

Edward River Council Business Paper

Council Chambers 180 Cressy Street, Deniliquin

14 December 2017

Declaration of Meeting Open

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|------|--|----------|
| 1. | Acknowledgment of Country | Page 2 |
| 2. | Statement of Purpose | Page 2 |
| 3. | Apologies and Requests for Leave of Absence | Page 2 |
| 4. | Disclosure of Interest | Page 2 |
| 5. | Minutes of Previous Meeting | |
| 5.1 | 16 November 2017 | |
| 6. | Minutes of Council Committees | |
| 6.1 | Central Murray Regional Library Annual General Meeting Minutes 22 November 2017 | |
| 6.2 | Central Murray Regional Library Quarterly Meeting Meeting Minutes 22 November 2017 | |
| 7. | Business Arising from Minutes | |
| 7.1 | Council Meeting Resolution Register – November Update | Page 3 |
| 8. | Public Forum | |
| 9. | Reports from Officers | |
| 9.1 | Mayoral and General Manager Meetings | Page 11 |
| 9.2 | Stronger Communities Program December update | Page 13 |
| 9.3 | Council Christmas Closures | Page 15 |
| 9.4 | Investment Report | Page 18 |
| 9.5 | Annual Report Financial Statements | Page 22 |
| 9.6 | Code of Meeting Practice | Page 27 |
| 9.7 | Councillors Expenses & Facilities Policy | Page 29 |
| 9.8 | Disclosure of Interest Returns | Page 32 |
| 9.9 | Delegations of Authority | Page 35 |
| 9.10 | Tech One Reimplementation | Page 37 |
| 9.11 | Murray Valley Industry Park – Lease | Page 46 |
| 9.12 | Appointment of Citizen Representation CMRL | Page 48 |
| 9.13 | DA57-17 – Multi Dwelling Application | Page 54 |
| 9.14 | Planning Amendment – No. 8 | Page 78 |
| 9.15 | Solar Farms | Page 82 |
| 9.16 | Swimming Pool Delegation | Page 83 |
| 9.17 | Environmental Services Report | Page 85 |
| 9.18 | River Street Drainage Report | Page 93 |
| 9.19 | Headworks Charges | Page 100 |
| 9.20 | Asset Management Plan | Page 101 |
| 10. | Close of Meeting | |

1. Acknowledgement of Country

“I would like to acknowledge that we are here today on the land of the Wamba Wamba Perrepa Perrepa people. I would also like to acknowledge and pay my respects to past Aboriginal Elders, the present Aboriginal and Torres Strait Islander people who reside within this area, and their future generations.”

2. Statement of Purpose

I have come here as a Councillor freely and without bias to:

- Represent the views of the community in considering the matters before us today
- To vote in a matter I consider to be in the best interest of the community
- To observe the Code of Conduct and respect the rule of the chair and views of my fellow Councillors.

3. Apologies and Requests for Leave of Absence

4. Disclosure of Interest

7.1 SUBJECT: RESOLUTIONS OF COUNCIL

**FROM: Adam McSwain
General Manager**

In providing this advice to Council, I, Adam McSwain have no interests to disclose in this report.

Recommendation:

That Council note the information in the Resolutions of Council November 2017 update

Summary:

The attached report details the status of open Resolutions of Council.

This report is brought to Council on a monthly basis so Councillors and the community can see the progress of Council Resolutions.

Council Meeting Recommendations – November 2017

20 July 2017	Recommendation	Responsibility	Status	Expected Date of Completion
	<p>Proposed Retirement Village Development That Council delegate authority to the General Manager to sign the Murray Darling Basin Regional Economic Diversification Program Funding Deed of agreement; prepare and commence a EOI, contract the assistance of a suitably qualified and experienced consultant to advise.</p>	Economic Development & Business	Expression of Interest process currently underway to receive submissions. Further reports will be brought to Council in February 2018	15 February 2018
26 July 2017	Recommendation	Responsibility	Status	Expected Date of Completion
	<p>Consolidation of Operational Depots That Council submit a DA for the expansion of the existing depot site and receive a further report regarding detailed layout and costings following further consultation with staff.</p>	Infrastructure	Currently working through DA. Consultation with staff has been undertaken.	30 April 2018
5 September 2017	Recommendation	Responsibility	Status	Expected Date of Completion
	<p>Recovery of Loan Provided to Dongmun Greentech Pty Ltd That Council note and approve the following action taken by the General Manager to recover the loan provided by the former Deniliquin council to Dongmun Greentech. A. Notification to Councils lawyers on 1 September 2017 to prepare and send the Default Notice and Demand pursuant to</p>	General Manager	Company appointed to undertake market valuation of land. Council's solicitor is advising re the appointment of a real estate agent.	28 February 2018

	Section 76 of the Transfer of Land Act, requiring payment by 30 September 2017 otherwise Court proceedings and/or forced sale of the subject property. B. Notification provided to Council's lawyers on 1 September 2017 to arrange for an auction of the property if the 30 September 2017 date is not met. And note that if the loan is re-paid to Council prior to 30 September 2017, that the process to sell the land will cease.			
19 October 2017	Recommendation	Responsibility	Status	Expected Date of Completion
	Development Application 39/17 - Request to waive headworks charges That a decision on the Water Headworks Charge of \$27,536.00 and the Sewer Headworks Charge of \$34,208.00 in relation to Development Application 39/17 for the Navorina Nursing Home eight bed extension at Lot 153 DP1133106 Macauley Street, Deniliquin be deferred until the 16 November 2017 Council meeting allowing for further information to be presented at a workshop.	General Manager	Further Workshop Report. Final recommendation to 14 December 2017 Council Meeting	14 December 2017
	Development Application 49/17 - Request to waive headworks charges	General Manager	Further Workshop Report. Final recommendation to 14 December 2017 Council Meeting	14 December 2017

	<p>That a decision on the Water Headworks Charge of \$12,873.08 and the Sewer Headworks Charge of \$15,992.24 in relation to Development Application 49/17 for a staged development, stage 1 – demolish existing buildings, erect new childcare building and modify on-street parking, stage 2 – build off street car parking on Lot 6 and 7, Section 22, DP758913, 362-370 Whitelock Street, Deniliquin be deferred until the 16 November 2017 Council meeting allowing for further information to be presented at a workshop.</p>			
	<p>Purchase of Land Depot Expansion That Council resolves to purchase 221 Wanderer Street, Deniliquin for a price up to a maximum amount outlined in the confidential report. That on settlement of the purchase of 221 Wanderer Street, Deniliquin, the Land be declared 'operational land'. That Council resolves to purchase 219 Wanderer Street, Deniliquin, for a price up to a maximum amount outlined in the confidential report. That on settlement of the purchase of 219 Wanderer Street, Deniliquin, the</p>	<p>Infrastructure and General Manager</p>	<p>Contract of sale signed for 221 Wanderer Street.</p> <p>Contract drafted for 219 Wanderer Street and final discussions taking place prior to purchase.</p>	<p>30 December 2017</p>

	land be declared 'operational land'. That the seal of Council be applied as necessary to give effect to these resolutions. That Council fund these purchases through the Depot Refurbishment line item included in the 2017/18 operational plan and budget.			
	<p>Proposed acquisition of land (Lot 1 DP732067) for residential accommodation - VicTrack</p> <p>That Council apply to the Governor of New South Wales and the Minister for Local Government for the consent of both the Governor and Minister to the compulsory acquisition by Council under the Land Acquisition (Just Terms Compensation) Act 1991 of Lot 1 Deposited Plan 732067 for a retirement village. Approve the General manager to purchase the land up to a maximum amount outlined in the confidential report. Authority be granted to the Mayor and General Manager to execute any documents and affix Council seal as necessary to give effect to this resolution. The land detailed above be classified as Operational Land upon its acquisition. The resolution remains confidential</p>	Economic Development & Business	Letter sent to State Government to progress purchase of land. Currently awaiting reply and Ministerial approval.	30 March 2018

	pursuant to Section 10A (2) (c) of the Local Government Act 1993 until the acquisition is concluded.			
16 Nov. 2017	Recommendation	Responsibility	Status	Expected Date of Completion
240/17	<p>Doctor Incentives: That Council resolves to: Allocate a one-off Doctor Incentive package of \$7,800 to assist with housing for two new doctors relocating to Deniliquin. In accordance with section 356 of the Local Government Act 1993, advertise this proposal for at least a 28-day public submission process. Delegate authority to the General Manager to implement this RESOLUTION following the public submission period. Request officers develop a Doctor Incentives Policy for Edward River Council and bring to Council for discussion by April 2018</p>	General Manager	Advertising of proposal currently underway. If no submissions are received, then this will be implemented under delegation. If submissions against the proposal are received a report will be brought to the February 2018 Council meeting.	15 February 2018
247/17	<p>Waste Management: That Council resolves to approve the transfer of \$75,000 from the Waste Reserve and combine it with the current \$50,000 allocated within the 2017/18 budget to complete works to; Complete a Waste Management Strategy for Edward</p>	Infrastructure	Project brief currently being developed to implement projects. Once consultant appointed it is expected that project will take 3-6 months to be completed.	30 June 2018

	River Council; Complete a study and commence the process to expand the landfill at Deniliquin; Complete a study in relation to the options to develop a kerbside recycling and green waste collection service in Deniliquin			
249/17	<p>Waring Gardens: That Council approve the postponement of the following capital works at Waring Gardens: Replacement of the fence around the children's playground (\$9,000); Replacement of the pedestrian fence along Napier Street (\$15,000); Replacement of the concrete area around the BBQ (\$8,000); Refurbishment of the rotunda (\$30,000). Note that if any urgent or safety works are required on any of the postponed projects that these works will be undertaken as necessary. Request officers to progress as a priority the project to refurbish the fountain (\$20,000). Note that following the development of a Masterplan and Management Plan for Waring Gardens an updated list of capital projects will be brought to Council for consideration</p>	Infrastructure	Relevant works have been postponed. Safety assessment of existing structures currently underway. Project brief to progress the Waring Gardens Masterplan is currently under development. Refurbishment of the fountain is progressing.	30 June 2018

250/17	<p>Peacocks Waring Gardens That Council: Acknowledge the petition in relation to the exhibition of caged animals in Waring Gardens; Write to the first named petitioner and inform them of Councils resolution in relation to this matter; Resolve that due to the costs and regulation involved, Council's preferred position is to re-home the peacocks and remove the peacock enclosure from Waring Gardens; Advertise this preferred position, the reasoning for this decision and the costs and regulation associated with maintaining the peacock enclosure; Provide a period of at least 28 days for public submission and comment on this proposal; Note that following the public submission period, a further report will be brought to the February 2018 Council meeting.</p>	Infrastructure	<p>Community consultation currently underway and closing mid-January. A detailed report will be brought to the February Council meeting for a final decision to be made.</p>	15 February 2018
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9.1 SUBJECT: MAYOR AND GENERAL MANAGER MEETINGS

**FROM: Adam McSwain
General Manager**

In providing this advice to Council, I, Adam McSwain have no interests to disclose in this report.

Recommendation:

That Council note the information.

Summary:

The report details meetings undertaken by the Mayor and General Manager on behalf of Council during November 2017.

Mayor and General Manager meetings November 2017

Date	Participants	Topic	Council Reps
1	Austin Evans	Doctors/Hospital	Mayor and General Manager
6	Amanda Shand, Navorina, David Jackson, Deniliquin Hospital, Julie Hicks, Navorina	Navorina and Deniliquin Hospital RN Recruitment	Mayor and General Manager
8	RAMROC Board Meeting		Mayor and General Manager
9	Chinese Delegation from Guizhou Province	MVIP and Ausway	Civic Reception
10 11	Remembrance Day Dinner and Remembrance Day Service		Mayor
13	Mr Joo, Greg Finn	Ethanol Plant	Mayor, General Manager, Director Economic Development & Business
16	Ian Fisher, Troy Bright – Lagoons Committee	Funding opportunities	Mayor and General Manager
20	Rotary – Dragon Boats	Meeting to gather interest	Mayor
22	Comm. Peter Barrie, Superintendent Paul Condon	Police HQ	Mayor
22	Conargo Feedlot	Opening	Mayor, General Manager, Cr Bull
23	Sussan Ley Liberal Party	Regional Discussion	Mayor and General Manager
25	Walk a Mile in her Shoes - Soroptimist	Domestic Violence	Mayor
29	Steve Arentz - Saleyards		Mayor and General Manager

9.2 SUBJECT: STRONGER COMMUNITIES FUND – MAJOR PROJECTS PROGRAM – DECEMBER PROGRESS REPORT

**FROM: ADAM MCSWAIN
General Manager**

In providing this advice to Council, I, Adam McSwain, have no interests to disclose in this report.

Recommendation:

That Council receive the Stronger Communities Fund – Major Projects Program - Progress Report for December 2017

Background:

The Stronger Communities Fund was established by the NSW Government to provide newly merged Councils with funding to spend on priority community initiatives.

Edward River Council received \$10 million in funding. An amount of \$1.4 million was allocated to various community groups for projects under the Community Grants Program. The remaining \$8.6 million has been allocated for the Major Project Program.

The projects adopted by the Stronger Communities Fund Assessment Panel are as follows:

Project	Grant Amount
Deniliquin Swim Centre Revitalisation	\$880,000
Community Masterplans & Initial Works	\$2,105,000
Deniliquin Regional Sports & Entertainment Stadium Extension	\$540,000
Blighty Community Netball & Tennis Facility	\$550,000
Deniliquin Children’s Centre Extension	\$500,000
Deniliquin Netball Facility Improvement Works	\$320,000
Rural Villages Beautification Project	\$300,000
Beach to Beach Walk Connectivity Improvements	\$300,000
Deniliquin Community Facility Refurbishments	\$165,000
Urban Road Infrastructure Program	\$2,390,000
Deniliquin Airport Heritage Centre Development	\$50,000
Unallocated Funding for New Council	\$500,000

Issue/Discussion:

A progress report to December 2017 is attached to this report.

Given the importance of these projects to the community and the value of the funding being spent, officers will bring a monthly project update report to each Council meeting. This report will ensure a high level of accountability for progressing these projects and ensure transparency to the community on project progress.

Policy and Strategy Implications:

The Major Projects Program funds a number of projects that progress strategically important projects for Edward River Council and the region.

Financial and Resource Implications:

Projects are to be funded from the \$8.6 million in the Stronger Communities fund program. Council staff have included design, documentation and supervision costs into the requested allocation of funds for each project.

Risk Implications:

Individual risk management plans are being developed for each of the funded projects. As an overall program the key risk to date is scope creep.

As is often the case with combined community and council projects, getting agreement and sign-off on project scope can take a considerable amount of time. Council officers are taking the view that the project submissions received and thus funded are the primary scope for each project. It has been made clear to all project groups that any projects that are completed or expected to be completed under budget are required to get approval from Council prior to adding or modifying the project scope. As part of this discussion, it has also been made clear that Council reserve the right to reallocate any project savings to new or other existing projects.

Consultation

Working groups that are made up of Council officers and community members have been established for relevant projects. These groups are functioning well and provide a close connection between the community, impacted community/user groups and Council.

Attachments:

Stronger Communities Program – December 2017 Project Update

9.3 SUBJECT: COUNCIL CHRISTMAS CLOSURE 2017/18

**FROM: ADAM MCSWAIN
General Manager**

In providing this advice to Council, I, Adam McSwain, have no interests to disclose in this report.

Recommendation:

That Council resolves to:

1. Note the following Council Christmas business closures:
 - a. Council's Customer Service Centre and Central Murray Regional Library from 12.00pm Friday, 22 December 2017, resuming standard operating hours from Tuesday, 2 January 2018;
 - b. Council's Works Depots from 12.00pm Friday, 22 December 2017, resuming standard operating hours from Tuesday, 2 January 2018;
 - c. Deniliquin Visitor Information Centre & Peppin Heritage Centre on Monday, 5 December 2017 and Monday, 1 January 2018, and maintaining standard operating hours on all other days throughout the Christmas period; and
 - d. Deniliquin Waste Disposal Depot on Monday, 25 December 2017 and Monday, 1 January 2018 and maintaining standard operating hours on all other days throughout the Christmas period.
2. Note that in addition to the abovementioned closure dates, the Deniliquin Visitor Information Centre & Peppin Heritage Centre and Deniliquin Waste Disposal Depot will be closed from 12.00pm to close of business on Friday, 22 December 2017.
3. Note that Council's kerbside waste collection service will not operate on 25 December 2017 and 1 January 2018, both of which fall on a Monday, and that residents' whose kerbside waste would usually be collected on a Monday will have their kerbside waste collected on the following day, being Tuesday, 26 December 2017 and 2 January 2018, respectively.

Background:

NSW Public Holidays fall on the following dates during the 2017/18 Christmas period:

- Monday, 25 December 2017 (Christmas Day);
- Tuesday, 26 December 2017 (Boxing Day); and
- Monday, 1 January 2018 (New Year's Day).

Issue/Discussion:

A Christmas function for all Council staff and volunteers will be held on the afternoon of Friday, 22 December 2017. As such, Council's Customer Service Centre and Works Depots, as well as the Central Murray Regional Library, will close for the Christmas period from 12.00pm on that date, with the Deniliquin Visitor Information Centre & Peppin Heritage Centre and Deniliquin Waste Disposal Depot similarly closing at 12.00pm on that date, though maintaining standard operating hours for all other dates during the Christmas period besides 25 December 2017 and 1 January 2018.

During the Christmas closure period, the telephone number for Council's Customer Service Centre (03 5898 3000) is diverted to the After-Hours Call Centre. The Call Centre has a list of emergency contacts so that any emergencies and urgent enquiries are promptly referred to the appropriate staff member for actioning. Standard enquiries received during the Christmas closure period will be logged for action upon Council's Customer Service Centre resuming operations in the New Year.

The Deniliquin Visitor Information Centre & Peppin Heritage Centre has traditionally remained open on New Year's Day, however, due to staff and volunteer leave arrangements, the Economic Development and Business directorate has determined to close the Centre on Monday, 1 January 2018. This decision also brings the Centre in line with the Deniliquin Waste Disposal Depot.

While Council's Works Depots will be closed from 12.00pm Friday, 22 December 2017 through to Tuesday 2 January 2018, a skeleton crew and on-call arrangements are scheduled for the Operations branch to ensure that any urgent matters that may arise during the Christmas closure period are addressed.

Policy and Strategy Implications:

Nil

Financial and Resource Implications:

Per the report, steps have been taken to ensure that essential services are still available across the Christmas period.

Risk Implications:

Per the report, steps have been taken to ensure that essential services are still available across the Christmas period.

Consultation

Council's Christmas business closures will be advertised on Council's website and Facebook page as well as via public notice in the *Deniliquin Pastoral Times* on the following dates:

- Tuesday, 19 December 2017;
- Friday, 22 December 2017;
- Tuesday, 26 December 2017; and
- Tuesday, 2 January 2018.

Attachments:

There are no attachments to this report.

9.4 SUBJECT: INVESTMENT REPORT AS AT 30 NOVEMBER 2017

FROM: CAROLINE WALLIS
Director Corporate Services

In providing this advice to Council, I, Colleen O'Connor, have no interests to disclose in this report.

Recommendation:

That Council:

1. Note and receive the Report on Investments totalling \$42,865,203 inclusive of cash at bank for day-to-day operations;
2. Note that actual interest received for the month of November 2017 was \$56,548.
3. Note that accrued interest earned to 30 November 2017 but not yet received was \$422,837.

Background:

The purpose of this report is to update Council on the investment of surplus funds and interest earned as required in Regulation No 264 (Part 19) of the Local Government Act 1993.

All investments have been made in accordance with Council's Policy, Section 625 of the Local Government Act 1993, and Regulation No 264.

As at 30 November 2017, Council has a total of \$42,865,203 in invested funds and cash at bank. This balance does not include unrepresented receipts or cheques.

Interest received from investments during the month of November 2017 was \$56,548 consisting of \$12,101 for on-call/ bank accounts and \$44,447 for term deposits. Year to date interest received to 30 November 2017 for Edward River Council is \$422,837. Accrued interest of \$487,016 has been earned to 30 November 2017 but is not yet received as these investments mature in later months.

To optimise returns and to reduce exposure to risk, Council is investing surplus funds prudently in authorised financial institutions under current legislation in accordance with the Council's Investment Policy.

Issue/Discussion:

At 30 November 2017 Council investments had a carrying value of \$42,865,203 as detailed below

Cash and Investments held as at 30 November 2017

Schedule of Investments										
This Report is at date 31-December-2017										
Financial Institution	Account No.	Rating at End of Month (S&P)	Date Invested	Maturity Date	Days	Rate	Face Value Amount	% of Portfolio	Estimated Interest	
On-Call/ CMT Accounts										
Westpac Business Cheque Plus Account	Deniliquin	032-870 16-6545	A1+	N/a	N/a	365	0.01%	773,072.71	1.80%	Monthly
Westpac Business Cash Reserve	Deniliquin	032-870 17-9231	A1+	N/a	N/a	365	0.70%	3,000,000.00	7.00%	Monthly
Westpac 31 Day Notice Account	Deniliquin	032-870 23-2696	A1+	N/a	N/a	365	2.50%	2,074,000.91	4.84%	Monthly
Commonwealth Bank General Fund	Conargo	062-533 000 000 10	A1+	N/a	N/a	365	0.00%	1,215,145.41	2.83%	Monthly
Commonwealth Bank Business On Line Acc	Conargo	062-533 101 511 17	A1+	N/a	N/a	365	0.60%	1,960,530.25	4.57%	Monthly
NAB Business Cheque Account	Deniliquin	89-575-7273	A1+	N/a	N/a	365	0.00%	15,676.77	0.04%	Monthly
Macquarie Bank - Rates	Deniliquin	3005-79778	A1+	N/a	N/a	365	0.00%	884.84	0.00%	Monthly
Macquarie Bank - Water	Deniliquin	2643-18940	A1+	N/a	N/a	365	0.00%	29,248.69	0.07%	Monthly
AMP Business Saver Account	Edward River	939-200 164957532	A1+	N/a	N/a	365	2.05%	2,046,642.97	4.77%	Monthly
Total Oncall/ CMT Accounts								11,115,202.55	25.93%	
Term Deposits										
St George	Deniliquin	354032747	A1+	10-Sep-17	04-Sep-18	359	2.60%	1,250,000.00	2.92%	31,965.75
St George	Deniliquin	354775348	A1+	07-Oct-17	02-Oct-18	360	2.55%	1,500,000.00	3.50%	37,726.03
St George	Deniliquin	355276209	A1+	02-Sep-17	02-Sep-18	364	2.60%	1,000,000.00	2.33%	25,928.77
St George	Deniliquin	355296525	A1+	12-Sep-17	11-Sep-18	364	2.59%	1,000,000.00	2.33%	25,829.04
Westpac	Deniliquin	033-621 357900	A1+	21-Nov-17	27-Nov-18	371	2.53%	3,000,000.00	7.00%	77,147.67
Westpac	Conargo	032-870 22-6835	A1+	23-May-17	27-Feb-18	279	2.55%	500,000.00	1.17%	9,745.89
Westpac	Conargo	032-870 22-6448	A1+	18-May-17	19-Dec-17	215	2.55%	1,000,000.00	2.33%	15,020.55
Westpac	Conargo	032-870 22-2287	A1+	10-Oct-17	16-Oct-18	371	2.59%	1,500,000.00	3.50%	39,488.63
Westpac	Conargo	032-870 22-8830	A1+	10-Oct-17	10-Apr-18	182	2.50%	1,000,000.00	2.33%	12,465.75
Westpac	Edward River	032-870 23-4616	A1+	21-Nov-17	27-Nov-18	371	2.53%	1,000,000.00	2.33%	25,715.89
Commonwealth Bank	Conargo	062-533 37543602	A1+	17-Oct-17	17-Apr-18	182	2.42%	500,000.00	1.17%	6,033.42
National Australia Bank	Edward River	3001 24-722-1876	A1+	29-Aug-17	27-Feb-18	182	2.50%	1,000,000.00	2.33%	12,465.75
National Australia Bank	Conargo	24-710-0644	A1+	08-Aug-17	09-Jan-18	154	2.42%	500,000.00	1.17%	5,105.21
National Australia Bank	Edward River	31-162-5542	A1+	08-Aug-17	08-Aug-18	365	2.45%	750,000.00	1.75%	18,375.00
Total A1+ Deposits								15,500,000.00	36.16%	
AMP Bank	Deniliquin	085241479-427214	A1	16-May-17	16-Jan-18	245	2.60%	1,000,000.00	2.33%	17,452.05
AMP Bank	Deniliquin	620718403-429092	A1	30-May-17	29-May-18	364	2.60%	1,000,000.00	2.33%	25,928.77
AMP Bank	Edward Rier	286870456-429501	A1	30-May-17	27-Feb-18	273	2.60%	500,000.00	1.17%	9,723.29
Total A1 Deposits								2,500,000.00	5.83%	
Bendigo and Adelaide Bank	Deniliquin	2112060	A2	28-Nov-17	04-Sep-18	280	2.50%	1,000,000.00	2.33%	19,178.08
Bendigo and Adelaide Bank	Deniliquin	1793598	A2	05-Dec-17	04-Dec-18	364	2.60%	1,000,000.00	2.33%	25,928.77
Bendigo and Adelaide Bank	Edward River	10 Term Deposits	A2	17-Jun-16	17-Jun-18	730	3.15%	5,000,000.00	11.66%	315,000.00
ING Bank (Curve)	Edward River	274746	A2	25-Jul-17	26-Jun-18	336	2.60%	1,000,000.00	2.33%	23,934.25
Bank Australia	Edward River	313-140 138363486	A2	20-Jul-17	16-Jan-18	180	2.85%	1,000,000.00	2.33%	14,054.79
Bank Australia	Edward River	313-140 138364459	A2	16-Aug-17	10-Apr-18	244	2.80%	750,000.00	1.75%	14,038.36
ME Bank (RIM)	Edward River	11379100	A2	09-Jun-17	06-Mar-18	270	2.62%	1,000,000.00	2.33%	19,380.82
Defence Bank Limited	Edward River	171548852	A2	30-May-17	27-Mar-18	301	2.70%	500,000.00	1.17%	11,132.88
Total A2 Deposits								11,250,000.00	26.25%	
BananaCoast Credit Union	Deniliquin	112214	NR	11-Jul-17	10-Jul-18	364	2.80%	500,000.00	1.17%	13,961.64
WAW Credit Union	Deniliquin	23438	NR	28-Feb-17	27-Feb-18	364	2.70%	500,000.00	1.17%	13,463.01
Police Credit Union	Deniliquin	69759	NR	06-Jun-17	12-Jun-18	371	2.90%	500,000.00	1.17%	14,738.36
Police Credit Union	Deniliquin	25386	NR	13-Jun-17	15-May-18	336	2.85%	1,000,000.00	2.33%	26,235.62
Total Non Rated Deposits								2,500,000.00	5.83%	
Average Interest Rate							2.16%	42,865,202.55	100.00%	907,164.04

The cash and investments balance is restricted as follows:

Internal Restrictions

Infrastructure replacement	\$ 3,112,631
Plant replacement reserve	\$ 1,798,670
Recreation reserves/villages	\$ 1,113,000
Employee entitlements	\$ 1,141,768
Land Development Fund	\$ 400,000
Airport Development	\$ 291,447
Deposits, retentions and bonds	\$ 234,875
Other internal reserves	\$ 782,913
Total Internal Restrictions	\$ 8,875,304

External Restrictions

Water supplies fund	\$ 8,685,463
Sewerage services fund	\$ 3,817,970
Tip remediation	\$ 1,300,000
Business promotion levy	\$ 14,710
Unexpended Merger Funds	\$ 10,056,521
Library fund	\$ 301,051
Other external reserves	\$ 97,445
Total External Restrictions	\$ 24,273,160

Unrestricted Funds \$ 9,716,739

Total Funds \$ 42,865,203

Note that Reserve balances above are not yet finalised for the 2016/17 financial year and are subject to change. They will be confirmed once the financial audit is completed.

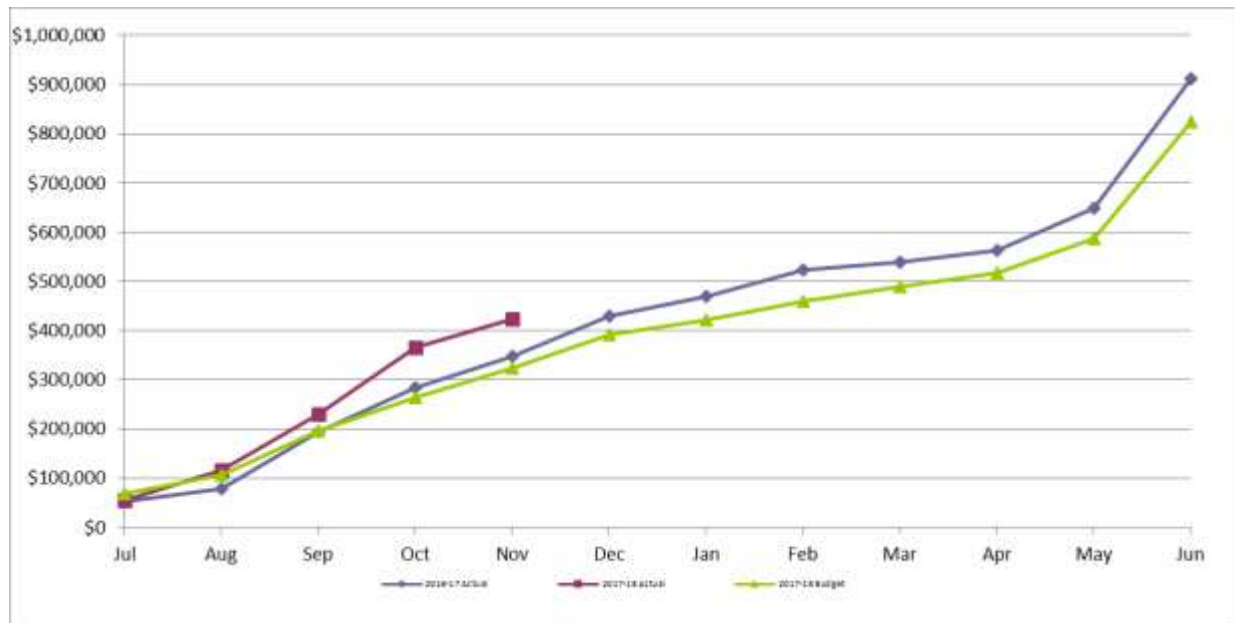
The Total Funds above are held between General, Water and Sewer as follows:

Fund Name	Bank and Investments	Percentage
General	\$ 30,361,770	70.83%
Water	\$ 8,685,463	20.26%
Sewer	\$ 3,817,970	8.91%
Total Funds	\$ 42,865,203	100.00%

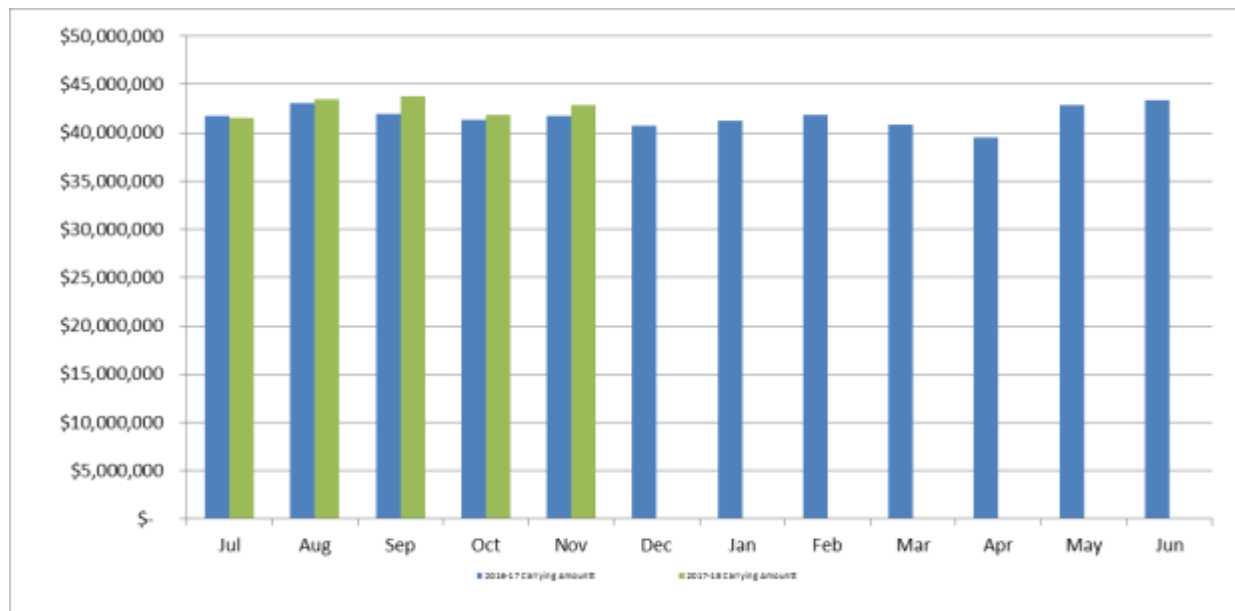
Investments matured during November 2017

Financial Institution	Date Invested	Maturity Date	Days	Interest Rate	Amount	Actual Interest Received	Action Taken
Westpac Bank	18-Oct-17	21-Nov-17	34	1.95%	3,000,000	5,449.32	Rolled over for 371 days @ 2.53%
Westpac Bank	18-Oct-17	21-Nov-17	34	1.95%	1,000,000	1,816.44	Rolled over for 371 days @ 2.53%
AMP	14-Mar-17	14-Nov-17	245	2.75%	500,000	9,229.45	Redeemed 14/11/2017
Bendigo Bank	22-Nov-16	28-Nov-17	371	2.75%	1,000,000	27,952.05	Rolled over for 280 days @ 2.50%
					5,500,000	44,447.26	

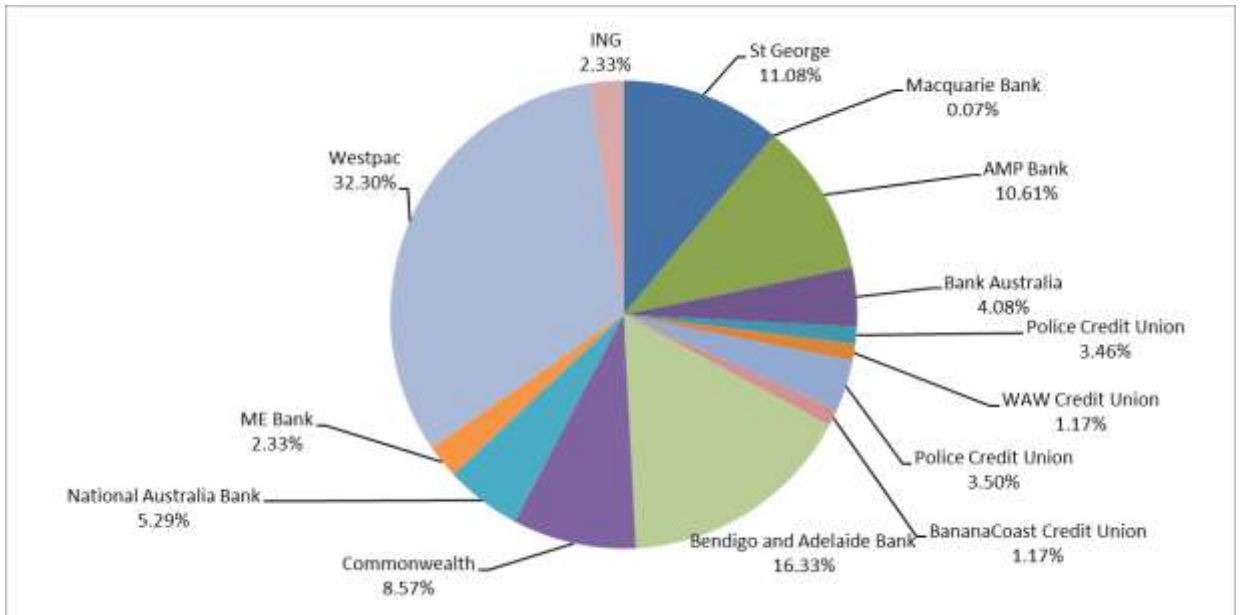
Actual year to date investment revenue earned



Total funds invested



Cash and investments total breakup by institution



Policy and Strategy Implications:

Investments have been made in accordance with Council's investment policy, which was adopted on 17 May 2017.

All investments have been made in accordance with Section 625 of the Local Government Act 1993 and Regulation No. 264.

Financial and Resource Implications:

Current low interest rates will reduce expected investment revenue.

Risk Implications:

Under Council's investment policy, investments are made with a range of banks, with Council funds invested with a single institution not going above a percentage of the total portfolio as follows:

50%	A1+ rated institutions
45%	A1 rated institutions
40%	A2 rated institutions
20%	A3 rated institutions
10%	Unrated authorised deposit taking institutions

Attachments:

- There are no attachments to this report.

9.5 SUBJECT: FINANCIAL STATEMENTS 2016-2017

FROM: CAROLINE WALLIS
Director Corporate Services

In providing this advice to Council, I, Caroline Wallis, have no interests to disclose in this report.

Recommendation:

That Council resolves to:-

1. Refer council's financial statements to audit in accordance with section 413 (1) of the *Local Government Act 1993*.
2. complete and sign the statement by administrator and management in accordance with section 413(2)(c) of the *Local Government Act 1993* which confirms that the annual financial reports have been compiled in accordance with:
 - a. The *Local Government Act 1993* (as amended) and the regulations made thereunder
 - b. The Australian Accounting Standards and Professional pronouncements; and
 - c. The Local Government Code of Accounting Practice and Financial Reporting.
3. state that it is not aware of any matter that would render this report false and misleading in any way.
4. endorse the annual financial reports as fairly presenting the council's operating result and financial position of the year, and that the financial reports accord with council's accounting and other records.
5. in accordance with section 413(2) (c) of the *Local Government Act 1993* authorises the mayor, deputy mayor, the general manager and the responsible accounting officer to sign the required statements relating to the general purpose financial report and the special purpose financial report.
6. delegate to the general manager the authority to issue the financial statements upon receipt of the auditor's reports.
7. delegate authority to the general manager and the responsible accounting officer to undertake further review of the financial statements on completion of the audit, prior to submission to the Office of Local Government (OLG), if material changes have occurred during the audit process.
8. ensure publication of the audited financial statements is made at least 7 days prior to the next ordinary meeting of the council to allow for public submissions to be received.

Background:

In accordance with the requirements of the *Local Government Act 1993* (Act), the annual financial reports for the period 13 May 2016 to 30 June 2017 are presented to this council meeting for completion of the statement by the administrator and management.

The financial reports have been audited by Crowe Horwath, appointed on behalf of the audit office of New South Wales. The auditing process requires the auditor to prepare a report on the general purpose financial report and a report on the conduct of the audit.

The appointed auditor must send a copy of the auditor's reports to the audit office of New South Wales and to council.

Council must send a copy of the audited financial report and the auditor's reports to OLG and the Australian Bureau of Statistics.

Council must give public notice of presentation of the financial reports. Public presentation of the reports will be made prior to the next ordinary meeting of council in 2018 to allow for public submissions, which must be noted by the council at the following council meeting.

Issue/Discussion:

Highlights of the financial reports are as follows:

Operating result – the operating result was \$9.2m surplus. Removal of the merger related revenue and expenditure reveals a \$1.15m deficit. The deficit can be largely attributed to a revaluation of assets as part of council's statutory requirement for asset revaluations. During the period the revaluations were undertaken by an external valuer. Additionally, coming into the 2016/17 financial year, the budgets for both former Councils included works funded through Council's reserves. The operating result does not include the transfer of funds from these reserves.

Assets – Net assets \$412m. The largest class of assets is roads, followed by buildings, water and sewer.

Cash – total cash, cash equivalents and investments \$43.4m. Approximately \$20m is held in internal reserves.

Ratios – all ratios except for *own source operating revenue ratio* met or exceeded – refer below table

Consolidated Result			
Ratio	Purpose	Benchmark	Result
Operating Performance Ratio	Measures the extent to which council has succeeded in containing operating expenditure within operating revenue.	Greater than 0%	16.75%
Own Source Operating Revenue Ratio	Measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants and contributions.	Greater than 60%	39.10%
Unrestricted Current Ratio	Represents Council's ability to meet short-term obligations as they fall due.	Greater than 1.5 times	8.48 times
Debt Service Cover Ratio	Measures the availability of operating cash to service debt including interest, principal and lease payments.	Greater than 2 times	17.42 times
Rates, Annual Charges, Interest & Extra Charges Outstanding Percentage	Assesses the impact of uncollected rates and annual charges on liquidity and the adequacy of recovery efforts	Less than 10%	5.49%
Cash Expense Cover Ratio	Indicates the number of months Council can continue paying its immediate expenses without additional cash inflow.	Greater than 3 months	21.95 mths

The *own source operating revenue ratio* indicates challenges for council being more reliant on grant funding than revenue from rates, fees and charges. Council will review all fees and charges during the 18/19 budget process.

This ratio is impacted by the level of grant funding received in the period being measured. During the 16/17 period, council received large one-off amounts of grant funding related to the merger and pre-payment of grants intended for use in the 17/18 period.

Challenges for council in future years includes controlling expenditure and addressing asset management including the renewal gap. This will be achieved through reviewing services and service levels, asset management planning and long-term financial planning.

An extension request for submission of the financial statements to the Office for Local Government has been requested to 7th February 2018 to accommodate any changes to the statements that may arise from the audit process. The audit process has been intensive and may be impacted by the Christmas closure of the council, audit office of New South Wales and the Office of Local Government. An extension request and approval is necessary to ensure compliance with the *Local Government Act 1993*.

Policy and Strategy Implications:

There are no policy or strategic implications of this report.

Financial and Resource Implications:

There are no financial or resource implications of this report.

Risk Implications:

There are no risk implications of this report.

Consultation

The audited financial statements will be presented to the public and submissions will be received by the council for noting, at the next ordinary council meeting in 2018. The public presentation of the financial statement may include additional commentary and information to highlight key results and summarise the overall financial position of council.

Attachments:

- General Purpose Financial Statements
 - Special Purpose Financial Statements
 - Special Schedules
-

9.6 SUBJECT: CODE OF MEETING PRACTICE

FROM: CAROLINE WALLIS
Director Corporate Services

In providing this advice to Council I, Caroline Wallis, have no interests to disclose in this report.

Recommendation:

That Council resolves to:-

1. Adopt the *Code of Meeting Practice*, having complied with section 361(3) of the *Local Government Act 1993* (Act), by placing on public exhibition the draft *Code of Meeting Practice* for a minimum of 28 days, and pursuant to section 361(4) of the Act allowing submissions on the draft *Code of Meeting Practice* for a minimum 42 days, and having received zero submissions.

Background:

At the ordinary council meeting of 19th October 2017, council resolved to place on public exhibition the draft *Code of Meeting Practice*, for a minimum of 28 days; and accept submissions on the draft *Code of Meeting Practice*, for a minimum 42 days and noting that a further report will be tabled at the December 2017 ordinary meeting of council detailing the submissions received from the public during the exhibition period.

Zero submissions were received.

The *Code of Meeting Practice* is presented to council for adoption.

Issue/Discussion:

Clause 25 of Schedule 1 to the Local Government Amendment (Governance and Planning) Act 2016 will introduce changes to codes of meeting practices. These changes will be communicated by the Office of Local Government. As no firm date for the changes has been provided it is recommended that council adopts the *Code of Meeting Practice* as attached. This ensures the newly elected council has a code in place to provide clear guidance and support for the effective running of council meetings.

If required council may complete a further review to ensure any relevant changes are incorporated. If no changes are required, the code remains in force as adopted.

Policy and Strategy Implications:

The *Code of Meeting Practice* forms part of the suite of council policies and guidelines to ensure high levels of governance and compliance with statutory and legislative requirements.

Financial and Resource Implications:

Nil

Risk Implications:

Nil

Consultation:

The *Code of Meeting Practice* was placed on the Edward River Council website for a period of 28 days. Submissions were allowed for 42 days up to 4th December 2017. No submissions were received.

ATTACHMENTS:

- Code of Meeting Practice.
-

9.7 SUBJECT: COUNCILLOR EXPENSES AND FACILITIES POLICY

FROM: CAROLINE WALLIS
Director Corporate Services

In providing this advice to Council I, Caroline Wallis, have no interests to disclose in this report.

Recommendation:

That Council resolves to:-

1. Receive and consider the submission received as attached to this report,
2. amend the *Councillor Expenses and Facilities Policy* to allow for reimbursement of carer expenses of \$20 per hour to a maximum of \$1800 per annum or a higher amount by resolution of council on a case by case basis,
3. adopt the *Councillor Expenses and Facilities Policy* and
4. upload the *Councillor Expenses and Facilities Policy* onto council's website.

Background:

Under the *Local Government Act 1993* (Act), within 12 months of the council election held on 9th September 2017, a policy for councillor expenses and facilities must be adopted.

The *Councillor Expenses and Facilities Policy* (Policy) has been reviewed and was presented to council at the ordinary meeting held on 19th October 2017, where council resolved to:

1. place the *Councillor Expenses and Facilities Policy* on public exhibition for a period of at least 28 days; and
2. invite public submissions following placement of the Policy on public exhibition; and
3. following expiry of the public exhibition period, consider all submissions received and makes any appropriate changes to the draft Policy; and
4. adopt the Policy at an ordinary meeting of the council no later than December 2017.

One submission was received, which must be considered by council prior to making its decision.

Issue/Discussion:

Section 252 of the Act requires "within the first 12 months of each term of a council, the council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the mayor, the

deputy mayor (if there is one) and the other councillors in relation to discharging the functions of civic office.”

Section 253 of the Act requires that before the policy can be adopted or amended:

1. a council must give public notice of its intention to adopt or amend a policy for the payment of expenses or provision of facilities allowing at least 28 days for the making of public submissions and
2. before adopting or amending the policy, the council must consider any submissions made within the time allowed for submissions and make any appropriate changes to the draft policy or amendment.

The Policy has been prepared in accordance with the Local Government Act 1993 (the Act) and Local Government (General) Regulation 2005 (the Regulation), and complies with the Office of Local Government’s Guidelines for the payment of expenses and provision of facilities to mayors and councillors in NSW.

The Policy sets out the maximum amounts council will pay for specific expenses and facilities. Expenses not explicitly addressed in the Policy will not be paid or reimbursed.

The objectives of the Policy are to:

- enable the reasonable and appropriate reimbursement of expenses incurred by councillors while undertaking their civic duties
- enable facilities of a reasonable and appropriate standard to be provided to councillors to support them in undertaking their civic duties
- ensure accountability and transparency in reimbursement of expenses and provision of facilities to councillors
- ensure facilities and expenses provided to councillors meet community expectations
- support a diversity of representation
- fulfil council’s statutory responsibilities.

The operation of this Policy, including claims made under the Policy, will be included in council’s audit program and an audit undertaken at least every two years.

Suspected breaches of this Policy are to be reported to the general manager.

Alleged breaches of this Policy shall be dealt with by following the processes outlined for breaches of the *Code of Conduct* and relevant procedures.

Submission

One public submission was received. In summary, the submission requests council increases the reimbursement for child care from a capped annual amount of \$1500 per annum, to \$80 per meeting to ensure that the cost of childcare is not a barrier to people with young children becoming a councillor.

As a result of the submission, a review of the equivalent policies at a range of other councils has been undertaken. The policies vary widely in relation to carer expenses, from \$500 cap per annum (Eurobodalla) to \$6000 cap per annum (City of Sydney). Bland Shire Council allows for \$80 per 4-hour meeting session, plus \$15 per hour for meetings that run over 4 hours. Federation council allows for reasonable expenses by council resolution with no capped amount.

Having regard to the submission, the review of other council policies, and considering the issue of access and diversity, the recommendation supports amending the Policy to be more flexible and tailored to the needs of councillors and their families.

The anticipated difference between the original capped amount and the amended amount is relatively insignificant and therefore if council approves the amendment, an additional 28-day public submission period is not required. The assumption made is based on two meetings per month over 11 months of the year at an average of 4 hours per meeting.

Policy and Strategy Implications:

The Policy ensures council complies with the Act and aligns expenditure to strategic objectives.

Financial and Resource Implications:

Budget allocations to enable implementation of the Policy will be made by the finance team during the budget development process. The budgeted amount of \$1500 per annum will be increased to \$2000 for the 18/19 budget and can be reviewed annually to ensure sufficient budget is available to meet the needs of the councillors.

Risk Implications:

The Policy ensures high levels of probity and expenditure controls are in place and therefore reduces risk of inappropriate expenses being incurred by the council.

Consultation:

The Policy was placed on public display for a period of 28 days and one submission was received.

Attachments:

- Councillor Expenses and Facilities Policy
 - Submission
-

9.8 SUBJECT: DISCLOSURE OF INTEREST RETURNS

FROM: CAROLINE WALLIS
Director Corporate Services

In providing this advice to council I, Caroline Wallis, have no interests to disclose in this report.

Recommendation:

That council resolves to:-

1. table the disclosure of interest returns in accordance with S450A of the *Local Government Act 1993 (Act)*.

Background:

Under S449 of the Act, councillors or designated persons must complete and lodge with the general manager within 3 months of becoming a councillor or designated person a disclosure of interest return.

Disclosure of interest return forms were distributed to the newly elected councillors and designated persons during their induction program in September 2017 and have now been returned.

The tabling of the returns is a legislative requirement and failure to properly complete the returns may be a breach of the Act.

Disclosure of interest return forms are to be completed in addition to the requirements of S451 of the Act, which governs disclosure of pecuniary interests at meetings.

Issue/Discussion:

In accordance with Section 450A of the Act, council is required to table the disclosure of interest returns at the first council meeting held after the last day for lodgement under S449, being within 3 months of becoming a councillor or designated person.

The returns must not contain false or misleading information of a material nature. Returns can be lodged by councillors or designated persons as frequently as required and at a minimum, every 12 months, by the end of September in 2018 and 2019. Detailed information about disclosures, including exceptions, is contained in sections 449 and 450 of the Act.

The term designated person refers to staff within council that are deemed by the general manager as designated persons.

Disclosure of interest returns have been returned by the following councillors and designated persons:

Name	Councillor/Designated Person
Norman Brennan	Councillor
Patricia Fogarty	Councillor
Peta Betts	Councillor
Margaret Bull	Councillor
Nick Metcalfe	Councillor
Norman McAllister	Councillor
Macdonald Wallace	Councillor
Ashley Hall	Councillor
Peter McCrabb	Councillor
Oliver McNulty	Director Infrastructure
Caroline Wallis	Director Corporate Services

These councillors and designated persons have completed the disclosure of interest return forms which are maintained by the general manager in a register.

Pursuant to Schedule 1 of the *Government Information (Public Access) Regulation 2009*, all disclosures are freely available. It is to be noted however, that Section 739 of the Act provides as follows:

“A person may request that any material that is available (or is to be made available) for public inspection by or under this Act be prepared or amended so as to omit or remove any matter that would disclose or discloses the person’s place of living if the person considers that the disclosure would place or places the personal safety of the person or of members of the person’s family at risk.”

Should any person who has lodged a disclosure of interest return consider the disclosure of personal information places themselves or family members at risk, an appropriate request should be made to the general manager to withhold that information. A request to remove the information will be done by way of a redaction of the disclosure of interest form that has been submitted.

Policy and Strategy Implications:

This report complies with council policy. There is no strategic implication from this report.

Financial and Resource Implications:

There is no financial or resource implication from this report.

Risk Implications:

There is no risk to the organisation from this report.

Consultation:

There is no consultation required from this report.

Attachments:

There are no attachments with this report.

9.9 SUBJECT: DELEGATIONS TO STAFF BY THE GENERAL MANAGER (Part 2)

**FROM: CAROLINE WALLIS
Director Corporate Services**

In providing this advice to Council, I, Caroline Wallis, have no interests to disclose in this report.

Recommendation:

That Council resolves to:-

1. Adopt (Part 2) of the *Delegations of Authority Policy*, being the delegations to staff by the general manager, as attached to this report.

Background:

The *Local Government Act 1993* (Act), section 378, gives the general manager the ability to delegate any of the functions of the general manager, other than this power of delegation.

The general manager may also sub-delegate a function delegated to the general manager by the council to any person or body (including another employee of the council).

The Act also prescribes that each council must review all its delegations during the first 12 months of each term of office.

Issue/Discussion:

Council at its meeting on the 19th October 2017 adopted *Delegations to the General Manager (Part 1)*.

The next part of the delegation process has been the development of *Delegations to staff by the General Manager (Part 2)*.

This process has been rigorous, with advice sought from Kell Moore Lawyers.

The *Delegations of Authority Policy* document attached to this report brings the delegations (Part 1) and (Part 2) into one working policy document.

The following delegations have already had the appropriate approvals, either by council resolution or general manager approval.

- Expenditure Level Delegations for Authorisation and Payment
- Certificates of Authority
- Swimming Pool Certificate of Identification (via council seal)

These are included in the Appendix of the attached policy.

Policy and Strategy Implications:

The delegations have been kept broad in parts where a policy exists to minimise duplication.

Financial and Resource Implications:

There are no financial and resource implications of this report.

Risk Implications:

There are no risk implications that arise from this report.

Consultation:

There is no community consultation required.

Attachments:

- Delegations of Authority Policy
-

**9.10 SUBJECT: CONTRACT 2.19.239 – TECH ONE
REIMPLEMENTATION**

**FROM: DIRECTOR CORPORATE SERVICES
Caroline Wallis**

In providing this advice to Council I, Caroline Wallis, have no interests to disclose in this report.

Recommendation:

That council:

1. Accept the tender submitted by AllaboutXpert for *contract 2.19.239 – Tech One Reimplementation* for the tender price of \$487,782 + GST being a lump sum fixed price and variations as per the schedule of rates, in accordance with the *Source IT ICT Consultancy Services (version 2.6) general conditions of contract*; and
2. Execute the contract documents for *contract 2.19.239 – Tech One Reimplementation*.

Background:

The Tech One suite of integrated modules is designed to integrate and link all of council's key business activities. The modules may be purchased individually or in multiples, as determined by the council's needs.

The former Deniliquin council purchased the full range of modules for finance, property and rating, HR, assets, records management, cemeteries, health and building, planning, customer request and performance planning in 2012/13.

At this point in time, some components of the modules for property and rating, payroll (a component of HR), records management and finance are in regular use however additional configuration, data migration, report development and user training are required to deliver efficiencies and compliant data management and reporting.

Following the merger of the former Conargo and Deniliquin councils in May 2016, several attempts to consolidate the property and rating systems have been undertaken with limited success, resulting in council continuing to run the two systems separately. This creates a large amount of rework, inefficiency and lack of data integrity.

A project to identify how to deliver efficient and effective information and communications technology (ICT) systems was undertaken in an attempt to overcome this, and other ICT issues. As a result of this work, in July 2017, council adopted the *ICT Strategy*.

An outcome of the strategy is the reimplementation of Tech One. The objective of the reimplementation project is a fully functional and integrated system across the range of services delivered by council. The outcome of a successful reimplementation project will be better service delivery to the community through data integrity, streamlined processes, improved functionality and mobile capability and increased knowledge and capability of staff. The project is expected to be completed within four years. Maintenance of the system will be an ongoing requirement.

A reimplementation plan involving a tender selection process was developed after adoption of the *ICT Strategy*. The tenders have been received and evaluated.

This report provides information relating to the purchase, rollout, review and reimplementation of Tech One (including tender recommendation) as outlined below.

Issue/Discussion:

In February 2013, to improve council service delivery and data integrity, the former Deniliquin Council migrated to Technology One (Tech One), a suite of integrated modules that was expected to meet current and future needs. Deniliquin Council signed a five-year contract for the licence and implementation of the full suite of products and proceeded to implement the change. In addition to the licence and implementation agreement, an annual maintenance and support agreement is in place to provide a set number of hours of support monthly for upgrades, testing, resolution of issues, training etc.

Despite the best intentions of the staff who have been using the system for several years, the Tech One implementation has had limited success.

In May 2016, the Deniliquin Council amalgamated with Conargo Shire Council to form the Edward River Council. The timing of amalgamation created additional challenges to align the various ICT systems used by both former councils, during a time of significant change across the new organisation.

In February 2017, council commissioned the development of a detailed ICT strategy for the period 2017-18 through to 2020-21. The strategy was adopted by council in July 2017, following the finalisation of the organisation structure and appointments of senior management positions. The strategy includes a plan to reimplement the Tech One system.

A detailed report was provided to council at its meeting on 20th July 2017, in which council resolved to:

1. Adopt the *ICT Strategy 2017*
2. Reimplement the Technology One suite of modules in accordance with the *ICT Strategy 2017* incorporating the *Detailed Initiatives, Core*

Business Systems Options and Project Implementation Plan
documentation

3. Engage an external project manager for the implementation project
4. Conduct an Expression of Interest process with Tech One and third-party vendors. If the four-year costs to reimplement Tech One exceed \$1.473 million, then a further report be brought to Council for a decision to be made on whether to continue with the Tech One system

Tender Process

A full tender process has been undertaken which meets legislative and council procurement requirements for both an expression of interest (EOI) process and a request for tender. This approach gives council the option to make its decision without further delay.

The request for tender was advertised on council's e-tender portal for a period of 28 days.

The tender was advertised in the following publications:

- Sydney Morning Herald 22/8/17
- Melbourne Herald Sun 23/8/17
- Deniliquin Pastoral Times 22/8/17

Tenders closed on 12th September 2017.

Instructions to tenderers included a summary of the strategy, the recommended approach and evaluation. These are outlined below:

Summary of the Strategy

The *ICT Strategy* identifies a multi-stage project to address the implementation of the Technology One application suite.

This multi-stage approach aims to achieve:

1. Consolidation of the implementation of those modules already in place;
2. Implementation of many of the modules that are licensed but not yet in place;
3. Deployment of CiA modules progressively through the implementation where they are available, based on the expectation that user acceptance of the CiA modules will be much greater;
4. Implementation of eServices components that support the various modules as part of the implementation, thereby being able to bring the community along with the gradual redeployment of the Technology One system/s

Year	Activities	Commentary
2017/18 Financial Year	P&R Property and Rating Stage 1	Completion of data migration activities to facilitate rating for both former councils to be delivered from the P&R system. This was to have been completed for 2017/18 notices, but has not been successfully completed.
	Financials Systems Health Check	Undertake a health check from Technology One for the Financial Systems, which will identify any specific immediate and longer-term items that should be considered.
	ECM Scoping	Scoping of the ECM reimplementation – based on a complete reimplementation of the module – would begin. Existing ECM configuration should be maintained to support CRM and HE-ESS modules.
	ECM	<p>Depending upon the outcome from the ECM Scoping activity, one of:</p> <ol style="list-style-type: none"> 1. Complete reimplementation of ECM module/s; 2. Remediation work to be undertaken to address issues identified in the scoping, without the need for complete reimplementation
	HRP – ESS deployment	<p>Deployment of the new CiA based Employee Self Service (ESS) should facilitate based leave and related processing for HRP, delivery and access to payslips, as well as introducing CiA for base Supply Chain functions such as purchase order approvals.</p> <p>Combined with deployment of Customer Requests, this approach should introduce the general user population to the use of Technology One systems which provide benefits to them, and which should improve the perception of the systems from the overall business.</p>

	Customer Requests Management	An optional step will be the scoping and implementation of the customer requests module
	Asset Management Stage 1	Specific project aimed at capturing of Asset Management information into the Technology One system, as well as potentially expanding the use of Reflect to all road-based Council maintenance activities as an interim step.
2018/19 Financial Year	Property and Rating Stage 2	<p>Specific activities including:</p> <ol style="list-style-type: none"> 1. Implementation of Development Applications and Developer Levies; 2. Implementation of Building Applications; 3. Health Licensing and Inspections 4. Implementation of eServices capabilities to support Building, Developer Applications and Health Licensing; 5. Provision of multiple payment options – Australia Post and other agency payments – for all P&R processes 6. Consolidation of all Debtors into P&R Debtors; 7. Address duplications in the Name and Address Register.
	Asset Management Stage 2	<p>Asset Management activities including:</p> <ol style="list-style-type: none"> 1. Capturing remaining Assets which require maintenance, but are not financially registered 2. Consolidation and cleaning of assets information 3. Implementation of Works Maintenance, including Mobile solutions 4. Likely replacement of Reflect system with T1 modules for maintenance 5. Implementation of new processes for Capital Works and related functions for improved Asset Register functions; 6. Implementation of new process for capture of data from external parties such as Developers;

		7. Implementation of Projects Module (PLM) and integrated processes with CES Financials.
	Financials System/s Updates	Addressing items identified in the financials health check, including: <ul style="list-style-type: none"> 1. Enterprise Budgeting implementation; 2. Contracts and Quotations Management implementation; 3. KPIs and Dashboards implementation.
2019/20 Financial Year	Asset Management – Strategic Asset Management	Implementation of Strategic Asset Management module, including licensing of the new module/s from Technology One.
	HRP Stage 2	Implementation of all modules for HRP.
	P&R Stage 3	Complete rollout of P&R Modules including: <ul style="list-style-type: none"> 1. Historical information from Conargo systems needs to be brought into P&R; 2. Local Laws Permits, Notices etc. and related implementation, such as Fire Notices, Animal Notices, Aerodrome permits and other forms of Local Laws permits; 3. Infringements Processing 4. Management of Animal Pound 5. Cemeteries 6. Property Leases and Licensing 7. Implementation of eServices for modules implemented in this Stage.

Recommended Approach

The tender receiving panel, comprising Caroline Wallis, director corporate services, Mark Siena, manager information management and Mark Dalzell, acting director infrastructure, met on 13th September 2017 to receive and open the tenders.

A meeting of the tender assessment panel, comprising Caroline Wallis, Mark Siena, and Phil Bourke, specialist IT consultant and author of the *ERC ICT Strategy 2017* convened on 29th September 2017 after each panel member completed a full evaluation of each submission.

The tender assessment is complete, and the tenders ranked according to the criteria and weightings assigned to this project. Details of the tenderers is outlined below.

Tenders Received:

Council received four tender submissions, two of which are conforming. Due to the commercial-in-confidence information supplied in the tenders, some details of the tenders have been included in the confidential report attached.

Tender Evaluation:

An internal tender review panel assessed the tender submissions. The panel comprised:

- Caroline Wallis
- Mark Siena
- Phil Bourke

The assessments were based on the following criteria, as detailed within the tender documentation:

- pricing
- compliance with requirements
- experience
- implementation plan and approach

Details of the evaluation methodology is attached to this report. The methodology was formulated into the score sheet that each assessor used, and all scores brought together into the *Score Sheet Consolidated* (see confidential addendum).

The evaluation produced two short-listed tenderers. Both short-listed tenderers were asked to present to the internal stakeholder group and assessment panel. The presentations were held on 9th and 10th November 2017. The agenda covered the following topics:

- Introductions and organisational overview
- Highlights of response
- Presentation of implementation approach

- Resourcing
- Other issues
- Phase 1 (2017/18) activities
- Phase 2 (2018/19) activities
- Phase 3 (2019/20) activities
- Contractual matters

The aim of the presentations was to provide the assessment panel with additional in-depth information to support the decision-making process to ensure selection of the tenderer which best addresses the council's business needs.

Based on the tender evaluation scores and additional information provided at the presentations, AllaboutXpert (aaxT) scored the best overall value for pricing and was assessed as best able to deliver the project outcomes.

Budgetary Implications:

Council has allocated budgets for phases 1 and 2 of the Tech One reimplementation project totalling \$1.02m, fully funded from the New Councils Implementation Fund allocation. The project scoping, tender process and project management will be funded from this budget in addition to the reimplementation project itself. The reimplementation project is expected to require additional backfill/internal resources to enable subject matter experts to participate in the activities required for each module implementation.

At the time of writing, no additional external funding is available. If required, additional expenditure will be funded through the budget planning process. It is important for council to provide sufficient resources to enable the project to be fully implemented. Effective controls will be put in place to ensure value for money is delivered.

Policy Implications:

This report and tendering process complies with Council's Procurement policy, including open tendering where works shall have a greater value than \$150,000.

Legislative Implications:

This report and tender process complies with the requirements of the Local Government Act and Local Government (General) Regulations.

Conclusion

The tender submitted by aaxT has been evaluated and assessed by the evaluation team as delivering the best outcome for council. The tender addressed each element required in detail. The team is professional, committed and knowledgeable. The council officers attending the presentations unanimously assessed the aaxT presentation and ability to answer officer's questions to be superior. The references obtained by the

evaluation team were consistent with the submission and supported the evaluation team's assessment.

Attachments:

1. Evaluation methodology
2. Confidential addendum

**9.11 SUBJECT: MURRAY VALLEY INDUSTRY PARK – LEASE TO
AUSWAY EDUCATION GROUP PTY LTD – RENT
DETERMINATION**

FROM: JOHN HARVIE
Director of Economic Development and Business

In providing this advice to Council I, John Harvie, have no interests to disclose in this report.

Recommendation:

That Council resolves to;

Endorse the Mayor and General Manager's actions;

1. Agreeing to a reduced lease fee of \$9,360 per annum for years 1 and 2 of the lease following which the annual lease fee will be \$55,000 with annual CPI increases and market valuation in years 5, 10, 15 and 20.
2. Signing and affixing the council seal to the lease agreement with Ausway Education Group Pty Ltd for a period of 20 years with an option for a further term of 20 years commencing on 1 December 2017.

Background:

Council, at a meeting held on October 2017, resolved to lease Murray Valley Industry Park, Todds Road, Deniliquin to Ausway Education Group Pty Ltd (AEG) for a period of 20 years with an option for another 20 years subject to ministerial consent.

Council further resolved to 'Delegate authority to the Mayor and General Manager to negotiate the lease conditions and to sign and affix the council seal to the lease document'.

Issue/Discussion:

To ensure that the Mayor and General Manager could make an informed decision in relation to the determination of a suitable rent for the property, council engaged Herron Todd White of Deniliquin to provide a valuation report for the property identified as, Lot 1 DP1234519 and located on Todd's Road Deniliquin.

The market rent for the land was determined as \$55,000 per annum.

Ausway Education Group Pty Ltd, during negotiations, highlighted the following;

1. that under the terms of the lease they are responsible for the maintenance of the property which has been vacant for some time.

2. that they have committed to invest over \$1.5 million on improvements to the property in years 1 & 2 of the lease.
3. That the college will have between 25 and 105 students and visiting lecturers at the MVIP campus adding significant value to the local and regional economy.

In consideration of AEG's contribution, the company requested a rent-free period during the initial stages of the project.

The Mayor and General Manager, after consultation with councillors, agreed to a reduced rental of \$9,360 per annum for years 1 and 2 of the lease following which the annual lease fee will be \$55,000 with annual CPI increases and market valuation in years 5, 10, 15 and 20.

Policy and Strategy Implications:

Nil

Financial and Resource Implications:

Council will receive an agreed lease fee from the proponent for the term of the lease and the property will be maintained at no cost to council.

Risk Implications:

There is a risk that the venture could fail within the lease period however council has no financial involvement in the project. Should this situation arise the lease would be cancelled and management of MVIP would revert to the Edward River Council Crown Reserves Reserve Trust and the Murray Valley Industry Park Working Group.

Consultation:

The Murray Valley Industry Park Working Group were involved in initial discussions with the proponent and there have been ongoing negotiations with Edward River Mayor, General Manager and Economic Development Team.

MVIP was initially developed as an agricultural research facility; for that reason and because the proposal was an ideal fit, it was felt that from a use perspective broad community engagement was not necessary.

However, considering that most of the students and apprentices will be Chinese nationals council should consider developing a social and cultural engagement program to welcome participants and assist them to integrate into the local community.

Attachments:

1. Signed Lease (32 pages)
2. Herron Todd White Valuation Report (21 pages)

**9.12 SUBJECT: APPOINTMENT OF EDWARD RIVER COUNCIL
CITIZENS REPRESENTATIVE – CENTRAL MURRAY
REGIONAL LIBRARY**

**FROM: JOHN HARVIE
Director of Economic Development & Business**

In providing this advice to Council, I, John Harvie, have no interests to disclose in this report.

RECOMMENDATION:

That Council resolves to;

1. Appoint a citizen's representative to the Committee of Management of Central Murray Regional Library

BACKGROUND:

Edward River Council is a member council of the Central Murray Regional Library (CMRL). CMRL operates under a 'Deed of Agreement' signed by member councils

The CMRL management committee includes one citizen's representative from each of the member councils. Citizen's representatives serve on the committee for a period of two years at the end of which they retire, and the positions are re-advertised. Retiring citizen's representatives may re-apply to serve further terms.

ISSUE/DISCUSSION:

The citizens representatives who retired on 8th November 2017 were;

Former Deniliquin Council	Ms Jan Renwick (CMRL Chair)
Former Conargo Shire	Ms Mary Browne
Former Murray Shire	Ms Jan Adams

In accordance with the deed of agreement, a request for expressions of interest to serve as a citizen's representative on the CMRL committee of management was advertised in the Deniliquin Pastoral Times and at the library during October 2017.

Two applications were received from community members wishing to be considered for the position of citizen's representative for Edward River Council to serve until November 2019.

The applicants are;

- Ms Stacey Salusalu
- Ms Jan Renwick

Attached are two confidential attachments which include the applications from the two nominees

POLICY AND STRATEGY IMPLICATIONS:

Under the terms of the Central Murray Regional Library deed of agreement, Edward River Council must appoint a citizen's representative to fill the vacancy at the end of each two-year term of appointment.

FINANCIAL AND RESOURCE IMPLICATIONS:

NIL

RISK IMPLICATIONS:

NIL

CONSULTATION:

John Harvie, Director of Economic Development & Business (Author)

Ariane Fehring, Team Leader Library Services

ATTACHMENTS:

- Confidential Applications – Ms Stacey Salusalu & Ms Jan Renwick (2 pages)

9.13 SUBJECT: DEVELOPMENT APPLICATION 57/17 – Multi dwelling development

**FROM: JOHN HARVIE
Director Economic Development & Business**

Recommendation:

Division

In accordance with the requirements of the Local Government Act, it is necessary for Council to call a division when voting on any resolution relating to a relevant planning application.

That Council resolves:

- 1 In accordance with section 80(1) of the Environmental Planning and Assessment Act APPROVE development application 57/17 for a multi dwelling development on Lot 24 DP815329 - 523 Henry Street, Lot 25 DP815329 -10 Ballantyne Crescent, Lot 38 DP749636 – 517 Henry Street, Lot 39 DP749636 – 519 Henry Street, and Lot 40 DP749636 – 9 Ballantyne Crescent, Deniliquin dated 25 August 2017 as shown on plan numbered DA57/17#1 to DA57/17#11 inclusive and described in details accompanying the Development Application and subject to the following conditions:

Conditions of consent:

1. General / Miscellaneous

- 1.1 The development shall take place in accordance with the approved plans and documentation, including any notations marked by Council thereon, as referenced in Schedule 1 - List of approved plans attached to DA No. 57/17, and the conditions of consent.

Reason: To clarify the extent of the consent.

- 1.2 An application for a Construction Certificate is to be submitted to and approved by Council or an accredited Private Certifier prior to any building work commencing. The construction certificate plans are to be consistent with the approved development consent and shall include detailed plans and specifications to demonstrate compliance with the provisions of the National Construction Code Volume 2 2017 - Building Code of Australia (BCA).

Reason: Prescribed condition under the Environmental Planning and Assessment Act and Regulations.

Note: The Construction Certificate application is to include alterations to kerb and gutter, onsite car parking, signage and alterations to storm-water.

1.3 The constructed building and any associated utilities are to be contained wholly within the boundaries of the property. It is the responsibility of the owner/principal contractor to ensure compliance with the requirements of this condition. Where the building is proposed within 300mm of a boundary the property is to be surveyed by a registered land surveyor with boundary pegs placed on each of the relevant corners. Prior to inspection of the footing / slab a survey identification plan is to be submitted to the Private Certifying Authority (PCA).

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

1.4 No filling of the land over the existing watercourse or drainage easement without consent from the Council's Technical Services Division.

Reason: To maintain existing drainage capacity.

1.5 All vehicles must enter and exit the development in a forward direction to avoid possible conflict with through traffic on Ballantyne Crescent.

Reason: To minimise possible accidents with traffic on the adjacent road.

1.6 No plants or trees are to be removed unless:

- (i) The individual trees or area to be cleared have been delineated on the approved plans; or
- (ii) Removal is required to comply with any other condition of consent in relation to matters such as servicing or firebreaks.

Reason: To clarify the extent of vegetation removal permissible with this consent.

2. Headworks Charges

2.1 Payment to Council pursuant to Section 306 of the Water Management Act 2000 and the Council's '*Water and Sewer Demand Assessment Policy*', '*Development Servicing Plan for the Deniliquin Sewerage Scheme*' and '*Development Servicing Plan for the Deniliquin Water Supply Scheme*' of headworks charges. The current contribution rates for the current financial year for this development are as follows:

a	Water headworks	\$34,420.00
b	Sewer headworks	\$42,760.00

The headworks charges are those that apply at the date of issue of this consent. Rates are adjusted annually on 1 July. Contributions will only be accepted at the rate applying at the date of payment. Where Council's '*Sewer Pricing Policy*' applies, the amount payable will be determined at the date of payment. Council's Technical

Services should be contacted prior to payment to confirm the contribution amount.

The Council's '*Water and Sewer Demand Assessment Policy*', '*Development Servicing Plan for the Deniliquin Sewerage Scheme*' and '*Development Servicing Plan for the Deniliquin Water Supply Scheme*' can be inspected at Council's Offices, Civic Place, Deniliquin.

The headworks charges are to be paid to Council **PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE.**

Reason: This development results in the increased demand on existing infrastructure.

3. Access

- 3.1 A new layback gutter crossing is to be provided in accordance with the approved plans and existing layback gutter crossings are to be removed with the kerb reinstated over the redundant layback to Council's specification as outlined in Council's Development Manual **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE.**

Reason: To ensure that access is constructed to a satisfactory engineering standard.

- 3.2 Each access driveway is to be sealed / concrete / paved from the edge of the road seal / driveway crossover to the front boundary **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE.** The driveway is to have a profile conforming to Council's Standard Drawing DC-SD1 outlined in Council's Development Manual and AS 2890.

Reason: To provide all weather access to the development constructed to a satisfactory engineering standard and to prevent soil & gravel being deposited in Council gutters, stormwater drains and roadways.

4. Stormwater

- 4.1 All plumbing and drainage work to be carried out in accordance with AS3500 National Plumbing and Drainage Code.

Reason: To ensure compliance with the requirements of the relevant legislation.

- 4.2 Plans shall be submitted to Council by a suitably qualified and experienced Civil Engineer (CPEng or equivalent) or Registered Surveyor **PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE** for the design of the on-site stormwater system . As part of the design process the developer shall consult with Council regarding design options. The plans shall confirm that the post development storm-water run-off from the site shall not be greater than the pre-development storm-water run-off for storms up to and including 1% AEP storm events in accordance with Council's Development Manual. Information in the plans shall include, but not be limited to;

- Determination of pre-development storm-water run-off from the site;

- Detention basin layout and calculations including stage discharge curves;
- Outlet capacities, including calculations, for all orifice plates, pipe outlets or weir/overflow structures; and
- Location and capacity of overflow path.

Reason: To ensure adequate disposal of storm-water in a manner that shall not cause nuisance to neighbouring properties and buildings.

- 4.3 All storm-water run-off, including roof drainage, run-off from hardstand areas, and discharge from any storm-water detention basins, shall be connected to the existing kerb and gutter along Ballantyne Crescent or Council's existing storm-water system.

Any discharge from a pumped system shall be connected to Council's existing storm-water system.

Reason: To ensure adequate disposal of storm-water in a manner that shall not cause nuisance to neighbouring properties and buildings.

5 Sewer

- 5.1 The sewer line is to be extended with a point to each allotment created in accordance with Council's Development Manual **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE**. The sewer extension is to be completed by Council at the developers cost.

Reason: To ensure adequate infrastructure and facilities are provided to each allotment.

Note: Please contact Council in relation to scope and cost of work.

6 Water

- 6.1 Separate water services including the installation of water meters are to be supplied to each dwelling **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE**.

Reason: To ensure adequate water supply.

7 Prior to issue of construction certificate

- 7.1 **PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE** submission of plans for sealed carparking spaces, manoeuvring area and access driveways all conforming to Council's specification outlined in Council's Development Manual. Drainage and pavement designs are to be prepared by a qualified engineer and are to address expected vehicle loadings and any fill compaction requirements.

Reason: To ensure that the carparking is designed to a standard commensurate to proposed use.

- 7.2 The design and materials for the proposed boundary fencing is required to be submitted to Council for approval **PRIOR TO ISSUE OF THE CONSTRUCTION CERTIFICATE.**

Reason: To comply with the requirements of the Deniliquin Control Plan 2016.

8. Prior to commencement of works

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

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

- 8.2 Prior to any works being undertaken in the road reserve a road opening permit is to be obtained from Council.

Reason: To ensure compliance with the Roads Act, which requires the road authority to give permission for an activity within the road reserve.

- 8.3 Prior to the commencement of works, the principal contractor is to ensure that the site has been appropriately protected and secured by a fence or hoarding to prevent access from the street and to prevent the possibility of any unauthorised access in accordance with WorkCover requirements.

Reason: To protect the safety of the public by restricting unauthorised access to the land.

- 8.4 Timber planks having a minimum thickness of 50 mm shall be placed over all vehicular access points over kerbing and guttering and footpaths prior to the commencement of building work, such planks shall be strapped together with iron straps in the form of a mat. The ends of such planks shall be tapered at an angle not exceeding 30 degrees.

Reason: To ensure that Council's infrastructure is protected.

- 8.5 Any alteration to the ground surface adjacent to the sewerage manhole in the vicinity/ or within the property will require application

and payment to Council for alterations to the manhole level to match the new ground surface level.

Reason: To provide for future maintenance of the sewerage service.

- 8.6 Prior to the commencement of any site works appropriate erosion and sediment control measures are to be implemented to prevent any sediment from leaving the site, these measures are to be maintained during the construction phase and can only be removed once appropriate stabilization has been completed.

Reason: To prevent water pollution and protect the amenity of the adjoining area, and to comply with the Protection of the Environment Operations Act 1997.

9. During construction

- 9.1 The structure(s) are to comply with the relevant requirements of the Building Code of Australia and the Environmental Planning and Assessment Act 1979.

Reason: This is a prescribed condition of the Environmental Planning and Assessment Act 1979 to ensure compliance with the Building Code of Australia.

- 9.2 **Council or the Principal Certifying Authority (PCA) appointed for the work is to be requested to be carry out the following inspections. 48 hours notice shall be given to Council / the PCA prior to the inspections being conducted.**

- a) at the commencement of building work, and
- b) after excavation for and prior to the placement of, any footings, and
- c) prior to pouring any in-situ reinforced concrete building element and
- d) prior to covering of the frame work for any floor, wall, roof or other building element
- e) Prior to covering all hot and cold water plumbing and sewer plumbing and drainage.
- f) prior to waterproofing in any wet areas, and
- g) prior to covering any stormwater drainage connections, and
- h) after building work has been completed and prior to any occupation certificate being issued in relation to the approval.

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

Reason: To ensure compliance with the Environmental Planning and Assessment Act 1979 and associated Regulations.

- 9.3 The builder / developer is to provide on-site waste bins for waste materials generated during construction and a bin with a tight-fitting lid

for food scraps or they are to remove waste from the site to an EPA approved waste depot on a daily basis.

Reason: To protect public health and protect the amenity of the area.

- 9.4 The hours of operation for demolition or building works on the site shall be limited to the daylight hours, between 7.00am and 6.00pm Monday to Friday inclusive, 8.00am and 5.00pm Saturdays. No work shall be carried out on Sundays and Public Holidays without the prior written consent of the Council.

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

- 9.5 Any spoil deposited on public roads during the cartage of materials from or to the site shall be removed on the same day. The cartage of spoil shall cease, as directed by Council, if the Council determines that excessive deposition of spoil onto the road is taking place.

Reason: To ensure erosion control measures have been implemented.

- 9.6 All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards.

All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

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

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

Reason: To ensure the responsible disposal of surplus landfill.

- 9.8 If the building / demolition work involves the removal of material suspected of containing asbestos all waste shall be removed strictly in accordance with the requirements of Chapter 8 of the NSW Work Health & Safety Regulations 2011. If this involves more than 10m² of waste this shall be by a NSW licensed asbestos removal contractor. All waste containing asbestos shall be disposed of at Council's EPA approved landfill depot or other facility at which asbestos waste can be lawfully disposed. A minimum of 24 hours notice is to be given to the landfill operator (PH: 0418 572 167).

A copy of the tip disposal dockets for asbestos waste generated during the course of the demolition work is to be provided to Council's Environmental Services Department prior to the issue of an occupation certificate for the work.

Note: WasteLocate

The EPA has introduced WasteLocate, an online reporting tool that is required for the movement of any load over 100kg of asbestos waste, or 10m² or more of asbestos sheeting within NSW. It's similar in many ways to tracking parcels in the post. Transporters are required to register with WasteLocate and report movements of asbestos from the point of generation to the place of disposal, including disposal at Council's waste facilities. Transporters must scan the QR2id plate at Council's Waste Disposal Depot with their mobile device to complete the process at the point of disposal. The EPA recently wrote to all companies and individuals licensed to carry out asbestos demolition or removal, reminding them of their obligations to report movements of asbestos. WasteLocate can be found as follows: <https://wastelocate.epa.nsw.gov.au> (See attached copy of information from the NSW EPA).

Reason: To comply with the requirements of NSW WorkCover and EPA with respect to safe handling & disposal of asbestos waste in order to protect the health of the public.

- 9.9 Earthworks are to be wholly contained within the property/site. It is the responsibility of the landowner and/or the principal contractor to ensure compliance with this condition

Reason: To ensure that the development does not encroach onto neighbouring lots.

- 9.10 If the work involved in the erection or demolition of a building:
- (i) is likely to cause pedestrian or vehicular traffic in a public place to be obstructed or rendered inconvenient, or
 - (ii) involves the enclosure of a public place, a hoarding or fence must be erected between the work site and the public place.

If necessary, an awning / fence is to be erected, sufficient to prevent any substance from, or in connection with, the work falling into the public place.

The work site must be kept lit between sunset and sunrise if it is likely to be hazardous to persons in the public place.

Any such hoarding, fence or awning is to be removed when the work has been completed.

Reason: This is a prescribed condition of the Environmental Planning and Assessment Act 1979.

- 9.11 A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:
- (i) Showing the name, address and telephone number of the principal certifying authority for the work, and

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

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

Reason: This is a prescribed condition of the Environmental Planning and Assessment Act 1979.

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

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

Reason: This is a prescribed condition of the Environmental Planning and Assessment Act 1979.

- 9.13 Smoke alarms complying with AS3786 are to be installed in conjunction with the proposed work. The smoke alarms are to be hard-wired & interconnected with battery back-up and located in accordance with the requirements of Part 3.7.2 of the Building Code of Australia. (BCA)

Reason: To comply with the provisions of the BCA & Regulation 186A of the Environmental Planning & Assessment Regulation.

8. Prior to the issue of the occupation certificate

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

Reason: To ensure compliance to all requirements.

- 8.2 The use of the building is not to commence until such time as an "Occupation Certificate" is issued by Council / the Principal Certifying Authority responsible for the work.

Reason: This is a requirement of the Environmental Planning and Assessment Act 1979.

- 8.3 Prior to the issue of a Final Occupation Certificate, documentary evidence must be provided to the Principal Certifying Authority to demonstrate fulfilment of the commitments listed in BASIX Certificate number 813427M_02 for this development.

Reason: To ensure compliance with the requirements of the Environmental Planning & Assessment Act 1979.

- 8.4 Prior to the issue of a Final Occupation Certificate any damage to kerb and gutter, road surfaces, infrastructure or landscaping outside of the

property boundary that is a result of the proposed work, must be reinstated at total cost to the person having the benefit of the consent and to the satisfaction of Council.

Reason: To ensure that all Council assets located outside the property boundaries are maintained.

- 8.5 Completion of landscaping in accordance with the approved landscaping plan prior to the issue of the occupation certificate and such landscaping is to be continuously maintained in accordance with the approved plan. Maintenance is the landowner's responsibility.

Reason: To ensure satisfactory completion and maintenance of landscaping.

- 8.6 Street tree planting is required along the Henry Street and the Ballantyne Crescent frontage of the proposed development. Details of street tree planting are to be provided to Council for approval **PRIOR TO THE COMMENCEMENT OF WORK.**

The plan must provide the following:

- Details of the street tree species to be planted in accordance with Council's policy for 'Planting and removal or lopping of street trees'.
- Details of the root barrier system to be incorporated in the planting to ensure protection of infrastructure – the root barrier box shall be no shallower than 600mm in depth;
- Details of siting of the trees at suitable intervals ensuring adequate site distances are maintained from proposed and existing access points and road intersections; and
- Details of Council infrastructure ensuring that the proposed street trees are a minimum of 1.5m from Council sewer mains, water mains and stormwater pipes.

Landscaping of the nature strip in accordance with the approval is to be completed **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE.**

Reason: To ensure Council's urban nature strip beautification program conducted in a consistent manner.

- 8.7 Adjustments to the public utilities necessitated by the development shall be completed prior to occupation of the development and in accordance with the requirements of the relevant authority, all at no cost to Council.

Reason: To provide for co-ordinated alterations of services located in footpath.

- 8.8 Prior to issue of an Occupation Certificate, provide carpark construction conforming to the approved plans.

Reason: To ensure provision of a carpark commensurate with proposed use.

- 8.9 Consolidation of the land is required as follows;
- Lots 24 and 25 DP815329 are required to be consolidated, and
 - Lots 38, 39 and 40 DP749636 are required to be consolidated.

A plan of consolidation is required to be registered with the Lands Titles Office **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE.**

Reason: To consolidate the land over which the development has been approved.

- 8.10 **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE** the street numbers allocated to the premises is to be clearly displayed.

Reason: To ensure adequate numbering of the property for emergency services and other government organisations.

- 8.11 'No Parking' signs shall be installed at least 10m either side of any access to Ballantyne Crescent **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE.**

Reason: To ensure safety of vehicles entering and exiting the site.

- 8.12 Security lighting is to be installed within the onsite parking areas, paths/accessways/building entrances and amenity areas on the site **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE.** The lighting is to be positioned so that no direct light or glare impacts on neighbouring properties.

Reason: To ensure site layout enhances personal safety and minimizes the potential for crime.

- 8.13 An external drying area in a location that receives good solar access must be provided for each dwelling within the development **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE.** The drying area is to be adequately screened if it will be visible from a public road or place.

Reason: To comply with the requirements of the Deniliquin Development Control Plan 2016.

- 8.14 A minimum provision of 18 onsite carparking spaces and 3 visitor parking spaces is required on the eastern side of the development (Lots 38, 39 and 40 DP749636).

A minimum provision of 12 onsite carparking spaces and 2 visitor parking spaces is required on the western side of the development (Lots 24 and 25 DP815329).

On-site carparking is to be line marked and sealed **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE.**

Reason: To provide adequate on site carparking commensurate with traffic generation of the development.

8.15 Carparking spaces are to be suitably screened from view of public places or reserves **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE.**

Reason: To ensure that the visual impact of parking areas is minimised.

Background:

The development application was received by Council on the 25 August 2017. The development application was advertised and notified to adjoining owners, no submissions were received.

The Applicant is proposing to construct a multi-dwelling development across five allotments, which includes fifteen two storey units and associated onsite car parking and landscaping.

The subject site is made up of the following lots some being on the western side and some being on the eastern side of Ballantyne Crescent (refer to attached site plan);

- Lot 24 DP815329 having an area of 755.4m² (western side),
- Lot 25 DP815329 having an area of 620m² (western side),
- Lot 38 DP749636 having an area of 587.2m² (eastern side),
- Lot 39 DP749636 having an area of 593.5m² (eastern side), and
- Lot 40 DP749636 having an area of 551.3m² (eastern side).

The Application has been reported to Council due to the nature of the development.

An aerial site plan is attached as attachment 'A', development application plans are attached as attachment 'B' (less the floor plans) and conceptual pictures are attached as attachment 'C'.

Internal referrals:

Manager Engineering Assets –
Parking and Manoeuvring

It is noted that whilst information has been provided to show how vehicles shall enter and exit the garages, no details have been shown to show how vehicles shall enter and exit the visitor parking areas. This can be mitigated through conditions of consent.

Water supply

Water supply to both sides of the development is available via a 100mm water main along the western side of Ballantyne Crescent – this will require an under bore under Ballantyne Crescent to service the eastern side of the development.

Headworks charges will be applied to the conditions of consent.

Sewer

Eastern side - All sewerage lines from the dwellings in the eastern site shall connect to the existing manhole AJH/4 which is within the vicinity of the site. The existing sewerage line to the west of this manhole shall be made redundant and closed off in the manhole. A new line shall be connected to the manhole as required to service the development.

Western side – The development shall be serviced from the existing manhole AJ/6, located on Lot 14 DP815329. The extension shall be project managed by Council at the developer's cost because the work involves the extension of a Council main through various privately owned properties. Headworks charges will be applied to the conditions of consent.

Connection to Council's stormwater system

The on-site detention basin/s for the development shall be connected to Council's existing stormwater system. There is an existing kerb inlet pit at the intersection of Henry Street and Ballantyne Crescent that may be utilised for connection of the property drainage to Council's existing storm water system.

Approval is recommended subject to conditions of consent.

Health & Building Surveyor – The proposed multi dwelling development is a Class 1a – *single dwelling being two or more attached dwellings, each being a building, separated by a fire-resisting wall, including a row house, terrace house or villa unit.*

Approval is recommended subject to conditions of consent.

Strategic Implications:

By approving the development Council will be meeting with Goal 5.6 – *Provide encouragement to develop.*

Budgetary Implications:

Not applicable.

Policy Implications:

The following Council policies are required to be considered;

- 4.9 *Water and Sewer Limits* – All properties in the R1 zone are required to be connected to reticulated water and sewer. New connections are required and will be mitigated through conditions of consent.
- 4.13 *Water supply connections and metering* – Council requires single service connection to each domestic premise. Each connection shall be metered and this has been addressed in the conditions of consent.
- 6.1 *Damage to Footpathing, Kerb and Guttering* – This has been addressed in the conditions of consent.

Legislative Implications:

The following assessment of the Development Application is in accordance with Section 79C of the Environmental Planning and Assessment Act 1979.

Provisions of Environmental Planning Instruments (s79C(1)(a)(i))

Deniliquin Local Environmental Plan 2013 (DLEP)

The property is located in the R1 – General Residential zone and the proposed development is permissible with consent. The proposal is consistent with the aims of the plan and compatible with the objectives of the R1 zone as it is residential nature and adds to the diversity of housing available.

Council is required to consider clause 6.1 and 6.7 of the DLEP.

Clause 6.1: Earthworks

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

The proposed earthworks are ancillary to the proposed development. Any likely impacts or disruptions to neighbouring properties can be mitigated through conditions of consent.

Clause 6.7: Essential services

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

- (a) The supply of water.*
- (b) The supply of electricity.*
- (c) The disposal and management of sewage.*
- (d) Stormwater drainage or on-site conservation.*
- (e) Suitable vehicle access.*

Water

Water supply to both sides of the development is available via a 100mm water main along the western side of Ballantyne Crescent. This main is sufficient to provide water for the whole development.

Electricity

Each lot has access to electricity.

Sewer

The proposed development is located in the R1 zone and is therefore required to be connected to Council's sewerage system. Refer to previous comments in this report in relation to sewer.

Stormwater

The existing site is undeveloped and has no hardstand areas. As a residential site, a dwelling and associated hardstand areas would be able to be constructed on each of the individual parcels without the need for on-site stormwater detention. Based on an assessment of the existing housing in the area, the percentage of hardstand area is approximately 35%. Therefore, a non-pervious percentage of 35% for the pre-development scenario may be used for determination of the pre-development run-off from the site.

In accordance with Council's Development Manual, the maximum flowrate of stormwater run-off from the site following the development (known as the post-development run-off) shall not be greater than the maximum flowrate of stormwater run-off from the site prior to the development (known as the pre-development run-off). This shall be for design events up to and including the 1% AEP event.

The Applicant, through their engineering consultants, shall need to provide Council following details prior to the issuing of the Construction Certificate;

- Calculation of the pre-development run-off flowrates in accordance with the requirements of Australian Rainfall and Runoff,
- Calculation of the post-development run-off flowrates in accordance with the requirements of Australian Rainfall and Runoff,
- Details of any on-site detention basins to assist with management of the post-development run-off, including sizes and safety requirements for the basins,
- Details of any orifice plates or other control devices to ensure that the post-development flowrate does not exceed the pre-development flows.

The on-site detention basin/s for the development shall be connected to Council's existing stormwater system via one of the following methods:

- Kerb outlets into Ballantyne Crescent. It is noted that should this option be utilised then all storage in the on-site detention basins shall be above ground, thereby allowing the basin/s to drain by gravity to the kerb. No storage of run-off in the basin/s shall be allowed below the invert level of the kerb;
- Pumped from underground basin/s to Council's stormwater system. The outlet of any pumped system shall not be permitted to be connected to the existing kerb. If this option is considered, then a suitable overland flow path to the kerb shall be provided should the basin/s overflow; and
- Connection by an underground pipe to Council's stormwater system. If this option is considered, then a suitable overland flow path to the kerb shall be provided should the basin/s overflow.

There is an existing kerb inlet pit at the intersection of Henry Street and Ballantyne Crescent, known as Asset ID SW03210, that may be utilised for connection of the property drainage to Council's existing stormwater system.

Access

Access to both the eastern and western side of the development shall be via shared driveways/crossovers and any redundant crossovers will be required to be reinstated.

Murray Regional Environmental Plan No 2 - Riverine Land (MREP No 2 – Riverine Land)

The MREP No 2 – Riverine Land applies to the land shown on the map that is riverine land of the River Murray within Deniliquin. General and specific

planning principles are required to be considered when a consent authority determines a development application.

Clause 9 - General Planning Principles

Clause and Control	Compliance
(a) The aims, objectives and planning principles of this plan.	The proposed development does not significantly impact on the River Murray as it is not located on riverine land. The proposed development is not considered to be development that would have a negative impact on the riverine environment.
(b) Any relevant River Management Plan.	Not applicable as there no River Management Plan applying to this land.
(c) Any likely effect of the proposed plan or development on adjacent and downstream local government areas.	It is not considered that the proposed development would impose any impacts on downstream local government areas.
(d) The cumulative impact on the proposed development on the River Murray.	It is not considered that the proposed development will impose any cumulative impacts on the River Murray.

Clause 10 – Specific Planning Principles

Principle	Response
Access	The proposed site is not located on riverine land therefore this principle is not applicable to the proposed development.
Bank Disturbance	The proposed site is not located on riverine land therefore this principle is not applicable to the proposed development.
Flooding	The proposed development will not have a negative impact on floodwater.
Land Degradation	The proposed site is not located on riverine land therefore this principle is not applicable to the proposed development.
Landscape	The proposed site is not located on riverine land therefore this principle is not applicable to the proposed development.
River Related Uses	The proposed site is not located on riverine land therefore this principle is not applicable to the proposed development.
Settlement	The proposed development is not proposed for settlement purposes.

Water Quality	The proposed site is not located on riverine land therefore this principle is not applicable to the proposed development.
Wetlands	The proposed site is not located on riverine land or on wetlands therefore this principle is not applicable to the proposed development.

State Environmental Planning Policies

State Environmental Planning Policy (Building Sustainability Index: Basix) 2004

The above SEPP applies to the whole of the state and the Applicant has submitted a Basix Certificate number 813427M_02 in accordance with the requirement.

Provisions of any draft Environmental Planning Instrument (s79C(a)(ii))

No draft environmental planning instruments apply to this development.

Provisions of any Development Control Plan (s79C(a)(iii))

The subject site is located in the R1 – General Residential zone and the development has been assessed in accordance with the relevant residential controls in Chapter 2 of the Deniliquin DCP 2016:

Control	Response
<p>2.1.1 Access and car parking (see relevant controls below)</p> <ol style="list-style-type: none"> 1. The number of off street car parking spaces to comply with Chapter 12 – Car Parking. 2. Legal vehicular access from a public road is required for all development. 3. Driveways must be constructed in accordance with the development manual. 4. Driveways must have a minimum width of 5.0m for driveways more than 20.0m long (multi dwelling developments). 5. For multi-dwelling developments and residential flat buildings, vehicles must be able to enter and leave the site in a forward direction. 	<p>Car parking is to be in accordance with Chapter 12 – Car parking.</p> <p>Multi dwelling housing is required to provide 1 space per dwelling plus 1 space for every 2 three-bedroom dwelling (total of 23 spaces) – in this case each dwelling has a double garage providing 2 spaces per dwelling (total of 30 spaces), this is in excess of the requirement under the DCP.</p> <p>Visitor parking is to be provided at 1 space per every five dwellings – the proposed development will provide 8 visitor parking spaces on the site. This is in excess of the requirement as only 3 visitor parking spaces are required. In this case Council will condition for 3 visitor parking spaces to be provided on the eastern side of the development and 2 visitor parking spaces to be provided on the western side of the development in line with this development control.</p>

	<p>Parking and manoeuvring on-site is required to be in accordance with the requirements of AS2890 <i>Off Street Car Parking</i> – this requirement has not been demonstrated on the plans in relation to visitor parking, however this can be mitigated through conditions of consent.</p> <p>Legal vehicular access from a public road has been demonstrated on the proposed plans and conditioned.</p> <p>The proposed driveways are consistent with the development control.</p>
<p>2.1.2 Setbacks (see relevant controls below)</p> <ol style="list-style-type: none"> 1. Setback from the street shall be a minimum of 5m from the front boundary or the average of the setback of the adjoining allotments (whichever is lesser). 2. For corner allotments, minimum setbacks shall be 5m from the primary road frontage boundary and 2m from the secondary road frontage boundary. 3. Side and rear setbacks shall comply with the requirements of the BCA. 	<p>Proposed setbacks are consistent with the development controls and the Building Code of Australia (BCA) for all of the proposed dwellings.</p> <ul style="list-style-type: none"> • Lot 24 has a front setback of 7m, • Lot 25 has a front setback of 6m, • Lot 38 has a front setback of 7m, • Lot 39 has a front setback of 7m, and • Lot 40 has a front setback of 7m.
<p>2.1.3 Site coverage</p> <ol style="list-style-type: none"> 1. Site coverage, must not exceed 60%. 2. At least 20% of the site area must have a permeable surface. 	<p>Site coverage from the proposed dwellings is approximately 46% of the total area of the site.</p> <p>The proposal allows for approximately 25% for landscaping of the total area of the site.</p> <p>This is considered satisfactory.</p>
<p>2.1.4 Landscaping</p> <ol style="list-style-type: none"> 1. A minimum of 20% of the area of the development site is to be soft landscaped. 2. Due consideration must be given to plant species utilised in landscaping. Wherever possible 	<p>Each proposed dwelling has soft landscaping proposed and there are additional communal garden areas and playground areas. Refer to submitted landscaping plan.</p>

<p>drought tolerant plant species are to be utilised.</p> <p>3. A landscaping plan must be submitted to Council with development applications for residential development other than single dwellings and dual occupancies.</p>	
<p>2.1.5 Private open space (see relevant controls below)</p> <p>1. Ground floor dwellings must provide 16 square metres private open space with a minimum dimension of 3m.</p> <p>2. Private open space areas must have direct access from a living area of the dwelling.</p> <p>3. The required open space must not include utility areas such as waste storage.</p>	<p>Each proposed dwelling is considered to be a ground floor dwelling.</p> <p>Each dwelling provides more than 16 square metres of private open space off the lounge room.</p> <p>Each dwelling also provides for a porch on the bottom floor and a balcony on the top floor.</p>
<p>2.1.6 Building design</p> <p>1. Residential buildings must present to the street with a living room window or front door facing a roadway.</p> <p>2. The bulk and scale of new buildings or additions must be compatible with the bulk and scale of the existing or likely future development within the area.</p>	<p>Each dwelling presents to the street. Whilst the dwellings are two storey the proposed dwellings are compatible with the bulk and scale of other dwellings in this area.</p> <p>The bulk and scale of this development is greater in size to the existing housing in the immediate area however, the proposed development is compatible with adjacent privately-owned dwellings and will not have a negative impact on existing dwellings.</p>
<p>2.1.7 Protecting solar access</p> <p>1. Buildings should be designed and positioned on the block to avoid overshadowing of adjacent private open spaces.</p> <p>2. Buildings must maintain sunlight access to the windows of north facing living areas of adjacent dwellings. These windows must have at least 3 hours of sunlight access between 9am and 3pm in mid-winter (June 21).</p>	<p>The proposed dwellings do not have a negative impact on adjacent properties private open spaces, with regard to overshadowing.</p> <p>Based on the shadow diagram provided with the development application, there is no overshadowing of adjacent dwellings at 9am, 12pm, or 3pm on the 21st June.</p>
<p>2.1.8 Building Sustainability Index (BASIX)</p>	<p>A BASIX certificate was lodged with the development application. The</p>

<p>1. A BASIX certificate must be lodged with all applicable residential development applications and the commitments noted in the BASIX certificate must be shown on the plans submitted to Council.</p>	<p>constructed development will be required to comply with the BASIX certificate.</p>
<p>2.1.9 Privacy</p> <p>1. Where a new dwelling will be within 9m of the house or private open space of an adjoining property, the visual privacy of the existing dwelling and/or private open space must be protected</p> <p>2. Where multi-residential development or residential flat buildings will be within 12m of the house or private open space of an adjoining property, the visual privacy of the existing dwelling and/or private open space must be protected.</p> <p>3. Where possible, filter pumps, air conditioners, swimming pools and other recreational areas must not be located near bedrooms of adjoining dwellings.</p> <p>4. Where possible, for multi-dwelling developments, multi-dwelling developments, bedrooms should be more than 3m from shared driveways and shared car parking areas.</p> <p>5. Common walls between attached dwellings must maintain acoustic privacy by complying with the National Construction Code (BCA) requirements for noise transmission.</p>	<p>There is nil negative impact on privacy/acoustic privacy for adjacent properties.</p> <p>Bedrooms of the proposed dwellings are all located on the first floor for each dwelling, this is considered to be suitable in relation to noise.</p> <p>Common walls will be conditioned to comply with the BCA.</p>
<p>2.1.10 Crime Prevention and Security (see relevant controls below)</p> <p>1. Residential building entrances must be clearly visible from the street.</p> <p>2. The design of dwellings must enable residents to survey the</p>	<p>Each dwelling presents to the street, practising good street surveillance. Adequate lighting is to be provided to parking areas, access paths, and shared amenity areas to prevent blind corners – security lighting will be conditioned in the consent.</p>

<p>streets, public areas and dwelling entries.</p> <p>3. Multi-dwelling or larger developments must provide adequate lighting to all paths, access ways, parking areas and building entrances.</p>	
<p>2.1.11 Impacts on surrounding land</p> <p>1. The proposed development must not unreasonably affect surrounding properties by way of any type of pollutant such as noise and vibration, air emissions, dust, water pollution or odour.</p> <p>2. The hours of operation for a proposed development must not unduly impact the amenity of residential properties.</p> <p>3. Where a proposed development is likely to increase the amount of stormwater runoff from the site, the development must be carried out in accordance with Council's Development Manual.</p>	<p>It is not expected that the proposed development will have a negative impact on surrounding properties. During construction, hours of operation can be conditioned to protect the amenity of neighbouring residents.</p> <p>Refer to previous comments in relation to stormwater.</p>
<p>2.1.12 Services and site facilities</p> <p>1. A waste storage area must be provided on-site for all development and must be appropriate for the nature and scale of the development.</p> <p>2. The waste storage area must be in a location that is convenient for users and garbage collection contractors.</p> <p>3. The waste storage area must be appropriately screened from view of the street by the use of attractive fencing or landscaping.</p> <p>4. For residential development a 240 litre bin is to be provided for every dwelling.</p> <p>5. All development is to be connected to Council's stormwater system or an alternative system approved by Council at cost to the developer. Connections are to be in</p>	<p>Common bin areas are provided on the site plan. The waste areas appear to be in convenient locations for users and garbage collection. A 1.8m high screening has been included on the site plan to screen bin areas.</p> <p>The development is proposing to connect to Council's water, sewer and stormwater services (refer to previous comments in this report).</p> <p>The applicant has advised that phone and electricity services are available to the site.</p> <p>Drying areas have been provided, designated drying areas for each unit will be conditioned. Street numbers for each dwelling will be conditioned to be provided.</p>

<p>accordance with the Development Manual.</p> <ol style="list-style-type: none"> 6. All development in the R1 General Residential zone is to be connected to reticulated town water supply and town sewerage system. 7. Allowance is to be made for the installation of telecommunications and electricity subject to the requirements of the authorities responsible for these services. Relevant providers of electricity and telephone services should be contacted for their servicing requirements. 8. Services are to be located underground where required by a supplier. 9. An external drying area is a location that receives good solar access must be provided for each dwelling within a residential development. The drying area is to be adequately screened if it will be visible from a public road or place. 10. Each property must be clearly identified with a street number. 	
<p>2.1.13 Fencing</p> <ol style="list-style-type: none"> 1. Fencing on corner allotments must be splayed a minimum of 3m back from the corner of the allotment at each frontage. 2. Design and materials for a new fence will be considered on its merits considering the following matters: <ul style="list-style-type: none"> • The amenity of the neighbourhood in the vicinity of the development site, • The material, style and height of existing fencing in the vicinity of the development site, 	<p>The proposed development includes boundary fencing. The fencing material has not been decided, information in relation to the fencing materials will be required to be approved prior to installation – this can be mitigated through conditions of consent.</p>

<ul style="list-style-type: none"> • The width of the road reserve(s) adjacent to the development site, • Line of sight for drivers on adjacent roadways. 	
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Provisions of any Planning Agreement or Draft Planning Agreement (s79C(a)(iia))

Not applicable.

Prescribed Matters in the Regulation (s79C(a)(iv))

There are no prescribed matters that apply to this development.

Likely Impacts of that Development (s79C(b))

The proposed development will not impose any negative impacts on the area. The proposed development is has a high quality design and the plans demonstrate good use of landscaping and resident amenities. The development is compatible with existing streetscape and residential use of the area.

Should the development proceed it will be subject to conditions relating to hours of construction, protection of Council assets etc – this should mitigate any concerns during the construction process.

Suitability of Site for Development (s79C(c))

The site is considered suitable for the proposed development. The area in general is predominantly used for residential purposes and there are pedestrian linkages to public recreation areas and schools. Required utilities are available to the site.

Submissions (s79C(d))

Nil.

The Public Interest (s79C(e))

As previously stated in this report, the proposed development is considered to be compatible within the area. The subject site has been vacant for many years and the intended use of the land has always been for residential purposes. The development of this land is considered to be a positive contribution to the area in general.

Risk Assessment:

What can happen?

If Council refuses the development application, it may be subject to appeal to the Land and Environment Court by the Applicant. If Council approves the development application, it may be subject to appeal to the Land and Environment Court on procedural grounds by a third party.

How can it happen?

Any decision to approve or refuse this development application could result in proceedings being commenced in the Land and Environment Court.

What are the consequences of the event happening?
Potential proceedings in the Land and Environment Court.

What is the likelihood of the event happening?
Unknown.

Adequacy of existing controls?
Existing controls are considered to be adequate.

Treatment options to mitigate the risk?
Report requests of this nature to Council.

Conclusion:
There is some risk associated with this matter. However, Council must determine the development application.

Attachments:

1. Attachment 1 – Aerial site plan – 1 page.
2. Attachment 2 – Development application plans - 8 pages.
3. Attachment 3 – Conceptual pictures – 2 pages.

**9.14 SUBJECT: DENILIQUIN LOCAL ENVIRONMENTAL PLAN 2013
(AMENDMENT NO 8)**

**FROM: JOHN HARVIE
Director Economic and Business Development**

In providing this advice to Council, I, Julie Rogers, have no interests to disclose in this report.

Recommendation:

Division

In accordance with the requirements of the Local Government Act, it is necessary for Council to call a division when voting on any resolution that involves making a planning decision.

That Council:

1. In accordance with section 59(2) of the Environmental Planning and Assessment Act make the proposed Deniliquin Local Environmental Plan 2013 (Amendment 8); and
2. Upon signing of the proposed Deniliquin Local Environmental Plan 2013 (Amendment 8) by Council's delegate, that the Department of Planning and Environment be notified of Council's decision.

Background:

At its meeting on 14 October 2016, Council resolved to:

- a Prepare a planning proposal to amend the Deniliquin Local Environmental Plan 2013 in accordance with section 55(1) of the Environmental Planning and Assessment Act 1979 to rezone Lots 2, 3 and 4 DP286006 Barham Road, Deniliquin from RU1 Primary Production to IN1 General Industrial.*
- b Forward the planning proposal to the Minister for Planning and Infrastructure in accordance with section 56(1) of the Environmental Planning and Assessment Act 1979.*
- c Request that the local planning making functions in relation to this planning proposal be delegated to Council.*

Council has now complied with the conditions of the gateway determination (Attachment 1) and the instrument can be made. Attachment 2 is a copy of the amending instrument and mapping and the Parliamentary Counsel's opinion stating that the instrument can be made.

Figure 1 shows the location of the subject site.

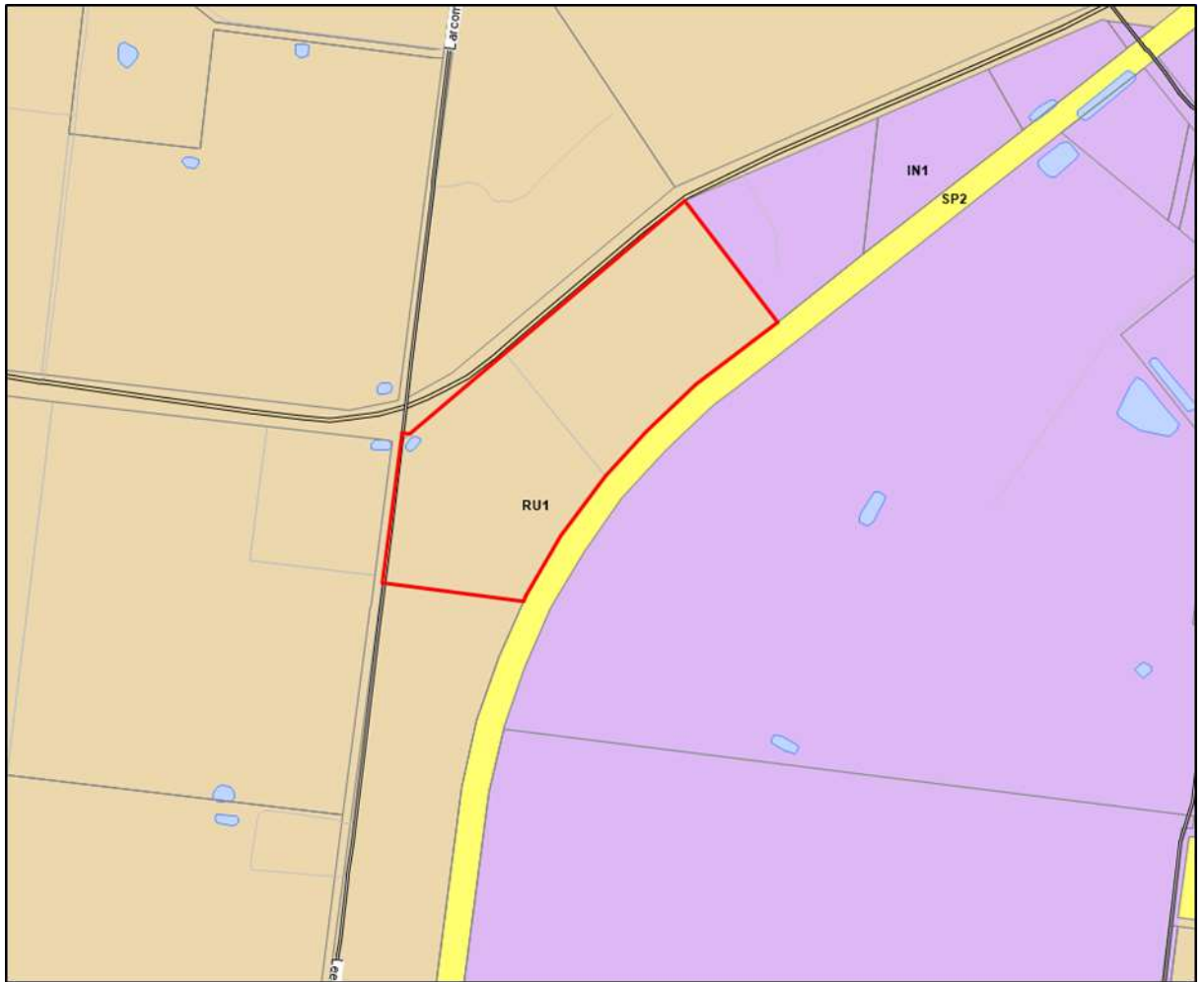


Figure 1 Location of subject site

Issue/Discussion:

Council advised the Department of Planning and Environment (the Department) of Council's decision to prepare the planning proposal and requested a gateway determination on 31 October 2016. Following the Department's consideration of the planning proposal and discussions with Council and the proponent, Council resolved at its meeting on 16 March 2017 to delete Lot 2 DP286006 Barham Road from the planning proposal. Attachment 3 is the amended planning proposal.

A condition of the gateway determination required Council to prepare a preliminary review of the subject land and initial site contamination investigation report to satisfy requirements of State Environmental Planning Policy 55 – Remediation of Land (SEPP 55) and place this information on exhibition. This preliminary review was completed and placed on exhibition with the planning proposal. Attachment 4 is the preliminary review.

The planning proposal was exhibited in accordance with section 57 of the Environmental Planning and Assessment Act (the Act) for a period of 28 days and one submission was received (Attachment 5).

The submission states that they do not object to the rezoning of the land but are concerned about the safety of children who use the school bus that collects children along Barham Road along with the capability of Barham Road to handle future increases in traffic. The future use of the subject site coupled with proposed ethanol plant (to be located on the corner of Barham Road and Leetham Road) could result in an increase in heavy vehicles (eg B doubles and road trains) using Barham Road.

Barham Road is a regional road that serves as an arterial road between towns and is an approved B double and road train route. The types of industrial uses that could be established on the site are consistent with the function of the road. Ultimately the issue of increased vehicular traffic and concerns around child and pedestrian safety in relation to the school bus route would be considered if a development application was lodged for the use of the subject site. However, where this could be a concern, Council would consider matters such as access/road intersection treatment and the need for a bus lay-by.

As required by the gateway determination, Council consulted with the Roads and Maritime Service (RMS) and the Office of Environment Heritage. Attachment 6 is the response from the RMS. RMS have stated that they have no objection to the proposed rezoning of the site.

Council has now complied with the conditions of the gateway determination and the instrument can be made.

As Council has been given delegation to make the instrument, Council is required to resolve in accordance with section 59(2) or (3) of the Act on whether it wishes to make the instrument. Section 59(2) and (3) states:

- (2) *The Minister may, following completion of community consultation:*
 - (a) *make a local environmental plan (with or without variation of the proposals submitted by the relevant planning authority) in the terms the Minister considers appropriate, or*
 - (b) *decide not to make the proposed local environmental plan.*
- (3) *The Minister may defer the inclusion of a matter in a proposed local environmental plan.*

It is recommended that the instrument be made. Should Council resolve to make the instrument, it will be signed by Council under delegation and then forwarded to the Department requesting that the instrument be notified on the NSW legislation website. The instrument will commence on the day it is notified.

Policy and Strategy Implications:

Nil.

Financial and Resource Implications:

The proponent meets the cost of preparing the planning proposal.

Risk Implications:

There is minimal risk associated with this matter as Council must prepare the rezoning in accordance with the Act.

Consultation:

Refer to comments above about consultation.

Attachments:

- Attachment 1 – Gateway Determination (5 pages)
 - Attachment 2 – Amending instrument, maps and Parliamentary Counsel’s opinion (8 pages)
 - Attachment 3 – Amended planning proposal (13 pages)
 - Attachment 4 – Initial Site Evaluation (PP8) (16 pages)
 - Attachment 5 - Submission (2 pages)
 - Attachment 6 – RMS submission (1 page)
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9.15 SUBJECT: PROPOSED SOLAR FARMS

FROM: JOHN HARVIE
Director Economic and Business Development

In providing this advice to Council, I, John Harvie, have no interests to disclose in this report.

Recommendation:

That Council resolves to:-

- 1 Note this report on the preparation of a technical submission on the development applications for the proposed solar farms known as 'Tarleigh Park' and 'Currawarra'.

Background:

The development applications for the proposed solar farms known as 'Tarleigh Park' and 'Currawarra' are currently on exhibition until 21 December 2017. These development applications are being assessed by the Department of Planning and Environment (the Department) as they are state significant development.

Issue/Discussion:

Council is currently reviewing the environmental impact statements for each of the development applications and will be making a technical submission on each of the proposals.

The submission will be technical in nature and focus on planning matters and the impact on Council and community infrastructure i.e. roads.

Policy and Strategy Implications:

Nil.

Financial and Resource Implications:

The submission will focus on ensuring that Council bears no cost for any damage to its infrastructure resulting from these developments.

Risk Implications:

Nil.

Consultation

Council is responding to a consultation period managed by the Department.

Attachments:

- There are no attachments to this report.

9.16 SUBJECT: CERTIFICATE OF AUTHORITY FOR STAFF – SWIMMING POOLS

**FROM: JOHN HARVIE
Director Economic and Business Development**

In providing this advice to Council, I, John Harvie, have no interests to disclose in this report.

Recommendation:

That Council authorise the affixing of the Council Seal to the Certificate of Authority to be issued under the Swimming Pools Act 1992 to the Director Economic and Business Development, John Harvie and the Manager Environmental Services, Julie Rogers.

Background:

Currently, all authorised officers have a Certificate of Authority under the Swimming Pools Act 1992 (the Act), with the exception of the relevant Director and Manager. In order for these officers to have the required approval, Council must resolve to affix the Council seal to a Certificate of Authority to be issued under the Act to the Director Economic and Business Development (John Harvie) and the Manager Environmental Services (Julie Rogers).

Issue/Discussion:

Section 27 of the Act allows Council to appoint any of its employees to be authorised officers. Those authorised officers are empowered to enter premises, inspect swimming pools and seek search warrants in the event an offence is being committed.

The Act stipulates that an authorised officer must, on demand by any person in or on the premises produce their certificate of identification for inspection by that person. The Certificates of Authority under the Act are unique in that they require the photo of the authorised person, their signature and the Council seal to be affixed.

Policy and Strategy Implications:

Nil.

Financial and Resource Implications:

Nil.

Risk Implications:

Certificates of Authority must be issued in accordance with the Swimming Pools Act 1992.

Consultation

Not applicable.

Attachments:

- There are no attachments to this report.
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Current Applications at 30 November 2017

Application	Date Rec'd	Applicant	Location	Proposal	Status
Development Applications/Construction Certificates					
DA2050	25/09/13	F & R Lindsay Field	Lot 26 DP877116, 81 Boundary Street	Change of use to a tourist facility	Awaiting advice from the applicant
CC164	04/11/13	Murray Constructions	Lot 11 DP1157999, 3 Wenbern Court	Retaining wall	Awaiting advice from the applicant
CC 23/14	14/07/14	Precise Build	Lot B & D, DP163080 & DP407394	Alterations & additions to WIRED Entertainment	Awaiting advice from the applicant
DA 68/14 CC 49/14	20/10/14	Jesse Soding	Lot 10 DP242452, 114 Wyatt Street	Verandah	Awaiting advice from the applicant
CC 55/14	10/11/14	Jamie Park/JNP Architecture & Associates Pty Ltd	Lot 272 DP756325, 234 Barham Road	Erection of a shed for use as 'rural industry' (maintenance & construction shed for the proposed ethanol plant)	Awaiting advice from the applicant
DA 1/16 CC 1/16	4/1/2016	Tikaro Pty Ltd	Lot 21 DP1063042, 356 Augustus Street	Shed	Awaiting advice from applicant
CC 47/16	31/10/16	P&A Society of Deniliquin	Lot 487 DP731813, Memorial Park	Demountable office building	Awaiting advice from applicant
DA 2/17	11/01/17	Murray Constructions	Lots 11 & 12 DP1018080, 475-477 George Street	Replacement of existing concrete retaining walls including an extension of jetty	Awaiting advice from applicant

DA 57/17	25/08/2017	Steve Temelkovski & Nathan DiMaggio	Lots 24, 25, 38, 39 & 40, DP815329 & DP749636, 523 Henry Street, 10 Ballantyne Crescent, 517 Henry Street, 519 Henry Street & 9 Ballantyne Crescent	Multi dwelling development x 15 two storey units	Under assessment
DA 59/17	25/08/2017	James Puniard	Lot 11, Section 15, DP758138, Wargam Road, Booroorban	2 bay fire station and 22,000 litre tank	Awaiting owners consent
DA 63/17	5/09/2017	Edward River Council	Lot 52, DP1189132, Macknight Drive, Deniliquin	2 lot subdivision	Awaiting advice from applicant
DA 91/15 A	13/09/2017	North East Survey Design Echuca	Lots 49 & 55, DP756325, 158-166 Hardinge Street, Deniliquin	Modification to DA 91/15 – new boundary layout, creation of 60m wide right of access	Under assessment
DA 81/17	2/11/2017	David Malcolm, Ecotech Energy	Lot 100, DP1061466, Ochertyre Street	Installation of a ground and roof mounted solar system	Under assessment
DA 86/17	28/11/2017	Edward River Council	Lot 1, DP732067 & Lot 2, DP1220715, 82-86 Hardinge Street, Deniliquin	Demolition of 2 railway platforms and fill disused railway pit. Provide water and sewer connections to boundary	Under assessment
DA 87/17 CC 62/17	30/11/2017	Decentralised Demountables Pty Ltd	Lot 4, Sec 16, DP758913, 281 Duncan Street, Deniliquin	Demolition of dwelling and shed	Under assessment
Complying Development Certificates					
CDC 36/17	27/11/2017	Conquest Industries	Lot 5, DP285832, 300 Wakool Road, Deniliquin	Inground swimming pool	Under assessment

S68 Applications					
S68 15/17	24/03/17	Precise Build	Lot 4 DP285832, 316 Wakool Road	Sewer connection	Awaiting further advice

Applications Determined November 2017

Application	Property Description	Applicant	Development	Amount
DA 55/17	Lot 26, DP877116, 81 Boundary Street, Deniliquin	David & Caitrin Watson	Construction rebuild of stables shed in the same location and temporary use as a function centre	400,000.00
DA 67/17	Lots 49 & 52, DP1189132, Cemetery Road, Deniliquin	Resource Architecture	Construction of an emergency services facility & depot	3,500,000.00
DA 75/17 CC 49/17	Lot 19 DP720244, Kelly Street	Brunker Fabrications	Shed extension	60,000.00
DA 79/17 CC 53/17	Lot 71, DP756511, 8477 Pretty Pine Road, Moulamein	Mark Harris	Dwelling alterations and additions	250,000.00
DA 80/17	Lots 1, 2 & 3, DP758913, 335 Poictiers Street, Deniliquin	Reverend Wayne Sheean	Establishment of an opportunity shop in the Anglican Church Hall as a temporary use	0.00
DA 82/17 CC 58/17	Lot 22, DP873364, 567 Poictiers Street, Deniliquin	Ian Danckert	Ornamental Windmill	500.00

DA 83/17 CC 59/17	Lot B, DP410446, 93 Hardinge Street, Deniliquin	Colin Murphy	Residential shed and carport	17,000.00
DA 84/17 CC 60/17	Lot 6, DP24549, 408 Maher Street, Deniliquin	Murray Constructions	Demolish residence and removal of asbestos	10,000.00
DA 85/17 CC 61/17	Lot 118, DP41140, 56 Moonee Swamp Road, Deniliquin	Rhys Tremble Concrete & Engineering Pty Ltd	Hay and farm machinery shed	69,500.00
CC 55/17	Lot 1, DP264653, 34 Burton Street, Deniliquin	Murray Constructions	Replacement of timber retaining walls	100,000.00
CC 56/17	Lot 174, DP756305, 218 Campbell's Road, Blighty	Christian Steenholdt	Construction of cattle shade sheds	120,000.00
CC 57/17	Lots 6 & 7, Sec 22, DP758913, 360-362 Whitelock Street, Deniliquin	Deniliquin Children's Centre	Demolish existing buildings and erect new childcare building. Build new off street carpark and modify on street carparking	1,236,000.00
CDC 31/17	Lot 24 DP1047397, 3 Harvey Court, Deniliquin	Justin Hatfield	Inground swimming pool	32,040.00
CDC 32/17	Lot 110, DP756335, 676 Wandook Road, Deniliquin	Kevin Clancy	Rural shed	45,590.00
CDC 33/17	Lot 21, DP867574, 443 Hay Road, Deniliquin	Robert Lees	Above ground pool	3,500.00
CDC 34/17	Lot 5, DP285499, Lot 6 Pee Parade, Mulumbah Estate, Deniliquin	Stan Mikoulajski	Rural shed	19,950.00

CDC 35/17	Lot 23, DP1073490, 556 Harfleur Street, Deniliquin	Brook Willis	Inground swimming pool	48,370.00
S68 39/17	Lots 1, 11 & 12, Sec 12, DP758913, 411 Charlotte Street, Deniliquin	Fletcher Plumbing & Co	Plumbing and drainage	120,000.00
1/17/DA A	Lot 3, DP756238, 5310 Conargo Road, Conargo	ADM Structures Pty Ltd	Modification – Rebuild of Conargo Hotel	-

Processing Times for November 2017

Application Type	Mean Gross Days	Mean Net Days
DA	30	29
Mod (S96) of DA & DA/CC	26	26
CDC	9	9
CC	19	19
S68 Applications	4	4

Value and Number of Applications Determined 2016 and 2017

Month	DAs 2016	DAs 2017	CDCs 2016	CDCs 2017	S68 2016	S68 2017	Value 2016	Value 2017
January	7	6	2	2	0	0	\$273 900	\$953,130
February	8	4	3	1	3	9	\$1 012 520	\$1,121,555

March	12	7	3	3	4	3	\$1 115 107	\$436,881
April	7	5	2	2	1	3	\$177 000	\$998,414
May	9	11	5	3	3	7	\$454 134	\$1,853,315
June	8	9	1	5	4	5	\$113 400	\$717,371
July	7	11	3	4	3	2	\$86 541	\$2,721,000
August	6	6	3	4	3	4	\$1 030 615	\$1,099,213
September	4	12	2	5	3	2	\$586 326	\$1,625,621
October	5	13	1	4	1	4	\$205 645	\$3,171,654
November	5	9	5	5	1	1	\$438 022	\$4,456,450
December	5		3		3		\$830 806	
TOTALS	83	93	33	38	29	40	\$6 324 016	\$19,154,604

Notes: numbers of application determined does not include construction certificates, modifications and applications determined by private certifiers. Value of application determined does not include the value of work for s68 applications.

Section 149 Certificates/Sewerage Drainage Diagrams

There were 34 Section 149 Certificates completed and 12 Sewerage Drainage Diagrams issued in November 2017.

Swimming Pool Inspection Program

Month	1 st Inspection	2 nd Inspection	3 rd Inspection
November 2017	4	0	0

Status of Environmental Services Projects – November 2017

Project	Status
Planning Proposal 7 - Kyalite Stables	Draft instrument reviewed. Awaiting revised instrument from Parliamentary Counsel.
Rural Residential Strategy	Mapping received – to be reviewed.
Local Heritage Fund	Offers of funding for 17/18 have been made.
Planning Proposal 8 – Barham Road	To be considered by Council at its December meeting.
Open Space Strategy	Second round of consultation scheduled for first week in December.
Public Space Strategy	Draft strategy received and to be presented to working group in December.

9.18 SUBJECT: RIVER STREET DRAINAGE

**FROM: MARK DALZELL
Manager Engineering and Assets**

In providing this advice to Council, I, Mark Dalzell, have no interests to disclose in this report.

Recommendation:

That Council resolves to:-

1. Approve the option to construct additional underground stormwater drainage at the intersection of Rose Street and River Street as detailed within this report.
2. Approve the allocation of \$15,000 from the budgeted stormwater drainage capital expenditure towards these works.
3. Note that officers will consult with adjoining residents and inform them that Council will provide the plant and labour to construct underground drainage along their front boundaries if the residents agree to provide the required materials.

Background:

Description of Site

The subject area is in North Deniliquin, bounded by River Street, Rose Street, Riverina Highway (Finley Road) and Lily Street. The area is zoned R5 – Large Lot Residential in accordance with the Deniliquin 2013 Local Environment Plan. The service standards for this zoning are discussed in more detail within this report.



Site Location Plan

This area is flat with water collecting in localised areas before discharging quickly down the bank to the west and south to the river. Prior to the recent works being undertaken, the area was drained by shallow table drains along the edges of the above-mentioned roads. The main purpose of these table drains was to receive run-off from the road and a limited volume of run-off from the adjacent properties and drain this run-off towards the culvert at the intersection of River Street and Rose Street. The drain would also cater for any run-off that may have been held up due to the construction of the road.

It is noted that the table drain system is the responsibility of Council to construct and maintain, being in the road reserve and connected to the road. Driveways and access to properties, including culverts, are considered part of the private dwelling and therefore the responsibility of the property owner. Property owners are required to install driveway culverts at the levels set by the adjoining table drains and maintain the culverts as free-flowing structures

Historical Concerns

Council has received several complaints and concerns from local residents in this area regarding the perceived lack of drainage and the impact overland flow was having on their properties. These have included:

- 180 – 182 Riverina Highway: The owners of this property have contacted Council on numerous occasions regarding stormwater runoff from the rear of the property. The existing surface drainage levels along Lily Street did not allow stormwater to drain away, thereby impacting on the shed at the rear of the property, as well as the pool, during periods of heavy rainfall;
- River Street: Residents along River Street have contacted Council regarding the poor drainage and the fact that run-off would sit in the table drain for days. Whilst it is noted that the driveway culverts may have exacerbated the issue, the invert level of the table drain did not allow for efficient drainage of the area; and
- Riverina Highway: Much like the residents along River Street, the residents along the Riverina Highway, being 176-178 and 180-182 Riverina Highway, experienced prolonged time of water sitting in the table drain near their accesses following rainfall events.

Due to these concerns, Council determined to investigate the matter and provide a possible solution for the ongoing stormwater drainage issues.

It must be noted that Council is not responsible for the management of natural overground flows. As a property manager (the roads) Council is responsible to ensure that the road does not hold back the natural flow of water or release water quicker that could cause detriment to adjoining landowners upstream or downstream. The original table drains would have provided this level of service.

Works Undertaken by Council

In providing a solution to the issues and concerns that had been raised, Council staff prepared a brief to meet the following objectives:

- Provide suitable drainage to the rear of 176-178 and 180-182 Riverina Highway and along Lily Street;
- Provide suitable drainage along River Street;
- Provide a solution consistent with service provision for land zoned R5 – Large Lot Residential; and
- Re-lay existing driveway and access culverts to suit the proposed drainage.

It was determined that an open drain solution would be the most efficient and cost-effective way to solve the drainage issues in the area. This would require deepening the existing shallow table drain.

Council engaged Brian Mitsch and Associates to undertake the survey and design of the works and prepare the construction plans. Mr Mitsch has undertaken numerous drainage projects for Council and private developers and was considered suitably qualified and experienced for the project. A copy of these plans are attached to this report.

Following receipt of the design plans, Council officers completed an internal review of the proposal. Officers also discussed the project with the impacted residents regarding the proposed design solution.

Council discussed the opportunity with the impacted property owners to provide a constructed underground drainage system along their frontages. As this would be a higher level of service than provided for R5 lots, the property owners were advised that this option would be available if they pay for the purchase of the pipes and Council would install them as part of the project. At the time some of the residents were in favour of proceeding in this matter, however subsequently no property owners entered into any such arrangements.

Consultation and Engagement

A concern raised by residents of River Street was the lack of engagement. During both the design and construction phase officers engaged with the adjoining property owners, to get their feedback and to keep them informed throughout the process. The engagement included on-site discussions with the property owners outlining the design plans for the proposed works, noting potential impacts and options regarding driveway accesses. At this stage no property owners raised issues regarding the construction and only one of the property owners discussed the option of working with Council regarding additional underground piping.

It has been subsequently acknowledged that officers could have closed out this engagement process more effectively and that the community may not have fully understood the final outcomes from these discussions.

Issue/Discussion:

Options for Further Work

In moving forward with this matter and addressing the concerns that have been raised by the residents in the area, there are three options that have been investigated. These are:

- Installation of underground drainage locally at the corner of the River Street and Rose Street to mitigate risks regarding vehicles travelling through this intersection;
- Installation of a low flow pipe and swale along River Street to reduce the depth of the existing drain; and
- Installation of full sized underground drainage along the length of River Street.

Concept layouts for each of these options are attached to this report.

It is noted that these options do not include the piping of the existing drain along Lily Street as this drain is considered suitable for its purpose.

Summary of Outcomes for each Option

A summary of the benefits and ongoing concerns for each of the options is shown below:

Option	Benefits	Ongoing Concerns	Estimated costs
1 – Piping of Intersection	Reduce risk to vehicles at the intersection by providing vehicle run-off areas.	No change to the existing drain along River Street.	\$15,000 to allow for potential additional works.

Option	Benefits	Ongoing Concerns	Estimated costs
2 – Low Flow Pipe	<p>System shall be design for events up to 1 in 2 year storms.</p> <p>No ongoing risk regarding open drains as a shallow tabledrain shall be constructed.</p>	<p>Run-off shall pool during larger events and may take some time to drain away from the area.</p> <p>Inconsistent with service levels for this land zoning.</p>	\$26,000
3 – Full Drainage System	<p>System shall be design for events up to 1 in 10 year storms without surcharging.</p> <p>No ongoing risk regarding open drains as a shallow tabledrain shall be constructed.</p>	<p>Most expensive option.</p> <p>Inconsistent with service levels for this land zoning.</p>	\$60,000

Policy and Strategic Implications:

An issue raised by the residents relates to the suitability of the level of service an open drain provides in this area. As outlined earlier, this land is zoned R5 – Large Lot Residential. The service level in R5 zoned areas is not the same level as land zoned R1 – General Residential due to the lower density of housing and larger frontages of property. This reduced level of service is reflected in the rates paid by the property owners.

An exception to this has been regarding water supply and sewerage. For these services, Council may approve the extension of infrastructure, at the developers cost, into R5 – Large Lot Residential land. It is noted that water supply and sewerage services are levied separately to rates and this allows Council to better fund ongoing maintenance of this infrastructure. R5 – Large Lot Residential developments may include the following services;

- Sealed roads or sealing of existing gravel roads;
- Underground stormwater systems; and
- Water supply and sewerage services.

These would be provided by the developer in agreement with Council. These are not required as part of the service standard for these areas.

Existing Council policies relating to the provision of infrastructure and services to land zoned R5 – Large Lot residential (formerly known as the 1(c) Rural Small Holdings zone) include:

- Deniliquin Council Policy 4.20 Policy – Road Upgrading Construction Policy.

This policy states that development in the former 1(c) Rural Small Holdings zone does not attract a contribution regarding the sealing of roads and if the development involves access off an unconstructed road reserve, the developer is only required to construct a gravel road.

This policy notes the difference in development standards of roads in the 2 (Urban) zone (now R1 – General residential zone) and the 1(c) Rural Small Holdings zone (now R5 – Large Lot Residential zone); and

- Deniliquin Council Policy 4.9 Policy – Water and Sewer Limits.

This policy allows for extension of the system into R5 - Large Lot Residential areas subject to the approval of Council.

These policies, along with the provision of infrastructure to land zoned R5 – Large Lot Residential and service provision, shall need to be reviewed by Council.

Financial and Resource Implications:

The original project was undertaken as part of the Stormwater Drainage capital expenditure in 2016/17. In 2017/18, there is \$60,000 budgeted for Stormwater Drainage capital works with Council staff currently investigating the following projects:

- Extension of the drainage network along George Street near Hardinge Street due to previous contributions made in relation to a nearby development; and
- Piping of the Pakenham Street open drain.

The recommended option to pipe the corner section would require a \$15,000 allocation from this budget.

Any additional works may be funded through this budget allocation.

Risk Implications:

The community raised two key items that they perceive as risks in relation to the works as completed. They are;

- The risk to drivers due to the new table drain;
- The risk of drowning during a rain event due to the depth of the table drains.

There is a risk associated with the table drain, its depth and its proximity to the road. This risk is the highest at the bend in the road. This risk has been assessed in line with the RMS Road Design Guide which provides advice relating to road risks. Based on this assessment, the risk is within the acceptable range taking into account the local speed limit of 50km/hr, however, Council may wish to carry out some additional works (option 1 above) at the intersection to further reduce the risk at this location.

Regarding safety for the public, especially relating to children, the drain is up to 1m deep and does not permanently contain water. This drain will only hold water in periods of large rain events, however it is designed to clear as quickly as possible.

Consultation:

As part of reviews and investigations leading up to this report the following people have been consulted:

- Property owners along River Street, including an on-site meeting with the General Manager and other staff from Council;
- Adam McSwain, General Manager;
- Oliver McNulty, Director Infrastructure;
- Mark Dalzell, Manager Engineering and Assets; and
- Steven Wilson, Design Engineer.

Attachments:

Plan of Site Layout and Drainage Issues;

Plans by Brian Mitsch and Associates regarding drainage works along River Street and associated areas; and

Plans for Options for further work.

9.19 SUBJECT: HEADWORKS CHARGES NOT FOR PROFIT ORGANISATIONS POLICY

**FROM: MARK DALZELL
Manager Engineering and Assets**

In providing this advice to Council, I, Mark Dalzell, have no interests to disclose in this report.

Recommendation:

That Council resolves to:-

1. Place the *Headworks Charges Not for Profit Organisations Policy* on public exhibition for a period of at least 28 days; and
2. Invite public submissions following placement of the policy on public exhibition; and
3. Following expiry of the public exhibition period, receives a further report considering all submission received and making any appropriate changes to the draft policy.

Background:

Headworks charges are currently applicable to all development within the Edward River Council area where there is an increase in demand on Council's water supply or sewerage systems. These charges are in accordance with the former Deniliquin Council's *Deniliquin Water and Sewer Demand Assessment Policy 2002* and *Policy 4.9 – Provision of Water Supply and Sewerage Services*.

Council has recently received several requests from local not for profit organisations that are undertaking development within Deniliquin and are subject to headworks charges. These organisations have requested a reduction in the applicable headworks charges for their respective developments.

It is noted that the former Deniliquin Council has on one previous occasion waived headworks charges for a particular development relating to a not for profit organisation and have approved a staggered payment plan on another occasion for a not for profit organisation. No other cases for changes to the policy relating to headworks charges for not for profit organisations have been found.

Issue/Discussion:

The levying for headworks charges relates to the impact that a certain development shall have on Council's water supply and sewerage system and is independent of the type of development that is being undertaken. Based on this information, it is recommended by Council staff that no changes to the requirement to pay headworks charges and the value of these headworks charges are adopted.

It is noted that the payment of the charges can be a financial impost on development by not for profit organisations and may impact grant funding that they receive. This is especially so where the organisation is required to pay headworks before construction works can commence.

Based on the above information Council officers have drafted a policy, noted as the *Headworks Charges Not for Profit Organisations Policy*, for Council's consideration. The policy meets the following objectives:

- notes the regulatory and policy framework in which headworks charges operate;
- states that Council staff shall continue to assess all development applications in accordance with the *Deniliquin Water and Sewer Demand Assessment Policy 2002*; and
- states that not for profit organisations will be entitled to offset payment of any applicable headworks charges to three equal annual instalments over a 3-year period commencing from the date that construction works commence for the approved development.

The policy shall allow Council staff to provide clearer guidance to not for profit organisations in relation to headworks charges.

It is noted that Council staff shall continue to review the *Deniliquin Water and Sewer Demand Assessment Policy 2002*, with the intention to re-calculate the value of the relevant headworks charges. This re-calculation shall be based on the future capital works and asset renewal requirements that will be determined through the Asset Management Plan process.

Policy and Strategic Implications:

The draft policy supports the existing *Deniliquin Water and Sewer Demand Assessment Policy 2002* and provides further detail relating to developments by not for profit organisations.

Financial and Resource Implications:

There is no impact to Council's finances as there is no change to the amount of headworks charges that shall be applicable. The 3 year timeframe for payment of the charges, rather than payment up front, shall have a negligible effect on Council's ability to fund capital works relating to headworks.

Risk Implications:

The risk regarding this policy is that a not for profit organisation shall not pay the required headworks charges over the 3-year period, even though the development has commenced. As the requirement for paying headworks charges is a condition of consent for a development, the non-payment of these charges would be considered a breach of these consent conditions. As with other breaches of consent conditions, Council would be able to issue orders against the not for profit organisation relating to the continued use of the development should payment not occur.

Consultation:

As part of reviews and investigations leading up to this report, the following people have been consulted:

- Councillor workshops in October 2017 and November 2017; and
- Discussion with not for profit organisations following their requests for a review of the applicable headworks charges.

Attachments:

Draft Headworks Charges Not for Profit Organisations Policy.

9.20 SUBJECT: CONTRACT 2.19.236 – PREPARATION OF ASSET MANAGEMENT PLANS FOR EDWARD RIVER COUNCIL

**FROM: MARK DALZELL
Manager Engineering and Assets**

In providing this advice to Council, I, Mark Dalzell, have no interests to disclose in this report.

Recommendation:

That Council resolves to:-

1. Accept the tender from Peak Services Pty Ltd for Contract No. 2.19.236 – Preparation of Asset Management Plans for Edward River Council for the total lump sum price of \$117,150 excluding GST;
2. Authorise the General Manager to sign and affix the Common Seal to the contract documentation for Contract No. 2.19.236 – Preparation of Asset Management Plans for Edward River Council; and
3. Authorise the General Manager to approve variations to the contract to cover contingencies of up to 30% of the contract amount.

Background:

As part of its Integrated Planning and Reporting responsibilities, Council is required to have Asset Management Plans for all asset that it owns and manages. This includes, roads and other transport infrastructure, airport, buildings, sporting grounds, parks and reserves and water supply and sewerage. The preparation and implementation of Asset Management Plans shall also allow Council to effectively manage these assets on behalf of the community and provide the community with input into their management.

Both former councils had Asset Management Plans at the time of the merger. As there is no set standard or template, these plans differ in the information they contain and how this information is presented. The main objective of this project therefore is to review the existing plans and to prepare an Edward River Council Asset Management Plan.

Based on the above noted objective the project shall include the following stages:

- Review of the existing asset registers;
- Determining Levels of Service for each of the asset classes in terms of the provision and functionality of the assets;
- Future capital works and asset renewals;

- Long term financial plan for funding these future works; and
- Preparation and presentation of the Asset Management Plans, including public consultation.

Tender Process:

Tenders were advertised for this project in July 2017 and closed at 3pm on 12 September 2017 with seven tenders having been received. All tenders were considered to be conforming with the tender requirements.

Tender Assessment:

Tenders were assessed on the criteria detailed in the tender documents. These criteria included:

- Compliance with the tendering requirements;
- Price, inclusive of due consideration of value for money;
- Programs and reporting; and
- Experience and personnel.

A Tender Assessment Panel evaluated the tenders based on the above noted criteria. This panel included:

- Mark Dalzell, Manager Engineering and Assets;
- Michael Todd, Procurement and Assets Coordinator; and
- Kevin Campbell; Assets Officer.

A summary of the tender evaluation has been attached as a confidential report.

Financial and Resource Implications:

Preparation and implementation of Asset Management Plans may be funded from the \$5M provided by the State Government to assist councils with mergers and amalgamations. Edward River Council has allocated \$200,000 from this program for the Asset Management Plans project and this funding shall be suitable for this project.

Whilst the consultant shall provide sufficient resources to complete all parts of the contract, Council shall be required to assist with the review and completeness of current asset register and other supporting information. The Assets and Procurement Coordinator and the Assets Officer shall provide this support as part of their regular duties and it is not anticipated that additional Council resources shall be required.

Policy Implications:

This report and the tender process complies with the requirements of the Local Government Act and Local Government (General) Regulations.

Risk Implications:

Risks involved with this project include:

- Asset Management Plans not meeting the requirements of Integrated Planning and Reporting;
- Information relating to Council assets not correctly included in the plans;
- Plans not being completed in a timely manner;
- Cost overruns; and
- Lack of council and community consultation as part of the process.

These risks shall be managed through a robust project management process, including:

- Pre-commencement meetings with the consultants to ensure that the project objectives and requirements are clearly understood by all parties
- Regular project meeting to track progress against the requirements of the project;
- Staged milestones relating to objectives of the project; and
- Regular reporting to Council regarding the progress of the project.

Consultation

Due to the commercial-in-confidence nature of tenders, no external consultation is undertaken other than reference checks in relation to the previous performance of the tenderers.

Attachments:

- Confidential attachment to report for Contract No. 2.19.236 – Preparation of Asset Management Plans for Edward River Council.