas			44,098.40						44,098.40	On hold as a larger project is under consideration
Jerilderie Swimming Club	Upgrade lane ropes & storage box	10045451	555 5030	5,859.73	5,859.73					Complete	
Jerilderie Public School P & C	Soft fall rubber in playground	10045435	555 5080	49,280.00	49,280.00					Complete	
Jerilderie Arts & Talent Society	Purchase sound equipment & etc	10045442	555 4970	9,868.22	9,868.22					Complete	
Jerilderie Tennis Club	Disabled toilet within the Jerilderie Sports Club	10045458	555 5060	27,272.73	27,272.73					Complete	
Jerilderie Tennis Club	Upgrade golf green flags & putting cups	10045458		1,340.00	1,340.00					Complete	
Jerilderie Public School P & C	Development of computer & musical skills	10045473	555 4980	7,946.36	7,946.36					Complete	
Jerilderie Men's Shed	Purchase of property	10045459	555 5010	50,000.00	50,000.00					Complete	
Jerilderie RSL Sub Branch	2 Honour Boards and glass display cabinet	17437641	555 5020	4,577.27	4,577.27					Complete	
St Joseph's Parent's and Friends Inc	Play area soft fall and shade sail	10045457	555 5100	35,374.74	35,374.74					Complete	
Sweatbox Community Gym	Purchase gym equipment, rubber flooring etc	10045443	555 5130			30,340.00	30,340.00			Complete	
Coleambally Pistol Club	Build a clubhouse, range & water tank	17437761	555 4850			46,538.00	41,463.60			5,074.40	Works substantially completed. Some minor works to be undertaken
Coleambally Clay Target Club	Construct new trap houses	17437762	555 5340			45,260.00	45,260.00			Complete	
Coleambally Pre School	Install solar panels	10045453	555 4870			7,233.44	7,233.44			Complete	
Coleambally Pre School	Resurface floor & install storage shed	10045450	555 4720			11,412.73	11,412.73			Complete	
Coleambally Lions Club	Purchase of ride on lawn mower	10045441	555 4700			7,520.00	7,520.00			Complete	
Coleambally Lions Club	Painting of Bucyrus Dragline	10045444	555 4690			4,632.65	4,632.65			Complete	
Coleambally Chamber of Commerce	Equipment for community events	10045438	555 4760			10,116.20	10,116.20				
Coleambally Chamber of Commerce	Quilting workshops	10045439	555 4780			4,250.00	4,250.00			Complete	
Coleambally Chamber of Commerce	Purchase of sewing machines, overlockers & tables	10045440	555 4770			21,122.73	21,122.73			Complete	

Stronger Communities Fund		Civ/View No	W/O Number	Jerilderie Budget	Expend to date	Coleambally Budget	Expend to date	Darlington Pt Budget	Expend to date	Still to be Expended
Riverina Vintage Machinery Club	Purchase of portable building with disabled access	10045449	555 5090			41,000.00	41,000.00			Complete
Coleambally Community Club	Installation of playground & outdoor family area	10045436	555 4800			45,454.55	45,454.55			Complete
Coleambally Central School P & C	Build sandpit & resurface basketball court	10045455	555 4750			50,000.00	50,000.00			Complete
Coleambally Water Ski Club	Construct new Shade Shelter					0.00				
Coleambally Golf Club Inc	Automatic watering for fairways 3 & 9	10045445	555 4810			44,600.00	44,600.00			Complete
Coleambally Golf Club Inc	Automatic watering for fairways 1 & 6	10045446	555 4820			25,450.00	25,450.00			Complete
St Peters Primary School	Replace school quadrangle	10045452	555 5120			28,172.73	28,172.73			Complete
Coleambally Mens Shed	Construct storage facility	10045456	555 4840			44,463.19	44,463.19			Complete
Murrumbidgee Experimental Farm	Develop 22ha for farming	10045437	555 5070			45,454.55	45,454.55			Complete
Coleambally Pre School	Floor resurfacing	10045464	555 4730			13,594.55	13,594.55			Complete
Coleambally Pre School	Shade sails & shed storage	10045467	555 4710			12,272.73	12,272.73			Complete
Coleambally Lions Club	Jumping castle & trailer project	10045470	555 4830			5,835.00	5,835.00			Complete
Coleambally Community Club	Level Bowling Greens, Upgrade Main Bar & Toilet area	10045476	555 4790			21,909.09	21,909.09			Complete
Coleambally Central School P & C	Outdoor Settings	10045461	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	10045460	555 4680			3,000.00	3,000.00			Complete
Coleambally Motorcycle Club Inc	Construct club house & install watering system to track	10045478	568			50,000.00	50,000.00			Complete
Coleambally Pony Club	Grounds upgrade & revamp	10045477	567/555 4860			6,642.86	6,642.86			Complete
Fusion Drop in Centre	Coleambally youth development	10045466	555 4740			4,545.45	4,545.45			Complete
St Peters Catholic Church	Replacement of chairs	10045465	555 5110			6,363.64	6,363.64			Complete
Coleambally Tennis Club	Replacement of synthetic courts	10045475	555 4890			50,000.00	50,000.00			Complete
Anglican Parish of Coly/Darlington Point	Install air conditioning to Darlington Point Hall	17437755	555 4650					17,423.59	17,423.59	Complete
Darlington Point Mens Shed	Construct meeting room & improve stormwater	17437455	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
Darlington Point Mens Shed	Installation of solar panels	17437456	555 4940					8,547.55	8,547.55	Complete
Apex Club of Darlington Point	Flag pole installation and fingerling purchase	10045472	555 4660					12,659.00	12,659.00	Complete
Darlington Point Club Ltd	Bowling green & club grounds irrigation	10045474	555 4900					45,454.55	45,454.55	Complete
Darlington Point Club Ltd	Workshop for maintenance staff	10045468	555 4920					36,363.64	36,363.64	
Darlington Point Club Ltd	Machinery storage shed	10045469	555 4910					25,650.00	25,650.00	
Darlington Point Public School P & C	Classroom board upgrade throughout the school	10045463	555 4930					43,928.00	43,928.00	Complete



**Stronger Communities Funding as at 31 January 2020**

[illegible]

Stronger Communities Fund		Civicview No	W/O Number	Jerilderie Budget	Expend to date	Coleambally Budget	Expend to date	Darlington Pt Budget	Expend to date	Still to be Expended		
Jerilderie Pre School & Long Day Care	Long Day Care Centre			300,000.00						300,000.00	Plans of management to be finalised. DA to be approved	
<b>Coleambally</b>												
Coleambally Squash Club	Resurface existing walls	17437757	555.4880			54,057.39	54,057.39				Complete	
Coleambally Sports Ground Upgrade	Coleambally Netball Court Upgrade	17437645	411			282,318.57	282,318.57				Complete	
Coleambally Sports Ground Upgrade	Colly Sports Precinct Upgrade		643/555.4855			600,000.00	103,665.34			496,334.66	Draft plans determined & final drawings expected by end of February	
Broiga Place Streetscape/Masterplan Upgrade	Streetscape Upgrade		555.4865			1,500,000.00				1,500,000.00	Awaiting further masterplan upgrades	
Coleambally Water Treatment	Treatment Works Upgrade		555.4875			600,000.00				600,000.00		
Bencubbin Avenue	Rehabilitation	11.2160	555.4885			750,000.00				750,000.00	Plans finalised and works to commence soon	
Coleambally Sports Ground Upgrade	Multipurpose indoor gym/sports centre					500,000.00				500,000.00	Draft plans determined & final drawings expected by end of February	
Coleambally Community Hall	Community Hall Upgrade					565,000.00				565,000.00	Draft plans to be determined	
<b>Darlington Point</b>												
Heritage Darlington Point Anglican Parish of Coleambally & Darlington Point	Purchase & install solar panelling	17437791	555.3520					6,544.41	6,544.41		Complete	
Darlington Point Townlife Committee	Upgrade to Op Shop Community Hub	1743	555.4895					400,000.00	792.28	399,207.72	Draft schedule of works to be determined	
Darlington Point Townlife Committee	Town information boards & tourism maps	1743	555.4925					58,000.00		58,000.00	Signs ordered	
Darlington Point Townlife Committee	Entrance Signs to Darlington Point	1743	555.4935					22,000.00		22,000.00	Signs ordered	
Apex Boat Ramp	Boat Ramp Installation		421								DA approved and contractor to confirm commencement date	
Lions Park Facilities & Display	Lions Park Facilities Upgrade & Display		555.5360					750,000.00	63,002.97	686,997.03	Tender awarded and contract signed. Works due to begin	
Town Water Treatment	Update Water Treatment Facilities		555.4945					582,250.00	227.82	582,022.18	Awaiting results of required funding following Safe & Secure Water grant allocation	
								800,000.00		800,000.00		

**Stronger Communities Funding as at 31 January 2020**

[illegible]

9/12/2019

2RG Sunshine Club

Contact: Sue Porter (President) 0414336368

Jean Jones (Secretary/Treasurer)

17 Demamiel st Darlington Point

NSW 2705

69684295

To whom it may Concern,

On Discussion with Ruth, she advised us that there was a process to apply for an internal Grant for our Sunshine Club.

The Grant would be used to celebrate the 60<sup>th</sup> anniversary of our Club, to be held on March 21 2020.

Our Club raises money for local charities and helping out local people in need, such as catering for funeral's, Anzac Day and other community events.

We are a Non-for profit organization.

It would be greatly appreciated if our small organization could be considered for a grant to help celebrate our Anniversary.

If you need further information or wish to discuss this, could you please contact either Jean or myself on the above number.

Kind Regards

A handwritten signature in cursive script, appearing to read 'Sue Porter', followed by a period.

Sue Porter



## NEWELL HIGHWAY PROMOTIONS COMMITTEE

### STRATEGIC DIRECTION MEETING

#### GILGANDRA SHIRE COUNCIL

15 Warren Road, Gilgandra

**TUESDAY 26 NOVEMBER 2019, 10.30am**

#### 1. Welcome

By Vice Chair Penny Jobling, Narrabri Shire Council.

Thank you extended to Gilgandra Shire Council for hosting the meeting.

Noted that the Committee didn't receive handover or files from outgoing President, and acknowledgment to the couple of LGA's that have stepped up to temporarily steer the Committee through this change.

#### 2. Attendance - in person

Penny Jobling, (Narrabri Shire Council), Les Moulds, (NHPC Life Member/ Inverell), Marina Uys (Bland Shire Council), Kelly Hendry (Parkes Shire Council), Lisa Moon (Parkes Shire Council), Gill Foran (Gilgandra Shire Council), Kathryn Larkin (Gilgandra Shire Council).

#### Attendance - via phone

Josie Howard & Katrina Williams (Dubbo Regional Council), Kellie Dissegha (Murrumbidgee Shire Council), Maree Glasson (Greater Shepparton Shire Council), Nina Hooper (Forbes Shire Council).

#### Apologies

Megan Boyd (Goondiwindi Shire Council), Jo Houghton (Warrumbungles Shire Council), Jennifer Connor (Lockhart Shire Council), Megan Boyd (Goondiwindi Regional Council).

#### 3. Correspondence

Nil

#### 4. Treasurers Report

As attached. (Attachment #1)

**Moved:** L. Moulds/ L. Moon

#### 5. Newell Highway brochure

##### a) *Distribution points* (Attachment #2)

##### Queensland

18 pallets at Blue Star - Qld distribution hasn't been great. Link Logic in Brisbane same price. So shifted 6 pallets from Blue Star to Link Logic (Steve Pell) in Brisbane to gain better distribution and costs in Qld. 18 pallets remaining, 64 guides per box.

##### New South Wales

Every VIC in NSW can order direct through Blue Star if you are setup in the platform. If you are not in the platform, Parkes VIC is happy to coordinate the order - please contact Parkes VIC and they will arrange for Blue Star to get them to your VIC.

Parkes has been coordinating incoming brochure orders for NSW and Southern States and placing orders in the Blue Star platform. Lisa is negotiating distribution costs with Blue Star for Parkes guide distribution - will speak with them regarding NHPC distribution as well so that negotiations cover both.

Parkes Depot also has 2 pallets.



## NEWELL HIGHWAY PROMOTIONS COMMITTEE

Narrabri has guides and coordinates distribution via visitors. Places a sign up eg. 'anyone heading to Coonabarabran and is able to deliver this box to the VIC' - they get a free coffee or key ring etc as thanks. Cheaper than paying via post or courier. Grey nomads love it - gives them purpose and they're happy to assist. Also great for sustainability - reduces carbon footprint of requiring additional deliveries.

### South Australia and Victoria

Also via Blue Star.

#### **b) Outstanding payments**

NRMA \$4,000 Confident that it will be paid in the next 3 weeks. Amelia (contact at NRMA) has chased it. Thanks to Penny for obtaining contact via Link Logic and Les for chasing the payment.

Narromine, Warrumbungles & Shepparton have been paid.

Special thanks to Penny and Les for taking over and sorting this in an adverse situation and without records and contacts.

#### **6. Newell Highway pad maps**

Question around NHPC printing more pad maps. General feeling that the Committee's current major expense and focus is on distribution of the guide - this is doing the best by our advertisers/ supporters who support us.

Pad maps are all setup and easily printed via Vink Publications. If VIC's would like to order and pay (at their expense) for these pad maps, they are welcome to contact Vink Publishing directly and order at their arrangement and cost:

**Contact Details:** Michael, Vink Publishing, (07) 3334 8000 or [production@vinkpub.com](mailto:production@vinkpub.com)

**For follow up** - next time we sell the guide, we could look at packaging in a pad map as an on-sell to the guide.

#### **7. Caravan and Camping Shows**

The NHPC will be attending:

- *Melbourne C&C Show* - 20-24 February - Melbourne Showgrounds
- *Brisbane C&C Show* - 3-8 June - Brisbane Showgrounds

Further, the NHPC guides will be distributed at the following consumer shows, courtesy of the other following regions (Which we are grateful for):

*Gold Coast* - March (via Inverell), *Newcastle* - (Kamilaroi Hwy) & *Sydney* - April/ May (Northern/ Inland)

The NHPC will skip the 2020 Adelaide C&C Show - due to funding and resourcing limitations this year.

A big thank you was extended to Les and Yvonne for coordinating our attendance and representing the NHPC at these shows for many years, the Committee and members are very grateful for their efforts. Please note that Les and Yvonne could do with assistance at these shows, it is a great opportunity to get face to face with consumers and learn from their trends, behaviours and preferences. It is also important for succession planning for up and coming members to take part and learn the processes.

**Noted:** That Greater Shepparton may be able to provide some staff for the Melbourne Show. Jerilderie will also be there as Kidman Way & can probably also provide some assistance.

**ACTION** - If anyone is able to attend the Melbourne or Brisbane Shows, please advise Les Moulds on 0488 688 834.

#### **8. Social and Digital media - anything going in this space?**

Does anyone have capacity & capability to voluntarily take this on for the NHPC? If so, please advise.



## NEWELL HIGHWAY PROMOTIONS COMMITTEE

### 9. Touring Route/DNSW

The Newell Highway is not recognised as a touring route in NSW. Kamilaroi Hwy has finally been recognised after 17 years as a route with DNSW - thanks to persistent lobbying. The new NHP Committee will need to pursue this with the NSW Tourism Minister as the NH should be an obvious inclusion.

### 10. Level of LGA/ LTA support for the future of the NHPC

Discussion took place around what the future is for the NHPC, and how much support LGA's are able to provide.

It should be noted that there was no income for the NHPC for 4 years due to the delay in the new guide. Advertising sales in the brochure is the Committee's only source of funding. We thankfully had some contingency/ buffer to be able to trade for that length of time and conduct activities including guide distribution and consumer shows.

Going forward, there are not the finances in place to be able to trade beyond the next year or two.

Next steps - do we need a financial contribution from LGA's to tide the NHPC over to the next guide.

Real opportunity to tick grant boxes as it crosses so many LGA's. Currently only about 6 LGA's actively participating, which however isn't enough.

It's not sustainable for the same LGA's to be taking the full load, it needs to be shared.

Can we consider looking at encouraging a level of commitment to cooperation, using hash tags etc.

**ACTION** - Need to get Business Plan out to current members.

Members at the meeting spoke about their levels of commitment, as follows:

*Murrumbidgee* - Members of about 4 various orgs. They pay a membership subscription fee for the others. They'd consider that for the NHPC (dependent on perceived value) but happy in essence to continue to support the NHPC.

*Greater Shepparton* - Regional tourism review underway in Victoria so unsure about future contribution to RTO. Happy in essence to support the NHPC.

*Forbes* - More than happy to continue involvement and would consider paying membership fee. About to recruit a new Tourism Development Officer and their involvement will be paramount.

*Dubbo* - Hasn't got much out of the current guide. Looking to leverage more ways to cooperatively market. Questioned whether it is worth us combining to do PR spend etc. Dubbo to consider whether this is something they can help drive on behalf of the NHPC?

*Bland Shire* - Is there a way we can create smaller groups together and then dial in. Distances to travel to meetings is a problem. Suggestion that we could cluster together to form smaller subcommittee's who meet more frequently and then join bigger group via Skype etc - may be more workable?

*Parkes Shire* - Parkes has had long association with the NHPC and is eager to continue to work together in this space. Whilst Parkes is taking on a little more of the load currently (with the departure of the Chair), we require more member's active involvement for it to be sustainable.

**ACTION** - Conduct a survey via Survey Monkey to garner member's priorities and levels of commitment to the NHPC.

Eg.

- Are LGA's interested in staying involved
- Interested in doing 3 cluster groups - southern, central, northern
- Interested in doing strategic planning





## NEWELL HIGHWAY PROMOTIONS COMMITTEE

- Marketing
- Is it relevant or not
- Do you want to play or don't you
- Structure suggestions
- Do you have time or expertise in these areas (chair, sec, treasurer, social media, strategic planning etc)
- Work break down

### 11. Possible future structure/ office bearers

Committee to revisit this following the survey process.

We'll be starting afresh this next round. Really need everyone to contribute and get us back on track if everyone agrees to continue their association.

### 12. Update from the Newell Highway Task Force

Media release circulated. (Attachment #3)

**Note:** Its very worthwhile for the NHPC to address the NHTF

### 13. General Business

- Annual return requires completion.

**MOTION** - That Les has authority to complete the 2020 annual return for the Dept Fair Trading and incorporation on behalf of the Committee. **Moved:** P. Jobling/ L. Moon.

- Marina was asked to commend Bland Shire for what they have coordinated on behalf of the NHPC over the past couple of years. Particularly the time that was dedicated to the Executive of the Committee and for the storage and distribution of the guides, the Committee is very appreciative.
- It is however disappointing that we had no handover and weren't able to obtain any paper trail of actions that required follow up. Les has tried to make contact on several occasions but has not been able to obtain anything. This made it very difficult to follow financial debtors etc. (Please note that there are no problems with misguided financials of the NHPC).
- Members present identified a preference to seek a one-off contribution (eg. \$300-500) from members to tide over the committee to the next guide (if required).
- Recommendation that the next brochure print is only 100K rather than 150K, then keep to the 2-year cycle.
- Media Release from Michael McCormack DPM (Attachment #4)
- Bush Media (Andrew Drane) website analytics - haven't been distributed (were going to Jeff).

**ACTION:** - Penny to contact Andrew Drane re NHPC website. Maintenance is included in our annual fee if anyone needs changes. Penny to also ask him if he can look at coordinating EDM or social channels etc for the NHPC and if so, how much. Also - look at including everyone's social media links on the website so that travellers can link through to see whats on as they travel.

### 14. Next Steps

- Survey monkey & open-ended comments/ thoughts & would people be happy video conferencing and if so, does anyone have platform we could use or suggestions. Or teleconference.
- Need to determine what will we do with the organisation and what structure will we run under.
- Consider cluster groups - may change structure slightly and be more workable (Hold smaller sub-committee meetings then come together once a year).
- Post the survey, call a meeting (mid-late March). Perhaps North/ South one, then 3 months later have a combined meeting somewhere central.

*Meeting Closed 12.30pm*

**Newell Highway Promotions Committee Inc. Financial Statement for  
Period Ending 22<sup>nd</sup> November, 2019.**

**Balance as at 28<sup>th</sup> May, 2019.** **\$14250.24**

Income:

Narrabri	1943.50	
Tocumwal	4000.00	
Finley	4000.00	
Shepparton	4000.00	
Narromine	4000.00	
Warrumbungles	4000.00	<b>\$21943.50</b>

**\$36193.74**

Expenditure:

NSW CCIA	925.00	
Blue Star Initial Dist.	9000.00	
Blue Star Dist.	3118.00	
Suttons Insurance	825.00	
Shows	1753.00	<b>\$15622.00</b>

**BALANCE AS AT 22<sup>ND</sup> NOVEMBER, 2019      \$20571.74**

Outstanding - Link Logic transfer of 6 pallets from Blue Start for distribution.  
Still 12 pallets with Blue Star.

**IBD \$43940.33 - Reinvested to 29<sup>th</sup> April, 2020.**

## DISCUSSION - ONGOING FINANCES

# October 2019 - Distribution Report

DespatchDate	FeeType	Item	Description	Qty	UnitOfIssueDesc	UnitPrice	UOI	SellExcl	SellIncl	Suburb	State	PostCode	DeliverTo
01/10/2019	Item	NEWELL019	Newell Highway Visitors Guide 2019	2	BX/70	\$0.00	70.00	\$0.00	\$0.00	TOOWOOMBA	QLD	4350	Toowoomba Visitor Information Centre
01/10/2019	Pick Fee	FEEPICK	Line Picking Fee	1	Each	\$2.00	1.00	\$2.00	\$2.00	TOOWOOMBA	QLD	4350	Toowoomba Visitor Information Centre
01/10/2019	Handling Fee	FEEHANDLING	Order Handling Fee (per Despatch)	1	Each	\$6.00	1.00	\$6.00	\$7.26	TOOWOOMBA	QLD	4350	Toowoomba Visitor Information Centre
01/10/2019	Shipping	COURIER	Ship Ref:GGKZ10226675	1	Each	\$36.79	1.00	\$36.79	\$40.47	TOOWOOMBA	QLD	4350	Toowoomba Visitor Information Centre
01/10/2019	Item	NEWELL019	Newell Highway Visitors Guide 2019	1	BX/70	\$0.00	70.00	\$0.00	\$0.00	CABOOLTURE	QLD	4510	Caboorture Community Information Centre
01/10/2019	Pick Fee	FEEPICK	Line Picking Fee	1	Each	\$2.00	1.00	\$2.00	\$2.00	CABOOLTURE	QLD	4510	Caboorture Community Information Centre
01/10/2019	Handling Fee	FEEHANDLING	Order Handling Fee (per Despatch)	1	Each	\$6.60	1.00	\$6.60	\$7.26	CABOOLTURE	QLD	4510	Caboorture Community Information Centre
01/10/2019	Shipping	COURIER	Ship Ref:GGKZ10226674	1	Each	\$26.22	1.00	\$26.22	\$28.85	CABOOLTURE	QLD	4510	Caboorture Community Information Centre
11/10/2019	Item	NEWELL019	Newell Highway Visitors Guide 2019	1	BX/70	\$0.00	70.00	\$0.00	\$0.00	GUNDAGAI	NSW	2722	Gundagai Visitor Information Centre
11/10/2019	Pick Fee	FEEPICK	Line Picking Fee	1	Each	\$2.00	1.00	\$2.00	\$2.00	GUNDAGAI	NSW	2722	Gundagai Visitor Information Centre
11/10/2019	Handling Fee	FEEHANDLING	Order Handling Fee (per Despatch)	1	Each	\$6.60	1.00	\$6.60	\$7.26	GUNDAGAI	NSW	2722	Gundagai Visitor Information Centre
11/10/2019	Shipping	COURIER	Ship Ref:GGKZ10229034	1	Each	\$20.67	1.00	\$20.67	\$22.73	GUNDAGAI	NSW	2722	Gundagai Visitor Information Centre
15/10/2019	Item	NEWELL019	Newell Highway Visitors Guide 2019	1	BX/70	\$0.00	70.00	\$0.00	\$0.00	THE ENTRANCE	NSW	2261	Central Coast Visitor Information Centre
15/10/2019	Pick Fee	FEEPICK	Line Picking Fee	1	Each	\$2.00	1.00	\$2.00	\$2.00	THE ENTRANCE	NSW	2261	Central Coast Visitor Information Centre
15/10/2019	Handling Fee	FEEHANDLING	Order Handling Fee (per Despatch)	1	Each	\$6.60	1.00	\$6.60	\$7.26	THE ENTRANCE	NSW	2261	Central Coast Visitor Information Centre
15/10/2019	Shipping	COURIER	Ship Ref:GGKZ10229679	1	Each	\$18.30	1.00	\$18.30	\$20.13	THE ENTRANCE	NSW	2261	Central Coast Visitor Information Centre
23/10/2019	Item	NEWELL019	Newell Highway Visitors Guide 2019	2	BX/70	\$0.00	70.00	\$0.00	\$0.00	WEST WYALONG	NSW	2671	West Wyalong Visitor Information Centre
23/10/2019	Pick Fee	FEEPICK	Line Picking Fee	1	Each	\$2.00	1.00	\$2.00	\$2.00	WEST WYALONG	NSW	2671	West Wyalong Visitor Information Centre
23/10/2019	Handling Fee	FEEHANDLING	Order Handling Fee (per Despatch)	1	Each	\$6.60	1.00	\$6.60	\$7.26	WEST WYALONG	NSW	2671	West Wyalong Visitor Information Centre
23/10/2019	Shipping	COURIER	Ship Ref:GGKZ10231961	1	Each	\$22.84	1.00	\$22.84	\$25.13	WEST WYALONG	NSW	2671	West Wyalong Visitor Information Centre
						\$167.82			\$184.61				

# October 2019 - Monthly Storage Report

Customer Name	Fee Type	Description	Version	UOM	QTY as of [2019-11-01]	Unit Price	Sell Excl	GST	GST Inclusive	Warehouse Location	Lot No
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216902
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216901
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216900
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216899
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216898
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216897
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216896
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216895
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	32	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216894
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	69	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	217175
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216917
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216910
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216909
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216914
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216912
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216916
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216915
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216913
Webstar Australia	Pallet Location (BP)	Newell Highway Visitors Guide 2019	06/19	BX/70	64	\$17.50	\$17.50	\$1.75	\$19.25	SYDNEY	216911
						\$332.50	\$332.50	\$33.25	\$365.75		

Attachment # 2 (relating to Item 5)



## NEWELL HIGHWAY TASK FORCE

# M E D I A R E L E A S E

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### **Newell Highway Task Force Welcomes Fast-Tracked Funding**

The Newell Highway Taskforce Committee has welcomed the Federal Government's announcement to accelerate funding for the Newell Highway to support construction of the Parkes Bypass and the delivery of the Inland Rail.

The Australian Government's \$200 million contribution is in addition to the NSW Government's commitment announced earlier this year. The project is set to commence next year, set to improved safety for all road users and help realise transport efficiency gains offered through the delivery of Inland Rail.

Deputy Prime Minister and Minister for Infrastructure, Transport and Regional Development Michael McCormack said the Australian Government was investing heavily in key roads in regional NSW that are vital to improved safety and supporting the economy through improved connectivity to the regions and to our markets.

"The Government recognises the need for these key rural roads to receive the upgrades they need to be safer, more efficient transport corridors as soon as possible," the Deputy Prime Minister said.

Chair of the Newell Highway Taskforce, Parkes Shire Mayor Cr Ken Keith OAM said, "it is great to see both levels of government investing in this nationally significant highway."

"Not only will these works have long term benefits for road users and transport efficiency gains, local procurement will get a significant waiting in the tender process will directly assist the drought affected communities along the route."

Further investment decisions will be informed by the Australian Government's Newell Highway Corridor Strategy and will target improved safety for all road users and help realise transport efficiency gains offered through the delivery of Inland Rail.

At the last meeting of the Newell Highway Taskforce held at Forbes Shire Council on 12 November 2019, members heard updates from representatives from the Department of Infrastructure Regional Development and Transport NSW.

- Seven new overtaking lands are currently under construction along the Newell, with an additional 30 scheduled for the next three to four years.
- Work is well advanced on the 9km stretch south of Boggabilla, with \$280 million heavy duty pavement on the black soils between Narrabri and Moree to commence next year.
- The RMS continues to refine the design of the Parkes Bypass following the latest round of community consultation. The final design will go out on public display in December, as well as the concepts for the Dubbo River Street Bridge.
- Following community consultation, the eastern version of the Coonabarabran Bypass was preferred. Road trains are now able to travel through the main street as an interim measure.
- A detailed study into the 2016 Newell Highway flooding is set to be completed, which will identify priority works for the near future.

- A restructure is currently underway across Transport NSW, with road and rail set to become consolidated under one mantra commencing 3 February 2020. One director may have carriage of the full length of the Newell Highway in the future.

The Newell Highway Taskforce will make representations to ARTC and Inland rail to have the dangerous Tichborne crossing grade separated to increase safety on the Inland Rail route. Concerns were also raised by Narromine Shire concerning trucks using Narromine as an alternate route.

The Newell Highway Promotions Committee Strategic Planning Meeting will be held on Tuesday 26 November 2019 at Gilgandra.

Meetings of the Newell Highway Taskforce Committee will take place in Moree, Parkes and at Parliament House in Sydney for 2020.

*END OF RELEASE*

Precis or Summary:	The Newell Highway Taskforce Committee has welcomed the Federal Government's announcement to accelerate funding for the Newell Highway to support construction of the Parkes Bypass and the delivery of the Inland Rail.		
Authorised By:	<b>Ken Keith Newell Highway Task Force</b>	Contact: Cr Ken Keith OAM Mayor Parkes Shire 0428 669 482	Embargoed Until: Immediate Release.
Distribution:	Task Force members to distribute to respective local media		



**The Hon Michael McCormack MP**  
Deputy Prime Minister  
Minister for Infrastructure, Transport and Regional Development  
Leader of The Nationals  
Federal Member for Riverina

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## **MEDIA RELEASE**

22 November 2019

### **NEWELL HIGHWAY INVESTMENT ACCELERATED: McCORMACK**

RIVERINA MP and Deputy Prime Minister Michael McCormack says the Riverina and Central West will benefit from a \$570 million state-wide infrastructure package.

The Liberal and Nationals Government has been working with states and territories to bring forward critical road projects across Australia to drive jobs, strengthen the economy and get people home sooner and safer.

Mr McCormack, who is the Federal Minister for Infrastructure, Transport and Regional Development, said the Australian Government was investing heavily in key roads in regional NSW, which are vital to improved safety and supporting the economy through improved connectivity to the regions and to our markets.

"The Government recognises the need for these key rural roads to receive the upgrades they need to be safer, more efficient transport corridors as soon as possible," Mr McCormack said.

"In the Riverina and Central West, we are accelerating the \$200 million investment in the Newell Highway to support construction of the Parkes Bypass and the delivery of the Inland Rail.

"We are also bringing forward \$185 million for the Toowoomba to Seymour corridor under the Roads of Strategic Importance initiative."

"Investments under ROSI will address pinch points and impediments to efficient freight movements along the corridor, improving travel times, better connecting communities and supporting the economy.

"This investment will be informed by the Newell Highway Corridor Strategy, which is considering efficient outcomes in the movement of regional freight, challenges such as road safety and flooding, as well as the relationship between the Newell Highway and Inland Rail.

"The Newell Highway is the longest highway in New South Wales and provides a major freight and passenger transport connection to Victoria and Queensland.

"Many towns, farmers and small businesses throughout the Central West, Murrumbidgee Irrigation Area and western NSW rely on the Newell to connect product from paddock to plate, as well as providing a vital economic boost to communities along the highway.

"We want to work with communities along the Newell to see how we can ensure it continues to be the lifeblood of the region, as well as ensuring those who use it can get home sooner and safer."

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The Hon Michael McCormack MP  
Parliament House Canberra | (02) 6277 7520 | [minister.mccormack@infrastructure.gov.au](mailto:minister.mccormack@infrastructure.gov.au)  
Suite 2, 11-15 Fitzmaurice Street, Wagga Wagga NSW 2650 | [michael.mccormack.mp@aph.gov.au](mailto:michael.mccormack.mp@aph.gov.au)

The NSW package includes the acceleration of \$530 million in federal funding across three major regional projects to increase safety, improve freight productivity and boost tourism.

Prime Minister Scott Morrison said \$212 million of the new package would be spent in the next 18 months as part of a \$33 billion investment in NSW infrastructure from the Federal Government since the 2013 election.

“We’re bringing forward these important projects to cut travel times and make roads safer while boosting jobs and the economy,” the Prime Minister said.

“We can get these projects moving because of our responsible economic management rather than the sort of knee-jerk reactions we’ve seen in the past from Labor. This is a key part of our plan for a stronger economy and our pipeline of \$100 billion worth of congestion-busting roads and rail.

“We’re also injecting \$20 million in extra funding for the final link of the vital Pacific Highway upgrade and we’ve locked in \$8.8 million for the Brig O’Johnston Bridge project at Clarence Town and \$7.9 million for the Davey Road Interchange.”

**Newell Highway upgrade package brought forward:**

- \$200 million for the \$400 million Newell Highway Upgrades package
  - o Funding will flow from next year and the following three years to enable the start of works, including the Parkes Bypass project, after previously being allocated beyond 2024–25.
  - o The Australian Government’s contribution to the package is \$400 million.
  - o The NSW Government is partnering with the Australian Government on both funding and delivery of works on this corridor.
  - o Further investment decisions will be informed by the Australian Government’s Newell Highway Corridor Strategy and will target improved safety for all road users and help realise transport efficiency gains offered through the delivery of Inland Rail.
- \$185 million for the \$300 million Toowoomba to Seymour (NSW section) Roads of Strategic Importance (ROSI) package
  - o Funding to flow immediately and over the next three years to enable the start of works after previously being allocated beyond 2020–21.
  - o The Australian Government is fully funding Stage 2 of the Mungle Back Creek to Boggabilla project (\$81.1 million) and the Tooraweenah Road Upgrade project (\$23 million)
  - o This package will deliver upgrades targeting increases in higher efficiency freight vehicle access and improving the overall efficiency and safety of the corridor.

**Ends**

**Media Contact: Shane Manning 0439 550 506**





## **Kidman Way Promotional Committee Meeting**

### **Teleconference**

**17 December 2019 at 2pm**

### **MINUTES**

**Present:** Chair; Mirella Guidolin (Griffith City Council), Vicki McRae (Griffith City Council), Ruby Blumer (Griffith City Council), Alison Jardine (Carrathool Shire Council), Kellie Dissegna (Murrumbidgee Council), Demi Smith (Cobar Shire Council), Samantha Smith (Cobar Shire Council).

#### **1. Welcome**

#### **2. Apologies**

Fran Carter (Bourke Shire Council), Mayor McRae & Vicki Sutton (Murrumbidgee Council).

#### **3. Minutes of the previous meeting**

(Phone conference 6 September 2019). Adopted.

#### **4. Financials/2019 Budget**

(Financial statement) No changes from last meeting.

Mirella received the confirmation for VIC Caravan, Camping & Touring Supershow - Cost = \$1643 + \$400 bond.

Invoice for Outback Beds Received = \$770.00

#### **5. Trade Shows**

##### **○ Melbourne Leisure Fest | attended 3-6 October 2019 (Alison)**

Alison's wrap-up:

- the crowds attending the trade show were the best they ever had, and that numbers are increasing.
- A brochure stand had to be hired for the Kidman Way stall
- Many passers-by to the Kidman Way stand commented they had already visited the Kidman Way

##### **○ NSW Caravan Camping Holiday Super Show | Sydney 28 Apr – 3 May 2020 (Demi)**

No decision made whether to attend. The committee decided, however:

- based on previous experience Brisbane was not worth attending (as advised by Cobar)
- the Newell Highway are not attending Adelaide
- Alison to check with John on his Albury/Wodonga research and report back to committee

##### **○ VIC Caravan, Camping & Touring Supershow | Flemington 20 – 24 February 2019**

Mirella advised confirmation received for February booking. Mirella to re-confirm site allocated, as different to application submission.



Member councils attending as follows:

Bump-in 19<sup>th</sup>/20<sup>th</sup>/21<sup>st</sup>: Murrumbidgee & Carrathool

21<sup>st</sup>/22<sup>nd</sup>/23<sup>rd</sup>: Griffith

22<sup>nd</sup>/23<sup>rd</sup>/24<sup>th</sup> bump-out: Bourke & Cobar

## **6. Website development (Fran)**

Fran was an apology due to illness, and advised via text that she will send an email update to all when back in the office. Also advised that "kidmanway.com.au" is still active.

Fran to arrange to have all traffic re-diverted to the current website: kidmanway.org.au

## **7. Outback Beds - Demi is the lead on this**

Cobar has new Outback Beds map. Demi to send to each KWPC member.

## **8. A3 Tear off map and attractions quote - design and print**

- Design decisions: border to border; include the start of the Matilda Way at QLD, and route south finishing at Tocumwal
- Griffith to work with GCC GIC Mapping department to start map foundations. Design to be tweaked with committee consultation.
- Add "Top 5" activities/must-dos at each location?? To be decided
- Add a matrix or legends based on services guide in Kidman Brochure (eg food, fuel, camping, dump spots)?? To be decided

## **9. Kidman Way online brochure distribution report**

Mirella distributed prior to meeting.

## **10. Admin (Mirella)**

Update provided on Kidman Way Promotional Committee becoming incorporated:

- Model Constitution provided (and recommended) by Department of Fair Trading. Changes to customise constitution to organisation can be made to the constitution at \$52 per change.
- Must have seven committee members
- \$173 fee
- Process:
  1. Committee to write a letter stating that the Kidman Way Promotional Committee have voted to become an incorporated body.
  2. Complete application form and submit to Dept of Fair Trading with fee
  3. Certificate of Currency follows

Before proceeding, Mirella to confirm the need for office bearers/ AGM requirements if becoming incorporated.

Mirella to look into insurance providers for Certificate of Currency

## **11. Marketing Strategies for the Year**

- o *The Wanderer*

The committee agreed that this is the most effective publication for marketing purposes

Griffith to look into editorial options for 2020, including related fees and submission cut-off dates



- Other:

Suggestions included designing an add/flyer/pamphlet to use at Trade shows, for upcoming trade shows eg “Come and see us at.....”

## **12. Outstanding Action Report - Mirella updated and attached**

## **13. General Business**

Continue to regularly post on Facebook. New schedule starting January 2020 as follows:

Jan – Murrumbidgee

Feb – Carrathool

Mar – Cobar

Apr – Bourke

May – Griffith

Jun – Murrumbidgee

Jul – Carrathool

Aug – Cobar

Sep – Bourke

Oct – Griffith

Nov – Murrumbidgee

Dec – Carrathool

Allocated member council is responsible for posting at least one item per week.

Other member councils may post in non-allocated months, if they have content to share.

## **14. Next meeting**

Tuesday, 4<sup>th</sup> February 2020. Same dial-in details.

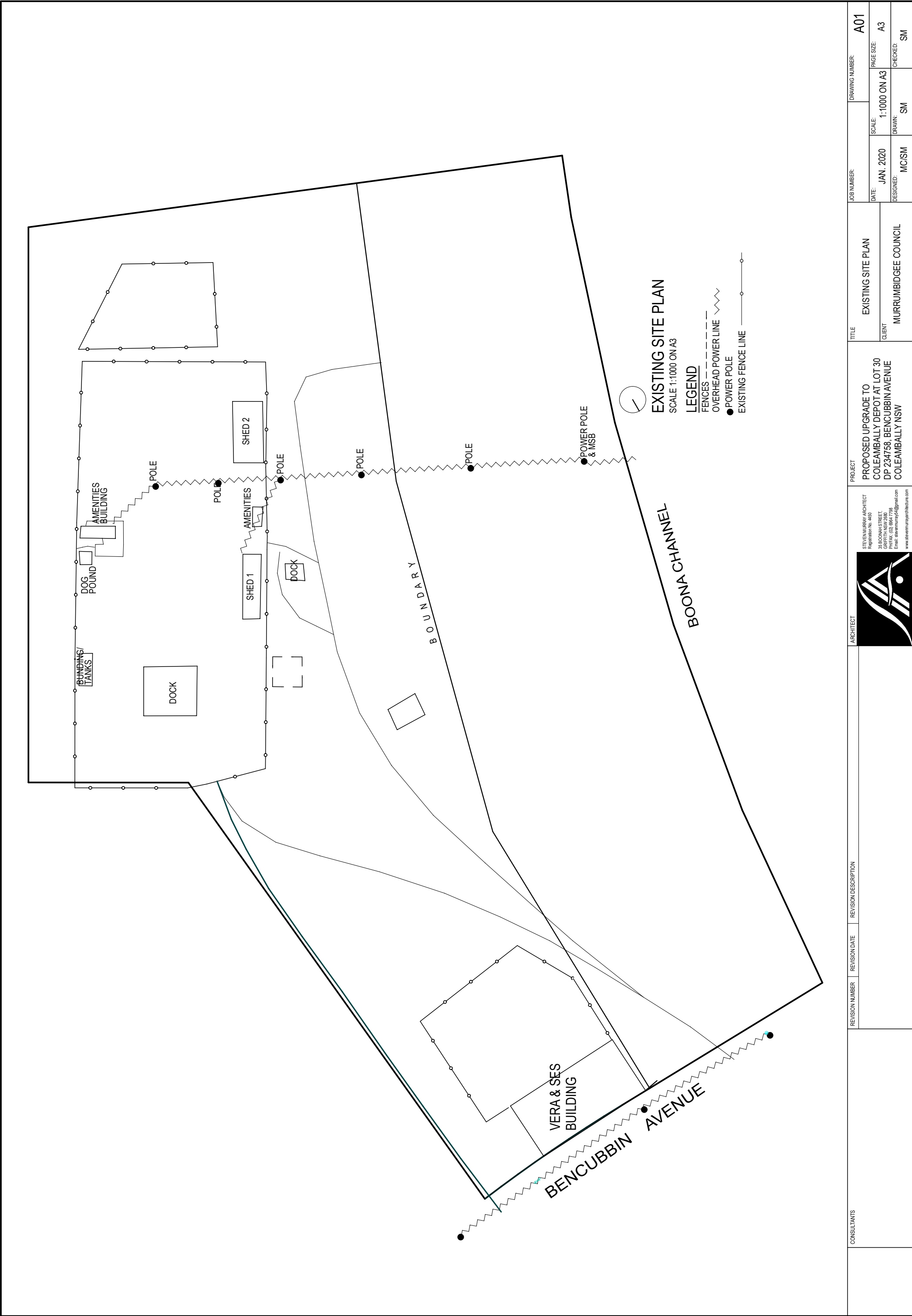
### **User Information** (Give this information out to clients wanting to connect to the Teleconference)


Conference Dial in 1800 062 923

Conference ID 74336384

PIN 8164

**Note\*** If prompt asks for 12 digit code combine Conference id & Pin eg 743363848164



CONSULTANTS		REVISION DESCRIPTION		ARCHITECT		PROJECT		TITLE		JOB NUMBER:		DRAWING NUMBER:		A01			
REVISION NUMBER		REVISION DATE		REVISION DESCRIPTION		ARCHITECT		PROJECT		TITLE		JOB NUMBER:		DRAWING NUMBER:			
								STEVEN MURRAY ARCHITECT Registration No. 4450 35 BENCUBBIN STREET COLEAMBALLY NSW 2580 PH/FAX: (02) 964 7798 Email: stevenmurray54@gmail.com www.stevenmurrayarchitecture.com		PROPOSED UPGRADE TO COLEAMBALLY DEPOT AT LOT 30 DP 234758, BENCUBBIN AVENUE COLEAMBALLY NSW		EXISTING SITE PLAN		A01			
										CLIENT		DATE: JAN. 2020		SCALE: 1:1000 ON A3		PAGE SIZE: A3	
										MURRUMBIDGE COUNCIL		DESIGNED: MC/SM		DRAWN: SM		CHECKED: SM	

