



I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Tuesday, 16 August 2022

Time: 9:00 AM

Location: Council Chambers, Estates Building

AGENDA

Ordinary Council Meeting

Tuesday, 16 August 2022

**Philip Stone
General Manager**

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1. OPENING MEETING**2. ATTENDANCE****3. LIVE STREAMING STATEMENT**

Edward River Council wishes to advise members of the public that Council Meetings will be recorded and will be available after each meeting on Council's website [Councils Website](#). All care will be taken to maintain the privacy of those in attendance, however As a visitor in the public gallery, your presence may be recorded. By remaining In the public gallery, it is assumed your consent is given in the event your image is broadcast. This includes any filming by television cameras if attendance is approved by the General Manager or Mayor.

4. ACKNOWLEDGEMENT OF COUNTRY**5. STATEMENT OF PURPOSE****6. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS****7. CONFIRMATION OF MINUTES****7.1. DRAFT MINUTES ORDINARY COUNCIL MEETING 19 JULY 2022**

Author: Belinda Perrett

Authoriser: Philip Stone

RECOMMENDATION

That Council approve the draft minutes of the Ordinary Council meeting held 19 July 2022.

BACKGROUND**ISSUE/DISCUSSION****STRATEGIC IMPLICATIONS****COMMUNITY STRATEGIC PLAN**

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

5.2 Financially sustainable

5.3 Professional Workplace culture

FINANCIAL IMPLICATIONS**LEGISLATIVE IMPLICATIONS****ATTACHMENTS**



MINUTES

Ordinary Council Meeting

Tuesday, 19 July 2022

**Philip Stone
General Manager**

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ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 19 JULY 2022

1. OPENING MEETING

The meeting opened at 9.00am.

2. ATTENDANCE

In Attendance: Mayor Cr Peta Betts, Deputy Mayor, Cr Paul Fellows, Cr Harold Clapham, Cr Shirlee Burge, Cr Pat Fogarty, Cr Marc Petersen, Cr Shannon Sampson

Via Zoom: Cr Linda Fawns

Staff in Attendance: Philip Stone (General Manager); Alistair Cochrane (Acting Director Corporate Services); Mark Dalzell (Director Infrastructure); Greg Briscoe-Hough entered the Chambers at 9.11am (Governance Officer); Marie Sutton (Manager Planning & Development); Belinda Perrett (Executive Assistant)

Gallery: 0

3. LIVE STREAMING STATEMENT

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4. 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.

5. 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.

6. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**RESOLUTION 2022/0719/6**

Moved: Cr Harold Clapham

Seconded: Cr Paul Fellows

That Council accept the apology received from Cr Tarria Moore.

CARRIED

ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 19 JULY 2022

7. CONFIRMATION OF MINUTES

7.1. DRAFT MINUTES ORDINARY COUNCIL MEETING 28 JUNE 2022

RESOLUTION 2022/0719/7.1

Moved: Cr Shirlee Burge

Seconded: Cr Marc Petersen

That the draft minutes of the Ordinary Council Meeting held 28 June 2022 be moved as a true and correct record

CARRIED

8. DISCLOSURES OF INTERESTS

Nil

9. MAYORAL MINUTE(S)

Nil

10. REPORTS OF COMMITTEES

10.1. S355 MINUTES - BLIGHTY AND CONARGO HALL COMMITTEES

RESOLUTION 2022/0719/10.1

Moved: Cr Marc Petersen

Seconded: Cr Paul Fellows

That the minutes of the Blighty Hall Committee and the Conargo Hall Committee be moved as true and correct records.

CARRIED

ORDINARY COUNCIL MEETING MINUTES**TUESDAY, 19 JULY 2022**

11. REPORTS TO COUNCIL**11.1. MAYOR, COUNCILLOR, GENERAL MANAGER MEETING ATTENDANCE****RESOLUTION 2022/0719/11.1**

Moved: Cr Harold Clapham

Seconded: Cr Marc Petersen

That Council note the Mayor Councillors and General Manager meetings attended on behalf of Council during the month of June 2022 undertaken either remotely, or adhering to COVID-19 regulations. Noting that on June 9 neither Cr Marc Petersen nor Cr Linda Fawns were in attendance at the Budget Roadshow community meeting.

CARRIED**11.2. RESOLUTIONS OF COUNCIL****RESOLUTION 2022/0719/11.2**

Moved: Cr Marc Petersen

Seconded: Cr Pat Fogarty

That Council note the information in the Resolutions of Council as at 7 July 2022.

CARRIED**11.3. INVESTMENTS AND RESERVES REPORT JUNE 2022****RESOLUTION 2022/0719/11.3**

Moved: Cr Harold Clapham

Seconded: Cr Fellows

That Council:

Note and receive the June 2022 report on Investments totalling \$47,324,176 inclusive of cash at bank for day-to-day operations.

Note that actual interest earned in the month of June 2022 was \$37,425.

Note that total interest earned for the year to 30 June 2022 was \$295,621.

Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report.

CARRIED**11.4. DEBT RECOVERY AND HARDSHIP POLICY****RESOLUTION 2022/0719/11.4**

Moved: Cr Marc Petersen

Seconded: Cr Clapham

That Council review and approve the edited Debt Recovery and Hardship Policy, specifically the removal of the interim revision for Rates Harmonisation which expired 30 June 2022.

CARRIED

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ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 19 JULY 2022

11.5. COUNCILLOR OBLIGATIONS UNDER THE CODE OF CONDUCT**RESOLUTION 2022/0719/11.5**

Moved: Cr Shanon Sampson

Seconded: Cr Marc Petersen

That Council receive and note the report:

To demonstrate Councillors commitment to integrity in office by completing annual returns in both a timely and fulsome manner;

The requirements for Councillors to submit pecuniary interest and related party returns and recommended publication of identifiable and consolidated interests for each Councillor on Council's website; and

Consider the issues of capturing and securing public records, particularly in relation to Councillor communications.

CARRIED

11.6. MURRAY DARLING ASSOCIATION MEMBERSHIP AND ANNUAL CONFERENCE RECOMMENDATION

That Council

Resolve to maintain membership of the Murray Darling Association and

Resolve that two Councillors be given the opportunity to attend the Murray Darling Association's 78th National Conference and AGM September 29-31, 2022 hosted by Albury City Council.

RESOLUTION 2022/0719/11.6

Moved: Cr Linda Fawns

Seconded: Cr Harold Clapham

That Council

Resolve to cancel membership of the Murray Darling Association.

CARRIED

11.7. FREE WASTE DISPOSAL WEEKENDS 2022/2023**RESOLUTION 2022/0719/11.7**

Moved: Cr Harold Clapham

Seconded: Cr Shanon Sampson

That Council:

Approve the Free Waste Disposal weekends at the Deniliquin Landfill to take place on the following dates during the 2022/23 financial year: 10th & 11 September 2022, 17th & 18th December 2022, 1st & 2nd April 2023 and 24th & 25th June 2023.

Note that on the Free Waste Disposal weekends the following waste is still charged for: tyres, commercial waste, construction and/or demolition waste

CARRIED

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ORDINARY COUNCIL MEETING MINUTES

TUESDAY, 19 JULY 2022

11.8. DEVELOPMENT SERVICES REPORT - JUNE 2022

RESOLUTION 2022/0719/11.8

Moved: Cr Harold Clapham

Seconded: Cr Pat Fogarty

That Council receive and note the June Development Services update.

CARRIED

11.9. OPERATIONS REPORT JUNE 2022

RESOLUTION 2022/0719/11.9

Moved: Cr Pat Fogarty

Seconded: Cr Shanon Sampson

That Council receive and note the June 2022 Operations update.

CARRIED

11.10. MAJOR PROJECTS REPORT - JULY 2022

RESOLUTION 2022/0719/11.10

Moved: Cr Marc Petersen

Seconded: Cr Shanon Sampson

That Council receive and note the Major Projects Program – Progress Report for July 2022.

CARRIED

12. NOTICES OF MOTIONS

Nil

13. QUESTIONS WITH NOTICE

Nil

14. CONFIDENTIAL MATTERS

Nil

15. CLOSE OF MEETING

The meeting closed at 10.25am.

7.2. DRAFT MINUTES EXTRAORDINARY COUNCIL MEETING 2 AUGUST 2022

Author: Belinda Perrett

Authoriser: Philip Stone

RECOMMENDATION

That Council approve the draft minutes of the Extraordinary Council meeting held 2 August 2022.

BACKGROUND

ISSUE/DISCUSSION

STRATEGIC IMPLICATIONS

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

5.2 Financially sustainable

5.3 Professional Workplace culture

FINANCIAL IMPLICATIONS

LEGISLATIVE IMPLICATIONS

ATTACHMENTS



MINUTES

Extraordinary Council Meeting

Tuesday, 02 August 2022

Philip Stone
General Manager

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EXTRAORDINARY COUNCIL MEETING MINUTES**TUESDAY, 02 AUGUST 2022**

1. OPENING MEETING

Present: Mayor Peta Betts; Cr Harold Clapham; Cr Shirlee Burge; Cr Linda Fawns; Cr Pat Fogarty; Cr Shannon Sampson

Via Zoom: Deputy Mayor Paul Fellows; Cr Marc Petersen

In Attendance: Phil Stone (General Manager); Mark Dalzell (Director Infrastructure); Alistair Cochrane (Acting Director Corporate Services); Greg Briscoe-Hough (Senior Governance Officer); Bruce Maunganidze (Financial Accountant); Libby Braybon (Executive Assistant); Belinda Perrett (Executive Assistant)

Gallery: One

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4. 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.

5. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**RESOLUTION 2022/0208/5**

Moved: Cr Linda Fawns

Seconded: Cr Shannon Sampson

That the leave of absence requested by Cr Tarria Moore be accepted.

CARRIED

6. DISCLOSURES OF INTERESTS

Nil

7. MAYORAL MINUTE(S)

Nil

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EXTRAORDINARY COUNCIL MEETING MINUTES**TUESDAY, 02 AUGUST 2022**

8. REPORTS TO COUNCIL**8.1. EDWARD RIVER VILLAGE DEVELOPMENT****RESOLUTION 2022/0208/8.1**

Moved: Cr Linda Fawns

Seconded: Cr Paul Fellows

That Council:

1. Proceeds with Stage 1 of the Edward River Village development, including the construction of six two-bedroom units and associated civil infrastructure and electricity/NBN connection,
2. Allocates \$520,000 from Council's Infrastructure Reserve to the Edward River Village development,
3. Includes in the 2022/23 Operational Plan a revenue item of \$2,910,000, being the anticipated revenue obtained from the entry prices for six units as part of Stage 1 of the Edward River Village development, and
4. Includes in the 2022/23 Operational Plan a capital expense item of \$4,430,000, being the estimated expenditure amount for the delivery of Stage 1 dwellings and associated civil infrastructure and electricity/NBN connection works.

For: Cr Paul Fellows, Cr Linda Fawns, Cr Shannon Sampson, Cr Peta Betts

Against: Cr Harold Clapham, Cr Shirlee Burge, Cr Pat Fogarty, Cr Marc Petersen

The Mayor Cr Peta Betts had the casting vote and the resolution was approved

CARRIED**12. CONFIDENTIAL MATTERS****RESOLUTION 2022/0208/12**

Moved Cr Linda Fawns

Seconded Cr Pat Fogarty

That Council move into confidential reports at 10.36am. The member of the gallery left the room.

CARRIED

EXTRAORDINARY COUNCIL MEETING MINUTESTUESDAY, 02 AUGUST 2022

12.1. C2021/08 EDWARD RIVER VILLAGE - DWELLING CONSTRUCTION - STAGE 1

The Council is satisfied that, pursuant to Section 10A(2) of the Local Government Act 1993, the information to be received, discussed or considered in relation to this agenda item is:

d(i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

RESOLUTION 2022/0208/12.1

Moved: Cr Linda Fawns

Seconded: Cr Paul Fellows

That Council:

1. Accepts the tender submitted by B Green Construction Pty Ltd and award B Green Construction Pty Ltd Contract C2021/08 - Edward River Village - Dwelling Construction - Stage 1 for the lump sum price of \$1,975,462.46 + GST,
2. Authorise the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the Contract document Contract C2021/08 - Edward River Village - Dwelling Construction - Stage 1, and
3. Delegate the Contract Superintendent to approve variations up to a maximum of 10% of the contract value to allow for any issues that may arise on site.

For: Cr Paul Fellows, Cr Linda Fawns, Cr Shannon Sampson, Cr Peta Betts

Against: Cr Harold Clapham, Cr Shirlee Burge, Cr Pat Fogarty, Cr Marc Petersen

The Mayor Cr Peta Betts had the casting vote and the resolution was approved

CARRIED

13. CLOSE OF MEETING**RESOLUTION 2022/0208/13**

Moved: Cr Pat Fogarty

Seconded: Cr Harold Clapham

The Council return to open session and the resolution of Council be read.

CARRIED

The meeting closed at 10.55am

8. DISCLOSURES OF INTERESTS

9. MAYORAL MINUTE(S)

9.1. MAYORAL MINUTE – ACCOUNTING TREATMENT OF RURAL FIRE SERVICE ('RED FLEET') ASSETS

Author: Alistair Cochrane, Acting Director Corporate Services

Authoriser: Cr Peta Betts, Mayor

RECOMMENDATION

That Council:

1. Writes to the Treasurer the Hon Matt Kean MP and the Minister for Local Government Wendy Tuckerman MP, noting:
 - a. Council's objection to the NSW Government's determination on ownership of Rural Fire Service assets.
 - b. Advising of the impact of the Government's position on Council finances of this accounting treatment.
 - c. Informing that Council will not carry out RFS assets stocktakes on behalf of the NSW Government and will not record RFS assets in Council's financial statements
 - d. Calling on the NSW Government to take immediate action to permanently clear up inequities and inconsistencies around the accounting treatment of Rural Fire Service (RFS) assets by acknowledging that rural firefighting equipment is vested in, under the control of and the property of the RFS; and
 - e. Amending s119 of the *Rural Fires Act 1997* so that the effect is to make it clear that RFS assets are not the property of councils.
 - f. Council has already written to the Minister for Emergency Services and Resilience the Hon Stephanie Cook MP and Helen Dalton, MP
2. Writes to the Shadow Treasurer Daniel Mookhey MLC, the Shadow Minister for Emergency Services Jihad Dib MP, the Shadow Minister for Local Government Greg Warren MP, the Greens Spokesperson for Local Government Jamie Parker MP and the leaders of the Shooters, Fishers and Farmers, Animal Justice and One Nation parties Robert Borsak MLC, Emma Hurst MLC and Mark Latham MLC:
 - a. Advising Members of Council's position and
 - b. Seeking Members' commitments to support NSW Councils' call to amend the *Rural Fires Act 1997* as set out in correspondence.
3. Council promotes these messages via its digital and social media channels and via its networks.
4. Re-affirms its complete support of and commitment to local RFS brigades noting that Council's action is entirely directed towards the NSW Government's nonsensical position that rather than being owned and controlled by local brigades, RFS assets are somehow controlled by councils, which councils consider to be a cynical financial sleight of hand abdicating the NSW Government's responsibilities at the cost of local communities.

5. That Council affirms its support to Local Government NSW (LGNSW) and requests LGNSW continue advocating on Council's behalf to get clarification once and for all from the State Government about the accounting treatment of RFS assets
6. Council notes correspondence of 7 July 2022 from the General Manager to the Auditor General advising that notwithstanding any overtures of future qualified audits, it will not record RFS assets in Council's financial statements, noting that the State Government's own Local Government Accounting Code of Practice and Financial Reporting provides for councils to determine whether or not they record the RFS assets as council assets

BACKGROUND

ISSUE/DISCUSSION

I am calling on Councillors to support the local government campaign on the financial Accounting treatment of Rural Fire Service (RFS) mobile assets known as the 'Red Fleet'.

A long-standing dispute over the accounting treatment of the Red Fleet has come to a head with the Auditor-General's 2021 Report on Local Government on 22 June 2022. The Audit Report reemphasises the State Government determination that RFS assets are the "property" of councils and must be recorded in Council's financial statements with Council required to therefore absorb all depreciation costs.

The *Audit Office Local Government Report* has reinforced the notion that RFS mobile and other fire-fighting assets can somehow be deemed to be council assets and applies more pressure on councils and the Office of Local Government (OLG) to conform with this determination, despite the fact that councils do not have effective management or control of these assets.

Almost 60 Councils across the State and Local Government NSW (LGNSW) refute this determination. Councils do not have any say in the acquisition, deployment or disposal of these assets. Comparable assets held by Fire & Rescue NSW (FRNSW) and the State Emergency Service (SES) are not vested anywhere other than with the organisations that purchase, use, maintain and dispose of them.

Councils and LGNSW have also raised concerns that the requirement breaches Australian Accounting Standards. The State Government's own *Local Government Accounting Code of Accounting Practice and Financial Reporting* provides for councils to determine whether to record RFS assets on their books as council assets. This position has been confirmed by the Secretary of the Department of Planning and Environment in his letter to the Auditor-General dated 7 June 2022, presented in Appendix 1 on page 47 of the 2021 Local Government Audit Report.

Council notes advice from LGNSW that many councils are refusing to comply with the Auditor General's instructions. Councils remained firm in 2021, resisting pressure to record RFS assets with the majority (68), choosing not to record the RFS mobile assets in accordance with the *Local Government Accounting Code*. This was the same number of councils as in 2020. LGNSW is encouraging councils to continue resisting pressure from the Audit Office and make their own determinations notwithstanding overtures that ongoing non-compliance with the Auditor General's instructions may result in future qualified financial reports.

The latest Audit Report has made further impositions on (Council) by:

- Recommending Council undertakes a stocktake of RFS assets and records the value in Council's financial statements;
- Warning that if Council does not recognise the assets it will be found non-compliant and will have a high risk finding reported; and

- Calling on the NSW Department of Planning and Environment (OLG) to intervene where councils do not recognise rural firefighting equipment.

The Government's blanket determination is not only nonsensical, it is also inconsistent with the treatment of the comparable assets of other emergency service agencies such as Fire & Rescue NSW (FRNSW) and the State Emergency Service (SES). There is no rational reason for maintaining this anomaly.

LGNSW has been advocating this position on councils' behalf and has written to the NSW Treasurer the Hon. Matt Kean MP, Minister for Emergency Services, the Hon. Steph Cooke MP, Minister for Local Government the Hon. Wendy Tuckerman MP and the Auditor-General, Ms Margaret Crawford to express the local government sector's strong objection to the NSW Government's determination, applied by the Auditor-General, that RFS assets are the property of councils for accounting purposes and amend the *Rural Fires Act 1997*.

LGNSW has advised it will continue its advocacy efforts on councils' behalf and is asking all affected councils in NSW to consider adopting a resolution, advising the Audit Office that Council will not carry out the RFS stock takes on behalf of the NSW Government, and will not record RFS assets on Council's financial statements.

Council's ARIC meeting of 22 July 2022 endorsed Council position paper on the treatment of RFS equipment and its reasoning to exclude the equipment from Council's financial statements

SUMMARY

STRATEGIC IMPLICATIONS

COMMUNITY STRATEGIC PLAN

FINANCIAL IMPLICATIONS

LEGISLATIVE IMPLICATIONS

ATTACHMENTS

10. URGENT ITEMS OF BUSINESS

NOTE: Business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:

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

Only the mover of a motion can speak to the motion before it is put.

A motion of dissent cannot be moved against a ruling by the chairperson.

11. REPORTS OF COMMITTEES

11.1. AUDIT RISK AND IMPROVEMENT COMMITTEE DRAFT MINUTES 22 JULY 2022

Author: Belinda Perrett

Authoriser: Phil Stone

RECOMMENDATION

That Council review the draft minutes of the Audit Risk and Improvement Committee meeting held 22 July 2022.

BACKGROUND

ISSUE/DISCUSSION

STRATEGIC IMPLICATIONS

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

5.2 Financially sustainable

FINANCIAL IMPLICATIONS

LEGISLATIVE IMPLICATIONS

ATTACHMENTS

Attachment 1 - Draft Minutes for Audit, Risk and Improvement Committee Meeting Friday, 22 July 2022



MINUTES

Audit, Risk and Improvement Committee Committee Meeting No. 18

Friday, 22 July 2022

**Philip Stone
General Manager**

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES FRIDAY, 22 JULY 2022

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AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES FRIDAY, 22 JULY 2022

1. OPENING MEETING

Present: Peter Rae (Chair), Justine Keech, John Tushuizen, Greg Briscoe-Hough (Senior Governance Officer), Cr Harold Clapham, Mark Dalzell (Director Infrastructure), Alistair Cochrane (Acting Director Corporate Services), Belinda Perrett (Executive Assistant), Bruce Maungadnidge (Financial Accountant).

Via Teams: Graham Bradley, Deputy Mayor Paul Fellows, General Manager Phil Stone

Meeting 18 of the Audit Risk and Improvement Committee opened at 1.08pm

Chair Peter Rae welcomed Justine Keech to the committee and introductions were made.

2. 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.

3. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

Nil

4. CONFIRMATION OF MINUTES FROM PREVIOUS MEETING**4.1. ARIC MINUTES - APRIL 2022****COMMITTEE RESOLUTION 2022/0722/4.1**

Moved: Peter Rae

Seconded: Graham Bradley

That the Audit, Risk and Improvement Committee approve the draft minutes of the Audit, Risk and Improvement Committee meeting held on the 7th April 2022.

CARRIED

5. BUSINESS ARISING FROM MINUTES

Airway Runway - out to tender at the moment with good interest shown. Closes in two weeks time. Currently have \$4m in funding and have contacted the Deputy Premier requesting another \$2m. If further grant money is received may be able to extend the runway as was the initial goal.

7.4 - ARIC Committee Final guidelines - circular received two days ago, providing a bit more clarity. RAMJO will preparing a further submission to address some questions.

7.6 - IPART rate peg special variations. December deadline if we require a special rate variation.

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES FRIDAY, 22 JULY 2022

7. REPORTS FROM OFFICERS**7.1. EDWARD RIVER VILLAGE****COMMITTEE RESOLUTION 2022/0722/7.1**

The Audit, Risk and Improvement Committee resolved to discuss the Edward River Village as the first agenda item.

1. Note the preliminary assessment of tenders for Stage 1 of the Edward River Village;
2. Note the price range for individual dwellings, and;
3. Consider the impact of the renewed design and pricing outcomes on earlier modelling assumptions and identify any areas of concern or potential improvement;
4. Provide any comments or recommendations the committee considers necessary.

Moved: Peter Rae

Seconded: Justine Keech

That ARIC:

Receives further information by COB Thursday 28 July:

1. The following issues of:
 - a. Treatment of GST
 - b. Treatment of capital gains
 - c. Policy on refurbishment of dwellings
 - d. Treatment of depreciation
 - e. Updated budget models
2. Hold a further ARIC committee on Monday 1 August 2022 to consider this information and provide an opinion to Council by the Chair with ARICs position on 2nd August.

CARRIED

7.2. 2022 INTERIM AUDIT UPDATE**COMMITTEE RESOLUTION 2022/0722/7.2**

Moved: Peter Rae

Seconded: Harold Clapham

That the Audit, Risk and Improvement Committee noted that Crowe Horwarth have advised that while they are still to finalise their interim audit files, there are no new issues being raised. Consequently an interim management letter may not be required.

CARRIED

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES FRIDAY, 22 JULY 2022

7.3. POSITION PAPER ON TREATMENT OF RFS EQUIPMENT FOR 2022**COMMITTEE RESOLUTION 2022/0722/7.3**

Moved: Peter Rae

Seconded: Justine Keech

That the Audit, Risk and Improvement Committee:

1. Endorse Council position to exclude RFS equipment in its accounts and financial statements
2. Endorse Councils position statement on the treatment of RFS equipment
3. Note Council correspondence to NSW State Government MP'S and the Auditor General

Moved: Peter/Justine

7.4. MAJOR PROJECTS BRIEFING**COMMITTEE RECOMMENDATION 2022/0722/7.4**

Moved: Justine Keech

Seconded: John Tushuizen

The Audit, Risk and Improvement Committee noted the Major Projects Program - Updated report.

CARRIED

Graham Bradley left the meeting at 2.48pm.

7.5. CYBER SECURITY**COMMITTEE RECOMMENDATION 2022/0722/7.5**

Moved: Harold Clapham

Seconded: John Tushuizen

The Audit, Risk and Improvement Committee noted the current plans and compliance obligations for cyber security at Edward River Council and suggested regular briefings be taken to Council.

CARRIED

Phil Stone General Manager left the meeting at 2.58pm and Cr Paul Fellows left the meeting at 3.15pm due to internet disruption.

8. CONFIDENTIAL MATTERS

Nil

9. CLOSE OF MEETING

The meeting closed at 3.27pm

11.2. AUDIT RISK AND IMPROVEMENT COMMITTEE - 1ST AUGUST 2022

Author: Libby Braybon - Executive Assistant

Authoriser: Philip Stone - General Manager

RECOMMENDATION

That Council approve the draft minutes of the Audit Risk and Improvement Committee (ARIC) held 1 August 2022.

BACKGROUND

N/A

ISSUE/DISCUSSION

N/A

STRATEGIC IMPLICATIONS

N/A

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

5.2 Financially sustainable

5.3 Professional Workplace culture

FINANCIAL IMPLICATIONS

N/A

LEGISLATIVE IMPLICATIONS

N/A

ATTACHMENTS

1. Public Minutes for Audit, Risk and Improvement Committee Meeting - Monday, 1 August 2022

**Attachment 1 - Public Minutes for Audit, Risk and Improvement Committee Meeting - Monday,
1 August 2022**



I hereby give notice that an Ordinary Meeting of Audit Risk and Improvement Committee will be held on:

Date: Monday, 01 August 2022
Time: 4:00 PM
Location: Council Chambers, Wanderer Street Deniliquin

MINUTES

Audit, Risk and Improvement Committee Meeting No. 19

Monday, 01 August 2022

**Philip Stone
General Manager**

AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES MONDAY, 01 AUGUST 2022

Order of Business

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2. ACKNOWLEDGEMENT OF COUNTRY	3
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AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES MONDAY, 01 AUGUST 2022

1. OPENING MEETING

Meeting opened at 4:01pm

2. ACKNOWLEDGEMENT OF COUNTRY**3. APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS**

Not applicable.

4. CONFIRMATION OF PREVIOUS MINUTES**4.1. PREVIOUS MINUTES****RESOLUTION 2022/08/4.1**

Moved: Peter Rae

Seconded: Justine Keech

RECOMMENDATION

That the Audit, Risk and Improvement Committee confirm that the minutes of 22nd July 2022 are a true and correct record.

CARRIED

5. REPORTS FROM OFFICERS**5.1. EDWARD RIVER VILLAGE - FINANCIAL MODELLING UPDATE****RESOLUTION 2022/08/5.1**

Moved: Graham Bradley

Seconded: John Tushuizen

RECOMMENDATION

That the Audit, Risk and Improvement Committee note the report regarding the updated financial modelling for the Edward River Village development.

The Committee provides the following observations to Council:

1. Support of the project with reservations around the current entry point.
2. How GST is treated to be clarified.
3. Risk mitigation/exit strategy.
4. Further costings will need to include the community centre.

CARRIED

Phil Stone left the room at 5:56pm and returned 5:57pm

6. CONFIDENTIAL MATTERS**7. CLOSE OF MEETING**

Meeting closed at 6pm

12. REPORTS TO COUNCIL

12.1. MAYOR, COUNCILLOR, GENERAL MANAGER MEETING ATTENDANCE

Author: Belinda Perrett

Authoriser: Philip Stone

RECOMMENDATION

That Council note the Mayor, Councillors and General Manager meetings attended on behalf of Council during the month of July 2022, undertaken either remotely, or adhering to current health guidelines.

BACKGROUND

The report details meetings undertaken on behalf of Council by the Mayor, Councillors and the General Manager during July 2022.

ISSUE/DISCUSSION

Date	Participants	Meeting
6 July 2022	Mayor, Deputy Mayor, Cr Fawns	Naidoc Market
12 July 2022	Mayor, General Manager	The Hon. Sussan Ley MP
13 July 2022	Mayor	YSAG 19 Meeting in Morundah
14 July 2022	Mayor	Virtual Reality Launch - Edward River Council Library
15 July 2022	Cr Burge, Cr Fogarty, General Manager	Regional Health Plan consultation session
18 July 2022	General Manager	NSW Planning Council Briefing Session
18 July 2022	Mayor, Deputy Mayor, Cr Burge, Cr Clapham, Cr Petersen, General Manager	Inaugural Council Health Advisory Committee Meeting
22 July 2022	General Manager	RAMJO General Managers meeting
22 July 2022	Mayor	Presentation Bush Fire Fighting, Werrpanakata/Fish Park
22 July 2022	Mayor, Deputy Mayor, Cr Clapham, General Manager	ARIC Meeting
27 July 2022	Mayor, Cr Fawns	Cultural Festival Working Group Meeting
27 July 2022	Cr Burge, General Manager	Kerbside Collection Contract Councillor Briefing Session
28 July 2022	Cr Clapham, Cr Fawns, General Manager	Aboriginal Liaison Committee

Date	Participants	Meeting
28 July 2022	Cr Fawns	South West Music Board Meeting
29 July 2022	General Manager	Bridges and Culverts Murray Valley Region

STRATEGIC IMPLICATIONS**COMMUNITY STRATEGIC PLAN**

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

FINANCIAL IMPLICATIONS**LEGISLATIVE IMPLICATIONS****ATTACHMENTS**

12.2. RESOLUTIONS OF COUNCIL

Author: Belinda Perrett, Executive Assistant

Authoriser: Philip Stone, General Manager

RECOMMENDATION

That Council note the information in the Resolutions of Council as at 10 August 2022.

BACKGROUND

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

- Total Resolutions of Council for the 2020/2021 Financial Year - 203
- Total Closed Resolutions of Council for the 2020/2021 Financial Year - 202
- Total Resolutions of Council for the 2021/2022 Financial Year - 231
- Total Closed Resolutions of Council for the 2021/2022 Financial Year - 216
- Total Resolutions of Council for the 2022/2023 Financial Year - 18
- Total Closed Resolutions of Council for the 2022/2023 Financial Year - 17

ISSUE/DISCUSSION

Monthly report to update Councillors and community members on the progress of Council Resolutions.

STRATEGIC IMPLICATIONS

As outlined in the status updates.

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

FINANCIAL IMPLICATIONS

N/A

LEGISLATIVE IMPLICATIONS

N/A

ATTACHMENTS

Council Meeting Resolutions as at 10 August 2022.

Attachment 1 - Council meeting resolutions at 10 August 2022

2 August 2022		Responsibility	Status	Expected Date of Completion
2022/0208/8.1	<p>Edward River Village Development</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Proceeds with Stage 1 of the Edward River Village development, including the construction of six two-bedroom units and associated civil infrastructure and electricity/NBN connection, 2. Allocates \$520,000 from Council's Infrastructure Reserve to the Edward River Village development, 3. Includes in the 2022/23 Operational Plan a revenue item of \$2,910,000, being the anticipated revenue obtained from the entry prices for six units as part of Stage 1 of the Edward River Village development, and 4. Includes in the 2022/23 Operational Plan a capital expense item of \$4,430,000, being the estimated expenditure amount for the delivery of Stage 1 dwellings and associated civil infrastructure and electricity/NBN connection works. 	Director Infrastructure	Noted. Allocation and inclusion in the 2022/23 Operational Plan completed.	Closed
2022/0208/12.1	<p>C2021/08 Edward River Village – Dwelling Construction – Stage 1</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Accepts the tender submitted by B Green Construction Pty Ltd and award B Green Construction Pty Ltd Contract C2021/08 - Edward River Village - Dwelling Construction - Stage 1 for the lump sum price of \$1,975,462.46 + GST, 2. Authorise the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the Contract document Contract C2021/08 - Edward River Village - Dwelling Construction - Stage 1, and 3. Delegate the Contract Superintendent to approve variations up to a maximum of 10% of the contract value to allow for any issues that may arise on site. 	Director Infrastructure	Tenders notified. Contract being drawn and will be delivered by 12 August 2022.	Closed
19 July 2022		Responsibility	Status	Expected Date of Completion

ORDINARY COUNCIL MEETING AGENDA
TUESDAY, 16 AUGUST 2022

2022/0719/11.4	Debt Recovery and Hardship Policy That Council review and approve the edited Debt Recovery and Hardship Policy, specifically the removal of the interim revision for Rates Harmonisation which expired 30 June 2022.	Senior Governance Office	Ensure updated and uploaded onto website.	5-August 2022 Closed
2022/0719/11.5	Councillor Obligations Under the Code of Conduct That Council receive and note the report: To demonstrate Councillors commitment to integrity in office by completing annual returns in both a timely and fulsome manner; The requirements for Councillors to submit pecuniary interest and related party returns and recommended publication of identifiable and consolidated interests for each Councillor on Council's website; and Consider the issues of capturing and securing public records, particularly in relation to Councillor communications.	Executive Assistant	Ensure completion of annual returns. 2 August checked Councillors had completed forms. Provided forms for those who required them. Some Councillors still to complete Related Party Returns.	16 August 2022
2022/0719/11.6	Murray Darling Association Membership and Annual Conference That Council resolve to cancel membership of the Murray Darling Association.	General Manager	Ensure Murray Darling Association Notified	Notified. Closed.
2022/0719/11.7	Free Waste Disposal Weekends 2022/2023 That Council: Approve the Free Waste Disposal weekends at the Deniliquin Landfill to take place on the following dates during the 2022/23 financial year: 10th & 11 September 2022, 17th & 18th December 2022, 1st & 2nd April 2023 and 24th & 25th June 2023. Note that on the Free Waste Disposal weekends the following waste is still charged for: tyres, commercial waste, construction and/or demolition waste	Director Infrastructure	Ensure public notified and website updated.	5-August 2022 Closed
28 June 2022		Responsibility	Status	Expected Date of Completion
2022/2806/11.1	DA 1/22 Car Park with Solar Shade Structures – RSL Club That this development application be deferred until further communication with residents has occurred	Manager Development Services	To be taken to July Council Meeting At the discretion of the developer	19 July 2022 To be confirmed.
2022/2806/11.6	Integrated Planning & Reporting – Community Consultation Outcomes	Director Corporate Services	Underway	29 July 2022 Closed

	<p>That Council:</p> <ol style="list-style-type: none"> Note the contributions from the public exhibition and community consultation sessions in respect of the Integrated Planning & Reporting suite of documents previously adopted for exhibition at the Council's May meeting, and; Notes the decision of IPART allowing Council to increase its rates by 2.0%. Pursuant to sections 404 and 405 of the <i>Local Government Act 1993</i>, adopt the Operational Plan 2022-2023 (as amended), including the 2022-2023 Statement of Revenue Policy incorporating the annual budget and fees and charges and; Pursuant to clause 211(2) of the Local Government (General) Regulation 2021, approve expenditure and vote funds as detailed in the exhibited draft Operational Plan 2022-2023 (or as modified by resolution at this meeting), and; In accordance with sections 533, 534, 535 and 536 of the Local Government Act 1993. Make and levy the following rates and annual charges for the 2022/2023 year: <ol style="list-style-type: none"> In relation to Ordinary Rates, Council apply the 2.0 per cent rate increase inclusive of an additional special variation as determined by the Independent Pricing and Remuneration Tribunal. Pursuant to section 494 of the Local Government Act 1993, make and levy the following <u>Ordinary Rates</u> for the year 1 July 2022 to 30 June 2023: Updates all documentation for the official record and ongoing public display on Council's website and submission of links to the Office of Local Government, and; Where individual submissions have been made, acknowledge same. 			
2022/0628/11.8	<p>Support for Broken Hill Submission</p> <p>That Council:</p> <ul style="list-style-type: none"> Support the position of Broken Hill City Council with regards to the banning of real estate agents from serving as Councillors. Forward a motion for the next LGNSW Conference on 23-25 October 2022 to rescind resolution number 16, passed at the LGNSW Special Conference on 28 February 2022 - 1 March 	General Manager	Underway	29 July 2022 12 August 2022

ORDINARY COUNCIL MEETING AGENDA

TUESDAY, 16 AUGUST 2022

	<p>2022, to adopt a policy that seeks to preclude real estate agents and their families and close contacts from serving as Councillors.</p> <ul style="list-style-type: none"> Submits a motion from Edward River Council to the LGNSW Conference in October 2022 as follows: <ul style="list-style-type: none"> That Local Government NSW calls on the Premier of NSW and the Minister for Local Government to not ban Developers and Real Estate Agents from serving as Councillors. <p>Supports the rights of all to represent Local Government if they meet the current Legislative requirements.</p>			
2022/2806/11.9	<p>100 Years of Learn to Swim Signage – McLean Beach</p> <p>That Council:</p> <ul style="list-style-type: none"> Approve and fund the installation of interpretive signage at Mclean Beach to commemorate 100 years of the Deniliquin Learn to Swim program, as an opportunity to showcase the history of Mclean Beach. Allocate \$5000 from the 2022/23 'Our Rivers, Our Region' grant funding to purchase the signage. 	Manager Community & Economic Development	<p>Quotes received.</p> <p>Consultation underway.</p>	31 October 2022
2022/2806/11.10	<p>Reconstruction DNA Clubrooms Memorial Park – Funding Deed</p> <p>That Council approve the allocation of \$325,000 from the Showground Stimulus Phase 2 program to the Deniliquin and District Cricket Association and Deniliquin Netball Association for the reconstruction of the existing clubrooms, subject to both clubs entering an agreement with Council regarding the management of the project.</p>	Director Infrastructure	DNA Club advised.	Closed
2022/2806/11.11	<p>Major Projects Report – June 2022</p> <p>That Council:</p> <ol style="list-style-type: none"> Receive and note the Major Projects Program – Progress Report for May 2022. Seek a report for the next council meeting, following a review of the colour scheme for the Town Hall building 	Director Infrastructure	Colour scheme review underway	19 August 2022
17 May 2022		Responsibility	Status	Expected Date of Completion
2022/0517/9.1	<p>Mayoral Minute – Support for Ukrainian Refugees</p> <p>That Council seek informal expressions of interest from Edward River residents, industry groups and peak bodies via usual media channels to support Ukrainian refugees with job opportunities and</p>	General Manager	Underway	Ongoing

	accommodation and potentially instigate both a humanitarian and economic opportunity for our region			
2022/0517/11.4	<p>IPART Additional Special Rate Variation</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Approves an application for a permanent 2022-23 Special Rate Variation (ASV) to general income to be made to IPART under section 508(2) of the Local Government Act 1993, seeking an increase of the rate peg from 0.7% to 2.5%. 2. Notes it will receive an additional \$140,000 in general income for the 2022/23 financial year if the ASV application is approved 3. Note that the funds generated by the ASV application are to contribute to Net Operating Deficit results from continuing operations. 4. Has considered the impact on ratepayers and the community in 2022-23 and in future years, and considers that the application of the ASV is both reasonable and necessary to prevent further budget decline. 5. Publicly exhibit the permanent ASV rate increase in its 2022/2023 Operational Plan, Budget, Statement of Revenue Policy and Fees & Charges suite of documents to be placed on public exhibition for the minimum period of 28 days. 6. Be advised of IPART's response for subsequent consideration as part of the wider community consultation process. 	Director Corporate Services	Application submitted	30 June 2022 Closed
2022/0517/11.12	<p>Local Community Infrastructure Program – Round 3</p> <p>That Council endorses submitting an application for the following projects under the Local Roads Community Infrastructure Program - Round 3:</p> <ol style="list-style-type: none"> 1. Deniliquin Saleyards Refurbishment Project - Stage 1, and 2. Deniliquin Regional Airport Runway Reconstruction Project. 	Director Infrastructure	Successful	Closed
19 April 2022		Responsibility	Status	Expected Date of Completion
2022/0419/13.1	<p>Edward River Village Next Steps</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Notes the views of the ARIC committee as discussed on 7 April 2022 	General Manager	1. Noted	Completed

ORDINARY COUNCIL MEETING AGENDA

TUESDAY, 16 AUGUST 2022

	<p>2. Proceed with the stage 1 infrastructure work in accordance with resolution 2022/0222/15.3 and</p> <p>3. Call for tenders for building by way of open tender in accordance with the Local Government Act and come back to Council</p>		<p>2. Commenced</p> <p>3. Commenced</p>	<p>December 2022</p> <p>July 2022</p>
2022/0419/14.1	<p>Mayoral Minute – General Manager Mid Term Performance Review 2021/22</p> <p>That Council adopt the priorities for the General Manager in the 2022 year as outlined in the Mayoral Minute and those priorities be built into the General Manager's Performance Agreement, and progress be reviewed at the General Manager's annual performance review in July 2022</p>	General Manager	<p>Currently being updated.</p> <p>20/21 Performance Review Scheduled 19 July 2022</p> <p>Review rescheduled to 10 August 2022</p>	<p>30 May 2022</p> <p>19 July 2022</p> <p>10 August 2022</p>
15 March 2022		Responsibility	Status	Expected Date of Completion
2022/0315/12.6	<p>Section 355 Committees – Appointments and Instruments of Delegation</p> <p>That Council:</p> <p>h. Appoint the recommended committee members for the following Section 355 Committees:</p> <p>a. Blighty Hall and Recreation Reserve Committee – MaryLynne Bradford, Malcolm Holm, Andrew Lostroh, Judith Plattfuss</p> <p>b. Conargo Memorial Hall and Recreation Ground Committee – Lynette Baker, Colin Bull, Margaret Bull, Lyn (Linda) Hardcastle, Aileen Loader, Elizabeth McNamara, Ian Paton, Michael Pisasale, Deborah Stockton</p> <p>c. Mayrung Hall Committee – Gordan Ball, Phyllis Ball, Stephen Ball, John Beer, Lorraine Beer, Bruce Moore, Birgit Schultz.</p> <p>d. Pretty Pine Hall Committee – Matthew Allitt, Ben Chartres, John Jenkins, Gabrielle van der Linde</p> <p>e. Wanganella Hall Committee – Simon Bain, Sarah Hooke, Tom Hooke, Amanda McCrabb, Colin McCrabb, Susie Wallace</p> <p>i. Issue the standard instrument of delegation in the specific name of each committee as their Terms of Reference;</p> <p>j. Adopt the revised committee guidelines and associated <i>pro forma</i> documents for the committees use, and;</p>	Governance Officer	Applicant appointments to be confirmed and preliminary meetings organised.	<p>30 May 2022</p> <p>Completed</p>

	<p>k. Provide committee members with the necessary documents and undertake a 'benchmark' site assessment and conduct the formal induction of committee members at their April 2022 meetings.</p> <p>l. Note that the Booroorban Hall Committee cannot be determined at this time due to insufficient numbers, and a report will be tabled with Council pending further work on this and other committees.</p>		Booroorban still outstanding – to come back to Council	30 September 2022
22 February 2022	Resolution	Responsibility	Status	Expected Date of Completion
2022/0222/11.9	<p>Edward River Council – Growth Management Strategy That Council</p> <p>1. Authorise the development of the Edward River Council Growth Management Strategy.</p> <p>2. Allocate \$227,272 funds from the sale of the Saleyards Road blocks to undertake the development of the Edward River Growth Management Strategy</p> <p>3. Allocate \$33,000 which has been allocated to the McLean Beach Masterplan from the NSW COVID Response Fund, to ensure this strategic work is encompassed in the Edward River Growth Management Strategy</p> <p>4. Allocate \$30,000 for the Residential Land Strategy from the proposed 2022-2023 Budget to ensure this strategic work is encompassed in the Edward River Growth Management Strategy</p>	Manager Community & Economic Development	<p>Brief is under development.</p> <p>Resourcing has been delayed.</p>	<p>May 2022 June 2022</p> <p>To be confirmed.</p>
2022/0222/15.2	<p>Request for Quote RQ2021-40 Power & NBN Supply & Installation-Edward River Village</p> <p>That Council delegate to the General Manager, to receive quotes and engage the best value conforming contractor, for the provision of on-site power and data at the Edward River Village, to a value up to \$240,000.00 Ex GST.</p>	Project Manager	Underway	July 2022 Closed
2022/0222/15.6	<p>C2021-14-Construction of Public Amenities Building – Memorial Park</p> <p>That Council:</p>	Director Infrastructure	Scope of works to be reviewed following User Group input. To be	May 2022 Closed

ORDINARY COUNCIL MEETING AGENDA

TUESDAY, 16 AUGUST 2022

	<ul style="list-style-type: none"> Accept the B. Green Construction tender submission for C2021/14 Construction of Public Amenities Building at Memorial Park, in accordance with Clause 178(1)(a) of the <i>Local Government (General) Regulations</i>, Authorise that the budget shortfall of \$110,769.17 (excl GST) is funded from savings made to the Asbestos Removal project and the Medical Centre Upgrades, Authorise the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the contract document for Contract 2021/14 – Construction of Public Amenities Building at Memorial Park, Authorise the contract superintendent to approve variations on the contract up to a maximum value of 10%. 		discussed at next committee meeting.	
18 November 2021	Resolution	Responsibility	Status	Expected Date of Completion
2021/192	<p>River Street Drainage That Council:</p> <ol style="list-style-type: none"> Reviews the reconstruction of River Street, between Lilly Street and Rose Street, and the construction of underground stormwater drainage in this area as part of the 2022/23 Operational Plan, and Undertakes a review of the provision of services in the R5 – Large Lot Residential area 	Director Infrastructure	<p>Review underway</p> <p>Report to Council on roads-completed.</p> <p>Briefing on drainage to follow.</p>	<p>June 2022</p> <p>September 2022</p>
21 October 2021	Resolution	Responsibility	Status	Expected Date of Completion
2021/169	<p>Bob White Memorial Trust Application That, in the event Council's request for the Bob White Memorial Trust be approved by the Minister for Local Government during the</p>	Director Corporate Services	<p>Ongoing</p> <p>Further correspondence to</p>	June 2022

ORDINARY COUNCIL MEETING AGENDA

TUESDAY, 16 AUGUST 2022

	caretaker period, Council authorise the General Manager to take steps to establish the Bob White Memorial Trust in accordance with the Trust document provided to Council at the February 2021 Council meeting, resolution 2021/2.		new Minister for Local Government underway. Meeting to be called with Hall Committee. Written to Deputy Premier. Awaiting response. Committee seeking a meeting with LG Minister. Governance Officer to provide update.	To be confirmed. To be confirmed.
2021/172	<p>Sale and Development of Industrial Land – Deniliquin Airport – Expressions of Interest That Council:</p> <ol style="list-style-type: none"> 1. Accept Ennor Engineering as the preferred proponent for Parcel 3, Lot 52, Deniliquin Airport 2. Not accept the offer of \$350,000 including GST for Parcel 3, Lot 52, Deniliquin Airport 3. Authorises the General Manager to negotiate the appropriate land size to enable a commercially viable business expansion for the interested party 4. Undertake preliminary subdivision designs for the development, incorporating the appropriate sized parcel of land for the preferred proponent 5. Determines the costs to construct the required road, water, and sewerage infrastructure 6. Authorises the General Manager to negotiate a sale price that contributes to the costs to construct the required road, water and sewerage infrastructure 7. Receives a further report in February 2022. 	<p>General Manager</p> <p>Manager Community and Economic Development</p>	<p>Arranging meeting with preferred proponent.</p> <p>Work in Progress No further correspondence from preferred applicant.</p> <p>Only item 4 outstanding. Preliminary subdivision designs and costs to be developed.</p>	<p>February 2022</p> <p>May 2022</p> <p>June 2022</p> <p>September 2022</p>
16 September 2021	Resolution	Responsibility	Status	Expected Date of Completion

2021/146	<p>Development Services Report</p> <ol style="list-style-type: none"> That Council note the Development Services Report for August 2021 That Edward River Council forward a letter to the Minister, Department of Planning advising the Minister that the new procedural requirements are delaying the processing of applications and that Council wishes to refrain from use of the system until specific remedies to the user friendliness and efficiency of the system are resolved. 	Director Infrastructure	RAMJO to make representations to Department of Planning regarding the Portal of each Council	<p>October 2024 November 2024 June 2022 Closed.</p>
15 July 2021	Resolution	Responsibility	Status	Expected Date of Completion
2021/96	<p>Saleyards Strategic Plan</p> <p>That Council:</p> <ol style="list-style-type: none"> Council defer decision to divest and close the cattle yards and not adopt strategic plan for 12 months. Form a user group to assist Council and the new lease holder to improve the facility. Council investigate the scaling down to three runs to a 300 head of cattle capacity in 12 months. Council initiate a complete WHS report on the three cattle runs. Provides a report with a recommendation on the outcome of the expression of interest process by November 2021. Includes the development of the Saleyards in its advocacy strategy and investigates funding opportunities to assist with future development of the sales. 	Director Infrastructure	<p>1. Noted to take to Council in 12 months.</p> <p>2. Underway Discussions with committee progressing well.</p> <p>3. Underway</p> <p>4. SafeWork NSW contacted. Visited site. Waiting on Report.</p> <p>5. Dependant on outcomes from User Group</p> <p>6. Underway</p>	<p>November 2024 June 2022</p> <p>Further updates as we progress</p>

	7. Includes the development of the saleyards in Council's long term financial plan, and 8. Prepares a management plan for the ongoing operation of the sale yards facility.		7. To be part of LTFP for 2022/23 8. Dependant on outcomes.	
2021/98	Deniliquin Airport Runway Reconstruction Project That Council: 1. Endorses the reduction in scope for the Deniliquin Airport Runway Reconstruction project so that the estimated cost for the project is \$3.5M, 2. Negotiates with the Federal Government regarding the change of scope for the Deniliquin Airport Runway Reconstruction project, and 3. Approve an application for a loan facility of up to \$1.75M over the 2021/22 and 2022/23 financial years to match the funding received from the Commonwealth Regional Airport Program towards the Deniliquin Airport Runway Reconstruction Project.	Director Infrastructure	Underway Awaiting response from Federal Government. Underway Tender closed August 2022.	June 2022 (Could be delayed due to postponed local government elections) Closed
17 June 2021	Resolution	Responsibility	Status	Expected Date of Completion
2021/81	Potential Deniliquin Airport Residential Skypark Development That Council 1. Prepare a business case for the development of a residential Skypark at Deniliquin Airport, 2. Allocate \$30,000 from Airport Industrial Land reserve towards the business case for a residential Skypark development at the Deniliquin Airport.	Director Infrastructure	Underway. Will go to September workshop. 1. Update to be provided to Council Briefing. Briefed June 2022. Undertake marketing plan with Real Estate Agent. 2. Complete	October Council meeting February 2022 June 2022 October 2022
19 November 2020	Resolution	Responsibility	Status	Expected Date of Completion

2020/236	<p>328 Conroy Street</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Enter into an agreement with the property owners of 328 Conroy Street to close the section of the Conroy Street road reserve currently fenced into 328 Conroy Street, subject to the property owners agreeing to pay all costs relating to this matter, and; 2. Commence the road closure process in accordance with the requirements of the <i>Roads Act 1993</i> for the portion of Conroy Street that is currently fenced into 328 Conroy Street, subject to the property owners entering into an agreement with Council regarding this matter. 	Acting Director Infrastructure	<p>Property owner notified.</p> <p>Property owner contacted.</p> <p>Surveyors engaged</p>	<p>February 2021</p> <p>30 April 2021</p> <p>June 2021</p> <p>November 2021</p> <p>February 2022</p> <p>June 2022</p> <p>September 2022</p>
20 August 2020	Resolution	Responsibility	Status	Expected Date of Completion
2020/164	<p>North Deniliquin Levee Upgrade Feasibility Report</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Adopt the North Deniliquin Levee Upgrade Feasibility Report, contained as Attachment 1 to this report, and; 2. Apply to Office of Environment and Heritage for funding of the works detailed in the North Deniliquin Levee Upgrade Feasibility Report 	Manager Engineering & Assets	<p>Underway</p> <p>Waiting on funding details.</p> <p>Feasibility being finalised.</p> <p>To briefing September.</p>	<p>Waiting on funding details</p> <p>September 2022.</p>
16 July 2020	Resolution	Responsibility	Status	Expected Date of Completion
2020/144	<p>Asset Management Plans</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Note the current Transport, Buildings, Open Space and Recreation, Flood Mitigation and Drainage, Water and Sewerage Asset Management Plans; 2. Undertake a project to update the Asset Management Plans based on the outcomes from the Asset Revaluation project; and 3. Receive a further report in October 2020 regarding the Asset Management Plans. 	Manager Engineering and Assets	Asset Management Plans being updated as part of IP&R documentation for the 2022/23 Operation Plan.	<p>Final documents for adoption</p> <p>April 2022</p> <p>June 2022</p> <p>Closed</p>

12.3. INVESTMENTS AND RESERVES REPORT JULY 2022

Author: Bruce Maunganidze

Authoriser: Alistair Cochrane

RECOMMENDATION

That Council

1. Note and receive the July 2022 report on Investments totalling \$45,320,303 inclusive of cash at bank for day-to-day operations.
2. Note that actual interest earned in the month of July 2022 was \$34,553.
3. Note that total interest earned for the year to 31 July 2022 was \$34,553.
4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report.

BACKGROUND

The purpose of this report is to update Council on the investment of surplus funds and performance of Council's investment portfolio for the month to 31 July 2022 as required by Regulation No 264 (Part 19) of the Local Government Act 1993.

As at 31 July 2022, Council had a total of \$45,320,303 in invested funds. Interest earned from investments during the month of July 2022 was \$34,553.

Included in this report are the following items:

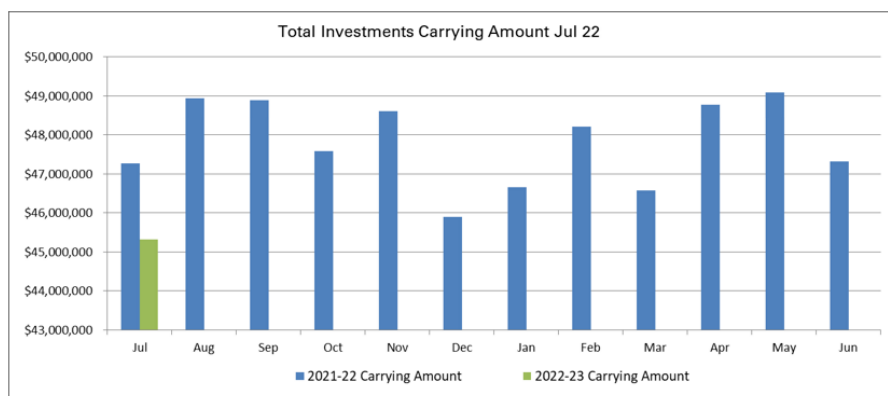
- Council's Investments as at 31 July 2022
- Restrictions Applying to Investment Funds
- Investment Portfolio Performance
- Investment Commentary
- Monthly Report from Imperium Markets
- Certification by the Responsible Accounting Officer

ISSUE/DISCUSSION

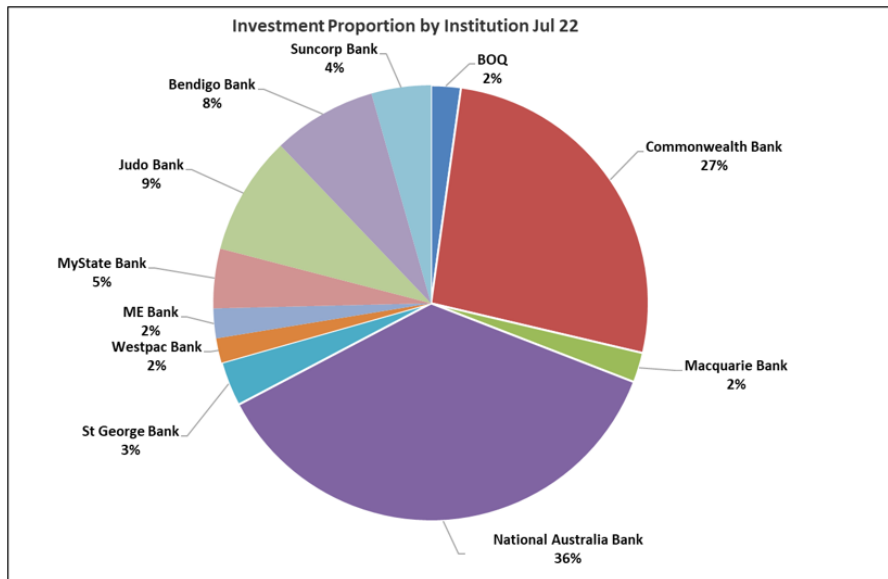
Council's Investments as at 31 July 2022

As at 31 July 2022, Council had a total of \$45,320,303 in term deposits and cash at bank exclusive of unpresented receipts or cheques. Total funds decreased by \$2.004M during the month mainly due to Capital and Operational expenditure, partly offset by receipt of first quarter rates instalments.

The total investments balance has remained within the \$45M - \$49M range for the past 12 months, with seasonal fluctuations from month to month in line with Council's cashflow requirements.



Council's funds were invested with A1+, A1 and A2 rated Authorised Deposit Institutions (ADI's).



The details of the investments are included in Attachment 1 – Investment Register as at 31 July 2022.

The following Term Deposits matured during the month:

Matured/ Redeemed Investments

Financial Institution	Date Invested	Maturity Date	Interest Rate	Amount	Interest Received	Comments
Jul-22						
NAB Bank	31-Jul-21	25-Jul-22	0.35%	\$ 1,500,000.00	\$ 5,250.00	Reinvested in Commonwealth Bank - 12mths @ 4.16%
ME Bank	26-Jul-21	26-Jul-22	0.50%	\$ 1,000,000.00	\$ 5,000.00	Redeemed for cashflow purposes
				<u>\$ 2,500,000.00</u>	<u>\$ 10,250.00</u>	

Summary of cash at bank from day-to-day operations:

Cash Summary			Comment
Opening cash book balance	\$	1,344,084	
Plus receipts	\$	6,409,227	Investments, charges and rates debtors receipts
Less payments	\$	5,401,773	Capex and Opex payments
Cash book balance as at 31 July 2022	\$	2,351,538	
Statement Summary			
Opening statement balance	\$	1,343,707	
Plus receipts	\$	6,375,469	Investments, charges and rates debtors receipts
Less payments	\$	5,382,325	Capex and Opex payments
Bank statement balance as at 31 July 2022	\$	2,336,851	
plus Unpresented receipts	\$	17,987	Receipts not yet presented at bank
Reconciliation balance as at 31 July 2022	\$	2,351,538	

Restrictions Applying to Investment Funds

The following restrictions applied to the cash and investments balance:

Internal Restrictions

Infrastructure replacement	\$ 2,299,826
Plant replacement reserve	\$ 1,798,670
Recreation reserves/villages	\$ 1,113,000
Other internal reserves	\$ 779,231
Employee entitlements	\$ 692,727
Land Development Fund	\$ 385,000
Airport Development	\$ 187,447
Deposits, retentions and bonds	\$ 322,752
Deniliquin Town Hall and Civic Precinct Redevelopment	\$ 250,736

Total Internal Restrictions \$ 7,829,390

External Restrictions

Water supplies fund	\$ 7,388,639
Sewerage services fund	\$ 5,892,666
Tip remediation	\$ 1,300,000
Unexpended Merger funds	\$ 498,720
Other unexpended grant funds	\$ 6,119,940
Other external reserves	\$ 153,877

Total External Restrictions \$ 21,353,842

Unrestricted Funds \$ 16,137,071

Total Funds \$ 45,320,303

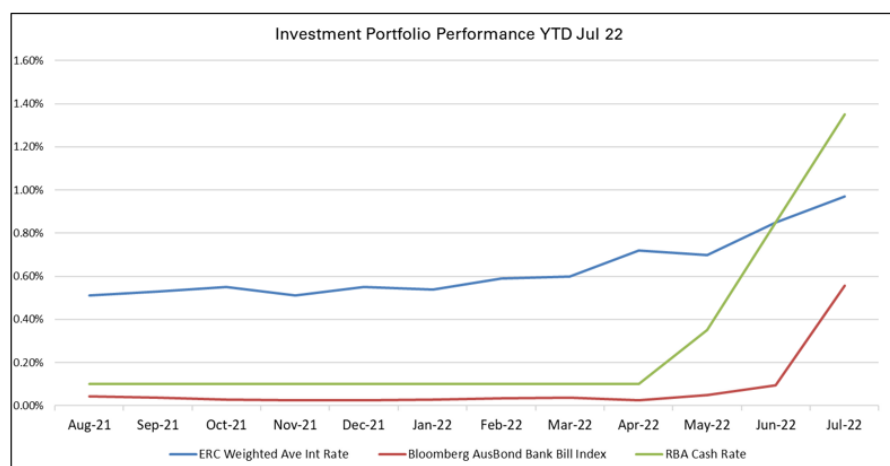
A detailed breakdown of the restrictions is provided in Attachment 2 – Detailed Reserve Balances as at 31 July 2022. **Please note, the Reserves balances are preliminary and final balances will be updated once reconciliations are completed as part of the end of year process.**

Total Funds were held between General, Water and Sewer Funds as follows:

Fund Name	Bank and Investments	Percentage
General	\$ 32,038,998	70.69%
Water	\$ 7,388,639	16.30%
Sewer	\$ 5,892,666	13.00%
Total Funds	\$ 45,320,303	100.00%

Investment Portfolio Performance

Total interest earned from investments during the month of July 2022 was \$34,553 compared to a budget of \$22,436.



As at 31 July 2022, Council's weighted average interest rate was 0.97%, which was 0.41% above the Bloomberg AusBond Bank Bill Index implied one-year return of 0.56%. Total interest earned for the year to 31 July 2022 was \$34,553, compared to the budget of \$22,436 and previous year total of \$25,122.

Monthly Investment Review from Imperium Markets

Council engaged Imperium Markets Pty Ltd to provide ongoing investment advisory services from May 2021 as per recommendation from Audit Risk and Improvement Committee (resolution ARIC/2021/7). As part of this service, Imperium provides, among other services, a monthly investment review report for Council which council uses to inform investment decisions. A copy of the report is attached in this report as Attachment 3 - Investment Review July 2022- Imperium Markets. Council continues to obtain financial benefits through accessing better rates through the Imperium Investment platform.

Investment Commentary

As at 31 July 2022, all investments were within the defined Investment Policy limits, with the exception of a \$4M term deposit investment with Judo Bank. This is due to changes in the limits to classifications as part of the Investment Policy Review in April 2022 which occurred after Council had already invested in Judo. This will be rectified in October 2022 when the term deposit matures by redeeming it and investing elsewhere. Council's investment portfolio consisted of term deposits (92%) and cash at bank/ on call (8%).

The Reserve Bank of Australia (RBA) elected to raise the official cash rate by 50 basis points in July, and a further 50 basis points in early August 2022 to currently sit at 1.85%. Additional hikes have been flagged in the coming months, with markets are now bracing for an environment with higher interest rates. This creates opportunities for Council to obtain progressively higher rates on investments as the current ones mature.

To mitigate the re-investment risk that this pose, Council has started, following on the advice from Imperium Markets, to invest in term deposits with maturities longer than 1 year, taking into consideration council's cashflow needs. This will allow council to take advantage of the relatively higher returns currently on the market for these investments as compared to short term ones.

STRATEGIC IMPLICATIONS

Investments have been made in accordance with Council's investment policy which was adopted on 19 April 2022.

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration

5.2 Financially sustainable

FINANCIAL IMPLICATIONS

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

40%	A1+ rated institutions
25%	A1 rated institutions
15%	A2 rated institutions
\$250,000	A3 and unrated authorized deposit taking institutions

The overall portfolio credit framework limits applicable to any credit rating category are as follows:

100%	Commonwealth/ State/ TCorp/M Funds
100%	A1+ rated institutions
60%	A1 rated institutions
35%	A2 rated institutions
5%	A3 Unrated authorized deposit taking institutions

LEGISLATIVE IMPLICATIONS

<i>Local Government Act 1993</i>	<p>625How may councils invest?</p> <p>(1) A council may invest money that is not, for the time being, required by the council for any other purpose.</p> <p>(2) Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.</p> <p>Editorial note—</p> <p>See Gazettes No 152 of 24.11.2000, p 12041; No 94 of 29.7.2005, p 3977; No 97 of 15.8.2008, p 7638 and No 160 of 24.12.2008, p 13140.</p> <p>(3) An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.</p> <p>(4) The acquisition, in accordance with section 358, of a controlling interest in a corporation or an entity within the meaning of that section is not an investment for the purposes of this section.</p>
<i>Local Government (General) Regulation 2005</i>	<p>212Reports on council investments</p> <p>(1) The responsible accounting officer of a council—</p> <p>(a) must provide the council with a written report (setting out details of all money that the council has invested under section 625 of the Act) to be presented—</p> <p>(i) if only one ordinary meeting of the council is held in a month, at that meeting, or</p>

Local Government Act 1993	<p>625How may councils invest?</p> <p>(1) A council may invest money that is not, for the time being, required by the council for any other purpose.</p> <p>(2) Money may be invested only in a form of investment notified by order of the Minister published in the Gazette.</p> <p>Editorial note—</p> <p>See Gazettes No 152 of 24.11.2000, p 12041; No 94 of 29.7.2005, p 3977; No 97 of 15.8.2008, p 7638 and No 160 of 24.12.2008, p 13140.</p> <p>(3) An order of the Minister notifying a form of investment for the purposes of this section must not be made without the approval of the Treasurer.</p> <p>(4) The acquisition, in accordance with section 358, of a controlling interest in a corporation or an entity within the meaning of that section is not an investment for the purposes of this section.</p>
	<p>(ii) if more than one such meeting is held in a month, at whichever of those meetings the council by resolution determines, and</p> <p>(b) must include in the report a certificate as to whether or not the investment has been made in accordance with the Act, the regulations and the council's investment policies.</p> <p>(2) The report must be made up to the last day of the month immediately preceding the meeting.</p> <p>Note—</p> <p>Section 625 of the Act specifies the way in which a council may invest its surplus funds.</p>

Certification – Responsible Accounting Officer

I hereby certify that the investments listed in the Investment Report Attachment have been made in accordance with Section 625 of the *Local Government Act 1993*, clause 212 of the *Local Government (General) Regulation 2005* and Council's Investment Policy.

Alistair Cochrane

Responsible Accounting Officer

ATTACHMENTS

Attachment 1 - Investment Register as at 31 July 2022

Schedule of Investments										
This Report is at date 31-July-2022										
Description	Type	Account No.	Rating at EOM (S&P)	Date Invested	Maturity Date	Days	Rate	Face Value Amount	% of Portfolio	Estimated Interest
Westpac Business Cheque Plus Account	Oncall/ CMT	032-870 16-6545	A1+	N/a	N/a	365	0.00%	820,478	1.81%	Monthly
Westpac Business Cash Reserve	Oncall/ CMT	032-870 17-9231	A1+	N/a	N/a	365	0.05%	0	0.00%	Monthly
Westpac 31 Day Notice Account	Oncall/ CMT	032-870 23-2696	A1+	N/a	N/a	365	0.35%	1,624	0.00%	Monthly
Commonwealth Bank General Fund	Oncall/ CMT	062-533 00000010	A1+	N/a	N/a	365	0.00%	1,511,077	3.33%	Monthly
Commonwealth Bank Business On Line Saver	Oncall/ CMT	062-533 10151117	A1+	N/a	N/a	365	0.90%	1,481,670	3.27%	Monthly
Macquarie Bank - Rates	Oncall/ CMT	3005-79778	A1	N/a	N/a	365	0.00%	4,977	0.01%	Monthly
Macquarie Bank - Water	Oncall/ CMT	2643-18940	A1	N/a	N/a	365	0.00%	476.25	0.00%	Monthly
Total Oncall/ CMT Accounts								3,820,303	8.43%	
Term Deposits										
St George	TD	354775348	A1+	03-Sep-21	02-Sep-22	364	0.37%	1,500,000	3.31%	5,534.79
National Australia Bank	TD	20-036-8248	A1+	10-Jun-21	13-Jun-23	733	0.60%	2,000,000	4.41%	24,098.63
National Australia Bank	TD	20-049-8755	A1+	10-Jun-21	11-Jun-24	1097	0.75%	3,000,000	6.62%	67,623.29
National Australia Bank	TD	50-665-2647	A1+	24-May-21	24-May-24	1096	0.75%	2,500,000	5.52%	56,301.37
National Australia Bank	TD	35-071-3705	A1+	25-Jun-21	29-Jun-23	734	0.65%	2,000,000	4.41%	26,142.47
National Australia Bank	TD	75-932-6942	A1+	29-Jun-21	29-Jun-23	730	0.65%	2,500,000	5.52%	32,500.00
National Australia Bank	TD	81-520-8937	A1+	06-Sep-21	06-Sep-23	730	0.65%	3,000,000	6.62%	39,000.00
National Australia Bank	TD	75-932-6944	A1+	08-Dec-21	08-Dec-22	365	0.70%	1,500,000	3.31%	10,500.00
Commonwealth Bank	TD	CDA 37543602	A1+	18-Feb-22	18-Feb-24	730	1.65%	1,500,000	3.31%	49,500.00
Commonwealth Bank	TD	CDA 37543602	A1+	09-Sep-21	08-Sep-23	729	0.57%	3,000,000	6.62%	34,153.15
Commonwealth Bank	TD	CDA 37543602	A1+	12-Nov-21	12-Nov-22	365	0.53%	1,000,000	2.21%	5,300.00
Commonwealth Bank	TD	CDA 37543602	A1+	27-Apr-22	27-Apr-23	365	2.46%	2,000,000	4.41%	49,200.00
Commonwealth Bank	TD	CDA 37543602	A1+	26-Jul-22	25-Jul-23	364	4.16%	1,500,000	3.31%	62,229.04
Suncorp Bank	TD	4203228	A1+	22-Mar-22	21-Mar-23	364	1.36%	2,000,000	4.41%	27,125.48
Macquarie Bank	TD	CN055243	A1	12-Nov-21	12-Nov-22	365	0.55%	1,000,000	2.21%	5,500.00
Total A1+ Deposits								30,000,000	66.20%	
Bendigo Bank	TD	105-306-781	A2	14-Sep-21	14-Sep-23	730	0.55%	2,000,000	4.41%	22,000.00
Bendigo Bank	TD	105-306-782	A2	18-Feb-22	22-Feb-23	369	0.85%	1,500,000	3.31%	12,889.73
BOQ	TD	509836	A2	28-Jun-22	28-Jun-23	365	4.00%	1,000,000	2.21%	40,000.00
ME Bank	TD	342679	A2	04-Nov-21	04-Aug-22	273	0.55%	1,000,000	2.21%	4,113.70
Judo Bank	TD	CN054927	A2	22-Oct-21	21-Oct-22	364	0.90%	4,000,000	8.83%	35,901.37
MyState Bank	TD	83-703-9114	A2	01-Oct-21	04-Oct-22	368	0.50%	2,000,000	4.41%	10,082.19
Total A2 Deposits								11,500,000	25.37%	
Weighted Average Interest Rate							0.97%	45,320,303	100.00%	

Attachment 2 - Detailed Reserve Balances as at 31 July 2022

ERC Detailed Reserves Balances

31/07/2022

EXTERNAL RESERVES

Developer Contributions - General	39,485
Specific Purpose Unexpended Grants	6,119,940
Water Supplies	7,388,639
Sewerage Services	5,892,666
Domestic Waste Management	1,300,000
Merger Operational	183,120
Merger Stronger Communities	315,600
Conargo Milestones/Interpretative	37,287
Conargo Oval M&R	20,000
Deniliquin Band Committee	15,643
Deniliquin Community Gardens	2,967
EPA Waste	35,915
Library Reserve	-
Regional Arts	2,580
Total External Restrictions	21,353,842

INTERNAL RESERVES

Plant Replacement	1,798,670
Infrastructure Replacement	2,299,826
Employees Leave	692,727
Deposits, retentions and bonds	322,752
Airport Industrial Land	20,000
Asset Management	14,000
Airport Runway Development	187,447
Blighty Power Upgrade	70,000
Building Maintenance	50,000
Cemetery Upgrade	9,000
Depot office & gates upgrade	41,000
Dog Trail	3,000
Election Reserve	12,312
Fencing Conargo	7,000
Gravel Pits	14,000
Human Resources	17,674
Internal Audit	6,000
Land Development	385,000
Landscaping plan	90,000
Recreation Reserves/Villages (Landscaping Plans)	1,113,000
Risk Management	44,686
Wanganella Community Hall	5,000
Shire Entrance Signs	5,000
Tourism/Industry Promotion	13,000
Town Planning Plan, Surveys & Studies	102,662
Waste Facilities	63,300
Water Supply Network	57,000
Website Development	1,750
Deniliquin Town Hall and Civic Precinct Redevelopment	250,736
North Depot Redevelopment	132,847
Total Internal Restrictions	7,829,390
Total Restrictions	29,183,232



Investment Review

July 2022



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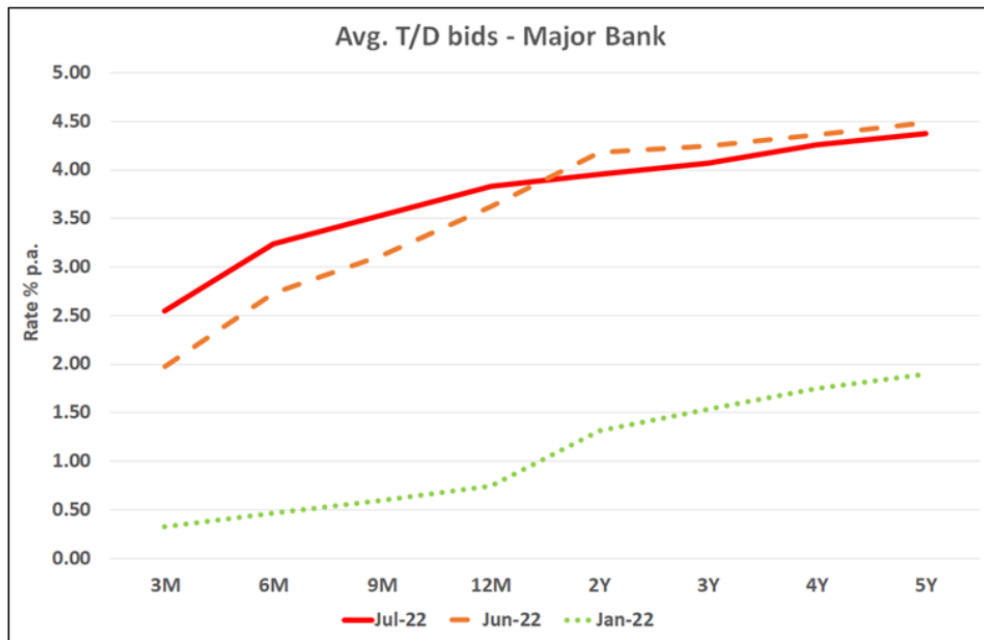
Impact of COVID-19 to Council's Portfolio

The COVID-19 pandemic has adversely impacted financial markets, which in turn, has also affected Council's investment portfolio. We provide a quick summary in this section.

After global central banks set official interest rates back to emergency levels during the height of the pandemic (2020), financial markets have transitioned to the recovery phase. Ongoing supply chain issues, China's zero-COVID strategy and the war in Ukraine has resulted in surging inflation. Longer-term bond yields have risen significantly in 2022 as central banks reverse their policy measures (i.e. remove quantitative easing), whilst undertaking aggressive interest rate hikes to try and control inflation. Importantly though when interpreting the stance of monetary policy, it is not just about the cash rate, but how broader financial conditions are influencing the economic outlook, **with markets now factoring the possibility of a global recession as early as the second half of 2023. The RBA increased the official cash rate by another 50bp to 1.85% in early August 2022 and is looking to move towards their neutral setting of 2½% by calendar year-end**, although the *"timing of future interest rate increases will be guided by the incoming data and the Board's assessment of the outlook for inflation and the labour market"*.

The largest impact to Council's investment portfolio is with regards to its largest exposure being in bank term deposits (~91½% of the portfolio). Despite official rates rising, given an upward sloping deposit curve, maintaining a slightly longer duration position will continue to outperform averaging shorter durations.

With markets factoring in additional rate hikes over coming months, this has seen a significant shift in longer-term deposit rates, particularly over the past 6 months. The long-end of the deposit curve (+12 months) actually fell over July (compared to June) as the market starts to factor in a global recession:



Source: Imperium Markets

'New' investments above 3½% p.a. now appears likely if Council can place an allocation of its surplus funds for terms of 12 months to 2 years. *With recessionary fears being priced in coming years, investors may take an insurance policy by investing across 3-5 year fixed deposits and locking in rates above 4% p.a. (small allocation only).*



Council's Portfolio & Compliance

Asset Allocation

The portfolio is mainly directed to fixed term deposits (~91½%). The remainder of the portfolio (~8½%) is held in various overnight cash accounts with the major banks and Macquarie Bank earning a low rate of return. We recommend opening the 'accelerator' cash account with Macquarie Bank (A+), which is currently paying an overnight rate of 1.35% p.a. for balances up to \$10m (and 0.85% p.a. for balances greater than \$10m).

Senior FRNs are now becoming more attractive as spreads have widened in recent months – new issuances should now be considered again on a case by case scenario. In the interim, fixed deposits for 12 months to 3 years appear quite appealing following the spike in medium-to longer-term yields in recent months. With recessionary fears being priced in coming years, those investors that can allocate longer-term surplus funds may take an insurance policy by investing across 3-5 year fixed deposits and locking in rates above 4% p.a.



Term to Maturity

The portfolio remains highly liquid with around 67% maturing within 12 months. The weighted average duration of the deposit portfolio is around 10½ months. We commend Council's decision to place small parcels of term deposits for 2-3 years, given the previous high level of turnover.

Where liquidity permits, we recommend continuing investing surplus funds in the 1-2 year horizons to increase the overall returns of the portfolio given the steepening yield curve. Where there is (counterparty) capacity to invest in attractive medium-longer term investments, we recommend this be allocated to medium-term fixed deposits (refer to respective sections below).

Compliant	Horizon	Invested (\$)	Invested (%)	Min. Limit (%)	Max. Limit (%)	Available (\$)
✓	0 – 90 days	\$12,320,303	27.18%	15%	100%	\$33,000,000
✓	91 – 365 days	\$18,000,000	39.72%	0%	100%	\$27,320,303
✓	1 – 2 years	\$15,000,000	33.10%	0%	70%	\$16,724,212
✓	2 – 5 years	\$0	0.00%	0%	50%	\$22,660,151
		\$45,320,303	100.00			



Counterparty

Following the adoption of a new Policy in mid-April 2022, as at the end of the month, applying long-term credit ratings only, Council had a minor overweight position to Judo Bank (BBB-), noting the \$250,000 limit. Future deposits with Judo Bank will likely need to be redeemed in the absence of them receiving a credit rating upgrade.

Overall, the portfolio is lightly diversified across the investment grade credit spectrum, with no exposure to the unrated ADIs.

Compliant	Issuer	Rating [^]	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	CBA	AA-	\$11,992,747	26.46%	40.00%	\$6,135,374
✓	NAB	AA-	\$16,500,000	36.41%	40.00%	\$1,628,121
✓	Westpac	AA-	\$2,322,102	5.12%	40.00%	\$15,806,019
✓	Macquarie Bank	A+	\$1,005,454	2.22%	25.00%	\$10,324,622
✓	Suncorp	A+	\$2,000,000	4.41%	25.00%	\$9,330,076
✓	BOQ	BBB+	\$2,000,000	4.41%	15.00%	\$4,798,045
✓	Bendigo-Adelaide	BBB+	\$3,500,000	7.72%	15.00%	\$3,298,045
✓	MyState	BBB	\$2,000,000	4.41%	15.00%	\$4,798,045
X	Judo	BBB-	\$4,000,000	8.83%	0.55%	-\$3,750,000
			\$45,320,303	100.00%		

[^]Applying long-term ratings only.

In late June 2022, Standard & Poor's downgraded Suncorp-Metway from AA- to A+ (negative watch). Suncorp recently announced that it is undertaking a strategic review of its banking operations. The downgrade reflects S&P's view that the Suncorp Group's likelihood of support for the bank had "slightly" diminished and that it was no longer a core part of the Group. In July 2022, ANZ (AA-) announced it was putting a bid to buy Suncorp's banking division for ~\$4bn. Should that takeover be formalised, Suncorp-Metway's (A+) current credit rating is likely to be upgraded to ANZ's (AA-).

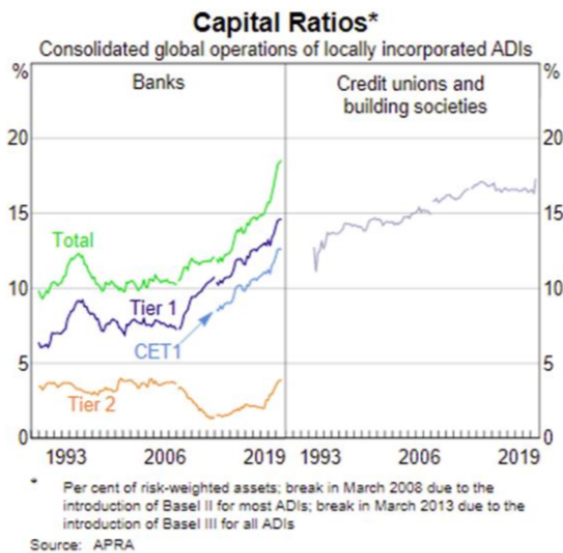
We remain supportive of the regional and unrated ADI sector (and have been even throughout the GFC period). They continue to remain solid, incorporate strong balance sheets, while exhibiting high levels of capital – typically, much higher compared to the higher rated ADIs. Some unrated ADIs have up to 25-40% more capital than the domestic major banks, and well above the Basel III requirements.

APRA's Chairman affirmed that the banks had satisfactorily moved towards an '*unquestionably strong*' capital position and that bank's stress testing contingency plans were now far better positioned than was previously the case years ago. ***RBA Governor Lowe has commented that they have not seen any signs of stress in the financial system and that unlike during the GFC, the banks now have cash, are well capitalised and are acting as "shock absorbers" in the current pandemic crisis.***

Overall, the lower rated ADIs (BBB and unrated) are generally now in a better financial position than they have been historically (see the Capital Ratio figure below). We believe that deposit investments with the lower rated ADIs should be continued going forward, particularly when they offer 'above market' specials. Not only would it diversify the investment portfolio and reduce credit risk, it would also improve the portfolio's overall returns. The lower rated entities are generally deemed to be the more 'ethical' ADIs compared to the higher rated ADIs.



In the current environment of high regulation and scrutiny, all domestic ADIs continue to carry high levels of capital, particularly amongst the lower (“BBB”) and unrated ADIs. There is minimal (if any) probability of any ADI defaulting on their deposits going forward – this was stress tested during the GFC. **APRA’s mandate is to “protect depositors” and provide “financial stability”.**





Credit Quality

The portfolio remains diversified from a credit ratings perspective. The entire long term portfolio is spread amongst the investment grade spectrum.

Pre-pandemic (March 2020), a 'normal' marketplace meant the lower rated ADIs (i.e. BBB category) were offering higher rates on term deposits compared to the higher rated ADIs (i.e. A or AA rated). But due to the cheap funding available provided by the RBA via their Term Funding Facility (TFF) since mid-2020¹, allowing the ADIs to borrow as low as 0.10% p.a. fixed for 3 years, those lower rated ADIs (BBB rated) did not require deposit funding from the wholesale deposit from the likes of Council. Given the higher rated banks had more capacity to lend (as they have a greater pool of mortgage borrowers), they subsequently were offering higher deposit rates. In fact, some of the lower rated banks were not even offering deposit rates at all. As a result, most investors placed a higher proportion of their deposit investments with the higher rated (A or AA) ADIs over the past two years.

Going forward, with the RBA now removing these cheap borrowing facilities, this has meant the lower rated banks (BBB rated) have started to become more competitive as the market starts to 'normalise'. Investors should have a larger opportunity to start investing a higher proportion of their surplus funds with the lower rated institutions (within Policy limits), from which the majority are considered to be the more 'ethical' ADIs as they generally do not lend to the Fossil Fuel industry.

All aggregate ratings categories were within the Policy limits at month-end:

Compliant	Credit Rating [^]	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	AA Category	\$30,814,849	68%	100%	\$14,505,454
✓	A Category	\$3,005,454	7%	60%	\$24,186,728
✓	BBB Category	\$11,500,000	25%	35%	\$4,362,106
✓	Unrated Category	\$0	0%	5%	\$2,266,015
		\$45,320,303	100.00%		

[^] Applying long-term ratings only.

¹ The RBA's Term Funding Facility (TFF) allowed the ADI to borrow as low as 0.10% fixed for 3 years: <https://www.rba.gov.au/mkt-operations/term-funding-facility/overview.html>



Performance

Council's performance (excluding cash holdings) for the month ending 31 July 2022 is summarised as follows:

Performance (Actual)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	0.11%	0.21%	0.24%	0.11%	0.29%
AusBond Bank Bill Index	0.12%	0.21%	0.20%	0.12%	0.22%
Council's T/D Portfolio [^]	0.08%	0.21%	0.37%	0.08%	0.67%
Outperformance	-0.04%	0.00%	0.17%	-0.04%	0.45%

[^]Total portfolio performance excludes Council's cash account holdings. Overall returns would be lower if cash was included.

Performance (Annualised)	1 month	3 months	6 months	FYTD	1 year
Official Cash Rate	1.35%	0.85%	0.48%	1.35%	0.29%
AusBond Bank Bill Index	1.45%	0.83%	0.40%	1.45%	0.22%
Council's T/D Portfolio [^]	0.93%	0.84%	0.75%	0.93%	0.67%
Outperformance	-0.52%	0.01%	0.34%	-0.52%	0.45%

[^]Total portfolio performance excludes Council's cash account holdings. Overall returns would be lower if cash was included.

For the month of July, the portfolio (excluding cash) provided a return of +0.08% (actual) or +0.93% p.a. (annualised), underperforming the benchmark AusBond Bank Bill Index return of +0.12% (actual) or +1.45% p.a. (annualised). The portfolio performance continues to be anchored by a combination of those medium-longer dated deposits locked-in for a term of 6 months or longer.

Investors using the Imperium Markets platform (an ASIC Licensed Market) have reduced the invisible costs associated with brokerage, and thereby lift client portfolio returns as investors are able to deal in deposits directly with the ADIs and execute at the best price possible.



Council's Term Deposit Portfolio & Recommendation

As at the end of July 2022, Council's deposit portfolio was yielding 1.02% p.a. (up 14bp from the previous month), with a weighted average duration of around 315 days (~10½ months).

We recommend Council continues maintaining this average duration if possible. With an upward sloping deposit curve, investors are rewarded if they can continue to maintain a longer average duration.

At the time of writing, we see value in:

ADI	LT Credit Rating	Term	T/D Rate
BoQ/ME Bank	BBB+	5 years	4.50% p.a.
BoQ/ME Bank	BBB+	4 years	4.40% p.a.
BoQ/ME Bank	BBB+	3 years	4.10% p.a.
ICBC, Sydney	A	3 years	4.10% p.a.
ICBC, Sydney	A	2 years	4.00% p.a.
BoQ/ME Bank	BBB+	2 years	4.00% p.a.
Westpac	AA-	2 years	3.77% p.a.
CBA	AA-	2 years	3.76% p.a.
Bendigo-Adelaide	BBB+	2 years	3.70% p.a.
NAB	AA-	2 years	3.65% p.a.

The above deposits are suitable for investors looking to maintain diversification and lock-in a premium compared to purely investing short-term.



For terms under 12 months, we believe the strongest value is currently being offered by the following ADIs (dependent on daily funding requirements):

ADI	LT Credit Rating	Term	T/D Rate
BoQ/ME Bank	BBB+	12 months	3.80% p.a.
CBA	AA-	12 months	3.76% p.a.
Westpac	AA-	12 months	3.75% p.a.
Suncorp	A+	12 months	3.71% p.a.
NAB	AA-	12 months	3.70% p.a.
Bendigo	BBB+	12 months	3.70% p.a.
Suncorp	A+	6 months	3.34% p.a.

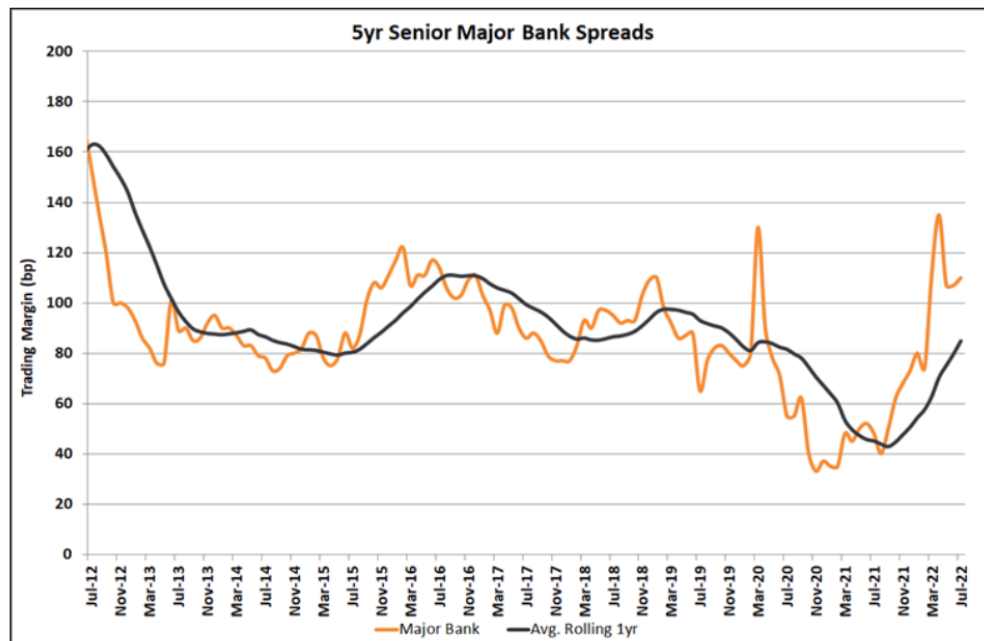
If Council does not require high levels of liquidity and can stagger its investments longer-term, it will be rewarded over coming years if rolls for an average min. term of 18 months to 2 years (this is where we current value), yielding, on average, up to ½%-1% p.a. higher compared to those investors that entirely invest in short-dated deposits.

With recessionary fears being priced in coming years, Council may take an insurance policy by investing across 2 year fixed deposits and locking in rates above 4% p.a. (small allocation only).



Senior FRNs Review

Over July, amongst the senior major bank FRNs, physical credit securities remained relatively flat at the long-end of the curve. Major bank senior securities are now looking fairly attractive again in a rising rate environment (5 year margins around the +105-110bp level):



Source: IBS Capital

There was slightly less activity in the primary market during July, with only a few noticeable 3-year AAA rated covered securities issued by RBC and CIBC. Amongst the lower rated sector, the “BBB” rated ADIs were marked around 20bp wider at the 3 year part of the curve. There was minimal movement in the “A” rated category.

Credit securities are looking much more attractive given the widening of spreads in 2022. FRNs will continue to play a role in investor’s portfolios mainly on the basis of their liquidity and the ability to roll down the curve and gross up returns over ensuing years (in a relatively stable credit environment).



Senior FRNs (ADIs)	31/07/2022	30/06/2022
"AA" rated – 5yrs	+110bp	+107bp
"AA" rated – 3yrs	+88bp	+90bp
"A" rated – 5yrs	+125bp	+125bp
"A" rated – 3yrs	+100bp	+100bp
"BBB" rated – 3yrs	+130bp	+110bp

Source: IBS Capital

We now generally recommend switches ('benchmark' issues only) into new primary issues, out of the following senior FRNs that are maturing:

- **On or before mid-2024 for the "AA" rated ADIs (domestic major banks);**
- On or before mid-2023 for the "A" rated ADIs; and
- Within 6-9 months for the "BBB" rated ADIs (consider case by case).

Investors holding onto the above senior FRNs ('benchmark' issues only) in their last few years are now generally holding sub-optimal investments and are not maximising returns by foregoing realised capital gains. In the current low interest rate environment, any boost in overall returns should be locked in when it is advantageous to do so, particularly as switch opportunities become available.

Primary (new) FRNs are now looking more appealing and should be considered on a case by case scenario.



Senior Fixed Bonds – ADIs (Secondary Market)

As global inflationary pressures have escalated, this has seen a significant lift in longer-term bond yields (valuations fell) as markets have strongly factored in a tightening of global central bank policy measures (i.e. withdrawal of Quantitative Easing and lifting official interest rates).

This has resulted in some opportunities in the secondary market. We currently see value in the following fixed bond lines, with the majority now being marked at a significant discount to par (please note supply in the secondary market may be limited on any day):

ISIN	Issuer	Rating	Capital Structure	Maturity Date	~Remain. Term (yrs)	Fixed Coupon	Indicative Yield
AU3CB0255776	ING	AAA	Covered	07/09/2023	1.11	3.00%	3.55%
AU3CB0258465	Westpac	AA-	Senior	16/11/2023	1.30	3.25%	3.56%
AU3CB0265403	Suncorp	AA-	Senior	30/07/2024	2.00	1.85%	3.91%
AU3CB0265593	Macquarie	A+	Senior	07/08/2024	2.03	1.75%	3.88%
AU3CB0265718	ING	AAA	Covered	20/08/2024	2.06	1.45%	3.80%
AU3CB0266179	ANZ	AA-	Senior	29/08/2024	2.09	1.55%	3.65%
AU3CB0266377	Bendigo	BBB+	Senior	06/09/2024	2.11	1.70%	3.90%
AU3CB0268027	BoQ	BBB+	Senior	30/10/2024	2.26	2.00%	4.03%
AU3CB0269710	ANZ	AA-	Senior	16/01/2025	2.47	1.65%	3.71%
AU3CB0269892	NAB	AA-	Senior	21/01/2025	2.50	1.65%	3.72%
AU3CB0270387	Macquarie	A+	Senior	12/02/2025	2.54	1.70%	4.03%
AU3CB0287415	Westpac	AA-	Senior	17/03/2025	2.63	2.70%	3.72%
AU3CB0280030	BoQ	BBB+	Senior	06/05/2026	3.77	1.40%	4.35%
AU3CB0282358	ING	AAA	Covered	19/08/2026	4.06	1.10%	4.06%
AU3CB0284149	BoQ	BBB+	Senior	27/10/2026	4.25	2.10%	4.40%
AU3CB0286037	Westpac	AA-	Senior	25/01/2027	4.49	2.40%	3.92%



Economic Commentary

International Market

Risk assets rebounded in July after steep losses during the first half of the calendar year. In the US, the S&P 500 Index gained +9.11%, while the NASDAQ surged +12.35%. Europe's main indices also gained strongly, led by France's CAC (+8.87%), Germany's DAX (+5.47%), and UK's FTSE (+3.54%).

The US Fed hiked by 75bp, taking the target range to 2.25%-2.50%. Guidance remained unchanged that ongoing increases in the target will be appropriate, although the commentary was evidently less hawkish than feared. US Q2 GDP contracted by -0.9%, prompting some hope that the Fed may move towards a less aggressive rate path.

US CPI printed at +9.1% y/y from +8.8% y/y. Core CPI also exceeded expectations with a +0.7% monthly rise, reducing the annual rate by just +0.1% to +5.9%.

The US unemployment rate printed at 3.6% for the fourth consecutive month, its post-pandemic low.

The Bank of Canada was the first advanced economy central bank to opt for a full 100bp rate hike, to 2.50%, against 75bp generally expected.

The RBNZ offered up a "no surprises" Monetary Policy Review, delivering another 50bp hike to 2.50% and indicating comfort with its projections in the May Statement which showed the official rate heading to about 4%, well above its neutral setting.

Eurozone inflation printed a record +8.6%y/y in June vs estimate for an +8.5% outcome. The core reading eased to +3.7%y/y from +3.8%, and against expectations for a rise to +3.9%.

The European Central Bank (ECB) hiked rates by a more-than-expected at 50bp (only 50% chance of a 50bp hike was priced into the meeting), taking the deposit rate back to 0%, and ending its negative interest rate policy that has been in place since 2014.

UK headline inflation continued to rise, hitting +9.4% in June, slightly higher than expected. The Bank of England expects headline inflation to reach 11% later this year after energy companies increase prices.

China's June CPI came in +2.5% y/y from +2.1% (and +2.4% expected). The annual rise in PPI slipped to +6.1% from +6.4%. China's zero covid policy is taking much needed momentum out of the economy. Q2 GDP fell -2.6% (-2% expected) with the annual growth rate slipping to just +0.4% y/y. The government's +5.5% annual growth target is now widely considered to be out of reach.

The MSCI World ex-Aus Index rose +7.89% for the month of July:

Index	1m	3m	1yr	3yr	5yr	10yr
S&P 500 Index	+9.11%	-0.04%	-6.03%	+11.49%	+10.83%	+11.59%
MSCI World ex-AUS	+7.89%	-1.62%	-10.54%	+8.04%	+7.12%	+8.41%
S&P ASX 200 Accum. Index	+5.75%	-6.04%	-2.17%	+4.27%	+8.03%	+9.44%

Source: S&P, MSCI



Domestic Market

As expected, the RBA hiked the cash rate target by 50bp to 1.35% in its meeting in July, its highest level since May 2019. There was little change to the concluding paragraph *“the Board expects to take further steps in the process of normalising monetary conditions in Australia over the months ahead”*.

The Board’s Statement overall was slightly less hawkish than what markets had thought. Medium-term inflation expectations was depicted as being *“well anchored”*. This suggests the RBA does not see itself as needing to race into restrictive territory as the market is currently pricing and the RBA is likely to slow the pace of hikes as it approaches neutral, which it pegs around 2.50%.

The minutes to the RBA’s July policy meeting and RBA Deputy Governor Bullock’s speech during the month was also seen as hawkish. Governor Lowe still thinks the nominal neutral interest rate is at least 2.50%, although the Board has hinted it may need to go above neutral to control inflation.

Headline CPI came in at +1.8% q/q and +6.1% y/y. The more closely watched core trimmed mean measure rose +1.5% q/q, which was exactly in line with consensus. There was an upward revision to the past quarter helping push the core annual rate to +4.9% y/y.

The labour market has tightened more quickly than the RBA had been expecting with the unemployment rate plummeting by 0.4% to 3.5% in June (from 3.9%), a 48 year low. The decline was driven by a sharp rise in employment of +88k, smashing expectations for a +30k gain.

The participation rate rose 0.1% to 66.8% to a new record high and building on the sharp increase last month. Participation is now 0.9% above pre-pandemic levels. The underemployment rate rose 0.3% to 6.1%.

Treasurer Chalmers and RBA Governor Lowe backed Australia’s 2-3% flexible inflation target as the review into the RBA gets underway.

The trade surplus came in at \$16bn in May, driven by a surge in coal (+20% m/m) and LNG (+12% m/m) export volumes.

The Australian dollar rose +1.71%, finishing the month at US70.07 cents (from US68.89 cents the previous month).

Credit Market

The global credit indices tightened over the month as risk markets parred back some of their recent losses. They are back to their levels experienced during the start of the pandemic (Q1 2020):

Index	July 2022	June 2022
CDX North American 5yr CDS	83bp	101bp
iTraxx Europe 5yr CDS	110bp	119bp
iTraxx Australia 5yr CDS	123bp	130bp

Source: Markit



Fixed Interest Review

Benchmark Index Returns

Index	July 2022	June 2022
Bloomberg AusBond Bank Bill Index (0+YR)	+0.14%	+0.05%
Bloomberg AusBond Composite Bond Index (0+YR)	+3.36%	-1.48%
Bloomberg AusBond Credit FRN Index (0+YR)	+0.24%	+0.05%
Bloomberg AusBond Credit Index (0+YR)	+2.40%	-1.34%
Bloomberg AusBond Treasury Index (0+YR)	+3.55%	-1.32%
Bloomberg AusBond Inflation Gov't Index (0+YR)	+4.75%	-2.23%

Source: Bloomberg

Other Key Rates

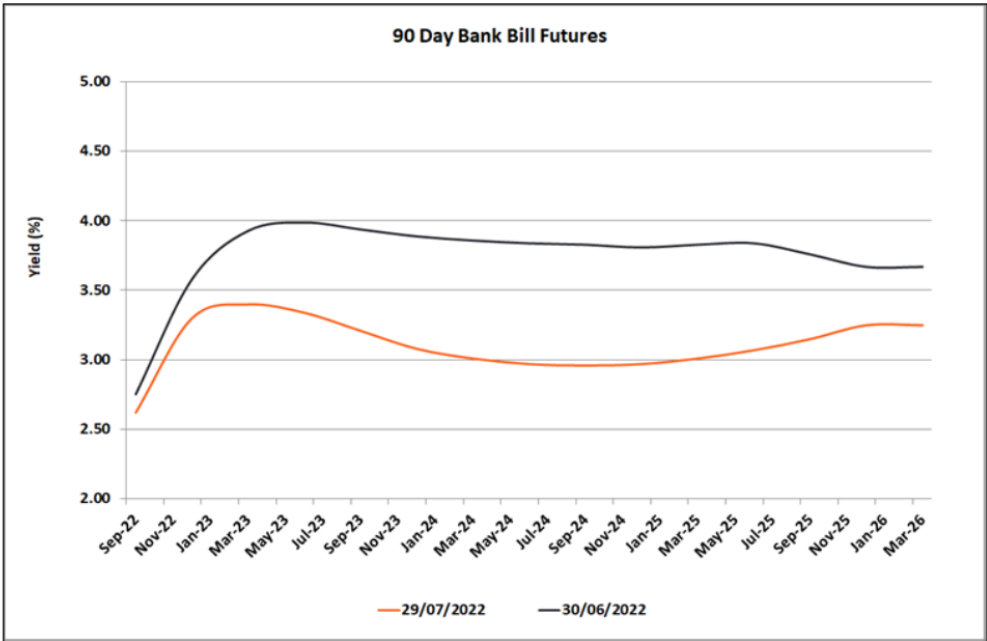
Index	July 2022	June 2022
RBA Official Cash Rate	1.35%	0.85%
90 Day (3 month) BBSW Rate	2.12%	1.81%
3yr Australian Government Bonds	2.70%	3.16%
10yr Australian Government Bonds	3.05%	3.66%
US Fed Funds Rate	2.25%-2.50%	1.50%-1.75%
3yr US Treasury Bonds	2.83%	2.99%
10yr US Treasury Bonds	2.67%	2.98%

Source: RBA, AFMA, US Department of Treasury



90 Day Bill Futures

Over July, bill futures fell sharply at the long-end of the curve as the market factors in a higher probability of a global recession over the next few years, highlighted by the drop in the futures pricing in 2023-2024:



Source: ASX



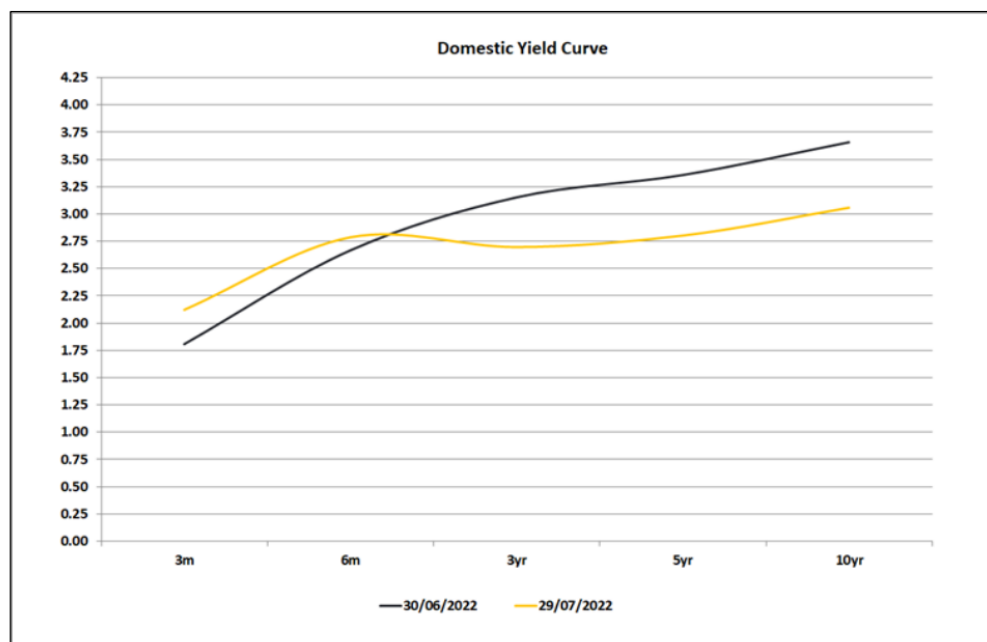
Fixed Interest Outlook

After the US Fed hiked rates by 75bp in July, the accompanying statement gave the impression of less urgency in future rate rises, noting that *"indicators of spending and production have softened"* and a prior reference to supply disruptions from China lockdowns was removed. US Fed Chair Powell said further moves will depend be data dependent. With the target rate now back at neutral, slowing of rate hikes would become appropriate, although the June *'dot plots'* were still a valid guide.

Domestically, the latest headline CPI came in at +1.8% q/q and +6.1% y/y. The more closely watched core trimmed mean measure rose +1.5% q/q which was exactly in line with consensus. There was an upward revision to the past quarter helping push the core annual rate to +4.9%. This should keep the pressure on the RBA to continue to move quickly towards a more neutral setting of policy. The market reaction suggested markets are braced for an upside surprise.

The RBA states *"we do need to chart a credible path back to 2-3%. We are seeking to do this in a way in which the economy continues to grow and unemployment remains low"*. That suggests the RBA is still prioritising a soft landing as long as inflation expectations remain anchored as they currently are.

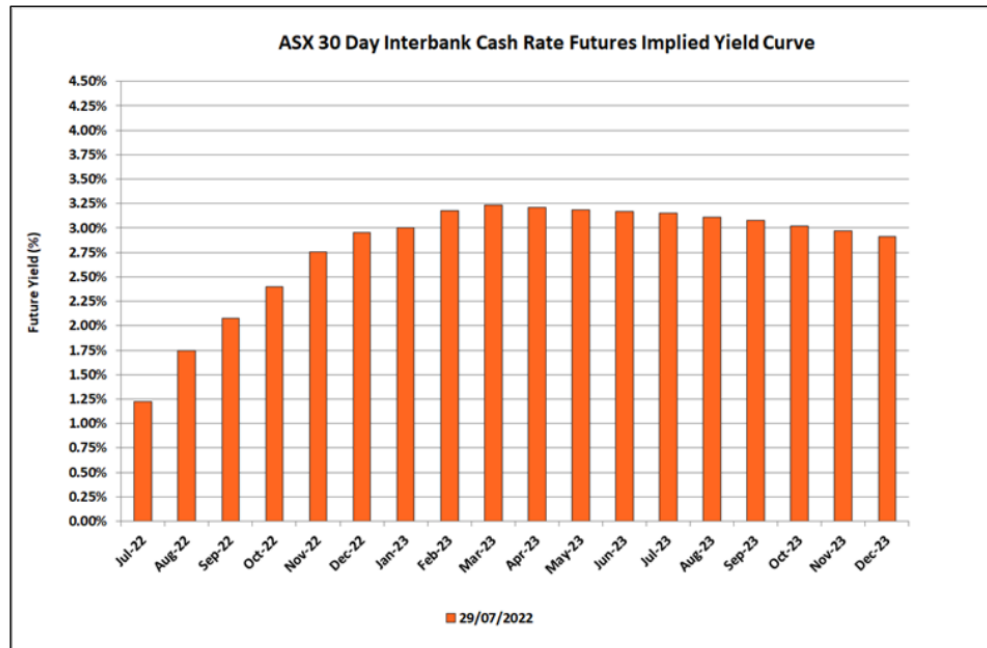
The domestic bond market continues to suggest a prolonged low period of interest rates on a historical basis (10-year government bond yields still just over 3%). Over the month, yields fell around 60bp at the long-end of the curve:



Source: AFMA, ASX, RBA



Markets are currently pricing in around 8 additional rate rises over the next year (up to 3¼%), against the RBA's neutral setting of 2½%. Fears of a looming global recession have actually seen rate cuts start to be priced in towards the second half of 2023:



Source: ASX

Disclaimer

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Imperium Markets charges a flat fee for our investment advice. Any commissions received are rebated to clients in full. If you choose a product provider who uses our market platform, the product provider pays us 1bp p.a. funding fee of the value of the investments transacted.

12.4. COUNCILLOR EXPENSES REPORT

Author: Belinda Perrett

Authoriser: Phil Stone

RECOMMENDATION

That Council

1. Receive and note the Councillor Expenses Report for the period 01 July 2022 to 30 June 2022, attached.
2. Note that the Councillor Expenses Report will be published to Council's website in accordance with clause 15.2 of the Councillor Expenses and Facilities Policy.

BACKGROUND

Section 252 of the *Local Government Act 1993* ("the Act") requires all councils to 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 and other Councillors in relation to discharging the functions of civic office.

Pursuant to section 252 of the Act, Council resolved to adopt its current Councillor Expenses and Facilities Policy("the Policy")at its Ordinary Meeting held 14 December 2017 **[267/17]**. Consistent with the requirements outlined in section 253 of the Act, the Policy was placed on public exhibition for a period of 28 days prior to its adoption.

ISSUE/DISCUSSION

The Councillor Expenses and Facilities Policy provides at clause 15.2:

"Detailed reports on the provision of expenses and facilities to Councillors will be publicly tabled at a Council meeting every six months and published in full on Council's website. These reports will include expenditure summarised by individual Councillor and as a total for all Councillors."

The Councillor Expenses Report attached complies with the above requirement and covers the period 01 January 2022 to 30 June 2022.

Under clause 217(1)(a1) of the Local Government (General) Regulation 2005, Council must include in its Annual Report the total cost during the year of the expenses of, and the provision of facilities to, Councillors in relation to their civic functions. Schedule 1 of the Government Information (Public Access) Regulation 2009 further provides that this information is classified as open access information for the purposes of the *Government Information (Public Access) Act 2009*. The Policy reflects these legislative provisions and requires the Councillor Expenses Report to be published to Council's website.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration
 - 5.1 Collaborative and Engaged
 - 5.2 Financially sustainable
 - 5.3 Professional Workplace culture

FINANCIAL IMPLICATIONS

Nil

LEGISLATIVE IMPLICATIONS

Local Government Act 1993

- Section 252 – Payment of expenses and provision of facilities
- Section 253 – Requirements before policy concerning expenses and facilities can be adopted or amended

ATTACHMENTS



Councillor Expenses Report
30 June 2022

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Cr Peta Betts (Mayor).....	4
Cr Paul Fellows (Deputy Mayor).....	5
Cr Shirlee Burge	6
Cr Harold Clapahm.....	7
Cr Linda Fawns.....	8
Cr Pat Fogarty.....	9
Cr Tarria Moore.....	10
Cr Marc Petersen.....	11
Cr Shannon Sampson	12

About this Report

Section 252 of the *Local Government Act 1993* requires all councils to adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to, the Mayor, Deputy Mayor and Councillors in relation to discharging the functions of civic office.

Edward River Council (Council) adopted its current Councillor Expenses and Facilities Policy at its Ordinary Meeting held 14 December 2017. This policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to help them undertake their civic duties. It ensures accountability and transparency and seeks to align Councillor expenses and facilities with community expectations.

Clause 15 of Council's Councillor Expenses and Facilities Policy provides:

- 15.1 *Council will report on the provision of expenses and facilities to councillors as required in the Local Government Act 1993 and Regulations.*
- 15.2 *Detailed reports on the provision of expenses and facilities to councillors will be publicly tabled at a council meeting every six months and published in full on council's website. These reports will include expenditure summarised by individual councillor and as a total for all councillors.*

Council's Councillor Expenses and Facilities Policy can be accessed from Council's website at www.edwardriver.nsw.gov.au.

COUNCILLORS (All)						
Expense Description	Maximum Amount	Expense				
		Q1	Q2	Q3	Q4	YTD Total
General travel expenses (use of private motor vehicle)	As per Local Government (State) Award 2017 (Part B table 2).	\$1,260.61	\$595.64	\$00.00	\$00.00	\$1,856.25
Interstate, overseas and long distance intrastate travel expenses	\$5,000 total for all Councillors.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Accommodation	\$300 per night; \$500 per night capital cities.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Professional development	As per adopted budget.	\$26357.62	\$3,754.88	\$00.00	\$00.00	\$30,112.50
Conferences and seminars	Actual costs including accommodation and travel.	\$3,374.93	\$2,630.62	\$00.00	\$00.00	\$6,005.55
ICT expenses	As per adopted budget.	\$6,290.00	\$1,465.00	\$00.00	\$00.00	\$7,755.00
Carer expenses	\$20 per hour to maximum \$1800 per annum or higher if by resolution of Council.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
						\$45,729.30

Betts, Councillor Peta (Mayor)						
Expense Description	Maximum Amount	Expense				
		Q1	Q2	Q3	Q4	YTD Total
General travel expenses (use of private motor vehicle)	As per Local Government (State) Award 2017 (Part B table 2).	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Interstate, overseas and long distance intrastate travel expenses	\$5,000 total for all Councillors.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Accommodation	\$300 per night; \$500 per night capital cities.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Professional development	As per adopted budget.	\$4,766.89	\$469.36	\$00.00	\$00.00	\$5,236.25
Conferences and seminars	Actual costs including accommodation and travel.	\$00.00	\$2,630.62	\$00.00	\$00.00	\$2,630.62
ICT expenses	As per adopted budget.	\$865.00	\$165.00	\$00.00	\$00.00	\$1,030.00
Carer expenses	\$20 per hour to maximum \$1800 per annum or higher if by resolution of Council.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
						\$8,896.87

FELLOWS, Councillor Paul (Deputy Mayor)						
Expense Description	Maximum Amount	Expense				
		Q1	Q2	Q3	Q4	YTD Total
General travel expenses (use of private motor vehicle)	As per Local Government (State) Award 2017 (Part B table 2).	\$409.69	\$00.00	\$00.00	\$00.00	\$409.69
Interstate, overseas and long distance intrastate travel expenses	\$5,000 total for all Councillors.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Accommodation	\$300 per night; \$500 per night capital cities.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Professional development	As per adopted budget.	\$3084.39	\$469.36.	\$00.00	\$00.00	\$3,553.75
Conferences and seminars	Actual costs including accommodation and travel.	\$1,543.21	\$00.00	\$00.00	\$00.00	\$1,543.21
ICT expenses	As per adopted budget.	\$775.00	\$75.00	\$00.00	\$00.00	\$850.00
Carer expenses	\$20 per hour to maximum \$1800 per annum or higher if by resolution of Council.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
						\$6,356.65

BURGE, Councillor Shirlee						
Expense Description	Maximum Amount	Expense				
		Q1	Q2	Q3	Q4	YTD Total
General travel expenses (use of private motor vehicle)	As per Local Government (State) Award 2017 (Part B table 2).	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Interstate, overseas and long distance intrastate travel expenses	\$5,000 total for all Councillors.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Accommodation	\$300 per night; \$500 per night capital cities.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Professional development	As per adopted budget.	\$3,084.39	\$469.36	\$00.00	\$00.00	\$3,553.75
Conferences and seminars	Actual costs including accommodation and travel.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
ICT expenses	As per adopted budget.	\$775.00	\$75.00	\$00.00	\$00.00	\$850.00
Carer expenses	\$20 per hour to maximum \$1800 per annum or higher if by resolution of Council.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
						\$4,403.75

CLAPHAM, Councillor Harold						
Expense Description	Maximum Amount	Expense				
		Q1	Q2	Q3	Q4	YTD Total
General travel expenses (use of private motor vehicle)	As per Local Government (State) Award 2017 (Part B table 2).	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Interstate, overseas and long distance intrastate travel expenses	\$5,000 total for all Councillors.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Accommodation	\$300 per night; \$500 per night capital cities.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Professional development	As per adopted budget.	\$3,084.39	\$469.36	\$00.00	\$00.00	\$3,553.75
Conferences and seminars	Actual costs including accommodation and travel.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
ICT expenses	As per adopted budget.	\$775.00	\$75.00	\$00.00	\$00.00	\$850.00
Carer expenses	\$20 per hour to maximum \$1800 per annum or higher if by resolution of Council.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
						\$4,403.75

FAWNS, Councillor Linda						
Expense Description	Maximum Amount	Expense				
		Q1	Q2	Q3	Q4	YTD Total
General travel expenses (use of private motor vehicle)	As per Local Government (State) Award 2017 (Part B table 2).	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Interstate, overseas and long distance intrastate travel expenses	\$5,000 total for all Councillors.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Accommodation	\$300 per night; \$500 per night capital cities.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Professional development	As per adopted budget.	\$3,084.39	\$469.36	\$00.00	\$00.00	\$3,553.75
Conferences and seminars	Actual costs including accommodation and travel.	\$1,831.72	\$00.00	\$00.00	\$00.00	\$1,831.72
ICT expenses	As per adopted budget.	\$775.00	\$75.00	\$00.00	\$00.00	\$850.00
Carer expenses	\$20 per hour to maximum \$1800 per annum or higher if by resolution of Council.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
						\$6235.47

FOGARY, Councillor Pat						
Expense Description	Maximum Amount	Expense				
		Q1	Q2	Q3	Q4	YTD Total
General travel expenses (use of private motor vehicle)	As per Local Government (State) Award 2017 (Part B table 2).	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Interstate, overseas and long distance intrastate travel expenses	\$5,000 total for all Councillors.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Accommodation	\$300 per night; \$500 per night capital cities.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Professional development	As per adopted budget.	\$3,084.39	\$469.36	\$00.00	\$00.00	\$3,553.75
Conferences and seminars	Actual costs including accommodation and travel.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
ICT expenses	As per adopted budget.	\$775.00	\$75.00	\$00.00	\$00.00	\$850.00
Carer expenses	\$20 per hour to maximum \$1800 per annum or higher if by resolution of Council.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
						\$4,403.75

MOORE, Councillor Tarria						
Expense Description	Maximum Amount	Expense				
		Q1	Q2	Q3	Q4	YTD Total
General travel expenses (use of private motor vehicle)	As per Local Government (State) Award 2017 (Part B table 2).	\$850.92	\$595.64	\$00.00	\$00.00	\$1,446.56
Interstate, overseas and long distance intrastate travel expenses	\$5,000 total for all Councillors.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Accommodation	\$300 per night; \$500 per night capital cities.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Professional development	As per adopted budget.	\$3,084.39	\$469.36	\$00.00	\$00.00	\$3,553.75
Conferences and seminars	Actual costs including accommodation and travel.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
ICT expenses	As per adopted budget.	\$775.00	\$75.00	\$00.00	\$00.00	\$850.00
Carer expenses	\$20 per hour to maximum \$1800 per annum or higher if by resolution of Council.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
						\$5,850.31

PETERSEN, Councillor Marc						
Expense Description	Maximum Amount	Expense				
		Q1	Q2	Q3	Q4	YTD Total
General travel expenses (use of private motor vehicle)	As per Local Government (State) Award 2017 (Part B table 2).	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Interstate, overseas and long distance intrastate travel expenses	\$5,000 total for all Councillors.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Accommodation	\$300 per night; \$500 per night capital cities.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Professional development	As per adopted budget.	\$3,084.39	\$469.36	\$00.00	\$00.00	\$3,553.75
Conferences and seminars	Actual costs including accommodation and travel.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
ICT expenses	As per adopted budget.	\$775.00	\$75.00	\$00.00	\$00.00	\$850.00
Carer expenses	\$20 per hour to maximum \$1800 per annum or higher if by resolution of Council.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
						\$4,403.75

SAMPSON, Councillor Shannon

Expense Description	Maximum Amount	Expense				
		Q1	Q2	Q3	Q4	YTD Total
General travel expenses (use of private motor vehicle)	As per Local Government (State) Award 2017 (Part B table 2).	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Interstate, overseas and long distance intrastate travel expenses	\$5,000 total for all Councillors.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Accommodation	\$300 per night; \$500 per night capital cities.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Professional development	As per adopted budget.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
Conferences and seminars	Actual costs including accommodation and travel.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
ICT expenses	As per adopted budget.	\$00.00	\$775.00	\$00.00	\$00.00	\$775.00
Carer expenses	\$20 per hour to maximum \$1800 per annum or higher if by resolution of Council.	\$00.00	\$00.00	\$00.00	\$00.00	\$00.00
						\$775.00

12.5. COUNCILLOR REPRESENTATION ON COMMITTEES

Author: Greg Briscoe-Hough

Authoriser: Phil Stone

RECOMMENDATION

That Council:

1. Council review the current committees and opportunity for their reformation, and;
2. Seek nominations from its membership and formally appoint Councillors as determined.

BACKGROUND

Earlier in the year Council sought interest for, and made, appointments to various external and internal committees based on the previous committee structure. Council has a variety of committee types, with some being statutory, some administrative and some advisory. Most of Council's committees are made up of community representatives rather than Councillor only committees, which are covered by Section 20 of the Edward River Code of Meeting Practice 2022.

The calling and holding of some meetings are not necessarily of Council's initiative and in most cases held irregularly, and with the Councillor briefing schedule of the last 6 months, many of the internal committees have been in abeyance as the regular briefing sessions have usurped their utility, however, this situation has now changed and a more regular cycle can sit in place along with newly established ones will resume a life of their own.

Most committees have a Charter / Terms of Reference (ToR) adopted to determine membership and outline the role and function of the Committee.

	Name of Committee	Committee operation / Council Representation	Brief Overview of Committee	Councillor/s
Emergency services	Community Safety and Crime Prevention Advisory Committee	This is a committee is under the auspices of the NSW Police. The Mayor and a Councillor are usually representatives	This was an initiative of the NSW Government c 2007. and last administratively operative locally in 2015.	Peta Betts
	Deniliquin/Conargo Area Local Emergency Management Committee	Director Infrastructure	The LEMC is convened, and exercises its legislative functions under the provisions of the SERM Act, not the Local Government Act (1993) and as	Mark Dalzell



	Name of Committee	Committee operation / Council Representation	Brief Overview of Committee	Councillor/s
			such is not a committee of council. The SERM Act identifies the General Manager (or their nominee) as the chair of the committee. The business of the LEMC does not require the council endorsement. Notwithstanding there is a role for the Council in determining membership of the Committee. The purpose of the LEMC is to provide cooperative interaction between emergency services, functional areas, local government and the community. It is responsible for preparing plans in relation to the prevention of, preparation for, response to, and recovery (PPRR) from emergencies within the LGA	
	NSW Rural Fire Service Liaison Committee (Mid Murray Zone)	Minimum Two Councillors	The Liaison Committee is a committee comprising	Paul Fellows, Pat Fogarty and Shirlee Burge



	Name of Committee	Committee operation / Council Representation	Brief Overview of Committee	Councillor/s
			Council staff and councillors in conjunction with Rural Fire Service (RFS) staff and volunteers. The Committee discusses a range of topics including the performance of the agreements between councils and the RFS within the local area, budgets, fire fighting vehicles, equipment and capital infrastructure.	
	Zone Bushfire Management Committee	One Councillor	The Bush Fire Management Committee is constituted under the NSW Rural Fires Act 1997, and requires land managers within a Local Government Area (including Council) to come together and prepare a local Bush Fire Risk Management Plan.	Paul Fellows
Natural Resources Management	ERC Floodplain Risk Management Advisory Committee	One Councillor	As required. Local councils take flooding into account when controlling the development of flood-prone land, and in carrying	Peta Betts



	Name of Committee	Committee operation / Council Representation	Brief Overview of Committee	Councillor/s
			out management actions including the investigation, design, construction, operation and maintenance of flood mitigation works.	
	Billabong Yanco Creek System Project	One Councillor	Wrapped up - See community-engagement-plan (nsw.gov.au)	Peta Betts
Operations	Local traffic committee	One Councillor - this is a technical committee, however, the nominated Councillor (or Staff Member) acts as the Chair.	Traffic committee	Shirlee Burge
	Deniliquin Regional Airport Users Group	Two Councillors	Meetings will be held quarterly, advisory only, all decisions will constitute recommendations to Council.	Linda Fawns (and vacancy)
	Memorial Park Users Group	Two Councillors	Meetings will be held twice annually, advisory only, all decisions will constitute recommendations to Council.	Marc Peterson
	Rotary Park Users Group	Two Councillors		Shirlee Burge (and vacancy)
	Saleyards User Group	Two Councillors		Shirlee Burge (and vacancy)
Audit and other	Audit, Risk and Improvement Committee	Two Councillors	This Committee is a statutory requirement under s428A of	Harold Clapham & Paul Fellows (and vacancy)



	Name of Committee	Committee operation / Council Representation	Brief Overview of Committee	Councillor/s
			the Local Government Act. Recent <u>revised guidelines have allowed for the nomination of an additional non-voting Councillor.</u>	
	General Manager's Performance Management Committee	All Councillors	Council's approach is at variance with the OLG guidelines and Council's expired policy.	All Councillor's
Social/Cultural/Heritage	Multi Arts Centre Users Group (to be re-established)	Pending revised Charter	This was to be incorporated in a revamped committee such as the existing Town Hall Reference Group transitions to on ongoing community facilities users group	Marc Peterson and Pat Fogarty
	Town Hall Revitalisation Reference Users Group	Three Councillors	Meetings will be held as required, advisory only, all decisions will constitute recommendations to Council. Flagged for repurposing on completion of works (see above).	Peta Betts, Pat Fogarty, Marc Peterson
	Aboriginal Liaison Committee	Two Councillors	Meetings will be held twice annually, advisory only, all decisions will constitute	Linda Fawns & Harold Clapham



	Name of Committee	Committee operation / Council Representation	Brief Overview of Committee	Councillor/s
			recommendations to Council.	
	South West Music	One Councillor	External Committee	Linda Fawns
	Seniors Living Precinct (Edward River Village)	Five Councillors	Meetings will be held as required, advisory only, all decisions will constitute recommendations to Council. Cr Burge resigned from committee on 2 August 2022. This report recommends the committee be disbanded as all decision making	Peta Betts, Paul Fellows, and Marc Peterson (two vacancies)
	The Long Paddock Committee	One Councillor and one staff member	This is an external committee with Council's membership entitling representation	Shirlee Burge (status of committee tbd)
	Australia Day Committee	Mayor and One Councillor	As per Charter – to organise events	Peta Betts and Paul Fellows
Village (Advancement) Hall and Recreation Facility Committees	Blighty	One Councillor	Section 355 committees are delegated the 'care, control and management' of a Council facility. Members are formally appointed by Council from amongst the elected body and members of the public. All	Linda Fawns



	Name of Committee	Committee operation / Council Representation	Brief Overview of Committee	Councillor/s
			councillors are able to attend.	
	Booroorban	One Councillor	There may be some confusion as to potential membership on the earlier 'within 25km' and 'rate payer' definition and residency provisions	Linda Fawns (inquire atm)
	Conargo	One Councillor		Harold Clapham
	Mayrung	One Councillor		Tarria Moore
	Pretty Pine	One Councillor		Pat Fogarty
	Wanganella	One Councillor		Marc Peterson
Regional development	Country Mayors Association	Mayor and GM as delegate	This is an external committee with Council's membership entitling representation.	Peta Betts & Phillip Stone
	Murray Darling Association	Mayor and One Councillor	The Murray Darling Association's purpose is to provide effective representation of local government and our communities at state and federal level in the management of Basin resources by providing information, facilitating debate and informing government policy.	Peta Betts & Linda Fawns



	Name of Committee	Committee operation / Council Representation	Brief Overview of Committee	Councillor/s
	Riverina and Murray Joint Organisation (RAMJO)	Mayor, Deputy Mayor, and GM	Joint organisations help to build stronger councils and to improve service delivery and infrastructure in key priority areas such as water security, energy, transport, digital connectivity, waste management and health, across these rural and regional communities.	Peta Betts, Paul Fellows & Phillip Stone
	Deniliquin Business Advisory Committee (DBEC)	One Councillor	External Committee	Marc Peterson
	Deniliquin Business Chamber	One Councillor	External Committee	Tarria Moore

Other Committees

Council Health Services Advisory Committee

In March 2022, Council resolved (RESOLUTION 2022/0315/12.4) to establish this new Committee which will had its inaugural meeting 18th July, 2022 to develop its Charter/Terms of Reference (TOR).

NSW Public Libraries Association

Council as a paid up member is entitled to an official representative on the NSW Public Libraries Association (Inc).

ISSUE/DISCUSSION

With the addition of Cr Sampson and Councillors having an opportunity to experience their role more fully, it may be opportune for Council to revisit the committee structures and address existing vacancies.

Edward River Village Committee



In light of the Council's recent determination to proceed with the development of this most significant project it is proposed that a monthly watching brief and update report be presented to Council at its ordinary meetings and that any significant decisions be made by full council and that the committee be disestablished.

Edward River Cultural Facilities Committee

It is proposed that Council form a revised committee to adopt the former advisory functions of the Council's Town Hall Revitalisation and community run Multi Arts Centre committee (now wound up) and broaden the scope of these committees into a single committee to assist in Council's facilitation of community cultural initiatives. A number of surrounding Councils have similar committees that both supervise the use of Council owned facilities as well as developing and implementing cultural policy and events programs.

General Manager's Performance Management Committee

As noted, the former Council's policy - which mirrored the Office of Local Government guidelines, had an April 2022 sunset clause. Under those guidelines a delegated group of Councillors were appointed. The current Council needs to determine whether that process should be continued or how it wishes to address the procedures otherwise.

Audit, Risk and Improvement Committee

Whilst the sector awaits the full revised guidelines, the OLG has released some clarification on the Membership requirements for the committee. This has resulted in the necessity for the Chairman of the Committee and Council to note and revise the invitation to one of the previously identified potential candidates. It has also opened up the appointment of a third, non-voting, Councillor to membership of the committee

STRATEGIC IMPLICATIONS

Implications for policy development and oversight of major projects.

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

FINANCIAL IMPLICATIONS

Nil

LEGISLATIVE IMPLICATIONS

Local Government Act 1993 - Section 355

Edward River Code of Meeting Practice 2022

ATTACHMENTS

Attachment 1 - HAC Minutes 220718



Meeting Minutes/Action Items

Group	<i>Health Services Advocacy Committee</i>		
Date	18 July 2022	Time	6pm
Location	Council Chambers, Estates Building, 180 Cressy Street, Deniliquin		
Prepared By	Greg Briscoe-Hough		
Attendees	Marion Magee, Lourene Liebenberg, Sarah Campbell, Albert Liebenberg, Craig McColm, Mayor Peta Betts, Deputy Mayor Paul Fellows, Cr Pat Fogarty, Cr Shirlee Burge, Cr Marc Petersen General Manager Phil Stone, Senior Governance Officer Greg Briscoe-Hough		
Apologies	Michael Everett, Chrissy Hurst, (Yvette Bhagiar, Rose Dunn, Lyn Bond)		
Additional Distribution	N/A		

Chair of Meeting

Mayor Peta Betts

Declaration of Meeting Open

Mayor Betts declared the meeting open and welcome all in attendance

Discussion and Action Items

Draft Terms of Reference

- 2.1 Resolved preference for committee name to have Advocacy rather than Advisory
- 2.2 In reviewing objectives (noting they need to be read a whole) first dot point was amended to change 'ownership' in first sentence to 'responsibility' and add 'and services' to end of dot point.
- 2.3 It was noted that the Terms of Reference is something that can be modified at any time on recommendation to, and adoption by, Council.
- 2.4 Revise term 'user group' to 'committee'

Membership

- 3.1 Council will have two appointees to be made by Council but seeks an independent Chair for the committee from the community members
- 3.2 Numbers to be kept manageable and with the opportunity for specialist representative speakers to be invited as and when required
- 3.3 Other groups/interests identified for inclusion: Aged Care sector (Navorina, KSC, Intereach); Community Transport; NDIS; NPHN and local primary and allied health care providers; early intervention/family services; cross border interests, Local Member?

Committee vision

- 4.1 Look for local solutions, and learn from other similar initiatives

Next steps

- 5.1 Distribute minutes; identify further invitees and issue invitation; present report to Council with Terms of Reference (pending potential future review) and Council selects its representatives.



Next Meeting

6.1 Set for 6 weeks - Monday evenings @ 6pm in Estates Building (29 August 2022)

6.2 Attendees invited to further review draft Terms of Reference and present comments for consideration at next meeting to establish Chair and Terms of Reference amendments if required

<i>Actions</i>	<i>Whom</i>	<i>When</i>	<i>Status</i>
Distribution of Minutes			
Next Meeting Calendar Invitation			

Meeting closed at 6.45pm

Next Meeting: 29 August 2022

Attachment 2 - 22-21-Attachment ARIC membership provisions



Attachment

The following requirements will apply to ARIC chairs and members from **1 July 2024**.

1. Independence requirements for ARIC chairs and independent members

All ARIC chairs and independent members must be independent to ensure they have no real or perceived bias or conflicts of interest that may interfere with their ability to act independently and can provide the council with robust, objective, and unbiased advice about how the council is functioning.

ARIC chairs and independent members cannot:

- currently be a councillor of any NSW council
- be a non-voting representative of the board of a joint organisation
- be a candidate at the last election of the council
- be a person who has held office in the council during its previous term
- be currently employed by the council or joint organisation, or been employed during the last 12 months
- conduct audits of the council on behalf of the Audit Office of NSW
- have a close personal or business relationship with a councillor or a person who has a senior role in the council that may lead to a real or perceived conflict of interest
- currently, or within the last three years, provided any material goods or services (including consultancy, legal, internal audit, and advisory services) to the council which directly affect subjects or issues considered by the ARIC
- be (or have a close family member who is) a substantial shareholder, owner, officer, or employee of a company that has a material business, contractual relationship, direct financial interest or material indirect financial interest with the council or a related entity which could be considered a real or perceived conflict of interest, or
- currently or have previously acted as an advocate of a material interest on behalf of the council or a related entity which could be considered a real or perceived conflict of interest.

Current staff of councils cannot serve as the chair of an ARIC but may serve as an independent member of another council's ARIC provided they meet the independence and eligibility criteria for membership of the council's ARIC and their employer is not participating in a shared arrangement with the other council in relation to the ARIC or the internal audit function.

2. Eligibility requirements for ARIC chairs and members

The persons appointed as a chair or a member of an ARIC must possess the skills, knowledge, and experience necessary to undertake their roles on the ARIC effectively and to ensure the ARIC is able to operate appropriately and effectively to support the council.

The following eligibility criteria for ARIC chairs and members reflects the minimum standards persons must meet to be appointed as the chair or member of a council's ARIC. Councils may require ARIC chairs and members to satisfy more onerous eligibility criteria if they choose to do so.

Eligibility requirements for ARIC Chairs

In addition to meeting the independence requirements set out above, the following eligibility criteria apply to the chair of an ARIC.



Essential criteria

ARIC chairs must demonstrate the following:

- leadership qualities and the ability to promote effective working relationships in complex organisations
- an ability to communicate complex and sensitive assessments in a tactful manner to the head of the council's internal audit function, senior management and the mayor and councillors
- a sound understanding of:
 - the principles of good organisational governance and capacity to understand local government accountability, including financial reporting
 - the business of the council or the environment in which it operates
 - internal audit operations, including selection and review of the head of the council's internal audit function, and
 - risk management principles
- extensive senior level experience in governance and management of complex organisations, an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- functional knowledge in areas such as risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- a capacity to form independent judgements and a willingness to constructively challenge/question management practices and information, and
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of the chair of an ARIC.

Desirable criteria

- possession of a relevant professional qualification or membership (e.g., Institute of Internal Auditors (IIA), CPA Australia (CPA) and Chartered Accountants Australia and New Zealand (CA)) is desirable.

Eligibility requirements for ARIC independent members

In addition to meeting the independence requirements set out above, the following eligibility criteria apply to ARIC independent members:

Essential criteria

ARIC independent members must demonstrate the following:

- an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- functional knowledge in areas such as risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- a capacity to form independent judgements and willingness to constructively challenge/question management practices and information
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of an independent member of an ARIC, and



- preparedness to undertake any training on the operation of ARICs recommended by the chair based on their assessment of the skills, knowledge and experience of the independent member.

Desirable criteria

Ideally, independent members of ARICs should also meet the following criteria, but these are not essential:

- extensive senior level experience in governance and management of complex organisations, and
- possession of a relevant professional qualification or membership (e.g., Institute of Internal Auditors (IIA), CPA Australia (CPA) and Chartered Accountants Australia and New Zealand (CA)).

Eligibility requirements for non-voting councillor members of ARICs

A councillor must demonstrate the following to be appointed as a non-voting ARIC member:

- an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- a good understanding of one or more of the following: risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- a capacity to form independent judgements and willingness to constructively challenge/question management practices and information
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of a councillor member of an ARIC, and
- preparedness to undertake any training on the operation of ARICs recommended by the chair based on their assessment of the skills, knowledge and experience of the councillor member.

Note: The mayor cannot be appointed as a councillor member on a council's ARIC.

3. Appointment of ARICs

When selecting ARIC members, councils should ensure the ARIC has an appropriate mix of skills, knowledge and experience to successfully implement its terms of reference and add value. An ARIC should have:

- at least one member with financial expertise (for example, a qualified accountant or auditor or other financial professional with experience of financial and accounting matters), and
- a mix of skills and experience in:
 - business
 - financial and legal compliance
 - risk management
 - internal audit, and
 - any specialised business operations of the council, where the ARIC would benefit from having a member with skills or experience in this area.

All ARIC members should have sufficient understanding of the council's financial reporting responsibilities to be able to contribute to the ARIC's consideration of the annual financial statements.



Each ARIC member should also have sufficient time to devote to their responsibilities.

Where possible, councils should ensure that at least one other ARIC member is also qualified to act as the chair if this is ever required.

Note: Councils must undertake a criminal record and financial status (bankruptcy) check of ARIC chairs and members before their appointment.

12.6. LOCAL GOVERNMENT NSW ANNUAL CONFERENCE OCTOBER 2022

Author: Belinda Perrett

Authoriser: Phil Stone

RECOMMENDATION

That Council approve the Mayor, and up to two Councillors and the General Manager to attend the Local Government NSW Annual Conference from 23 to 25 October 2022, the Crowne Plaza Hunter Valley.

BACKGROUND

The Local Government NSW Annual Conference is the annual signature event for NSW Councils and associate members. It gathers all together to debate issues important to local communities and provides an opportunity to hear from State and Federal leaders.

It is also an opportunity to network with a broad range of Councils.

Council has previously sent multiple Councillors to attend this conference and can consider doing so again.

ISSUE/DISCUSSION

Registration to attend the Conference are now open. Edward River Council will be able to take advantage of the special "early bird" rates until 17 August 2022. The early bird rates to attend the conference are \$1,088.00 per attendee (this does not include travel or accommodation), standard registration is \$1,430.00. The Conference Dinner is not included in the overall registration cost and is an optional cost of \$250.00 per ticket.

STRATEGIC IMPLICATIONS

Council-submitted motions will be debated and resolved to set advocacy priorities for the year ahead.

Edward River Council can submit motions for consideration at the Conference until 29 August 2022. Proposed motions should be strategic, affect members state-wide and introduce new or emerging policy issues and actions.

COMMUNITY STRATEGIC PLAN

5. Accountable leadership and responsive administration

5.1 Collaborative and Engaged

FINANCIAL IMPLICATIONS

Attendance at the Local Government NSW Annual Conference is budgeted in the 2022/2023 budget.

LEGISLATIVE IMPLICATIONS

ATTACHMENTS

12.7. LOCAL HERITAGE FUND - SMALL HERITAGE GRANTS 2022-23

Author: Marie Sutton, Manager Development Services

Authoriser: Mark Dalzell, Director Infrastructure

RECOMMENDATION

That Council:

1. Fund the following projects as part of the Local Heritage Fund 2022-2023:

(a) 140 End Street , Local Heritage Fund contribution \$ 4750

(b) 112 End Street , Local Heritage Fund contribution \$ 1500

(c) 135 End Street , Local Heritage Fund contribution \$ 4000

(d) 226 - 230 Cressy Street, Local Heritage Fund contribution \$ 5,250

2. Should a funding offer for an approved project not be accepted or fail to proceed to completion then those funds from the Local Heritage Fund 2022-2023 may be reallocated to the next approved project of highest priority.

BACKGROUND

The Local Heritage Fund (LHF) has been established by Council with the assistance of the NSW Heritage Grants – Community Heritage (Small Heritage Grants) Program with the aim of encouraging positive work on heritage throughout the local government area.

The LHF has been running successfully for several years, with funding being directed towards Listed Heritage Items in the Conargo and Deniliquin Local Environmental Plans, in the Deniliquin Heritage Conservation Area , and for buildings supported by Council's Heritage Advisor as being of heritage significance.

Applicants must meet the criteria for funding as set out by NSW Heritage. Funding is generally provided to successful applications on 1 :1 basis and projects must be able to be completed by 30 April 2023 to be eligible .

Applications are assessed for eligibility against NSW Heritage Local Heritage Fund criteria by Councils Heritage Advisor and a recommendation made for projects to be funded.

The 2022/23 fund has a total available fund of \$15,500 being \$5,500 in grant funding from NSW Heritage and a \$10,000 Council budget allocation.

ISSUE/DISCUSSION

Applications for the Local Heritage Fund are invited annually and applications for the 2022/23 fund closed 7 July 2022. Council received four (4) applications for the 2022-2023 Local Heritage Fund. The applications were reviewed and ranked according to Heritage significance, Public benefit to a precinct, sustainable long term benefit and public benefit and enjoyment. .

Details of the applications received and funding recommendations are listed in the table below.



	Assess . No.	Propert y Addres s	Applica nt	Conser vation Works	A heritag e item or an item include d in a heritag e conser vation area	Total \$ Estimat e Value of Project	\$ Amoun t Sought	Recom mende d \$ Grant	Project Rankin g
1	1096	140 End Street, Deniliqu in	Jemma h Conallin	140 End St Restora tion	Deniliqu in Heritag e Conser vation Area	\$33,088 .00	\$15,000 .00	\$4,750. 00	3
2.	1088	112 End Street, Deniliqu in	Con Frances	Burchfi eld's Garage restorati on works	I20 DLEP 2013	\$3,000. 00	\$1,500. 00	\$1500.0 0	2
3.	1102	135 End Street, Deniliqu in	Moore & Hogan Nomine es Pty Ltd	Verand ah Constru ction	Deniliqu in Heritag e Conser vation Area	\$20,000 .00	\$10,000 .00	\$4000.0 0	4
4.	676	226 Cressy Street, Deniliqu in	Tony Cooper	Heritag e Repaint ing	Deniliqu in Heritag e Conser vation Area I12 DLEP 2013	\$1,630. 00	\$5,400. 00	\$5250.0 0	1
					Totals	\$57,718 .00	\$31,900 .00	\$15,500 .00	

Attached to this report is further information regarding the above noted applications and a report from Council's heritage advisor regarding the applications.



COMMUNITY STRATEGIC PLAN

1.2 Quality built environment

2.3 Cultural and personal links

FINANCIAL IMPLICATIONS

Council received grant funding of \$5,500 GST ex from the NSW Heritage Grants – Community Heritage (Small Heritage Grants) Program. Council has budgeted \$10,000 towards the program in the 2022-23 operational plan. Council has a total of \$15,500 to expend on the 2022-23 program.

LEGISLATIVE IMPLICATIONS

Nil.

ATTACHMENTS

Attachment 1 - LOCAL HERITAGE FUND REPORT 2022-23

LOCAL HERITAGE FUND REPORT

2022/2023-1 140 End Street, Deniliquin – Restoration of the Façade (Figures 1 & 2)

At present the building is dilapidated and an eyesore. This restoration will bring life and business into the area. Tasks to be completed on restoring the façade include full replacement of windows, tiles to be removed and brick work to be repainted. Works meet the criteria of the Local Heritage Fund.

Figure 1 – 140 End Street, Deniliquin

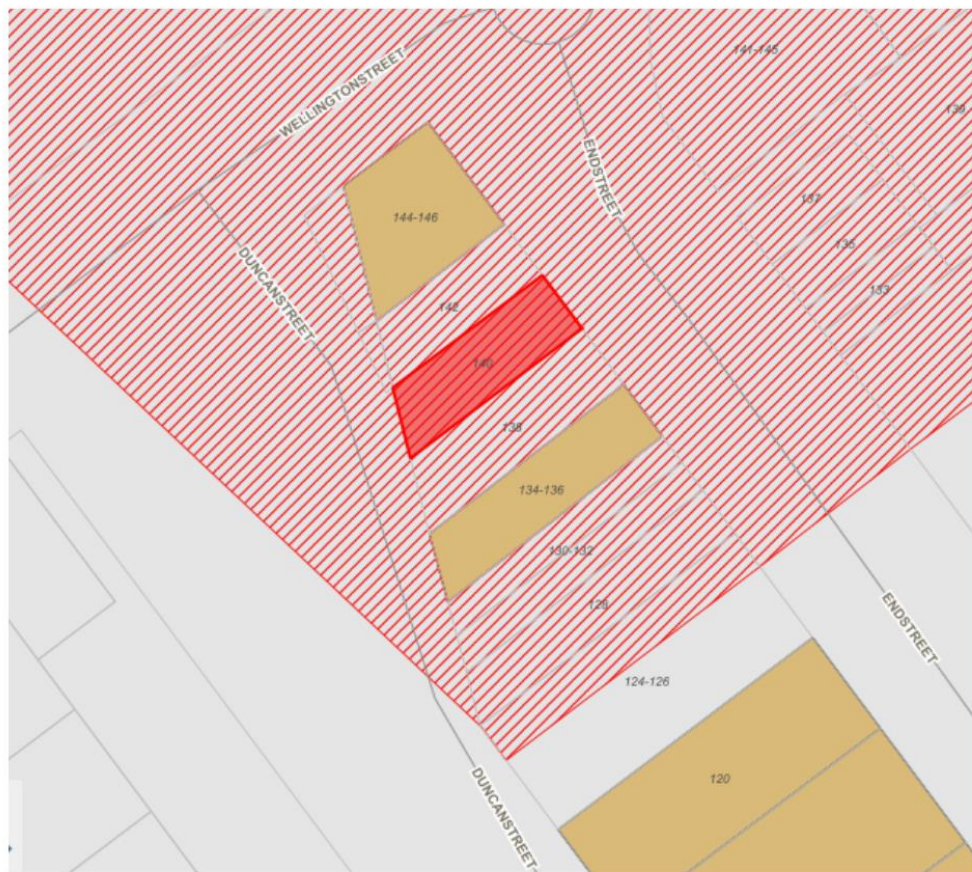




Figure 2 – Front Façade





**2022/2023-2 112 End Street, Deniliquin – Burchfield's Garage Facade Restoration.
(Figures 3, 4, 5, 6 and 7)**

Repairs and restoration of heritage features to front façade including preparing cracks and rendering surfaces. Applying cement wash and stucco to suit. Works meet the criteria of the Local Heritage Fund.

Figure 3 – 112 End Street

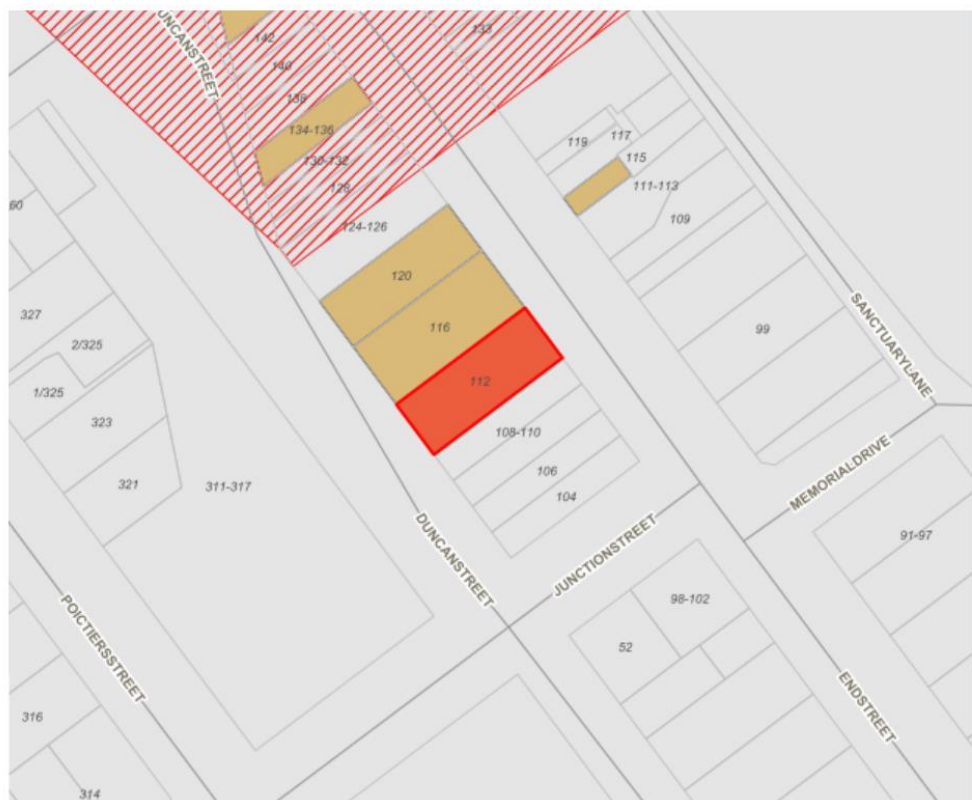




Figure 4 – Front Façade at 112 End Street



Figure 5 - Mouldings





Figure 6 – Entry



Figure 7 –





2022/2023-3 135 End Street, Deniliquin – New Verandah. (Figures 8, 9 & 10)

Construction of a new verandah. This project will provide critical shading previously supplied by 2 mature trees removed on 18/06/2022. Works meet the criteria of the Local Heritage Fund.

Figure 8 – 135 End Street

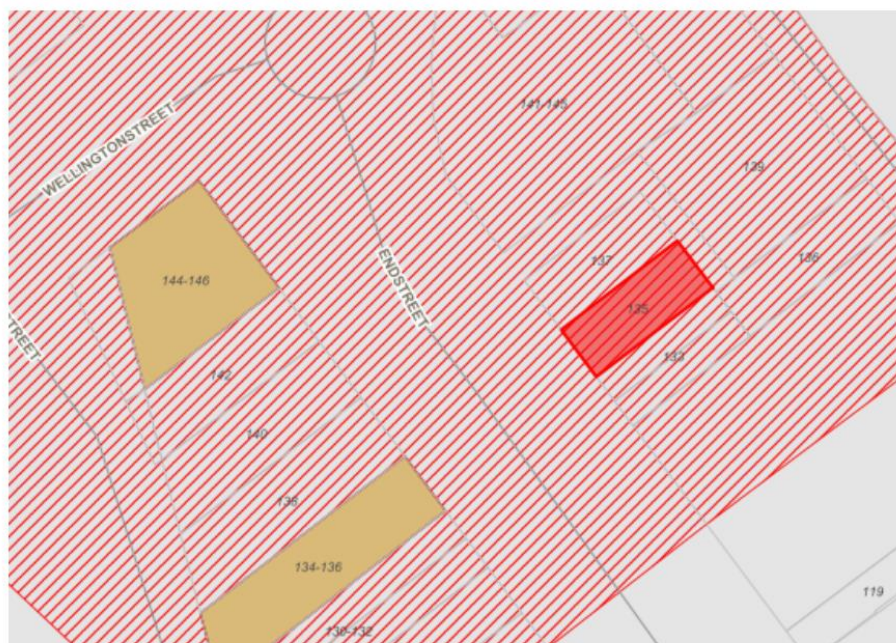




Figure 9 – Front Facade



Figure 10 – Street View





2022/2023-4 226, 228 & 230 Cressy Street, Deniliquin – Repainting (Figures 11, 12 and 13)

Repaint the front of the 3 buildings being the Pastoral Times, Local MP and Naponda and also the columns surrounding the whole area of the building. Also replace the damaged guttering and repaint all areas that need refreshing. Works meet the criteria for the Local Heritage Fund.

Figure 11 – 226 Cressy Street





Figure 12 & 13 – Street View





Figure 14 – Columns require Repainting



Figure 15 – Boards require Sanding & Repainting







Figure 16, 17 & 18 – Front Facades of 226, 228 & 230 Cressy Street



Attachment 2 - Report - Local Heritage Fund Applications 2022-23

EDWARD RIVER COUNCIL REPORT

To: Edward River Council 15 July 2022
By: Noel Thomson – Heritage Advisor
Subject: Local Heritage Fund Applications 2022-2023

LOCAL HERITAGE FUND APPLICATIONS 2022-2023

Funding is available from Edward River Council for 'listed' heritage items and buildings within the Conservation Areas as per Edward River Council Local Environmental Plan, or a building supported by Council's heritage advisor as being of heritage significance. Further to receipt of Applications to Edward River Council Local Heritage Fund for 2022-23 and on review of the four applications received the following comments/recommendations are provided;

2022-23/1 Restoration and painting to mainstreet building, 140 End St, Deniliquin

Submission by Owner (Jemmah Conallin) is for the 'restoration' of the front facade of the mainstreet building at 140 End St, Deniliquin. NT notes that this building is located within the Deniliquin Heritage Conservation Area and the proposal for the restoration of the facade and painting meets the criteria of the heritage fund.

Recommendation is for the restoration and repainting of the front facade be undertaken as per heritage advisor requirements, with funding of \$4,750 acceptable for this project. NT notes that DA 22/53 has been submitted with approval required before works commence on site.

2022-23/2 Restoration and painting to mainstreet building, 112 End St, Deniliquin

Submission by Owner (Con Frances) is for the repairs to the façade of important mainstreet heritage listed (I20) "Burchfields Garage" (where modern signage removed following the closure of the garage) and repainting with NT noting the works suit the criteria of the fund.

Recommendation is for the restoration and repainting of the historic front facade to the mainstreet building be undertaken as per heritage advisor requirements, with funding of \$1,500 acceptable for this important heritage project. NT notes that approval as per LEP Clause 5.10 (3) will be required to satisfy Council requirements

2022-23/3 Construction of new verandah to mainstreet building, 135 End St, Deniliquin

Submission by Owner (Moore & Hogan Nominees) is for the construction of new verandah to the front of this building. NT notes that this building is located within the Heritage Conservation Area and the proposal for the new verandah meets the criteria of the heritage fund.

Recommendation for the verandah project to this mainstreet building to be undertaken as per heritage advisor recommendations, with funding of \$4,000 acceptable for this project. NT notes that DA documentation to submitted and approval required before works commence on site.

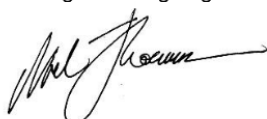
2022-23/4 Painting and maintenance to mainstreet building, 226-230 Cressy St, Deniliquin

Submission by Owner (Tony Cooper) is for the repainting of exterior of this important mainstreet heritage listed (I12) "Shops" – Pastoral Times building, with NT noting that on review of the submitted documentation, the proposal for the repainting suits the criteria of the fund.

Recommendation is for the new repainting of the front facade and verandah be undertaken as per heritage advisor requirements, with funding of \$5,250 acceptable for this important mainstreet building.

Note: Refer attached Summary and Assessment Forms for further information

Trusting the foregoing advice is of assistance at this time.



NOEL THOMSON FRAIA
EDWARD RIVER COUNCIL HERITAGE ADVISOR

Local Heritage Grant Applications – 2022/2023 (available funds = \$15,500)

BANKING Assessment										
	Assess. No.	Property Address	Applicant	Conservation Works	A heritage item or an item included in a heritage conservation area	Total \$ Estimate Value of Project	\$ Amount Sought	Recommended \$ Grant	DA / Approval Required Yes / No	
3	1	1096	140 End Street, Deniliquin	Jemmah Conallin	Façade upgrade + repainting	Deniliquin Heritage Conservation Area	\$33,088	\$15,000	\$4,750	Yes / submitted DA22-53
2	2.	1088	112 End Street, Deniliquin	Con Frances	Burchfield's Garage façade restoration and painting	I20 DLEP2013	\$3,000	\$1,500	\$1,500	Yes / LEP 5.10 (3)
4	3.	1102	135 End Street, Deniliquin	Moore & Hogan Nominees Pty Ltd	New Verandah Construction	Deniliquin Heritage Conservation Area	\$20,942	\$10,000	\$4,000	Yes / to be submitted
1	4.	676	226-230 Cressy Street, Deniliquin	Tony Cooper	Repairs and repainting	I12 DLEP2013 and in Deniliquin Heritage Conservation Area	\$10,630	\$5,400	\$5,250	Yes / LEP 5.10 (3)
Totals						\$67,650	\$31,900	\$15,500		



**EDWARD RIVER COUNCIL
LOCAL HERITAGE FUND
ASSESSMENT FORM 2022-2023**

Project Name FACADE RESTORATION + REPAINTING 140 END ST, DENILIQUIN		Project No. 2022-23/1			
		Score 100	Assessor	Specialist	Comments
My Project is for	Assess the heritage listing for the proposed project application	35			
	SHR Heritage listed item/s	12		—	
	LEP Heritage listed item/s	10		—	
	Item/s in Heritage Conservation Area	8		8	
	Significant item	5		—	
		Sub Total		8	
Priorities	Assess the project against your Council's local heritage fund priorities for this funding round	25			
Priority 1	Properties that are LEP listed heritage items identified as having heritage significance—	12		—	
Priority 2	Commercial properties within the Heritage Conservation Area identified as having heritage significance— a) Repair of original features and/or b) Painting in period colour and styles	8		8	
Priority 3	Buildings outside the Heritage Conservation Area that are identified by Council's Heritage Advisor as significant Heritage items whether listed in Council's LEPs or not: a) Painting in period colours b) Repair/restoration of heritage features c) Restoration of period front fences	5		—	
		Sub Total		8	
Common Selection Criteria	Assess the project against ALL of these criteria	20			
Sustainable long term benefits	Has a long term plan in place to manage heritage item/s	6		3	
Public benefit & enjoyment	Increase opportunities for learning about, access & enjoyment	5		3	



Project Name		Score	Assessor	Specialist	Comments
Innovation & Leadership	Leads to positive change in community heritage attitudes and actions	5		3	
Capacity & Commitment	Time, financial & management skills	2		2	
	Complete within funding timeframe	2		2	
	Sub Total			13	
Project	Assess the quality and completeness of the project application	20			
	Project scope	5		5	
	Project costings	5		5	
	Photos	5		5	
	Greater than \$ for \$ contribution	5		5	
	Sub Total			20	
	TOTAL			49	ADJUSTED TOTAL
Funding	Access the funding requested				
	Total Project cost	\$	\$ 33,088		
	Requested amount	\$	\$ 15,000		
	Applicant contribution	\$	\$ 18,088		
	Recommended amount	\$	\$ 4,750		Equates to 15% of total project cost
Assessors summary comments THIS BUILDING IS LOCATED IN THE MAINSTREET AND THE HERITAGE CONSERVATION AREA, WITH AIM TO UPGRADE THE BUILDING FACADE AND REPAINT IN NEW COLOUR SCHEME DA SUBMITTED AND APPROVAL REQUIRED					
Name HOEL THOMSON ERO HERITAGE ADVISOR		Date 15 JULY 2020			
If approved, any special project funding conditions (to be added to the Funding Agreement) eg Heritage Specialist required for this project eg To confirm paint colour scheme before proceeding eg Approvals required (Local Government / Heritage Act)					



Project Name		Score	Assessor	Specialist	Comments
Innovation & Leadership	Leads to positive change in community heritage attitudes and actions	5		5	
Capacity & Commitment	Time, financial & management skills	2		2	
	Complete within funding timeframe	2		2	
	Sub Total			13	
Project	Assess the quality and completeness of the project application	20			
	Project scope	5		5	Assumes NO painting
	Project costings	5		4	
	Photos	5		5	
	Greater than \$ for \$ contribution	5		5	
	Sub Total			19	
	TOTAL			69	ADJUSTED TOTAL
Funding	Access the funding requested				
	Total Project cost	\$	\$ 3,000		← COSTING quite low for scope
	Requested amount	\$	\$ 1,500		
	Applicant contribution	\$	\$ 1,500		
	Recommended amount	\$	\$ 1,500		Equates to 50% of total project cost.
Assessors summary comments THE FACADE REPAIRS AND REPAINTING TO THE 'FORMER' HERITAGE LISTED "BURLIFIELD'S GARAGE" WILL RESCUE THIS BUILDING AND HAVE GREAT IMPACT ON THE STREETSCAPE.					
Name NOEL THOMSON ERL HERITAGE ADVISOR		Date 15 JULY 2022			
If approved, any special project funding conditions (to be added to the Funding Agreement) eg Heritage Specialist required for this project eg To confirm paint colour scheme before proceeding eg Approvals required (Local Government / Heritage Act)					
WORKS TO BE UNDERTAKEN / APPROVED AS "MINOR WORKS" AS PER LEP CLAUSE 5.10(3)					



**EDWARD RIVER COUNCIL
LOCAL HERITAGE FUND
ASSESSMENT FORM 2022-2023**

Project Name		RESTORATION OF FACADE AT BURCHFIELD'S GARAGE 112 END ST, DENILIQUIN		Project No.		2022-23/2	
		Score 100	Assessor	Specialist	Comments		
My Project is for	Assess the heritage listing for the proposed project application	35					
	SHR Heritage listed item/s	12		—			
	LEP Heritage listed item/s	10		10	Heritage Item 120		
	Item/s in Heritage Conservation Area	8		—	"Burchfield's Garage"		
	Significant item	5		5			
		Sub Total		15			
Priorities	Assess the project against your Council's local heritage fund priorities for this funding round	25					
Priority 1	Properties that are LEP listed heritage items identified as having heritage significance—	12		12			
Priority 2	Commercial properties within the Heritage Conservation Area identified as having heritage significance— a) Repair of original features and/or b) Painting in period colour and styles	8		—			
Priority 3	Buildings outside the Heritage Conservation Area that are identified by Council's Heritage Advisor as significant Heritage items whether listed in Council's LEPs or not: a) Painting in period colours b) Repair/restoration of heritage features c) Restoration of period front fences	5		5			
		Sub Total		17			
Common Selection Criteria	Assess the project against ALL of these criteria	20					
Sustainable long term benefits	Has a long term plan in place to manage heritage item/s	6		4			
Public benefit & enjoyment	Increase opportunities for learning about, access & enjoyment	5		5			



**EDWARD RIVER COUNCIL
LOCAL HERITAGE FUND
ASSESSMENT FORM 2022-2023**

Project Name		CONSTRUCTION OF NEW VERANDAH TO MAIN STREET BUILDING, 135 END ST, DENILIQUIN		Project No.		2022-23/3	
		Score 100	Assessor	Specialist	Comments		
My Project is for	Assess the heritage listing for the proposed project application	35					
	SHR Heritage listed item/s	12		-			
	LEP Heritage listed item/s	10		-			
	Item/s in Heritage Conservation Area	8		8			
	Significant item	5		-			
		Sub Total		8			
Priorities	Assess the project against your Council's local heritage fund priorities for this funding round	25					
Priority 1	Properties that are LEP listed heritage items identified as having heritage significance-	12		-			
Priority 2	Commercial properties within the Heritage Conservation Area identified as having heritage significance- a) Repair of original features and/or b) Painting in period colour and styles	8		8			
Priority 3	Buildings outside the Heritage Conservation Area that are identified by Council's Heritage Advisor as significant Heritage items whether listed in Council's LEPs or not: a) Painting in period colours b) Repair/restoration of heritage features c) Restoration of period front fences	5		-			
		Sub Total		8			
Common Selection Criteria	Assess the project against ALL of these criteria	20					
Sustainable long term benefits	Has a long term plan in place to manage heritage item/s	6		3			
Public benefit & enjoyment	Increase opportunities for learning about, access & enjoyment	5		3			



Project Name		Score	Assessor	Specialist	Comments
Innovation & Leadership	Leads to positive change in community heritage attitudes and actions	5		3	
Capacity & Commitment	Time, financial & management skills	2		2	
	Complete within funding timeframe	2		2	
	Sub Total			13	
Project	Assess the quality and completeness of the project application	20			
	Project scope	5		2	
	Project costings	5		3	
	Photos	5		5	
	Greater than \$ for \$ contribution	5		5	
	Sub Total			16	
	TOTAL			45	ADJUSTED TOTAL
Funding	Access the funding requested				
	Total Project cost	\$	\$ 20,942		
	Requested amount	\$	\$ 10,000		
	Applicant contribution	\$	\$ 10,942		
	Recommended amount	\$	\$ 4,000		equates to 19% of total project cost
Assessors summary comments THIS MATH STREET BUILDING IS LOCATED WITHIN THE DENILQUIN HERITAGE CONSERVATION AREA AND NEW VERANDAH (SKILLION TO OTHER VERANDAH) IS APPROPRIATE.					
Name NOEL THOMSON ERO HERITAGE ADVISOR		Date 15 JULY 2022			
If approved, any special project funding conditions (to be added to the Funding Agreement) eg Heritage Specialist required for this project eg To confirm paint colour scheme before proceeding eg Approvals required (Local Government / Heritage Act)					
VERANDAH DESIGN + DOCUMENTATION REQUIRED TO BE SUBMITTED FOR DA AND APPROVAL RECEIVED PRIOR TO WORKS COMMENCING ON SITE					



**EDWARD RIVER COUNCIL
LOCAL HERITAGE FUND
ASSESSMENT FORM 2022-2023**

Project Name REPAIRS + REPAINTING TO MAIN STREET BUILDING 226 - 230 CRESSY ST, DENILIQUIN		Project No. 2022-23/4			
		Score 100	Assessor	Specialist	Comments
My Project is for	Assess the heritage listing for the proposed project application	35			
	SHR Heritage listed item/s	12		-	
	LEP Heritage listed item/s	10		10	J12 "SHOPS" 226 Cressy St
	Item/s in Heritage Conservation Area	8		8	
	Significant item	5		5	
		Sub Total		23	
Priorities	Assess the project against your Council's local heritage fund priorities for this funding round	25			
Priority 1	Properties that are LEP listed heritage items identified as having heritage significance-	12		12	
Priority 2	Commercial properties within the Heritage Conservation Area identified as having heritage significance- a) Repair of original features and/or b) Painting in period colour and styles	8		8	
Priority 3	Buildings outside the Heritage Conservation Area that are identified by Council's Heritage Advisor as significant Heritage items whether listed in Council's LEPs or not: a) Painting in period colours b) Repair/restoration of heritage features c) Restoration of period front fences	5			
		Sub Total		20	
Common Selection Criteria	Assess the project against ALL of these criteria	20			
Sustainable long term benefits	Has a long term plan in place to manage heritage item/s	6		5	
Public benefit & enjoyment	Increase opportunities for learning about, access & enjoyment	5		5	



Project Name		Score	Assessor	Specialist	Comments
Innovation & Leadership	Leads to positive change in community heritage attitudes and actions	5		5	
Capacity & Commitment	Time, financial & management skills	2		2	
	Complete within funding timeframe	2		2	
	Sub Total			19	
Project	Assess the quality and completeness of the project application	20			
	Project scope	5		5	
	Project costings	5		5	
	Photos	5		5	
	Greater than \$ for \$ contribution	5		5	
	Sub Total			20	
	TOTAL			39	ADJUSTED TOTAL
Funding	Access the funding requested				
	Total Project cost	\$	\$10,630		
	Requested amount	\$	\$5,230		
	Applicant contribution	\$	\$5,400		
	Recommended amount	\$	\$5,250		Equates to 50% of total project cost.
Assessors summary comments THE FACADE REPAINTING TO THE HERITAGE LISTED "SHOPS" - PASTORAL TIMES BUILDING WILL PROVIDE STREETSCAPE IMPROVEMENT TO THIS IMPORTANT CORNER BUILDING					
Name NOEL THOMSON ERC HERITAGE ADVISOR		Date 15 JULY 2022			
If approved, any special project funding conditions (to be added to the Funding Agreement) eg Heritage Specialist required for this project eg To confirm paint colour scheme before proceeding eg Approvals required (Local Government / Heritage Act)					
WORKS TO BE UNDERTAKEN TO HERITAGE ADVISOR APPROVAL AND WITH "MINOR WORKS" COUNCIL APPROVAL AS PER LEP CLAUSE 5.10 (3)					

12.8. DA 39/21 - INSTALLATION OF CULVERTS AND DE-SILTING - 625 HENRY STREET

Author: Eliza Eastman, Planner

Authoriser: Marie Sutton, Manager Development Services

DIVISION

In accordance with section 375A of the Local Government Act 1993, it is necessary for Council to call a division when voting of any resolution relating to a relevant planning application.

RECOMMENDATION

That Council resolves to: -

1. APPROVE the development application DA39/22 for the installation of 2 culverts and de-silting, on Lot 21, 22 & 23 DP 858765, 619, 623 & 625 Henry Street, Deniliquin & Lot 7012 DP 1023923 (Crown Land) - Henry Street Road Reserve as shown on the plans submitted and described in details accompanying the Development Application, in accordance with section 4.16 of the Environmental Planning and Assessment Act 1979 and subject to the following reasons:
 - a. The application generally complied with the applicable planning controls and has demonstrated to have a satisfactory effect on the environment.
 - b. The proposal is appropriate on the site given the existing character of the area.
 - c. The development will have no significant adverse impacts on the natural or built environments.
2. Impose conditions as shown in Attachment 1


BACKGROUND

Development application 39/22 (DA39/22) was lodged by Council on 29 April 2022. The DA relates to Lot 21, 22 & 23 DP 858765 - 619, 623 & 625 Henry Street, Deniliquin and Lot 7012 DP 1023923 (Crown Land) - Henry Street Road Reserve. Figure 1 shows the location of the subject site.



Figure 1 Location of subject site

The subject allotments are long irregular shaped lots which have frontage to Henry Street and back onto the Edward River. 619, 623 & 625 Henry Street have existing dwellings on the high ground



abutting Henry Street. The balance of the land is flood prone and heavily vegetated and includes a backwater or anabranch of the Edward River. The Henry Street Road Reserve is a fenced extension of Henry Street running to the Edward River with an unmanaged 'track' used for walking only. The subject backwater or anabranch of the Edward River runs below the existing dwellings and underneath the track in the Henry Street road reserve. There is currently very poor water flow through the anabranch which causes the water body to become stagnant with little oxygen resulting in algae blooms.

The proposed development includes the installation of 2 new fish friendly culverts, replacing existing small pipes, and undertaking some desilting to remove the build-up of silt within the waterway. The aim of these works is to improve the flow through the anabranch and overall river health. The works have come about as the collective group of property owners were successful in a grant application through the Murray-Darling Healthy Rivers Program, aims of the program being:

- improve the health & ecological conditions of rivers & wetlands in the Murray-Darling basin; and
- improve community involvement in restoring the environmental health of the Murray-Darling Basin.

Attachment 1 shows the plans of the proposed development, the DA and statement of environmental effects.

The DA was exhibited for a period of 28 days and no submissions were received.

The DA is being reported to Council because one of the culverts are proposed to be located in the Henry Street Road reserve which is Crown Land managed by Council.

Note: Department of Planning, Industry & Environment – Crown Lands provided land owner consent to the lodgement of the application, subject to conditions which will be included on any consent granted.


INTERNAL REFERRALS

Infrastructure - no objection.

EXTERNAL REFERRALS

Department of Primary Industries (Fisheries) - the DA was required to be referred to DPI Fisheries as integrated development under the *Fisheries Management Act*. Further information was requested by this approval body requesting further details of the proposed work. A site meeting was subsequently arranged with property owners, Councils town planner and a representative from DPI Fisheries in attendance. Amended plans were submitted as a result of the site meeting reducing the extent and clarifying the location of the de-silting works. DPI Fisheries were satisfied with the amended plans and have no objection to Council granting development consent stating "*DPI Fisheries notes that the application has been amended to significantly reduce the area to be desilted, and that desilting will now take place at two locations within the site (20 metres adjacent to the Lot 21 access crossing and where the anabranch meets the Edward River to a depth of 300mm, totalling 80-100m³ of sediment to be removed)*". General Terms of Approval (GTAs) were provided which will be included in the conditions of any consent granted.

Department of Planning and Environment (Water) - the DA was also required to be referred to DPE (Water) as integrated development under the *Water Management Act*. Further information was also requested regarding the extent of silt removal proposed. Whilst DPE (Water) were unable to attend the site meeting they were satisfied with the outcome and amended plans submitted. Subsequently



DPE (Water) have also issued General Terms of Approval (GTAs) which will be included in the conditions of any consent granted.

Transport for NSW - no objection

STRATEGIC IMPLICATIONS

N/A

COMMUNITY STRATEGIC PLAN

N/A

FINANCIAL IMPLICATIONS

N/A

LEGISLATIVE IMPLICATIONS

The following assessment of the Development Application is in accordance with section 4.15 of the *Environmental Planning and Assessment Act 1979*.

Provisions of Environmental Planning Instruments (s4.15(1)(a)(i))

Deniliquin Local Environmental Plan 2013 (DLEP 2013)

The subject site is zoned R1 - Residential and RE1 - Public Recreation (Henry Street road reserve) under the DLEP 2013 and the proposed development for culverts and de-silting is defined as 'bed and bank works'. The use is permissible with development consent in the zone.

The following clauses of the DLEP 2013 apply:

Clause	Control	Response
6.1	<p>Earthworks</p> <p>Before granting consent for earthworks (or development involving ancillary earthworks), the consent authority must consider the following:</p> <ul style="list-style-type: none"> • Likely disruption of, and any detrimental effect on, drainage patterns and soil stability in the locality of the development; • The effect of the development on the likely future use or redevelopment of land; • The quality of the fill of the soil to be excavated, or both; • The effect of the development on the 	<p>Considered satisfactory - the installation of 2 new culverts and de-silting will require earthworks defined as bed and bank works in this instance. The applicant was required to provide details to DPI Fisheries and DPE Water regarding mitigating measures to protect riparian and aquatic habitats and environmental safeguards including sediment and erosion controls. These were considered to be satisfactory.</p>



Clause	Control	Response
<p>EDWARD RIVER COUNCIL</p>	<p>existing and likely amenity of adjoining properties;</p> <ul style="list-style-type: none"> • The source of any fill material and the destination of any excavated material; • The likelihood of disturbing relics; • The proximity to, and potential for adverse impacts on, any waterway, drinking water catchment or environmentally sensitive area; and • Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. 	
<p>6.3</p>	<p>Terrestrial Biodiversity</p> <p>The clause applies to land identified as biodiversity on the Terrestrial Biodiversity Map. The subject is has been identified on this map. The consent authority must consider before determining a DA:</p> <ul style="list-style-type: none"> • Whether the development is likely to have any adverse impact on the condition, ecological value and significance of the fauna and flora on the land; • Whether the development is likely to have any adverse impact on the importance of the vegetation on the land to the habitat and survival of native fauna; • Whether the development is likely to have any 	<p>Considered satisfactory - the proposed development will not impact existing vegetation. The application includes mitigating measures to protect habitats as discussed above.</p>



Clause	Control	Response
<p>EDWARD RIVER COUNCIL</p>	<p>potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land;</p> <ul style="list-style-type: none"> • Whether the development is likely to have any adverse impact on the habitat elements providing connectivity on the land; • Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. <p>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> • The development is designed, sited and will be managed to avoid any significant adverse environmental impact; • If that impact cannot be reasonably avoided by adopting feasible alternatives – the development is designed, sited and will be managed to minimise that impact; or • If that impact cannot be minimised – the development will be managed to mitigate that impact. 	
6.4	<p>Riparian Land and Watercourses</p> <p>This clause applies to land identified as 'Riparian Land and Watercourse Map and all land that is within 40m of the top of</p>	<p>Considered satisfactory - the aim of the development is to improve flows within the anabranch providing a positive impact to riverine health. Having consideration to the referral responses from DPI Fisheries and NRAR Water it is</p>



Clause	Control	Response
EDWARD RIVER COUNCIL	<p>the bank of each watercourse identified on the Map.</p> <p>Before determining a DA for development on land that this clause applies, the consent authority must consider:</p> <ul style="list-style-type: none">• Whether or not the development is likely to have any adverse impact on the water quality and flows within the watercourse, aquatic and riparian species, habitats and ecosystems of the watercourse, the stability of the bed and banks of the watercourse, the free passage of fish and other aquatic organisms within or along the watercourse and any future rehabilitation of the watercourse and riparian areas;• Whether or not the development is likely to increase water extraction from the watercourse; and• Any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development. <p>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <ul style="list-style-type: none">• The development is designed, sited and will be managed to avoid any significant adverse environmental impact;• If that impact cannot be reasonably avoided – the	<p>considered the development will avoid any significant adverse environmental impact.</p>



Clause	Control	Response
EDWARD RIVER COUNCIL	<p>development is designed, sited and will be managed to minimise that impact; or</p> <ul style="list-style-type: none"> If that impact cannot be minimised – the development will be managed to mitigate that impact. 	

State Environmental Planning Policy (Infrastructure)

Not applicable

State Environmental Planning Policy 55 Remediation of Land (SEPP 55)

Not applicable

Murray Regional Environmental Plan

Council must consider the following planning principles when assessing a development application pursuant to State Environmental Planning Policy (Biodiversity and Conservation) 2021.

Planning Principle	Response
Access	The proposed development does not impact on public access to the river.
Bank disturbance	Considered satisfactory - having consideration to the referral responses from DPI Fisheries and NRAR Water
Flooding	nil impact
Land degradation	Considered satisfactory - having consideration to the referral responses from DPI Fisheries and NRAR Water
Landscape	Considered satisfactory - having consideration to the referral responses from DPI Fisheries and NRAR Water
River related uses	No applicable.
Settlement	Not applicable.
Water quality	The development aims to improve the water quality of the anabranch
Wetlands	Not applicable.

Provisions of any draft Environmental Planning Instrument (s4.15(a)(ii))

Not applicable.



Provisions of any Development Control Plan (s4.15(a)(iii))

Edward River
Council

The following provisions of the DCP 2016 apply to this development:

Clause	Requirements	Comments
		<i>Chapter 1 Notification</i>
1.11 Notification	DA exhibition required for DAs where Council is the applicant, landowner or are in care and control of the land in question.	The application was notified for 28 days, no submissions were received
		<i>Chapter 2 Residential Zones</i>
2.1.11 Impacts on Surrounding land	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.	Considered satisfactory
	2. The hours of operation for a proposed development must not unduly impact the amenity of residential properties.	not applicable
	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.	not applicable
		<i>Chapter 6 Recreation Zones</i>
6.7 Impacts on surrounding land	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.	Considered satisfactory
	2. The hours of operation for a proposed development must not significantly impact the amenity of neighbouring residential areas.	not applicable
	3. Where a proposed development is likely to increase the amount of	not applicable



Clause	Requirements	Comments
EDWARD RIVER COUNCIL	stormwater runoff from the site, the development must be carried out in accordance with Council's Development Manual.	
		<i>Chapter 10 Hazards</i>
10.1 Bushfire prone land	Development on land that is mapped as being bush fire prone must satisfy the requirements of Planning for Bush Fire Protection.	The subject land is identified as Bushfire Prone Land, however this development will have no impact on bushfire protection requirements.
10.3 Flood liable land	Controls for development on flood liable land are listed in Table 10-1.	Not applicable to this type of development.

Provisions of any Planning Agreement or Draft Planning Agreement (s4.15(a)(iia))

Not applicable.

Prescribed Matters in the Regulation (s4.15(a)(iv))

Not applicable

Likely Impacts of that Development (s4.15(b))

See previous comments on impacts to riparian land.

Suitability of Site for Development (s4.15(c))

The site is considered suitable for the proposed development.

Submissions (s4.15(d))

The application was notified for a period of 28 days, no submissions were received.

The Public Interest (s4.15(e))

Not applicable

Political Donations and Gifts Disclosure

The Applicant has advised that they reportable political donations to a Councillor and/or any gift to a Councillor or Council employees within a two (2) year period before the date of the application being submitted.

ATTACHMENTS

1. Conditions
2. Plans
3. Statement of Environmental Effects

Attachment 1 - Conditions of Consent

Conditions of Consent – DA 39/22

1 DEVELOPMENT GENERAL

1.1 DEVELOPMENT AS PER PLANS

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. 39/22 and the conditions of consent.

1.2 NO LIABILITY FOR FLOODING

The land may be subject to flooding and the development has been assessed using best available information concerning the likelihood of flooding at the date of determination. If the land is flooded, Council will not, pursuant to Section 733 of the Local Government Act 1993, incur any liability in respect of the granting of this consent.

1.3 FLOOD CONSTRUCTION

The culverts must be designed and constructed in such a manner and of such materials as to minimise the likelihood of damage to the building in the event of flooding.

1.4 EROSION AND SEDIMENT CONTROL

Prior to the commencement of works erosion and sediment control measures are to be established and maintained to prevent silt and sediment escaping the site or producing erosion. This work must be carried out and maintained in accordance with Council's:-

- a) Development Control Plan 2016
- b) Erosion and Sediment Control Guidelines for Building Sites;

Note: All erosion and sediment control measures must be in place prior to earthworks commencing.

1.5 SECTION 138 ROADS ACT APPROVAL

Prior to works or activities commencing within the Henry Street road reserve, approval under Section 138 of the Roads Act 1993 is required from Council.

The applicant is required to submit and have approved a Road opening permit application. All works shall be carried out in accordance with the approved details.

1.6 TREE PROTECTION

The existing vegetation within the property of the proposed development shall be protected from all construction works.

All care must be taken to protect existing trees to be retained from damage, including street trees and trees located adjacent to the proposed development.



1.7 UPGRADE COUNCIL INFRASTRUCTURE

Any upgrades or alterations to existing Council infrastructure required as a result of the development shall be at the full cost of the applicant. Contact Council to confirm what approval is required prior to commencing work on any Council infrastructure. Such work includes (but is not limited to) upgrade or connection to sewer or stormwater mains, and alteration of stormwater pits and sewer manhole levels.

1.8 ABORIGINAL FINDINGS

If any Aboriginal object is discovered and/or harmed in, on or under the land, all work must cease immediately and the area secured so as to avoid further harm to the Aboriginal object. The Office of Environment and Heritage shall be notified as soon as practicable on 131 555, providing any details of the Aboriginal object and its location, and no work shall recommence at the particular location unless authorised in writing by Office of Environment and Heritage.

2 NSW Department of Planning, Industry & Environment – Crown Lands

- 2.1** Landowner Consent will expire after a period of 12 months from the 19 April 2022 if not acted on within that time. Extensions of this consent may be sought
- 2.2** The applicant is required to forward a copy of the DA approval to the NSW Department of Planning, Industry & Environment – Crown Lands (“the Department”) after approval and prior to commencing works.
- 2.3** The applicant is required to ensure that the approval provided is consistent with this Landowner Consent.
- 2.4** The Landowner Consent is provided for the works detailed on the plans provided to NSW Department of Planning, Industry & Environment – Crown Lands and retained by the Department in file 22/02131.

Advice

Maintenance of the asset

As Edward River Council is the Crown Land Manager of Lot 7012 DP 1023923 the maintenance and repair of any infrastructure related to the development on the Crown land will be the responsibility of council. The maintenance and repair of the remainder of the infrastructure that is to occur on freehold land will be the responsibility of the individual landholders.

Native Title

During the assessment of your proposal it was noted that native title has not been extinguished on the subject land and that the proposal may require notification under the Native Title Act in order to afford any claimants or potential claimants procedural rights.

3 Department of Planning and Environment—Water: General Terms of Approval (GTA)



- 3.1** Before commencing any proposed controlled activity on waterfront land, an application must be submitted to Department of Planning and Environment—Water, and obtained, for a controlled activity approval under the Water Management Act 2000.
- 3.2** **A.** This General Terms of Approval (GTA) only applies to the proposed controlled activity described in the plans and associated documents found in Schedule 1, relating to Development Application DA39/22 provided by Council to Department of Planning and Environment—Water.
- B.** Any amendments or modifications to the proposed controlled activity may render the GTA invalid. If the proposed controlled activity is amended or modified, Department of Planning and Environment—Water, must be notified in writing to determine if any variations to the GTA will be required.
- 3.3** **A.** The application for a controlled activity approval must include the following plan(s):
- i. Site plans indicating the demarcation of waterfront land, designated riparian corridors, and identifying any areas of encroachments and offsets
 - ii. Detailed civil construction plans;
 - iii. Construction streamworks plans;
 - iv. Construction watercourse crossing design plans;
 - v. Erosion and sediment control plans;
- B.** The plan(s) must be prepared in accordance with Department of Planning and Environment—Water's guidelines located on the website <https://www.nrar.nsw.gov.au/how-to-apply/controlled-activities/guidelines-for-controlled-activities>

4 Department of Primary Industries (Fisheries): General Terms of Approval (GTA)

- 4.1** The applicant is required to obtain a permit under the Fisheries Management Act or the Water Management Act prior to any excavation within or filling of the waterway.
- 4.2** If any ground disturbance is to take place, erosion and sediment mitigation devices are to be erected in a manner consistent with currently accepted Best Management Practice (i.e. Managing PO Box 11 Freshwater Environment Branch Jindabyne NSW 2627 NSW DPI Fisheries regional.nsw.gov.au 2 Urban Stormwater: Soils and Construction 4th Edition Landcom, 2004) to prevent the entry of sediment into the waterway prior to any earthworks being undertaken. These are to be maintained in good working order for the whole duration of the works and subsequently until the site has been stabilised and the risk of erosion and sediment movement from the site is minimal. Exposed soil is to be reseeded or turfed.
- Reason – To ensure that sediment generated by the exposure of soil is not transported into the main water body.
- 4.3** On completion of the works, the site is to be rehabilitated and stabilised. Surplus construction materials and temporary structures (other than silt fences and other erosion and sediment



control devices) installed during the course of the works are to be removed. All dredged silt material is to be removed from site.

Reason – To ensure that habitats are restored as quickly as possible, public safety is not compromised and aesthetic values are not degraded.

4.4 Machinery is not to enter, or work from the waterway unnecessarily.

Reason – To ensure minimal risk of water pollution from oil or petroleum products and to minimise disturbance to the streambed substrate.

4.5 No snags (tree trunks, root balls, limbs, branches or other woody debris) in the water or on the bank are to be moved, removed or otherwise interfered with either during the construction phase or at any time subsequently, without the concurrence of Department of Primary Industries Fisheries.

Reason - "Removal of Large Woody Debris" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.

4.6 Only clean rock (no fines) of appropriate size is to be used in construction of authorised works.

Reason – To avoid fines, clay and other sediment unnecessarily entering the waterway and potentially impacting on aquatic habitats.

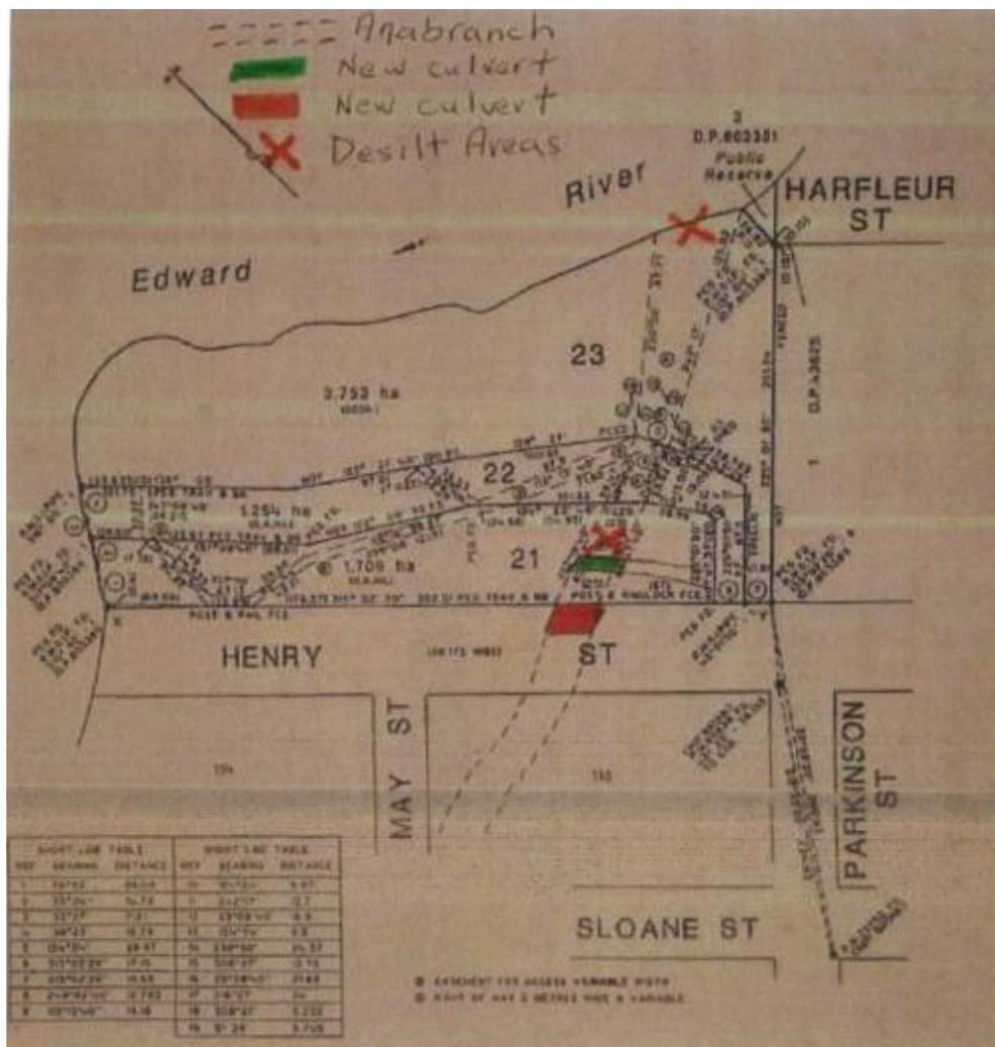
4.7 Native vegetation (including trees shrubs, reeds and grasses) on or adjacent to the bank is not to be cleared, modified or otherwise harmed at any time during the construction or at any time subsequently. This does not include control of noxious or other recognised weeds.

Reason – "Decline in native riparian vegetation" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.

4.8 NSW Department of Primary Industries Fisheries is to be notified immediately if any fish kills occur in the vicinity of the works. In such a case all works are to cease until the issue is rectified and approval is given to proceed.

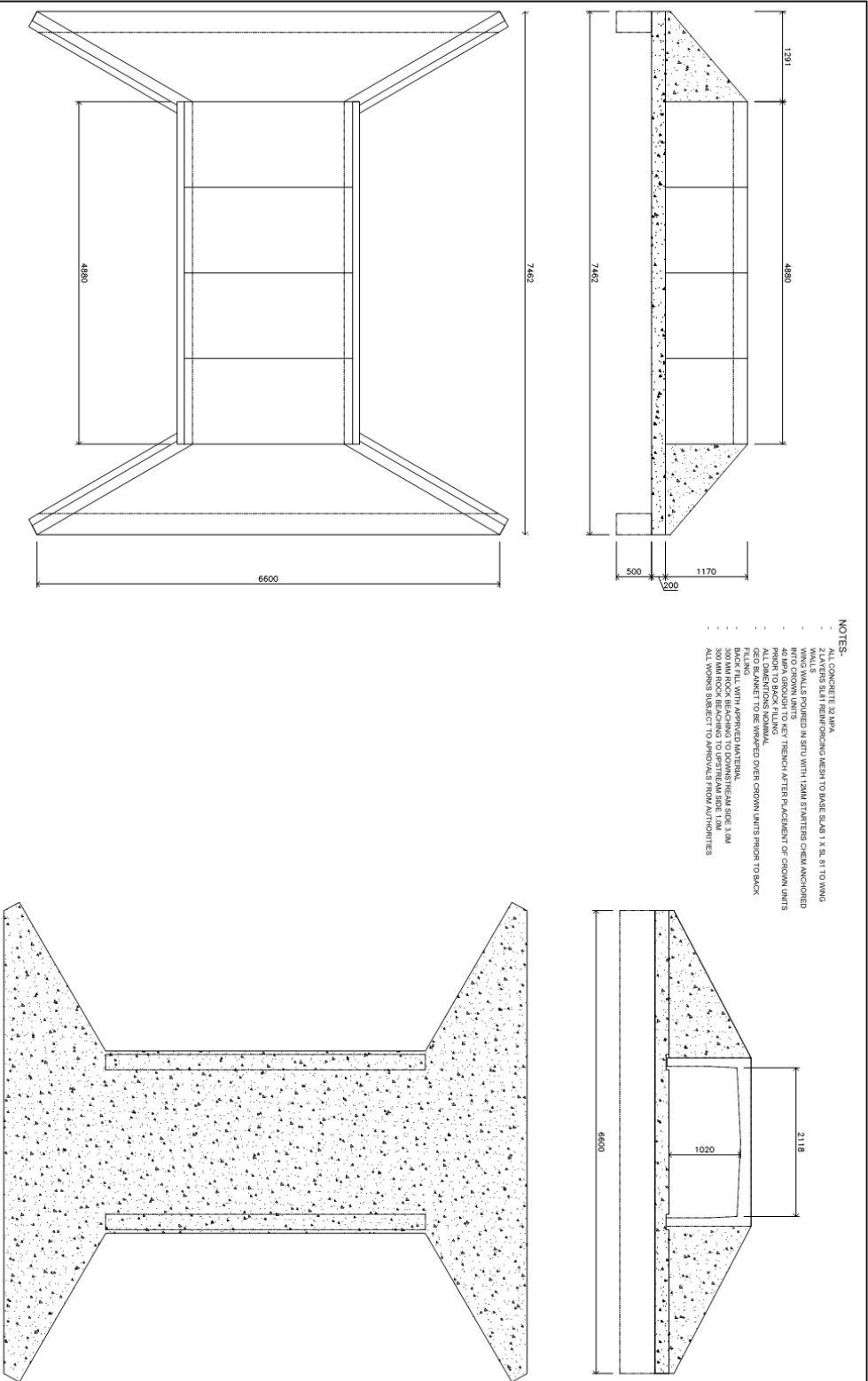
Reason – Department of Primary Industries Fisheries needs to be aware of fish kills so that it can assess the cause and mitigate further incidents in consultation with relevant authorities. They are also potentially contentious incidents from the public perspective. Work practices may need to be modified to reduce the impacts upon the aquatic environment.

Attachment 2 - Plans





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This document may only be used for the project described herein and is not to be reproduced or distributed in any manner without the written consent of PHYS TREMBLE CONCRETE & ENGINEERING.		Reference Plans		Drawn: RT		Designed: RT		Project: BACK WATER CULVERT CROSSINGS		Sheet: HENRY STREET	
307 Valley Road Darien, NSW 2110		Reference Plans		Date: 22/03/21		Checked: RT		Title: CONCEPT DESIGN FOR CULVERT CROSSINGS		Drawing No: - TIG0001	
PHYS TREMBLE CONCRETE & ENGINEERING JAN 91 511 811 811 RUE 101 101 101 101		Reference Plans		File:		Conf File No.:		A3		Sheet 1	
307 Valley Road Darien, NSW 2110		Reference Plans		Date: 22/03/21		Checked: RT		Title: CONCEPT DESIGN FOR CULVERT CROSSINGS		Drawing No: - TIG0001	
PHYS TREMBLE CONCRETE & ENGINEERING JAN 91 511 811 811 RUE 101 101 101 101		Reference Plans		File:		Conf File No.:		A3		Sheet 1	



Attachment 3 - Statement of Environmental Effects



FORM 7

Statement of Environmental Effects for Minor Impact Developments

IMPORTANT INFORMATION

In accordance with Schedule 1 of the Environmental Planning and Assessment Regulation 2000 a development application must be accompanied by a Statement of Environmental Effects.

QUALIFIER

This Statement of Environmental Effects template has been produced to assist applicants identify the environmental impacts of a development and the steps to be taken to protect the environment or lessen expected harm. The template is suitable for minor impact development. It may be necessary for Council to request additional information depending on the nature of the impacts of a proposal. Larger scale developments should be accompanied by a detailed and specific Statement of Environmental Effects.

1. Applicant Details

Applicant Name	IC & DA Macknight, PP & EM Whykes, PJ Hetherington		
Postal Address <i>Your reply will be posted to this address</i>	Po Box 166 Deniliquin NSW 2710		
Phone	0409 608 045	Email	ianmack1973@gmail.com

2. Property Details (of the site to be developed)

Street Number	619 (lot 23), 623 (lot 22), 625 (lot 21)	Street	Henry Street
Town	Deniliquin NSW 2710	Site Area m ²	3.859 (lot 23), 1.254 (lot 22), 1.70 (lot 21) 0.769 (lot 7012) Ha
Lot/DPs numbers	Lot 21, 22, 23 DP 858765; 7012/1023923 (State of NSW)		

3. Proposal details

Describe your proposal in detail, including:

- the physical description of building and any proposed buildings
- dimensions of building including height, proposed materials, nominated colour scheme, nature of use
- signage, disabled access and facilities, driveway access points, parking

We are a group of 3 households living on the Edward River in Deniliquin. Our properties are bordered by an anabranch off the Edward, with access to a natural island habitat which we all care for, protect and maintain. Currently access to the island is via three dirt paths, two of which have small pipes underneath aimed to allow continual flow. Due to the size of the pipes, natural flow has been reduced and we have noticed an increase of carp and sediment.

Our aim is to install two new fish-friendly culverts replacing the existing small pipes and remove the built-up silt within the waterway. Replacing the pipes will increase the quality of the area available for fish and other aquatic creatures e.g. platypus, restore and improve water flow and increase habitat. The removal of the built-up silt will allow the natural flow of the Edward River and improve the waterway whilst reducing carp breeding. It is our hope this small project will restore life to the anabranch, returning native threatened species such as catfish etc

This project would address the key issues threatening processes by:

- Restoring connectivity and fish passage through fish-friendly culverts that allow natural flows to pass unimpeded.
- Removal of excess sediment that has built up over the years due to inadequate flow and connectivity.
- Reduce opportunities for carp breeding due to flowing environment being restored which hinders carp breeding, who like slow pooled warm water for breeding - Recover native aquatic vegetation that is lacking and currently destroyed by carp.

We have received funding from the Department of Agriculture, Water and the Environment under the Murray-Darling Healthy Rivers Program Small Grants (Round 1) – 4-GE5T379 for the amount of \$50,000 which is held in trust until the project is completed.



4. Site details	
What is the area of the site?	7.58 HA
What is the land zone?	R5 Large Lot Residential
Describe the site - Provide information on physical features of the site such as shape, slope, vegetation, waterways, access, existing services/infrastructure	
The site currently consists of two small 300 mm pipes laid beneath Henry Street (Site 1) and Lot 21 access road to the river (Site 2). Site one is a 5.8-metre-wide sloping access which is an earthen corridor and has a concrete pipe. Site 2 is a private road access which is slightly sloping and is 4 metres wide.	
Describe the use of lands adjoining the site. Will the proposal impact on adjoining property? Consider issues such as noise, privacy, overland flows of storm water and other amenity impacts.	
The adjoining site is owned by private landholders and site 1 is the available pedestrian access to the Edward River. The proposed upgrade to the culverts will benefit not only directly neighbours but also the adjoining landholders and will benefit a total group of 10 surrounding landholders.	

5. Present and Previous Uses	
What is the present use of the site and when did this use commence? Did this use receive development consent?	
The current use is access to the Edward River and it has been there for a number of years. Not aware any development consent was needed.	
List the previous use(s) of the site	
NIL	
Are you relying on existing use rights?	Yes
Have any potentially contaminating activities been undertaken on the property?	No
If yes, please identify:	

6. Existing Structures	
List existing structures on the land	
2 x 300 mm concrete pipes. The proposed plan will be to install the new culverts while leaving the existing structures in place.	
List any structures to be demolished as part of the proposal	
NIL	

7. Subdivision	
Do you propose to subdivide?	No
How many existing lots?	
How many proposed lots?	



8. Planning Policies / Controls

Does the proposal <u>seek a variation</u> to the provisions contained in the following controls?	Yes	No	N/A
Deniliquin LEP 2013		No	
Conargo LEP 2013		No	
Deniliquin DCP 2016		No	
Other relevant SEPP / EPI Standards		No	

9. Context and Setting

	Yes	No	N/A
Will the Development be visually prominent in the surrounding area?		No	
Will the Development be consistent with the existing streetscape or Council Policy?	Yes		
Will the development be out of character with the surrounding area?		No	
Comment			

10. Access and Traffic

	Yes	No	N/A
Is legal and practical access available to the site?	Yes		
Are additional access points to road network required?		No	
Has vehicle manoeuvring and onsite parking been addressed in the design?			N/A
Will the development increase local traffic movements/volumes?		No	
If yes, please specify how much:			

11. Utilities and Services

Water supply - Please provide details of existing and any proposed arrangements

Not required

Sewer - Please provide details of existing and any proposed arrangements

Not required

Storm Water connection / disposal - Please provide details of existing and any proposed arrangements

Not required

Septic Tank / Effluent disposal - Please provide details of existing and any proposed arrangements

Not required

Other



12. Threatened Species and Biodiversity Considerations

Is the land identified as a critical habitat or as part of a critical habitat?

No

If yes, you need to submit a Species Impact Statement to accompany your application

Is the development likely to significantly affect threatened species populations or ecological communities or their habitat?

No

If yes, you need to submit a Species Impact Statement to accompany your application

Does the proposal include land clearing of native vegetation?

No

If no, proceed to Section 13

Does your proposal require land clearing of vegetation within an area identified on the Biodiversity Values Map as defined under the Biodiversity Conservation Regulation 2017?

Does your proposal exceed the Biodiversity Offset Scheme Thresholds in accordance with part 7.4 of the Biodiversity Conservation Act 2016?

If yes to EITHER of the above 2 questions, please attach a Biodiversity Development Assessment Report (BDAR) in accordance with part 6.12 of the Biodiversity Conservation Act 2016

If no to BOTH of the above 2 questions, please attach a "test of significance" also known as the 5 part test, in accordance with section 7.3 of the Biodiversity Conservation Act 2016

13. Environmental Impacts

Is your proposal likely to result in air, noise or water pollution? (Including during construction works)

Yes

If yes, please describe the source of pollution and what measures will be implemented to control pollution

Air (Dust, Odour)

Possible dust rising from the use of an excavator

Noise

Possible noise during the installation of the culverts.

Water

No

Is the development likely to result in any form of sediment run-off?

No

If yes, please describe what erosion prevention and sediment control measures you propose to implement

Is the land flood prone?

Yes

If yes, describe the proposed finished floor levels of habitable rooms

Only installing culverts.

Is the land classed as bushfire prone?

Yes

If yes, and if your proposal is for the construction of a dwelling or dwelling additions/alteration, you will need to undertake BAL Risk Assessment in accordance with NSW RFS Planning requirements and provide to Council. If you determine your development is a higher risk BAL 40 or BAL FZ, you will need to consult with a Bushfire consultant to assist further.

Do you propose to clear any vegetation and/or trees (Non-Native) as part of your proposal?

No

If yes, please provide details



14. Aboriginal Cultural Heritage

Is the proposed site of the development in close proximity to Aboriginal cultural heritage (ACH) indicators (such as the Edward River or sites that are registered within the Aboriginal Heritage Information Management System (AHIMS) which may include culturally modified trees and known burial)?

Yes

If yes, you must submit evidence that they have carried out due diligence in determining that the actions will not harm Aboriginal objects.

Attention is drawn to the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in NSW* (the Code) and in particular the generic Due Diligence process on pages 10 – 14 of the Code. Anyone who exercises due diligence in determining that their actions will not harm Aboriginal objects has a defence against prosecution for the strict liability offence if they later harm an object. Further information on the code is available at the OEH website: www.environment.nsw.gov.au/resources/cultureheritage/ddcop/10798ddcop.pdf

As a minimum the applicant is required to undertake a Due Diligence assessment in accordance with the Code to identify:

- Whether or not Aboriginal objects are, or are likely to be, present in the proposed development area, and
- To determine whether or not the proposed activities are likely to harm Aboriginal objects (if present)

To determine whether further assessment in the form of an Aboriginal Cultural Heritage Assessment (ACHA) and/or an Aboriginal Heritage Impact Permit (AHIP) application is required.

Briefly summarise below the findings of your Due Diligence assessment – detail your site inspection, results from your AHIMS basic search and any other relevant information sourced

See attached AHIMS result

15. Presumptive Title

Is your development proposal located on the riverbank?

No

If yes, please advise / provide evidence if you have presumptive title (own to the middle thread of the river). This information can be obtained from Crown Lands – Phone 1300 886 235.



16. Operational and Management Details

NOTE

This section does not relate to residential development and is generally only applicable to commercial, industrial, rural industrial or tourism developments

Describe in detail the proposed business/activity			
N/A			
Hours of operation			
Monday to Friday	AM	to	PM
Saturday	AM	to	PM
Sunday	AM	to	PM
Extended hours	AM	to	PM
Total number of staff members			
Maximum number of staff members on duty at any one time			
Maximum number of clients/customers expected in a day			
Maximum number of clients/customers expected at any one time			
Expected vehicle types associated with the proposal			
Number of car parking spaces provided			
Location of car parking spaces provided			
Describe arrangements transport, loading, and unloading of goods (including expected frequency of deliveries, size of vehicles and frequency of truck movements)			
List machinery associated with the proposed business / activity			
List the type and quantity of raw materials, finished products and waste materials			
Describe how waste will be disposed			
Identify any processes or materials that may be potentially hazardous and identify management			

12.9. PLANNING PROPOSAL - CONSOLIDATION OF COMPREHENSIVE LOCAL ENVIRONMENTAL PLAN

Author: Marie Sutton, Manager Development Services

Authoriser: Mark Dalzell, Director Infrastructure

RECOMMENDATION

That Council

1. Prepare a planning proposal to amend the Deniliquin Local Environmental Plan 2013, Conargo Local Environmental Plan 2013 and Deniliquin LEP 1997 in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 to amend the Local Environmental Plans into a consolidated Local Environmental Plan for the Edward River Council area.
2. Forward the planning proposal to the Minister for Planning and Public Spaces in accordance with section 3.34(1) of the Environmental Planning and Assessment Act 1979, for Gateway Determination.

BACKGROUND

Council has operated with three (3) separate Local Environmental Plans (LEPs) since the amalgamation of Deniliquin Council and Conargo Shire Council on 12 May 2016.

Consolidation of the three (3) LEPs into a single Local Environmental Plan for the Edward River Council requires the preparation of a Planning proposal. Council must consider the draft Planning proposal and determine if the planning proposal is supported.

The LEP is a legal document that is required to be prepared by Council and is regulated and approved by the NSW Department of Planning and Environment (DPE). The LEP has the role of regulating and guiding land use and development across whole or part of an LGA. LEP's consist of a written document and accompanying maps. Having a single LEP for Edward River Council will result in legislative compliance and greater clarity and consistency in development regulation across the whole of Council area.

Since 2016 Council has operated with three (3) separate LEP's that represent the planning controls for the local areas prior to amalgamation. These include:

- The Deniliquin Local Environmental Plan 2013 (DLEP 2013),
- The Conargo Local Environmental Plan 2013 (CLEP 2013), and
- The Deniliquin LEP 1997 (currently administering the deferred area).

During the preparation of the DLEP 2013, Council had unresolved concerns regarding the rezoning of land in Davidson St. At its meeting on 25 September 2013, Council resolved to defer the rezoning of both sides of Davidson Street between the two bridges (image 1 below) pending provision and finalisation of the Edward River Flood Study. This study was finalised in 2020.



Figure 1 . Deferred matter - LEP 1997 subject land

Consolidating the three LEP's into a single LEP for the Edward River Council requires a Planning Proposal. The intent of this Planning Proposal is to undertake the preparation of a new Comprehensive LEP through merging of the three existing Local Environmental Plans into a single Edward River LEP.

The merge will bring the planning controls of the amalgamated area into one main document to assist the development industry and the community in understanding the planning controls that apply to land in the new Local Government Area.

The Planning Proposal for the consolidated LEP seeks to standardise land uses and development controls across the Edward River Council area and is not a comprehensive review of all planning controls, but a consolidation of the existing instruments applicable across the Council area.

Preparation of the new draft Comprehensive LEP will not result in any material changes to land use zones or specific provisions unless the change is considered to be an administrative error, an omission, or a conflict.

Any change proposed to be undertaken, which would ordinarily require a land use strategy to be in place or are outside of a Council adopted land use strategy, are not considered appropriate for inclusion in the Planning proposal for draft consolidated LEP.

ISSUE/DISCUSSION

Amendments to Local Environmental Plans

The NSW Department of Planning and Environment (NSW DPE) introduced a process for the consideration of amendments to LEP's in 2009. The process for the consideration of an amendment to a LEP commences with Council's consideration of a Planning Proposal.

The role of a Planning Proposal is to explain the intended effects of a proposed Local Environmental Plan amendment and the justification for undertaking the amendment.

An LEP is a legal document that is required to be prepared by Council and is regulated and approved by the NSW Department of Planning and Environment (DPE). Every LGA in the state is required to have an LEP in place that has been prepared in accordance with the requirements of the Standard Instrument (Principal Local Environmental Plans) Order, 2006 . This means that all LEPs have the same structure, are prepared using the same suite of land use zones and provide a level of similarity in local provisions.

The existing DLEP 2013 and CLEP 2013 were prepared in the SI LEP format, however the DLEP 1997 which currently applies to the 'deferred area' was prepared in an earlier format.



Consolidation of the Local Environmental Plans

Edward River
COUNCIL

The LEP consolidation will be achieved by:

- Consistent approach to zone objectives, principles and application across the LGA area ensuring consistency with the Standard Instrument (SI) LEP,
- Consolidate duplicated or repetitive objectives within either DLEP 2013 or CLEP 2013 that are similar in intent,
- Retain all land use zones which are already within DLEP 2013 and CLEP 2013,
- Ensure consistency in permissible land uses across similarly zoned lands within the former Deniliquin and Conargo LGA's,
- Adoption of those standards or provisions which enable the most flexible or generous approach to development standards in certain locations or situations to ensure that existing development potential of land is retained, and
- Rezoning of those lands identified as "Deferred Area" (DM) currently administered under DLEP 1997 to appropriate SI zones to enable consolidation of this instrument with the proposed ERLEP.

Through the consolidation process the proposal also intends to rectify some current land use permissibly anomalies and zoning anomalies within the LEPs:

- Rezoning of several community recreation reserves/halls to RE1 Public Recreation;
- Shops in the B6 (E3) zone to be permitted with consent; and
- Information and Education Facilities in the IN1 (E4) zone to be permitted with consent.

Main Steps in the Planning Proposal process for the consolidation of Comprehensive LEP

1. Planning proposal drafted by Council in consultation with DPE for the amendment of the LEP.
2. Council considers the Planning Proposal and determines if the Planning Proposal is supported.
3. Planning Proposal submitted to NSW Department of Planning & Environment (DPE) for Gateway Determination.
4. Gateway determination issued by DPE. The determination specifies whether the proposed amendment is to proceed, any matters that require additional information, government agency consultation and public consultation requirements.
5. Planning proposal placed on Public Exhibition in accordance with Gateway determination.
6. Council considers Planning Proposal including any submissions, following consultation. If satisfied resolves to support the Planning Proposal and request that the plan be made.
7. Consideration and Legal Drafting of LEP by Planning & Environment (Office of Parliamentary Counsel)
8. Amendment made into law. Local Environmental Plan gazetted.

STRATEGIC IMPLICATIONS

The consolidation of the existing LEP's will bring the planning controls of the amalgamated area into one main document to assist orderly development and community understanding of the planning controls that apply to land in the new Local Government Area.



COMMUNITY STRATEGIC PLAN

Edward River
Council
1. Shaping the Future

1.1 Pristine natural environment

1.2 Quality built environment

1.3 Enhanced Active and Passive Open Spaces

FINANCIAL IMPLICATIONS

N/A

LEGISLATIVE IMPLICATIONS

The Local Environmental Plan is a legal document that is required to be prepared by Council and is regulated and approved by the NSW Department of Planning and Environment (DPE). Council is required to have an Local Environmental Plan in place that has been prepared in accordance with the requirements of the Standard Instrument (Principal Local Environmental Plans) Order, 2006.

ATTACHMENTS



PLANNING PROPOSAL

Consolidated Edward River Local Environmental Plan

2022



OBJECTIVES OR INTENDED OUTCOMES

The overall objective of this planning proposal is to consolidate the provisions of the Deniliquin Local Environmental Plan 2013, Conargo Local Environmental Plan 2013 and the Deniliquin Local Environmental Plan 1997 (currently administering the “deferred area”) into a single consolidated Edward River Local Environmental Plan (ERLEP) for all land in the Edward River LGA.

The LEP consolidation will be achieved by:

- Consistent approach to zone objectives, principles and application across the LGA area ensuring consistency with the Standard Instrument (SI) Local Environmental Plan (LEP)
- Consolidate duplicated or repetitive objectives within either DLEP 2013 or CLEP 2013 that are similar in intent
- Retain all land use zones which are already within DLEP 2013 and CLEP 2013
- Ensure consistency in permissible land uses across similarly zoned lands within the former Deniliquin and Conargo LGA’s
- Adoption of those standards or provisions which enable the most flexible or generous approach to development standards in certain locations or situations to ensure that existing development potential of land is retained
- Rezoning of those lands identified as “Deferred Area” (DM) currently administered under DLEP 1997 to appropriate SI zones to enable consolidation of this instrument with the proposed ERLEP

Through the consolidation process the proposal also intends to rectify some current land use permissibility anomalies and zoning anomalies within the LEPs:

- Rezoning of several community recreation reserves/halls to RE1 Public Recreation;
- Shops in the E3 zone to be permitted with consent; and
- Information and Education Facilities in the E4 zone to be permitted with consent.

This Planning proposal has compared and assessed the DLEP 2013, CLEP 2013 and DLEP 1997 against the SI LEP template to prepare a consolidated Edward River LEP (ERLEP). The existing DLEP 2013 and CLEP 2013 were prepared in the SI LEP format, however the DLEP 1997 which currently applies to the ‘deferred area’ was prepared in an earlier format.

The planning proposal will result in one standard instrument which will apply over the Edward River local government area. The proposed clauses and land use tables in this planning proposal are to be viewed as a guide only. Final wording of the LEP may vary subject to PCO review and legal drafting.



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DRAFT



SECTION 1

Edward River LEP - Consolidation of the DLEP 2013 & CLEP 2013

Objectives

- Compare and assess the provisions of the CLEP 2013, DLEP 2013 and DLEP 1997 to create consistency to enable consolidation into a single LEP – Edward River Local Environmental Plan (ERLEP)

ERLEP Part 1 - Preliminary

Part 1 of the consolidated ERLEP will cover a range of preliminary matters including the overall aims of the Plan; where the Plan applies; relationships with other instruments as well as transitional arrangements.

Key Issues

- The ERLEP is proposed to apply to the Edward River LGA; and
- The aims of the plan (Clause 1.2(2)) of DLEP 2013 and CLEP 2013 are proposed to be consolidated in the following manner:
 - a) to preserve rural land for all forms of primary production through the proper management, development and conservation of natural and human-made resources,
 - b) to facilitate a range of residential and employment opportunities in accordance with demand, that contribute to the social, economic and environmental resources of the area and support the long-term and economic viability of the local community,
 - c) to promote ecologically sustainable urban and rural development and sustainable economic growth,
 - d) to protect, conserve and enhance the natural assets and areas of significance for nature conservation and high scenic or recreational value
 - e) to minimise land use conflicts and adverse environmental impacts
 - f) to provide for the orderly development of tourist activities
 - g) to minimise the cost to the community of fragmented and isolated development of rural land
 - h) to protect and conserve places and buildings of archaeological or heritage significance, including Aboriginal objects and places
 - i) to promote the efficient and equitable provision of public services, infrastructure and amenities
- All other clauses of this part of the DLEP 2013 and CLEP 2013 are consistent and will be retained in the new ERLEP.



ERLEP Part 2 - Permitted or Prohibited Development

Part 2 of the consolidated ERLEP will cover the land use zones, the zone objectives and the permitted or prohibited development within each of the land use zones.

Key Issues

- Clauses 2.1 – 2.8 of DLEP 2013 and CLEP 2013 are proposed to be retained in the Edward River LEP (ERLEP).
- Clause 2.5 enables Additional Permitted Uses which are addressed in “ERLEP Schedule 1 - Additional Permitted Uses” of this proposal.
- The RU1 Primary Production, R5 Large Lot Residential zones and E1 National Parks and Nature Reserves Zone are the only zones included in both the DLEP 2013 and CLEP 2013.
- Minor amendments are required to be made to the existing DLEP 2013 and CLEP 2013 zone RU1 zone objectives and land use permissibility to ensure consistency in consolidation. *Table 1* below identifies the discrepancies in red between the current LEPs and proposed changes. *Table 2* provides justification where changes are required.
- Minor amendments are required to be made to the existing DLEP 2013 and CLEP 2013 zone SP2 zone objectives and land use permissibility to ensure consistency in consolidation. Group Homes and Educational Establishments are to be permitted in the SP2 Infrastructure zone to align with the prescribed zones within Housing and Education SEPPs relatively. *Table 1* below identifies the discrepancies in red between the current LEPs and proposed changes. *Table 2* provides justification where changes are required.
- Minor amendments are also required to be made to the existing DLEP 2013 and CLEP 2013 R5 zone objectives and land use permissibility to ensure consistency in consolidation. *Table 3* below identifies the discrepancies in red between the current LEPs and proposed changes. *Table 4* provides justification where changes are required.
- The E1 National Parks and Nature Reserve Zone provisions are identical in both LEPs therefore will be retained in the consolidated LEP as is.
- All other current land use zones of DLEP 2013 and CLEP 2013 will be retained and the objectives and land use permissibility within these zones will be included in the ERLEP.
- This planning proposal includes the rezoning of the ‘deferred area’ to be consistent with SI zoning to enable consolidation into the proposed ERLEP (see Section 2 of this proposal). Part of the ‘deferred area’ is proposed to be zoned B6. (E3)*Table 6* below identifies an anomaly to the permissibility of *shops* in this zone proposed to be amended as part of this proposal.
- The General Industrial Zone of the DLEP 2013 prohibits Information and Education facilities. This is considered an anomaly and is proposed to be rectified as part of this LEP consolidation process. *Table 8* below identifies the proposed amendment to the permissibility of this land use in the INI zone.
- For clarity, all other zones, land uses or objectives of either DLEP 2013 or CLEP 2013 within this part NOT included within the tables below, are proposed to be incorporated into the ERLEP in its current form.



RU1 Primary Production

Table 2: Justification for Proposed Amendments to RUI Primary Production Land Use Zone Objectives and Land Use Permissibility

RUI Primary Production		
Issue 1: Non-mandated and duplicated, repetitive objectives between plans		
Issue	Justification	Action/Recommendation
Zone Objectives	<p>CLEP 2013 includes 4 additional objectives to the mandated SI objective within DLEP 2013.</p> <p>The additional objectives of the CLEP 2013 are proposed to be consolidated into a single objective to be retained in the proposed ERLEP.</p>	<p>The objectives are proposed to be consolidated as follows:</p> <ul style="list-style-type: none"> • To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. • To encourage diversity in primary industry enterprises and systems appropriate for the area. • To minimise the fragmentation and alienation of resource lands. • To minimise conflict between land uses within this zone and land uses within adjoining zones. • To allow the development of non-agricultural land uses that are compatible with the character of the zone. Including function centres, restaurants and appropriate forms of tourist and visitor accommodation to be developed in conjunction with agricultural use <p><i>Note: all SI objectives will be retained.</i></p>
Issue 2: Permissibility of Land Uses		
Turf Farming	Turf Farming is permitted with consent in the DLEP 2013 and without consent in the CLEP 2013 (Intensive Plant Agriculture). The impacts of the development in this zone are considered minor and like other intensive plant agriculture land uses which do not require consent. Therefore, the permissibility of CLEP 2013 is considered appropriate.	Permit Turf Farming without consent
Forestry	Forestry is permitted with consent in the DLEP 2013 and without consent in the CLEP 2013. The potential impacts of	Permit Forestry with consent



Planning proposal
Consolidated Edward River Local Environmental Plan

	Forestry warrant the need for land use regulation through development assessment as opposed to being permitted without consent.	
Dual Occupancies	Dual Occupancies, Dual Occupancies (attached) and Dual occupancies (detached) are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. Several other forms of residential accommodation resulting in dual accommodation units are permissible, and this form should not be alienated. Potential land use conflict of such development can be mitigated through development assessment.	Permit Dual Occupancies, Dual Occupancies (attached) and Dual Occupancies (detached) with consent.
Home Business	Home Business is permitted with consent in the DLEP 2013 and without consent in the CLEP 2013. The impacts of the development in this zone is considered minor therefore permissibility of CLEP 2013 is considered appropriate.	Permit Home Business without consent
Home Occupation (sex services)	Home occupation (sex services) are prohibited in the CLEP 2013 and permitted with consent in the DLEP 2013. The impacts of the development in this zone is considered minor however warrants control through development assessment therefore the permissibility of the DLEP 2013 is considered appropriate.	Permit Home occupation (sex services) with consent
Backpackers Accommodation, Hotel or Motels and Caravan Park	Backpackers Accommodation, Hotel or Motel and Caravan Park are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. With appropriate controls through the DCP and the development assessment process Caravan Park accommodation would have minor impact and are appropriate non-agriculture land	Permit caravan Park with consent Prohibit Hotel Motel, Backpackers Accommodation, Prohibit Tourism and Visitor accommodation (parent term)



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Consolidated Edward River Local Environmental Plan

	<p>uses compatible with the character of the zone and consistent with the zone objectives.</p> <p>Backpackers accommodation however is considered to have potential local land use conflict in the agricultural area and is not consistent with the zone objectives. Other types of tourist accommodation are permissible in the zone. The use is considered to be more suitably located in alternate zones within the LEP.</p>	
Restaurant or Café, Highway Service Centre, Markets, Rural Supplies and Function Centres	<p>Restaurant or Café, Highway Service Centre, Markets, Rural Supplies and Function Centres are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. With appropriate controls through the DCP and the development assessment process these land uses would have minor impact and are appropriate non-agriculture land uses compatible with the character of the zone and consistent with the zone objectives.</p>	Permit Artisan Food and Drink Industry, Highway Service Centre, Restaurant or Café, Markets, Rural Supplies and Function Centres with consent
Takeaway food & drink premises, Garden centre, Kiosk, Industrial Retail Outlet, Sex Service Premises and Wholesale Supplies	<p>Take away food & drink premises, Garden centre, Kiosk, Industrial Retail Outlet, Sex Service Premises and Wholesale Supplies are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. These land uses are not suitable due to inconsistency with the objectives of the zone, likely alienation of resource land and potential land use conflicts with traffic, odours and noise. The uses are more suitably located in alternate zones within the LEP.</p>	Prohibit Take away food & drink premises, Garden centre, Kiosk, , Industrial Retail Outlet, Sex Service Premises and Wholesale Supplies
Industries	<p>Industries (parent term) is prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. It is proposed to be</p>	Prohibit Industries (parent term)



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	prohibited as not all sub terms are permissible.	
General Industries	General Industries are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. The use is not considered an appropriate use in this zone and is most appropriate in industrial zoned land in the LEP area. Land use conflicts relating to contamination, safety and alienation of resource land are likely with adjoining permitted agricultural land uses.	Prohibit General Industries
Light Industries (parent term) and High technology Industries	Light Industries (parent term) and High Technology Industries are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. The definitions of both require that development does not interfere with the amenity of the neighbourhood amongst other controls to minimise impact. Therefore the permissibility of CLEP 2013 is considered appropriate.	Prohibit Light Industries (parent term) and High Technology Industries Permit Artisan Food and drink industry (child term) with consent
Storage Premises (parent term), Self Storage Units, Warehouse or Distribution Centres, Car Parks, Transport Depot and Truck Depot	Storage Premises (parent term), Self Storage Units, Warehouse or distribution centres, Car Parks, Transport Depot and Truck Depot are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. Impact of such land uses is potentially minimal and likely able to be mitigated through the development assessment process. The permissibility of CLEP 2013 is considered appropriate.	Permit Storage Premises (parent term), Self -Storage Units, Warehouse or distribution centres, Car Parks, Transport Depot and Truck Depot with consent
Roads	Roads are mandated under the SI to be either permitted with consent or permitted without consent. Roads are permitted with consent in the DLEP 2017 and permitted without consent in the CLEP 2017. The potential impacts of Roads warrant the need for land use regulation via development assessment as	Permit Roads with consent



Planning proposal
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	opposed to being permitted without consent. Note: Roads carried out by or on behalf of a public authority are permitted without consent under SEPP (infrastructure) 2007.	
Wharf or boating facilities and Charter & Tourism Boating facilities	Wharf or boating facilities are permitted with consent in the DLEP 2013 and prohibited in the CLEP 2013. Charter & Tourism Boating Facilities are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. With appropriate controls this development would potentially have minor impact and is an appropriate non-agriculture land use consistent with the zone objectives.	Permit Wharf or boating facilities and Charter & Tourism Boating facilities with consent
Educational Establishment (parent term), Schools, Health consulting rooms, Child care centres, Places of Public Worship, Public Administration Building, Recreation facilities (indoor) and Crematorium	Educational Establishment (parent term), Schools, Health consulting rooms, Child care centres, Places of Public Worship, Public Administration Building, Recreation facilities (indoor) and Crematorium are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. This form of development will have potential land use conflict in the agricultural zone and is not consistent with the zone objectives. Such uses are more appropriate in more urban zones within the LEP area.	Permit Educational Establishment (parent term), Schools, Prohibit Health consulting rooms, Child care centres, Public Administration Building, Recreation facilities (indoor), Places of Public Worship and Crematorium
Building Identification Signage and Business identification Signage	Building Identification Signage and Business identification Signage are permitted with consent in the DLEP 2013 and without consent in the CLEP 2013. The impact of signage meeting these definitions in this zone are minimal therefore the permissibility of the CLEP 2013 is considered appropriate.	Permit Building Identification Signage and Business Identification Signage without consent
Boat building and repair, vehicle body repair workshops and vehicle repair stations	Boat building and repair, vehicle body repair workshops and vehicle repair stations are permitted with consent in CLEP	Permit Boat building and repair and vehicle repair stations with consent.



	<p>2013 and prohibited in DLEP 2013. With appropriate controls Boat building and repair, vehicle repair stations would potentially have minor impact and is an appropriate ancillary land use consistent with the zone objectives.</p> <p>Vehicle body repair workshops are likely to result in land use conflict in the residential zone and this land use is not considered an appropriate use in the zone.</p>	Prohibit vehicle body repair workshops
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R5 Large Lot Residential

Table 4: Justification for Proposed Amendments to R5 Large Lot Residential Land Use Zone Objectives and Land Use Permissibility

R5 Large Lot Residential		
Issue 1: Non-mandated and duplicated, repetitive objectives between plans		
Issue	Justification	Action/Recommendation
Zone objectives	<p>CLEP 2013 includes 2 additional objectives to the mandated SI objective within DLEP 2013 relating to agriculture and the rural characteristics of the locality.</p> <p>These additional objectives are proposed to be amended and consolidated into one ensuring they are applicable to the proposed LEP area which includes additional R5 land in more urban localities.</p>	<p>The objectives are proposed to be consolidated as follows:</p> <ul style="list-style-type: none"> • To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally sensitive locations and scenic quality. • To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. • To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. • To minimise conflict between land uses within this zone and land uses within adjoining zones. • To provide opportunities for low intensity residential development and other non residential development that is compatible with the characteristics of the locality.



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		<i>Note: all SI objectives will be retained.</i>
<i>Issue 2: Permissibility of Land Uses</i>		
Bee keeping	Bee keeping is prohibited in the DLEP 2013 and permitted without consent in the CLEP 2013. The potential impacts of bee keeping are minimal, however warrant the need for land use regulation via development assessment in this zone.	Permit Bee keeping with consent
Extensive Agriculture (parent term), Dairy (pasture based), Intensive Plant Agriculture (parent term) and Turf farming	Extensive Agriculture (parent term), Dairy (pasture based), Intensive Plant Agriculture (parent term) and Turf farming are prohibited in the DLEP 2013 and permitted in the CLEP 2013. Most lots within this zone are relatively small therefore not suitable for extensive commercial crop or livestock production or provide appropriate buffers to mitigate impacts of Intensive Plant Agriculture and Turf farming. The surrounding rural lands provide for these agricultural uses.	Prohibit Extensive Agriculture (parent term), Dairy (pasture based), Intensive Plant Agriculture (parent term) and Turf farming.
Horticulture, Viticulture and Farm Buildings	Horticulture, Viticulture and Farm Buildings are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. In some circumstances impact may be contained to an appropriate level to mitigate land use conflict in this zone therefore the permissibility of CLEP 2013 is considered appropriate. Controls through DCP and appropriate Development assessment to minimise impact	Permit Horticulture, Viticulture and Farm Buildings with consent
Residential Accommodation (parent term), Group Homes, Group homes (permanent) and Group homes (transitional)	Residential Accommodation (parent term), Group Homes, Group homes (permanent) and Group homes (transitional) are permitted with consent in the DLEP 2013 and prohibited in the CLEP 2013. Residential Accommodation in this form is consistent with the objectives of	Prohibit Residential Accommodation (parent term), permit dwelling houses , dual occupancies Group Homes, Group homes (permanent) and Group homes (transitional)



Planning proposal
Consolidated Edward River Local Environmental Plan

	the zone and considered a permissible use.	
Home occupation (sex services)	Home occupation (sex services) are prohibited in the CLEP 2013 and permitted with consent in the DLEP 2013. The impacts of the development in this zone is considered minor however warrants control through development assessment therefore the permissibility of the DLEP 2013 is considered appropriate.	Permit Home occupation (sex services) with consent
Cellar door premises, Food & drink premises (parent term), Landscaping material supplies, Markets, Helipad and Passenger Transport Facilities	Cellar door premises, Food & drink premises (parent term), Landscaping material supplies, Markets, Helipad and Passenger Transport Facilities are prohibited in the DLEP 2013 and permitted with consent in the CLEP 2013. Food and drink premises (parent term) is proposed to be prohibited as not all sub terms are permissible. All other uses will have potential land use conflicts in the residential zone including noise, traffic and odour and are not consistent with the zone objectives.	Prohibit Cellar door premises, Food & drink premises (parent term), Landscaping material supplies, Markets, Helipad and Passenger Transport Facilities
Restaurants or café, Take away food & drink premises, Garden Centres, Roadside stalls, Neighbourhood shops, Function Centres, Childcare centre, Community facilities, Information and education facilities, Places of public worship, Cemetery and Exhibition homes	Restaurants or café, Take away food & drink premises, Garden Centres, Roadside stalls, Neighbourhood shops, Function Centres, Childcare centre, Community facilities, Information and education facilities, Places of public worship, Cemetery and Exhibition homes are permitted with consent in the DLEP 2013 and prohibited in the CLEP 2013. With appropriate controls these forms of development would potentially have minimal conflict between land uses in this zone and are an appropriate land use	Permit Restaurants or café, Artisan Food and drink Industry, Garden Centres, Roadside stalls, Childcare centre, Community facilities, Information and education facilities, Places of public worship, and Exhibition homes with consent Prohibit Cemeteries, Take away food & drink premises, Neighbourhood shops and Function Centres



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	consistent with the zone objectives.	
Roads and Building Identification Signage	Roads and Building Identification Signage are permitted with consent in the DLEP 2013 and permitted without consent in the CLEP 2013. Given the sensitivity of the residential zone the permissibility of the DLEP 2013 is considered appropriate. Note: Roads carried out by or on behalf of a public authority are permitted without consent under SEPP (infrastructure) 2007.	Permit Roads and building Identification Signage with consent



B6 Enterprise Corridor (E3 Productivity)Zone

Correction of anomaly to the current prohibition of Shops in this zone. Proposed to permit Shops with consent to ensure consistency with existing land uses in current and proposed E3 zoned land (see Section 2 below regarding rezoning of Davidson St).

Note : Council proposes the introduction of the new employment zones as part of this Planning Proposal.. It is proposed that the existing B6 zone will transition to E3 Productivity zone. The Employment zone transitions are covered in Section 4

Table 6: Justification for Proposed Amendment to E3 Productivity Zone Land Use Permissibility

E3 Productivity zone (B6 Enterprise Corridor Zone)		
Issue 1: Permissibility of Shops		
Issue	Justification	Action/Recommended
Shop	<p>The current DLEP 1997 administering the 'deferred area' permits Shops with consent in the Urban Zone. This area is proposed to be rezoned to E3 as part of this proposal which prohibits shops. The amendment is considered necessary to retain the existing development potential of the subject land.</p> <p>The prohibition of Shops is considered too restrictive having consideration to the current permissibility of the DLEP 1997 and existing land use patterns of the subject land.</p> <p>Most other Retail Premises group term are permitted in the E3 zone.</p> <p>Current B6 zoned land adjacent to the deferred area in Victoria St includes a butcher shop amongst other commercial activity, therefore it is considered the proposed correction is appropriate to existing B6 zoned land. There is no other B6 zoned land in the LEP area.</p>	Permit Shop with consent



	<p>The objectives of the E3 zone include to <i>maintain the economic strength of centres by limiting retail activity</i>. New retail activity (which include shops) in the B6 area is constrained to an extent by the availability of existing premises, as new development is limited due to local flood restrictions. Therefore it is not considered the permissibility of shops in this zone will compromise the CBD.</p> <p>The use is consistent with the objectives of the zone and considered a complimentary use in the E3 zone for Deniliquin.</p>	
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INI General Industrial Zone (E4 General Industrial)

Correction of anomaly to the current prohibition of Information and Education Facilities in this zone. Proposed to permit Information and Education Facilities for the reasons outlined in the justification below.

Note: Council proposes the introduction of the new employment zones as part of this Planning Proposal.. It is proposed that the existing IN1 zone will transition to E4 General industrial zone. The Employment zone transitions are covered in Section 4.

Table 8: Justification for Proposed Amendment to INI General Industrial Zone Land Use Permissibility

INI General Industrial (E4 General Industrial)		
Issue 1: Permissibility of Information and Education Facility		
Issue	Justification	Action/Recommended
Information and Education Facility	<p>An Information and Education Facility which includes an art gallery, museum, library and visitor information centre is prohibited in the INI zone of the DLEP 2013.</p> <p>Edward River Council has recently granted a DA for a part temporary use as an information and education facility (transport museum) in the INI Zone. The applicant is seeking approval for a permanent use rather than a temporary use which requires</p>	Permit Information and Education Facility with consent



	<p>an amendment to the land use permissibility within the LEP.</p> <p>It is considered that impact of such land use in the INI zone of Deniliquin is minimal and if required able to be mitigated through provisions in the DCP and the development assessment process.</p>	
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SP2 Infrastructure

Table 9: Justification for Proposed Amendment to SP2 Infrastructure Zone Land Use Permissibility

SP2 Infrastructure		
Issue 1: Permissibility of Information and Education Facility		
Issue	Justification	Action/Recommended
Roads	<p>Roads are permitted with consent in the DLEP 2013 and permitted without consent in the CLEP 2013.</p> <p>Note: Roads carried out by or on behalf of a public authority are permitted without consent under SEPP (infrastructure) 2007.</p>	Permit Roads without consent
Group Homes	<p>Group Homes are not permitted in the DLEP 2013 and the CLEP 2013 . Development for the purpose shown on the Land zoning map that is Ancillary or incidental development for the purpose. shown is permitted with consent in the DLEP 2013 and CLEP 2013 . To align with Housing SEPP prescribed zones Group homes to be permitted with Consent</p>	Permit Group Homes with consent
Education Establishment	<p>Education Establishments are not permitted in the DLEP 2013 and the CLEP 2013 . Development for the purpose shown on the Land zoning map</p>	Permit Education Establishment with consent



	that is ancillary or incidental development for the purpose. shown is permitted with consent in the DLEP 2013 and CLEP 2013 . To align with Education SEPP prescribed zones Education Establishments to be permitted with Consent	
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ERLEP Part 3 - Exempt and Complying Development

Part 3 of the consolidated ERLEP will identify the circumstances when development can be undertaken without consent (exempt development) and as complying development.

Key Issues

- Clauses 3.1 – 3.3 of CLEP 2013 and DLEP 2013 are consistent and proposed to be retained in the consolidated LEP.
- Clauses 3.1 and 3.2 enable Exempt and Complying Development Provisions and are addressed below in “ERLEP Schedule 2 - Exempt Development” and “ERLEP Schedule 3 - Complying Development” of this proposal.

ERLEP Part 4 - Principal Development Standards

Part 4 of the consolidated ERLEP will cover the development standards for minimum subdivision sizes, rural subdivision and erection of dwellings in certain rural and environmental protection zones. This part will also identify circumstances when the development standards may be altered or varied.

Key Issues

- *Table 9* below identifies where changes are required to specific objectives to ensure consistency.
- The DLEP 2013 includes some additional provisions in relation to subdivision and rural dwellings which are not part of the CLEP 2013. These provisions are proposed to be incorporated into the consolidated LEP as outlined in *Table 9* below.
- For clarity, all other provisions of either DLEP 2013 or CLEP 2013 within this part NOT included within the table below, are proposed to be incorporated into the ERLEP in its current form.

Table 10: Justification for proposed amendments to Principal Development Standards

Lot Size & Subdivision		
Issue 1: Non-mandated and duplicated, repetitive objectives between plans		
Issue	Justification	Action/Recommendation



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Clause objectives	<p>This issue relates to DLEP 2013 and CLEP 2013 clauses 4.1.</p> <p>The simplification of objectives promotes a more streamlined planning instrument and removes unnecessary duplication of objectives with similar intent.</p>	<p>The ERLEP should adopt a combination of DLEP 2013 and CLEP 2013 objectives as follows:</p> <ul style="list-style-type: none"> • to maintain appropriate farm sizes for agricultural production and protect the productive capacity of agricultural land • to ensure that rural residential development does not result in fragmentation of rural Lands • to ensure that subdivision does not unreasonably impact on the natural and environmental values of the area • to ensure that new subdivisions reflect the characteristic lot sizes and patterns of the surrounding locality, and have a practical and efficient layout to meet their intended use • to minimise the intensification of development on flood liable land • to ensure that the creation of lots and any subsequent development on such lots does not create a demand for the uneconomic provision of services by Council
Issue 2: Minimum subdivision lot size for community title schemes & strata plan schemes		
Minimum subdivision lot size for community title schemes and strata plan schemes	<p>This issue relates to DLEP 2013 Clause 4.1AA and Clause 4.2A. It prevents land in the RU1, R5 and C3 Zones from being subdivided below the minimum lot size using a Community title scheme and Strata title scheme respectively. Ultimately ensuring additional dwelling entitlements are not created. This is consistent with the intent and objectives of the applicable zones to this standard.</p>	<p>Include DLEP 2013 Clause 4.1AA – Minimum subdivision lot size for community title schemes and Clause 4.2A – Minimum subdivision lot size for strata plan schemes in certain rural, residential and environmental protection zones.</p>
Issue 3: Exceptions to minimum subdivision lot sizes		
Exceptions to minimum subdivision sizes	<p>This issue relates to DLEP 2013 Clause 4.1A and Clause 4.1B.</p>	<p>Include DLEP 2013 Clause 4.1A – Exceptions to minimum subdivision</p>



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	Both standards provide a more flexible approach to rural subdivision and should therefore be adopted to ensure that existing development potential of land is retained.	lot sizes for certain split zones and Clause 4.1B Exceptions to minimum lot sizes for certain rural subdivisions
Issue 4: Erection of dwelling houses on land in certain rural and environment protection zones		
Erection of dwelling houses on land in certain rural and environment protection zones	This issue relates to DLEP 2013 Clause 4.2B and applies to RU1 and C3 land. This standard provides a more flexible approach to the erection of dwellings in these zones and should be adopted to ensure that existing development potential of land is retained.	Include DLEP 2013 Clause 4.2B – Erection of dwelling houses on land in certain rural and environment protection zones
Issue 5: Boundary changes between lots in certain rural, residential and environment protection zones		
Boundary changes between lots in certain rural, residential and environment protection zones	This issue relates to DLEP 2013 Clause 4.2D and applies to RU1, R5 and C3 land. This standard enables the subdivision of 2 or more adjoining lots below the minimum lot sizes in certain circumstances. This clause enables a more flexible approach to boundary changes and should be adopted to ensure that existing development potential of land is retained.	Include DLEP 2013 Clause 4.2D - Boundary changes between lots in certain rural, residential and environment protection zones. Include 'Other issues' model clause.
Issue 6: Subdivision for the purpose of intensive Plant agriculture		
Subdivision for the purpose of plant agriculture	This issue relates to CLEP 2013 Clause 4.2D and applies to RU1. This standard provides a more flexible approach in the application for standards for subdivision for the purpose of intensive agriculture in the rural zone.	Include CLEP 2013 Clause 4.2D – Subdivision for the purpose of intensive plant agriculture

ERLEP Part 5 - Miscellaneous Provisions

Part 5 of the consolidated ERLEP will cover miscellaneous provisions including acquisition for public purposes, classification of public land, controls relating to specific land uses, development near zone boundaries, conversion of fire alarms, heritage conservation and bushfire hazard reduction.

Key Issues



- Clause 5.4 is the only provision which is inconsistent between the DLEP 2013 and CLEP 2013 within this part. *Table 11* below identifies the changes required to this clause to ensure consistency.
- For clarity, all other provisions of either DLEP 2013 or CLEP 2013 within this part NOT included within the table below, are proposed to be incorporated into the ERLEP in its current form.

Table 11: Justification for amendments to Miscellaneous Provisions

Controls relating to miscellaneous permissible uses		
Issue 1: Inconsistent provisions		
Issue	Justification	Action/Recommended
Miscellaneous provisions	<p>This issue relates to both DLEP 2013 and CLEP 2013 Clause 5.4. Both are based on the SI LEP.</p> <p>This clause nominates the area or size of several land uses. In most instances these are different between the two plans.</p> <p>It is recommended that the provision which provides the most flexibility be adopted to ensure that existing development potential of land is retained.</p>	<p>The ERLEP should adopt the control which provides the greater flexibility.</p> <p>The CLEP 2013 provisions should be adopted for Industrial retail outlets, farm stay accommodation, neighbourhood shops, secondary dwellings and artisan food and drink industry exclusion.</p> <p>The DLEP 2013 provisions should be utilised for kiosks and roadside stalls</p>

ERLEP Part 6 - Additional Local Provisions

Part 6 of the consolidated ERLEP will specify additional local provisions in relation to certain matters (e.g. flooding) and localities within the Local Government Area (LGA).

Key Issues

- The local provisions for Salinity and Sex Services differ within the DLEP 2013 and CLEP 2013. *Table 12* below identifies the changes required to this clause to ensure consistency.
- For clarity, all other provisions of either DLEP 2013 or CLEP 2013 within this part NOT included within the table below, are proposed to be incorporated into the ERLEP in its current form.
- Clause reference numbers within this Part will need to be renumbered.

Table 12: Justification for amendments to Additional Local Provisions

Additional Local Provisions		
Issue 1: Inconsistent salinity provisions		
Issue	Justification	Action/Recommendation
Salinity provisions	This issue relates to DLEP Clause 6.5 and CLEP Clause 6.7 both regarding the management of	Include CLEP 2013 Clause 6.7 Salinity and remove DLEP 2013 Clause 6.5 Salinity.



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	salinity. There is a very minor discrepancy in wording between the two clauses of which does not change the intent of the provision, however it is considered the wording of CLEP Clause 6.7 provides better clarity.	
Issue 2: Inconsistent sex services provision		
Sex services provisions	<p>This issue relates to DLEP Clause 6.8 and CLEP Clause 6.9 relating to the Location of sex services premises.</p> <p>The DLEP provision requires that when deciding whether to grant development consent for the purpose of sex services premises, consideration must be given to whether the premises will be located on land that adjoins or is directly opposite land in Zone R1 and Zone RE1. The CLEP provision refers to Zone RU5 and Zone R5 in this same requirement.</p> <p>It is appropriate and consistent with the objectives of this provision to consider all of these abutting zonings when deciding on a development application for a sex services premises.</p>	<p>Include Zone R1 General Residential, Zone RE1 Public Recreation, Zone RU5 Village and Zone R5 Large Lot Residential in point (2)(a)(i) of the additional local provision for Location of sex services premises.</p>
Issue3: Inconsistent caravan park provisions		
Caravan park provisions	<p><u>This issue relates to the permissibility of caravan parks within the RU1 zone</u></p>	<p>Caravan parks to be permissible in the RU1 zone subject to Local provision as follows:</p> <p>1) The intent of the clause is to cover the following detail ;</p> <p>(a) to enable appropriate forms of caravan parks to be developed in conjunction with primary production uses,</p> <p>(b) to encourage development that will not have an adverse impact on primary production activities in the existing area.</p> <p>(2) This clause applies to land in Zone RU1 Primary Production.</p> <p>(3) Before determining a development application for development for the purposes of a caravan park on land to</p>



		<p>which this clause applies, the consent authority must consider—</p> <p>(a) the suitability of the site for the development, and</p> <p>(b) the likely impact of the development on adjoining and adjacent land, and</p> <p>(c) that adequate access exists or will be provided to service the development from a road other than a classified road, taking into account the scale of the development, and</p> <p>(d) the development will not have a significant adverse impact on agricultural production, the scenic amenity of the locality or significant features of the natural environment, and</p> <p>(e) that adequate on-site wastewater systems will service the land without having an adverse impact on the water quality of the area, and</p> <p>(f) that adequate water supply is available for potable and firefighting purposes, and</p> <p>(g) that the development will not be affected by natural hazards</p> <p>The of the Local clause is as stated however the final detail will be subject to Parliamentary Counsel drafting</p>
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ERLEP Schedule 1 – Additional Permitted Uses

Schedule 1 of the Edward River Local Environmental Plan (ERLEP) will identify land within the Edward River Local Government Area (LGA), which has additional development entitlements beyond those specified in the land use tables. This Schedule will apply to Clause 2.5 (Additional permitted uses for particular land) of the ERLEP.



Key Issues

- CLEP 2013 does not specify additional permitted uses. DLEP 2013 contains two additional permitted use –

1. Permitting Residential Accommodation with development consent at 321 Victoria Street, Deniliquin.

This will be retained in the consolidated LEP, as would otherwise be an inequitable outcome for this landholder.

2. This clause applies to land at 227 Augustus Street, Deniliquin (being Lot 114, DP 756310) identified as “1” on the [Additional Permitted Uses Map](#).

Development for the purpose of general industry (limited to the manufacture of precast concrete components) is permitted with development consent

This will be retained in the consolidated LEP, as would otherwise be an inequitable outcome for this landholder.

3. An Additional Permitted Use is proposed in line with the new translation of the new employment zones

This clause is to apply 137-143 Napier St (Lots 2 and 3 DP 1135813) development for the purpose of an office premises is to be permitted with consent.



ERLEP Schedule 2 – Exempt Development

Schedule 2 of the Edward River Local Environmental Plan (ERLEP) will identify exempt development, which may be undertaken without consent. This Schedule will apply to Clause 3.1 (Exempt development) of the ERLEP.

Key issues

- DLEP 2013 does not specify additional exempt development. CLEP 2013 contains a number of exempt developments in relation to signage. These are proposed to be removed as identified in Table 13 below.

Table 13: Justification for amendments to Schedule 2 – Exempt Development

Exempt Development		
Issue 1: Inconsistency with SEPP		
Issue	Justification	Action/Recommendation
Permissibility of Signage	This issue relates to CLEP 2013 Schedule 2: Exempt development. Circumstances the schedule exempts Advertisements and advertising structures, Real estate signs and Signs behind glass line of shop windows. These exemptions are inconsistent with the SEPP Exempt and Complying Development Codes and SEPP 64 Advertising and Signage. Therefore, to create a more streamlined planning instrument it is recommended the CLEP exemptions be removed.	The ERLEP should remove Advertisements and advertising structures, Real estate signs and Signs behind glass line of shop window from Schedule 2.

ERLEP Schedule 3 - Complying Development

Schedule 3 of the ERLEP will identify development, which may be undertaken as complying development. This Schedule will apply to Clause 3.2 (Complying development) of the ERLEP.

Key Issues

- Neither DLEP 2013 nor CLEP 2013 specifies complying development within Schedule 3 Complying Development.



ERLEP Schedule 4 - Classifications and Reclassification of Public Land

Schedule 4 of the ERLEP will identify any public land, which is proposed to be reclassified in accordance with the Provisions of the Local Government Act, 1993. This Schedule will apply to Clause 5.2 (Classification and reclassification of land) of the CCLEP

Key Issues

- Neither DLEP 2013 nor CLEP 2013 specifies any land within Schedule 4 Classifications and Reclassification of Public. There are no changes to Schedule 4 proposed as part of this amendment.

ERLEP Schedule 5 - Environmental Heritage

Schedule 5 of the ERLEP will identify heritage items, heritage conservation areas and archaeological sites. This Schedule will apply to Clause 5.10 (Heritage conservation) of the CCLEP.

Key Issues

- All listed Heritage Items and Heritage Conservation Areas included in the DLEP 2013 and CLEP 2013 are proposed to be retained within the ERLEP.
- It is likely that during the instrument drafting, amendments to the clause and subclause numbering (including in clause referral numbering) will be required.



JUSTIFICATION

Section A – Need for the Planning proposal

1. Is the Planning proposal a result of any Strategic Study or report?

The planning proposal has been initiated following the amalgamation between the former Deniliquin Council and Conargo Shire Council on 12 May 2016.

Conargo Rural Lands Strategy was endorsed by the Department on 19 June 2013. The proposal is consistent with the Strategy. Deniliquin does not have an endorsed land use strategy.

The creation of a new Edward River Local Environmental Plan (ERLEP) will be achieved via a process of consolidation. The process will consolidate, simplify and align where possible the controls within the Deniliquin Local Environmental Plan (DLEP 2013) Conargo Local Environmental Plan 2013 (CLEP 2013) and Deniliquin Local Environmental Plan (DLEP 1997) into a single environmental planning instrument (EPI).

2. Is the Planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

All the matters covered by the Planning proposal relate to achieving a single environmental planning instrument (EPI). In this regard, the planning proposal is the only mechanism for achieving the intended outcomes and is a transparent community consultative process.

Section B – Relationship to strategic planning framework

3. Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?

The planning proposal is consistent with the Riverina Murray Regional Plan 2036. The Regional Plan is considered in Appendix 2.

4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Edward River Council does not have a comprehensive local land use strategy that applies to the former Deniliquin Local Government Area.

Local Land Use Strategies

The Conargo Shire Council Rural Lands Strategy (endorsed by Department 19 June 2013) applies to the proposal. This strategy applies to rural land only within the former Conargo Local Government Area. The Rural zone objectives, land use permissibility's and land use provisions are proposed to be amended to align existing planning instruments, including the strategy. The proposal is consistent with the strategy.

Edward River Local Strategic Planning Statement

The Edward River Council Local Strategic Planning Statement (LSPS) 2020) sets out the 20-year vision for land use planning in the Edward River Local Government Area (LGA), outlining how change will be managed to maintain the high levels of liveability and landscape quality that characterises the Edward



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River region. It identifies the special characteristics that contribute to the regions local identity and recognises the shared community values to be maintained and enhanced.

The LSPS identifies Eight (8) Planning Priorities to achieve the Councils vision for the Edward River region being ; Agriculture, Industry, Heritage, Liveability, Housing, Infrastructure, Climate Change and Natural Hazards and the Environment.

The statement is aligned with the Edward River Council Community Strategic Plan 2018-2030 and gives effect to the Riverina Murray Regional Plan 2036 implementing the directions and actions at a local level.

The Planning proposal is generally consistent with the objectives and principles of the LSPS by providing a consistent application of land use zones and uses and local clauses throughout the Edward River Council area.

The Edward River Council Community Strategic Plan (CSP) 2018-2030 was prepared with extensive community input and identify the social, economic, environmental, governance and leadership directions for the LGA area.

The objectives of the Edward River CSP 2018-2030 are incorporated with the Edward River Council Operational Plan 2016-17. An assessment of the objectives of the Operational Plan has been undertaken, as attached to this proposal.

The Planning proposal is generally consistent with the objectives and principles of the CSP by providing a consolidated and consistent application of land use zones and uses throughout the Edward River shire.

5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The proposal has been considered against the relevant State Environmental Planning Policies (SEPPs). The SEPPs are considered in Appendix 1.

The proposal is consistent with the relevant provisions.

6. Is the Planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The proposal has been considered against the relevant Ministerial Section 9.1 Directions. The full assessment of these Directions is contained within Appendix 3 of this proposal.

Section C – Environmental, Social and Economic Impact

7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. there will be no change from current situation and planning controls.

8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The planning proposal does not propose any detrimental environmental impacts from the introduction of the consolidated Standard Instrument.

9. Has the planning proposal adequately addressed any social and economic effects?



The planning proposal provides an opportunity to consolidate the three current local planning instruments applicable within the Edward River LGA to reduce the number of documents to one single Local Environmental Plan. This will help to provide greater certainty to landowners, resolve any errors, align controls and land uses where possible and promote greater certainty for new development.

The intention is to retain the development right of landowners where there is currently a development right and the use is considered appropriate. The ERLEP generally does not seek to alter the zoning or minimum lot sizes of land, outside of the Deniliquin deferred area. However, to achieve consolidation of the planning instruments the permissibility of several land uses are proposed to be amended in both the CLEP 2013 and DLEP 2013 in the RU1 and RU5 zones. These are ancillary or complementary to the objectives of these zones.

Section D – State and Commonwealth Interests

10. Is there adequate public infrastructure for the planning proposal?

The proposal is primarily a consolidation of the existing provisions of DLEP 2013 and CLEP 2013 and correction of some administrative anomalies. The implementation of the ERLEP is not expected to alter the infrastructure requirements for the LGA area.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Council has not consulted any state or Commonwealth public authorities in relation to this planning proposal at this time.

Consultation with relevant state agencies will be undertaken as required by the Gateway determination.



SECTION 2

Consolidation of DLEP 1997 into ERLEP

Rezoning of “Deferred Area” of Davidson Street, Deniliquin

Objectives

- Consolidate the deferred area currently administered under the DLEP 1997 into the proposed ERLEP.

During the preparation of the Deniliquin Local Environmental Plan (DLEP 2013), Council had unresolved concerns regarding the rezoning of land in Davidson St. At its meeting on 25 September 2013, Council resolved to defer the rezoning of both sides of Davidson Street between the two bridges (image 1 below) pending provision and finalisation of the Edward River Flood Study. The intention of Council was that this land continue to be administered under the Deniliquin Local Environmental Plan 1997 until the Flood Study is completed. The Department of Planning and Environment (DPE) agreed to the deferral.



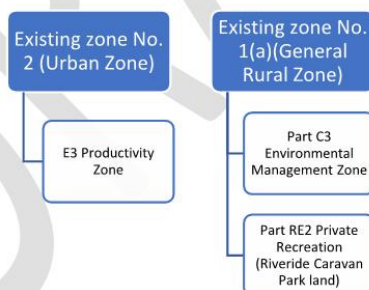
Image 1: “Deferred Area” to which LEP 1997 currently applies

The Edward River Flood study is now complete, and the Department of Planning and Environment issued a **gateway** determination to proceed with a planning proposal (PP_2018_ERIVE_001_00) to amend the Deniliquin LEP 2013 and Deniliquin LEP 1997 to update Flood Planning Maps and Clauses as per the recommendations in the Floodplain Risk Management study and Plan. The Planning Proposal was finalised in June 2020.



Figure 1 Flood Mapping DLEP 1997

It is proposed to include the deferred area currently administered under the Deniliquin LEP 1997 in the current DLEP 2013 and proposed ERLEP. This will require rezoning to be consistent with the Standard Instrument (SI) zoning, reflective of existing land uses. The land directly abutting Davidson St is currently zoned No. 2 (Urban Zone) with the remainder in this deferred area zone No. 1 (a)(General Rural Zone). It is proposed to rezone the land as follows:



The proposed zones identified in the draft ERLEP are the most suitable for this land when considering the flood prone nature of the land. Both zones reflect the existing land use patterns within the area; the E3 Productivity zone allows for a range of commercial and light industrial uses, and the C3 Environmental Management zone maintains dwelling entitlements and the existing minimum lot size. The RE2 zone is considered most appropriate zone for the existing Caravan Park situated at Lot 12 DP 808189, Lot 1 DP 1103707, Lot 2 DP 1103707 20 Davidson Street.

Current & proposed land use permissibility's are identified in *Appendix 5 Tables 17 and 18*. The proposed zoning is considered the best equivalent zone to the existing zoning.

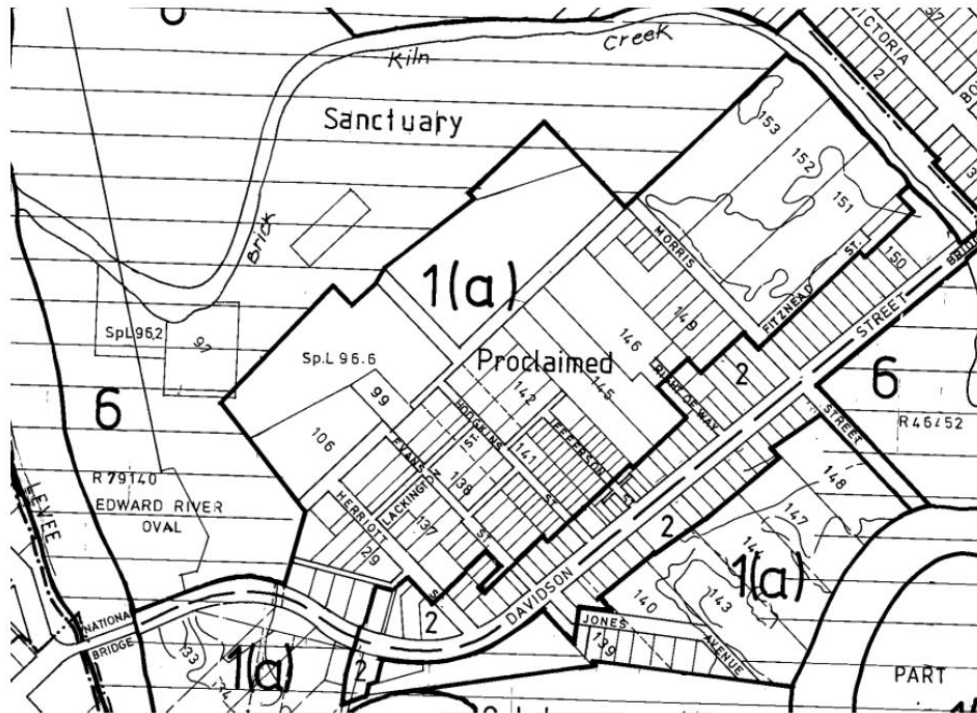


Figure 2 -Existing zones DLEP 1997



Figure 3 - proposed zone map-

JUSTIFICATION

Section A – Need for the planning proposal

1. *Is the planning proposal a result of an endorsed local strategic planning statement, strategy study or report?*

The planning proposal is the result of the completion of the Edward River Flood Study. At its meeting on 25 September 2013, Council resolved to defer the rezoning of both sides of Davidson Street between the two bridges pending provision and finalisation of the Edward River Flood Study. The intention of Council was that this land continue to be administered under the Deniliquin Local Environmental Plan 1997 until such time as the Flood Study is completed. The Department of Planning Industry & Environment (DPIE) agreed to the deferral. The flood study is now complete and agreed by Office of Environment and Heritage.

The rezoning of the deferred area utilises comparison zones and seeks to maintain the existing development rights within the Davidson Street precinct.

2. *Is the Planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

The planning proposal is the only mechanism for achieving the intended outcome to rezone the deferred area to enable consolidation of the DLEP 1997 into Standard Instrument format in the proposed ERLEP and allows for a transparent community consultation process.



Section B – Relationship to strategic planning framework

3. *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

The planning proposal is consistent with the Riverina Murray Regional Plan 2036. The Regional Plan is considered in Appendix 1.

4. *Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?*

The Edward River Council Community Strategic Plan (CSP) 2018-2030 was prepared with extensive community input and identify the social, economic, environmental, governance and leadership directions for the LGA area.

The objectives of the Edward River CSP 2018-2030 are incorporated with the Edward River Council Operational Plan. The planning proposal is generally consistent with the objectives and principles of the CSP.

5. *Is the planning proposal consistent with applicable State Environmental Planning Policies?*

The proposal has been considered against the relevant State Environmental Planning Policies (SEPPs). The SEPPs are considered in Appendix 2.

The proposal is consistent with the relevant provisions.

6. *Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?*

The proposal has been considered against the relevant Ministerial Section 9.1 Directions as summarised below. The full assessment of these Directions is contained within Appendix 3 of this proposal. There are no inconsistencies.

Section C – Environmental, Social and Economic Impact

7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The planning proposal does not propose any detrimental environmental impacts from the introduction of the standard instrument zones for the Davidson Street precinct. No land use changes are proposed as part of the rezoning, only permissibility of additional land uses that will be required to be assessed through the development application process.

8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

Flooding

Council have updated the Floodplain Risk Management Plan through a planning proposal (PP_2018_ERIVE_001_00) to insert flood planning maps into the DLEP 2013. The flood planning area identified the Davidson Street precinct as being flood prone land. The provisions in relation to flood prone land are not changing because of the rezoning, and the flood planning controls in the DLEP



2013 will still apply. The proposal will be referred to Office of Environment and Heritage for comment during the consultation process.

The flood impacts were assessed as part of the PP_2018_ERIVE_001_00. The proposal will manage flood risk by continuing the application of a Flood Planning Area and Flood Planning Levels that are consistent with the Standard Instrument.

The environmental impacts of the proposal will require Council to assess the impacts of development on the area at the development application stage, allowing development that is compatible with the land's flood hazard and avoid significant adverse impacts on flood behaviour and the environment.

9. Has the planning proposal adequately addressed any social and economic effects?

The planning proposal is considered to provide social and economic benefits to the community through the consideration of flood risk for development and existing land uses. The Planning proposal provides an opportunity to rezone the 'deferred area' of Deniliquin to be consistent with the Standard Instrument (SI) zoning, reflective of existing land uses. The intention is to retain the development right of landowners where there is currently a dwelling right and the use is considered appropriate having regard to the flood risk. The rezoning does not provide for any additional increase in dwelling potential through reduction in minimum lot size.

Section D – State and Commonwealth Interests

10. Is there adequate public infrastructure for the Planning proposal?

The planning proposal does not increase demand for public infrastructure including public transport, roads, utilities, waste management or essential services, beyond the capacity of the existing system.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Council has not consulted any state or Commonwealth public authorities in relation to this planning proposal. Appropriate consultation will be completed as part of the community consultation as required by the Gateway determination.

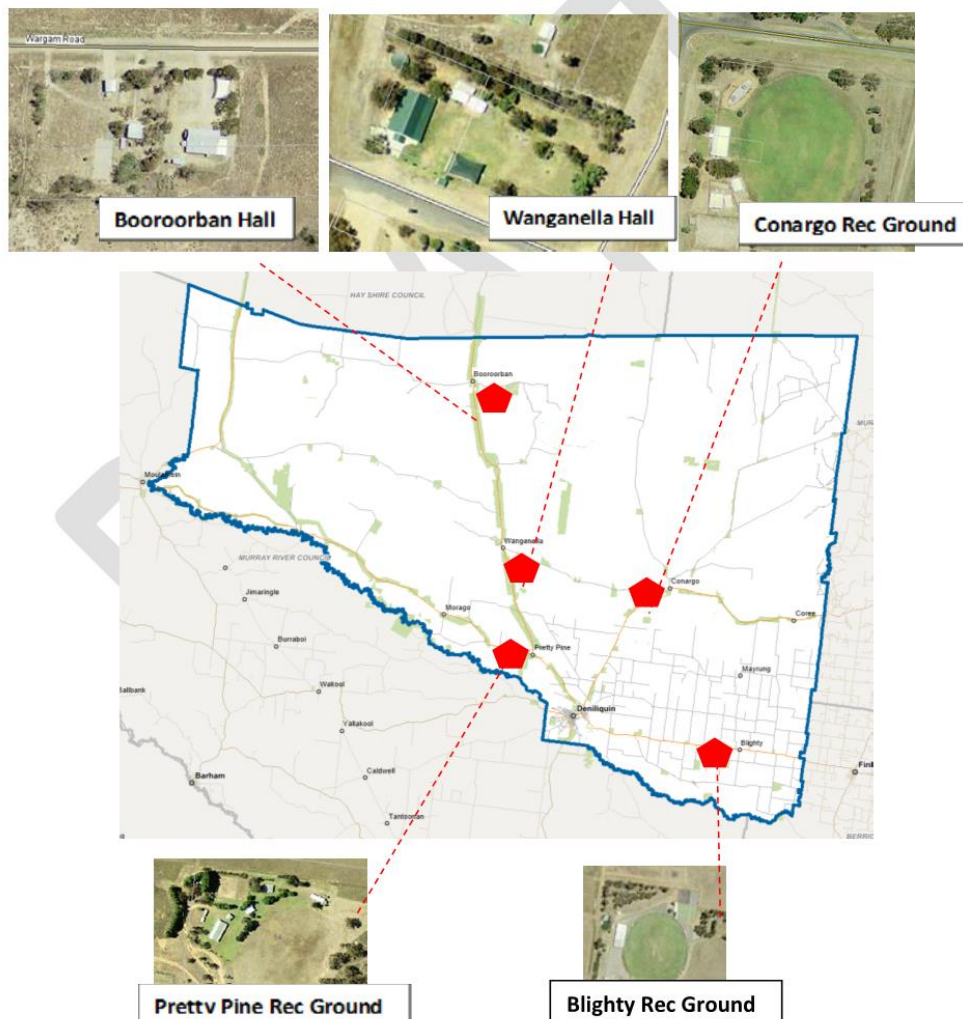


SECTION 3

Rezoning of community recreation reserves / halls

Objectives

- Rezone the community halls and recreation reserves within the former Conargo Shire area to appropriately reflect the land use.





A number of Edward River Council community halls and recreation reserves are located within the rural settlements of the LGA area (see image above). Currently the subject facilities are within the RU1 Primary Production Zone or RU5 Village zone, this is considered an anomaly which does not appropriately reflect the intended use of this land. It is proposed to rectify this anomaly through this proposal and rezone the subject land parcels to RE1 Public Recreation.

The RE1 Public Recreation Zone is the most appropriate zone allowing for a range of recreational and community uses and allows better management of the facilities by Council. The proposal will also remove the minimum lot sizes from the lots.

It is not proposed to reclassify or change any interests in the facilities.

Table 19: Rezoning of community recreation reserves / halls

Recreation Facility	Title Details	Current Zoning	Proposed Zoning	Minimum Lot Size
Pretty Pine Recreation Ground	Lot 7007 & Lot 7008 DP1023663	RU1	RE1	N/A
Wanganella Hall	Lot 88 DP1230613, Lot 7 & Lot 8 Sec 8 DP759045	RU5	RE1	N/A
Boooroorban Hall	Lot 7303 DP1157228	RU1	RE1	N/A
Conargo Recreation Ground	Lot 123 DP756268	RU5	RE1	N/A
Blighty Recreation Reserve	Lot 72 DP756319	RU1	RE1	N/A

Mayrunga ???

JUSTIFICATION

Section A – Need for the planning proposal

1. *Is the planning proposal a result of any Strategic Study or report?*

The planning proposal is not the result of any strategic study or report. The amendment to the zoning of the recreation facilities is being undertaken as part of the consolidation of the LEPs.

2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

The planning proposal is the most appropriate means of achieving the objectives of intended outcomes. It allows for a transparent and community consultation process.

Section B – Relationship to strategic planning framework

3. *Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?*

The planning proposal is consistent with the Riverina Murray Regional Plan 2036. The Regional Plan is considered in Appendix 2.



4. *Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?*

Edward River Council Community Strategic Plan 2018-2030

The Edward River Council Community Strategic Plan (CSP) 2018-2030 was prepared with extensive community input and identify the social, economic, environmental, governance and leadership directions for the LGA area.

The objectives of the Edward River CSP 2018-2030 are incorporated with the Edward River Council Operational Plan. The planning proposal is consistent with the Operational Plan.

The planning proposal is generally consistent with the objectives and principles of the CSP.

Edward River Local Strategic Planning Statement

The Edward River Local Strategic Planning Statement was endorsed by Council on 20 February 2020. The Statement sets a 20 year plan integrating land use, transport and infrastructure planning. The proposed rezoning is in line with the LSPS Planning Priority 1: to control the form and scale of permissible development in rural areas and Planning priority 4: to actively seek opportunities/funding to upgrade/provide community facilities throughout the council area.

The planning proposal is consistent with the Local Strategic Planning Statement.

5. *Is the Planning proposal consistent with applicable State Environmental Planning Policies?*

The proposal has been considered against the relevant State Environmental Planning Policies (SEPPs). The SEPPs are considered in Appendix 1.

The proposal is consistent with the relevant provisions.

6. *Is the Planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?*

The proposal has been considered against the relevant Ministerial Section 9.1 Directions as summarised below. The full assessment of these Directions is contained within Appendix 3 of this proposal.

Direction 9.1 6.2 Reserving land for public purposes is applicable. The proposal is not inconsistent with the Direction, and the proposal does not change the reservation status of the land.

Section C – Environmental, Social and Economic Impact

7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The proposal to rezone land to RE1 Public Recreation for the purposes of recreation, open space and parkland is consistent with the recommendations of the Edward River CSP 2018-2030. The amount of public land available will not be reduced and not result in a social cost to the community. The proposal is confirming the appropriate zone for the site.

8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

The planning proposal is likely to have an overall positive impact on subject land. The direct impacts of the proposal will be to reflect existing uses and rezone land already utilised for recreation, open space and parkland uses.



The proposal will strengthen the zoning and land use objectives applied to the recreational, open space and parkland areas and will ensure development is managed and compatible with the nature of the subject land, as identified in the proposal. This will retain social infrastructure and service in Edward River and potentially stimulate indirect economic impacts.

9. Has the planning proposal adequately addressed any social and economic effects?

The proposal will allow for appropriate uses to be undertaken on the sites, providing a social benefit to the community.

Section D – State and Commonwealth Interests

10. Is there adequate public infrastructure for the Planning proposal?

The planning proposal confirms but does not increase demand for public infrastructure including public transport, roads, utilities, waste management or essential services, beyond the capacity of the existing system.

11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

The planning proposal is likely to be of minor significance to State and Commonwealth public authorities. Notwithstanding, appropriate consultation will be completed as required by the Gateway determination and community consultation requirements of the planning proposal.



SECTION 4

Translation of Employment zones

The Amendment Order to the Standard Instrument (Local Environmental Plans) Order introduces the new employment zones alongside the existing business and industrial zones and enables implementation into individual local environmental plans.

The new employment zones within the Standard Instrument Principal Local Environmental Plan came into effect on 1 December 2021.

Council proposes the introduction of the new employment zones as part of this Planning Proposal.. The new employment zones to be adopted are as detailed in the table below and the translated land use tables

B2 – Business Centre	E1 – Local Centre
B6 – Enterprise Corridor	E3 – Productivity Support
IN1 – Industrial General	E4 – General Industrial

Deniliquin Local Environmental Plan 2013

Zone E1 Local Centre

1 Objectives of zone

- To provide a range of retail, business and community uses that serve the needs of people who live, work or visit the area.
- To encourage investment in local commercial development that generates employment opportunities and economic growth.
- To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.

2 Permitted without consent

Environmental protection works; Home occupations; Water reticulation systems

3 Permitted with consent

Amusement centres; Boarding houses; [Building identification signs](#); [Business identification signs](#); Centre-based child care facilities; Commercial premises; Community facilities; [Dwelling houses](#); [Educational establishments](#); Entertainment facilities; Function centres; [Home businesses](#); [Home industries](#); Hotel or motel accommodation; Information and education facilities; [Light industries](#); Local distribution premises; Medical centres; Oyster aquaculture; [Passenger transport facilities](#); Places of public worship; Public administration buildings; [Recreation areas](#); Recreation facilities (indoor); [Registered clubs](#); [Residential care facilities](#); Respite day care centres; [Restricted premises](#);



Roads; Service stations; Shop top housing; Tank-based aquaculture; Veterinary hospitals; [Water recycling facilities](#); [Any other development not specified in item 2 or 4](#)

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Cemeteries; Correctional centres; Crematoria; Electricity generating works; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Industrial training facilities; Industries; Open cut mining; Recreation facilities (major); Residential accommodation; Rural industries; Sewage treatment plants; Sex services premises; Transport depots; Vehicle body repair workshops; Waste or resource management facilities; Water treatment facilities; Wharf or boating facilities

Zone E3 Productivity Support

1 Objectives of zone

- To provide a range of facilities and services, light industries, warehouses and offices.
- To provide for land uses that are compatible with, but do not compete with, land uses in surrounding local and commercial centres.
- To maintain the economic viability of local and commercial centres by limiting certain retail and commercial activity.
- To provide for land uses that meet the needs of the community, businesses and industries but that are not suited to locations in other employment zones.
- To provide opportunities for new and emerging light industries.
- To enable other land uses that provide facilities and services to meet the day to day needs of workers, to sell goods of a large size, weight or quantity or to sell goods manufactured on-site.
- [To provide for residential uses, but only as part of a mixed use development.](#)

2 Permitted without consent

[Environmental protection works](#); [Home occupations](#); [Water reticulation systems](#)

3 Permitted with consent

Animal boarding or training establishments; Boat building and repair facilities; [Building identification signs](#); [Business identification signs](#); Business premises; Centre-based child care facilities; Community facilities; Depots; Function centres; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Industrial retail outlets; Industrial training facilities; Information and education facilities; Landscaping material supplies; Light industries; Local distribution premises; Markets; Mortuaries; Neighbourhood shops; Office premises; Oyster aquaculture; Passenger transport facilities; Places of public worship; Plant nurseries; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Research stations; Respite day care centres; [Roads](#); Rural supplies; Service stations; [Shops](#); [Shop top housing](#); Specialised retail premises;



Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Veterinary hospitals; Warehouse or distribution centres; [Water recycling facilities](#); Wholesale supplies; [Any other development not specified in item 2 or 4](#)

4 Prohibited

[Agriculture](#); [Air transport facilities](#); [Airstrips](#); [Amusement centres](#); [Biosolids treatment facilities](#); [Cellar door premises](#); [Cemeteries](#); [Correctional centres](#); [Crematoria](#); [Electricity generating works](#); [Exhibition homes](#); [Exhibition villages](#); [Extractive industries](#); [Farm buildings](#); [Farm stay accommodation](#); [Forestry](#); [Freight transport facilities](#); [Heavy industrial storage establishments](#); [Industries](#); [Open cut mining](#); [Residential accommodation](#); [Roadside stalls](#); [Rural industries](#); [Sewage treatment plants](#); [Sex services premises](#); [Waste or resource management facilities](#); [Water treatment facilities](#); [Wharf or boating facilities](#)

Zone E4 General Industrial

1 Objectives of zone

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.

2 Permitted without consent

[Environmental protection works](#); [Water reticulation systems](#)

3 Permitted with consent

[Building identification signs](#); [Business identification signs](#); [Depots](#); [Food and drink premises](#); [Freight transport facilities](#); [Funeral homes](#); [Garden centres](#); [General industries](#); [Goods repair and reuse premises](#); [Hardware and building supplies](#); [Industrial retail outlets](#); [Industrial training facilities](#); [Information and education facilities](#); [Kiosks](#); [Landscaping material supplies](#); [Light industries](#); [Local distribution premises](#); [Neighbourhood shops](#); [Oyster aquaculture](#); [Plant nurseries](#); [Roads](#); [Rural supplies](#); [Take away food and drink premises](#); [Tank-based aquaculture](#); [Timber yards](#); [Vehicle sales and hire premises](#); [Warehouse or distribution centres](#); [Any other development not specified in item 2 or 4](#)

4 Prohibited

[Agriculture](#); [Amusement centres](#); [Camping grounds](#); [Car parks](#); [Caravan parks](#); [Cemeteries](#); [Centre-based child care facilities](#); [Commercial premises](#); [Eco-tourist facilities](#); [Educational establishments](#); [Entertainment facilities](#); [Exhibition homes](#); [Exhibition villages](#); [Farm buildings](#); [Forestry](#); [Function](#)



centres; Health services facilities; Home businesses; Home occupations; Home occupations (sex services); Home-based child care; Public administration buildings; Pubs; Registered clubs; Residential accommodation; Respite day care centres; Tourist and visitor accommodation; Wharf or boating facilities

Local Provisions and Schedule 1 – Additional permitted uses

This table lists Local Provisions and Schedule 1 – Additional permitted uses.

Existing zone names will be updated to new zone names.

LEP	Clause / Schedule	Provision	Direction
Deniliquin LEP 2013	Schedule 1		
	Schedule 1, cl.1, 321 Victoria St, Deniliquin	Allows residential accommodation (land zoned B6)	Retain provision.
	Proposed new APUs for Schedule 1		
	Propose new item: 137-143 Napier St (Lots 2 and 3 DP 1135813)	Allows office premises (land zoned E4).	New provision



SECTION 5

Mapping

Indicative mapping has been included in this proposal.

Prior to the submission of the planning proposal to the Department for finalisation, final LEP maps will be prepared as follows:

- Consolidate all mapping within LGA area into a single mapping format
- DLEP 1997 land zoning map amended to show rezoning of 'deferred area' (DLEP 1997)
- CLEP 2013 land zoning map amended to show rezoning of the Community Recreation Grounds

SECTION 6

Community Consultation

In accordance with schedule 1 clause 4 of the Environmental Planning and Assessment Act 1979, it is proposed to exhibit the planning proposal for 28 days in the local media and on Council's website in accordance with the Guide to preparing local environmental plans (dated December 2018).

In accordance with Council's notification policy, individual land owner notifications will only occur to landowners of the "Deferred Area" due to this issue previously being contentious. Individual land owner notification will not occur to the remainder of the LGA area due to the number of properties affected by this planning proposal.

Council will consult with Government authorities including

- Geoscience to meet the requirements of s9.1 Direction 1.3 Mining, Petroleum Production and Extractive Industries.
- Biodiversity and Conservation Division for Direction 4.3 Flood Prone Land.
- NSW Rural Fire Service for Direction 4.4 Planning for Bushfire Protection



SECTION 7

Project Timeline

Given the nature of the amendment, Council proposes to complete the amendment in 12 months as follows.

Description	Milestone	Anticipated Completion date
Planning proposal	Preparation	May/June 2022
	Report to Council	July/August 2022
	Submission to Gateway	July/August 2022
	Issue of Gateway Determination	August 2022
Public Exhibition	Public notices/individual land owner notification	August 2022
Consideration of submissions	Consideration of Submissions	September 2022
	Report to Council	October 2022
Preparation of LEP	Resolution to prepare LEP	October 2022
	Preparation of written instrument	November/December 2022
	Preparation of mapping	November/December 2022
Making of LEP	Request for finalisation of LEP	December 2022



Appendix 1- State Environmental Planning Policies

SEPP's	Consistent	Comments		
		Consolidation of DLEP 2013 & CLEP 2013	Rezoning of "deferred area"	Rezoning of Rec Reserves
SEPP 21 Housing 2021 (SEPP (Affordable Rental Housing) (SEPP (Housing for Seniors and People with a Disability) (SEPP 70 – Affordable Housing) (SEPP 21 – Caravan Parks) (SEPP 36 – Manufactured Home Estates)	N/A	No impact	No impact	No impact
SEPP (Resilience and Hazards) 2021 (SEPP 33 Hazardous and Offensive Development) (SEPP 55 (Remediation of Land) (SEPP (Coastal Management) 2018)	N/A	No impact	No impact	No impact
SEPP (Industry and Employment) 2021 (SEPP 64 Advertising and Signage)	Yes	The advertising signage exemptions listed in Schedule 2 of the CLEP 2013 are recommended to be removed as part of this consolidation to ensure consistency with this SEPP.	No impact	No impact
Draft Design and Place SEPP 2021 (SEPP 65(Design Quality of Residential Flat Development) SEPP (Building and Sustainability Index ; BASIX 2004)	N/A	No impact	No impact	No impact



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SEPP (Planning Systems) 2021 (SEPP (Aboriginal Land) 2019) (Concurrences and Consents) SEPP 2018) (SEPP (State and Regional Development) 2011)	N/A	No impact	No impact	No impact
SEPP (Exempt and Complying Development Codes) 2008	Yes	The ERLEP will specify the permissibility of land uses within certain zones. The operation of the Exempt and Complying Development Codes SEPP will mean that some land uses may be enabled without development consent in prescribed zones subject to compliance with the provisions of the SEPP. It is not the intent of the ERLEP to contradict the provisions of this SEPP.	No impact	No impact
SEPP (Transport and Infrastructure) 2021 ((SEPP (Infrastructure) 2007) (SEPP(Educational Establishments and Childcare Facilities) 2017)	Yes	The ERLEP will specify the permissibility of land uses within certain zones. The operation of the Infrastructure	No impact	No impact



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		SEPP (ISEPP) will mean that some land uses may be enabled with or without development consent in prescribed zones subject to compliance with the provisions of the SEPP. It is not the intent of the ERLEP to contradict the provisions of the ISEPP.		
SEPP (Resources and Energy) 2021 (SEPP (Mining, Petroleum Production and Extractive Industries) 2007)	N/A	No impact	No impact	No impact
SEPP (Primary Production) 2021 (SEPP (Primary Production and Rural Development) 2019)	Yes	The objectives, land use permissibility's and provisions of the Rural Zone are proposed to be amended to align existing planning instruments. The extent of amendments proposed is detailed in the main body of the Planning proposal.	The proposal will rezone land in the township of Deniliquin from 1 (a) General Rural to C3 Environmental Management and RE2 Private Recreation. This land is within the township of Deniliquin with very limited	The proposal will correct an anomaly in the current LEP and rezone several Community Hall from RU1 to RE1 to more appropriately reflect the use. The proposal is not considered to conflict with the aims of this policy.



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		Existing minimum lot size of this land will not be changed, however the additional provisions of the DLEP 2013 will be included as detailed in the main body of the Planning proposal.	agricultural value. The proposal is consistent with the Rural Planning Principles of the Rural Lands SEPP.	
<p>SEPP (Biodiversity and Conservation) 2021</p> <p>(SEPP Murray Regional Environmental Plan No. 2 Riverine Land)</p> <p>(SEPP 19 Bushland in Urban Areas)2019)</p> <p>(SEPP (Koala Habitat Protection) 2020)</p> <p>(SEPP (Koala Habitat Protection) 2021)</p> <p>(SEPP (Vegetation in Non-Rural Areas) 2017)</p> <p>(SEPP 50 Canal Estate Development)</p>	Yes	<p>Council is required to consider the planning principles of the Murray Regional Environmental Plan No. 2 Riverine Land when it is preparing a planning proposal.</p> <p>See Appendix 2.</p>		



Appendix 2

SEPP (Biodiversity and Conservation) 2021

Murray Regional Environmental Plan No. 2 – Riverine Land Planning Principles

Clause	Consistency/Comment
1 Aim of the REP The aims of the REP are to conserve and enhance the riverine environment of the River Murray for the benefit of all users.	The overall objective of this planning proposal is to consolidate current planning instruments into a single LEP for all land in the Edward River LGA. This will enable a more consistent approach to development within the riverine environment.
2 Objectives of the REP The objectives of the REP are: <ul style="list-style-type: none"> To ensure that appropriate consideration is given to development with the potential to adversely affect the riverine environment of the River Murray. To establish a consistent and co-ordinate approach to environmental planning and assessment along the River Murray. To conserve and promote the better management of the natural and cultural heritage values of the riverine environment of the River Murray. 	The planning proposal includes the rezoning of the 'deferred area' in Davidson St which is flood prone land and a review of some land use permissibility's of the Rural Zone, which includes some riverine land, to ensure consistency between the current LEPs to enable consolidation. The proposed planning controls have considered flood risk and impact of potential development on the Murray River.
3 Relevant River Management Plans Consideration to be given to any relevant river management plan.	Council is not aware of any river management plans for this local government area.
4 Downstream Local Government Areas Any likely effect of the proposed plan or development on adjacent and downstream local government areas.	The proposed consolidated LEP will not impact on downstream LGA areas.
5 Cumulative impact of the proposed development on the River Murray. Cumulative impact of proposed plan or development on River Murray.	The proposed consolidated LEP will continue to require Council to consider the impacts of development on flood behaviour and the impacts on the environment.
6 Specific Principles – Access Principles to be considered include alienation/obstruction of foreshore/waterway as a public resource, development along the River Murray should be for public purposes and human and stock access should be	The proposed consolidated LEP will not impact existing principles in relation to access.



Clause	Consistency/Comment
managed to minimise impacts on uncontrolled river access on stability of the bank and vegetation growth.	
7 Specific Principles – Bank Disturbance Disturbance to the shape of the bank and riparian vegetation should be kept to a minimum in any development of riverfront land.	The proposed consolidated LEP will not alter existing controls in relation to bank disturbance resulting from the development of riverfront land.
8 Specific Principles – Flooding Specific principles for flooding are: <ul style="list-style-type: none"> • The benefits to riverine ecosystems of periodic flooding • The hazard risk involved in developing land that is subject to flood inundation • The redistributive effect of the proposed development on floodwater • The availability of other suitable land in the locality not liable to flooding • The availability of flood free access for essential facilities and services • The pollution threat represented by any development in the event of flood • Cumulative effect of development on behaviour of flood water • The cost of providing emergency services and replacing infrastructure in the event of a flood • Flood mitigation works constructed to protect new urban development should be designed and maintained to meet technical specifications of the Department of Water Resources 	Not applicable to this planning proposal. The existing flood planning controls will apply and have been reviewed by OEH in accordance with the Floodplain Development Manual (2005).
9 Specific Principles – Land Degradation Development should seek to avoid land degradation processes such as erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salination and soil acidity and	Not applicable to this planning proposal.



Clause	Consistency/Comment
adverse effects on the quality of terrestrial and aquatic habitats	
10 Specific Principles – Landscape Measures should be taken to protect and enhance the riverine landscape by maintaining native vegetation along the riverbank and adjacent land, rehabilitating degraded sites and stabilising and revegetating riverbanks with appropriate species	Not applicable to this planning proposal.
11 Specific Principles - River Related Uses <ul style="list-style-type: none"> Only development which has a demonstrated, essential relationship with the River Murray should be located in or on land adjacent to the River Murray. Other development should be set well back from the bank of the River Murray Development which would intensify the use of riverside land should provide public access to the foreshore 	Not applicable to this planning proposal
12 Specific Principles – Settlement New or expanding settlements (including rural residential subdivision, tourism and recreational development) should be located on flood free land, close to existing services and facilities and on land that does not compromise the potential of prime crop and pasture land to produce food or fibre	Not applicable to this planning proposal
13 Specific Principles – Water Quality All decisions affecting the use or management of riverine land should seek to reduce pollution caused by salts and nutrients enter River Murray and otherwise improve the quality of water in the River Murray	Not applicable to this planning proposal
14 Specific Principles - Wetlands <ul style="list-style-type: none"> Wetlands are a natural resource which have ecological, recreational, economic, flood storage and nutrient and pollutant filtering values Land use and management decisions affecting wetlands should provide for a 	Not applicable to this planning proposal.



Clause	Consistency/Comment
hydrological regime appropriate for the maintenance or restoration of the productive capacity of the wetland, consider the potential impact of surrounding land uses and incorporate measures such as a vegetation buffer which mitigate against any adverse effects, control human and animal access and conserve native plants and animals	

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Appendix 3

Section 9.1 Directions

The Directions issued by the Minister for Planning to relevant planning authorities under section 9.1(2) of the Environmental Planning and Assessment Act 1979 are contained in the tables below. The numbering of the directions has been changed to reflect recent changes however the lists have not been re-ordered. These directions apply to planning proposals lodged with the Department of Planning and Environment on or after the date the particular direction was issued and commenced.

Section 9.1 Direction	Consistent	Comments		
		1. Consolidation of DLEP 2013 & CLEP 2013	2. Rezoning of "deferred area"	3. Rezoning of Rec Reserves
7.1 Business and Industrial Zones	Yes	Minor amendments are proposed to rectify differing provisions controlling the area or size of a number of commercial land uses as specified within Clause 5.4 of the LEP. These changes are required to consolidate existing planning controls. The proposal is consistent with this Direction.	Some land in the 'deferred area' is proposed to be rezoned from Urban Zone to B6 to be consistent with the Standard Instrument (SI) zoning to allow consolidation into a single LEP. The proposal maintains the permissibility of the existing business and industrial areas, and provides permissibility within the zone for new uses that have previously been prohibited. The proposal is consistent with this Direction.	N/A
9.2 Rural Zone	Yes	The ERLEP encompasses land which is zoned for rural purposes.	The proposal will rezone a small area of rural zoned land within the current 'deferred' area in the township of Deniliquin to E3 Environmental Management and RE2 Private Recreation. The	The proposal will rezone several Community Halls from RU1 Primary Production to RE1 Public



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Section 9.1 Direction	Consistent	Comments		
		The Rural zone objectives, land use permissibility's and land use provisions are proposed to be amended to align existing planning instruments. The proposal is consistent with this Direction.	land is within an urban environment and has very limited agricultural value or production capacity. This rezoning is reflective of existing land uses and is required to be consistent with the Standard Instrument (SI) zoning. The proposal is considered to be of minor significance.	Recreation to appropriately reflect the intended land use of these sites. The existing use of the site for recreation purposes is therefore not considered to be a loss of agricultural land. The proposal is consistent with this direction.
8.1 Mining, Petroleum Production and Extractive Industries	Yes	<p>The ERLEP does not seek to prohibit or restrict the mining of coal or other minerals, petroleum or extractive materials. The proposal is consistent with this Direction.</p> <p>The proposal applies to the deferred area where part of the land is to be rezoned from Rural to part E3 and RE2. This may restrict mining therefore consultation with Geoscience is required prior to this direction being settled.</p> <p>In relation to rezoning RU1 land to RE1, this still allows mining, petroleum and extractive industries as agriculture is permitted in zone RE1. The proposal remains consistent. Consultation with Geoscience is required.</p>		
9.3 Oyster Aquaculture	N/A			
9.2 Rural Lands	Yes	This direction applies to this planning proposal as it will affect land within an existing rural and environmental protection	This direction applies as the proposal will affect a small area of rural zoned land within the current 'deferred' area in the township of Deniliquin. The land is proposed to be rezoned to E3 Environmental Management and RE2	This direction applies as the proposal affects Community Halls on land currently RU1 Primary Production.



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Section 9.1 Direction	Consistent	Comments		
		<p>zone and therefore must be considered.</p> <p>The objectives, land use permissibility and provisions of the Rural Zone are proposed to be amended to align existing planning instruments. The extent of amendments proposed is detailed in the main body of the Planning proposal (Part 2 - Principal Development Standards).</p> <p>Existing minimum lot size of this land will not be changed; however some additional provisions will be included as detailed in the main body of the Planning proposal.</p> <p>These amendments are consistent with the</p>	<p>Private Recreation required to be consistent with the Standard Instrument (SI) zoning. This land is within the township of Deniliquin, not currently used for agricultural purposes and has limited agricultural value.</p> <p>The land is not identified as State Significant land. The proposal is of minor inconsistency with the Direction as the proposed changes are minor.</p>	<p>The land is proposed to be rezoned to the actual intended land use of these council owned sites to RE1 Public Recreation.</p> <p>The land is not identified as State Significant land. The proposal is of minor inconsistency with the Direction as the proposed changes are minor.</p>



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Section 9.1 Direction	Consistent	Comments		
		objectives of this direction.		
3.1 Conservation Zones	Yes	<p>The ERLEP encompasses land which is zoned for environmental protection purposes.</p> <p>The environmental protection standards of existing planning instruments are proposed to be retained. The proposal is consistent with this direction.</p>	<p>This direction applies as the proposal will rezone land from General Rural Zone to Conservation Management Zone. The proposal will increase the environmental protection standards for this land. The proposal is consistent with this direction.</p>	N/A
4.2 Coastal Management	N/A			
3.2 Heritage Conservation	Yes	<p>The heritage provisions of existing planning instruments are proposed to be retained with no amendments required within the ERLEP.</p> <p>The proposal is consistent with this Direction.</p>	N/A	N/A
3.5 Recreational Vehicle Areas	Yes	The proposal does not seek to enable land for recreational vehicle purposes. The proposal is consistent with this direction.		
3.4 Application of E2 and E3 Zones and Environmental	N/A			



Section 9.1 Direction	Consistent	Comments		
Overlays in Far North Coast LEPs				
4.4 Remediation of contaminated land				
6.1 Residential Zones	Yes	<p>The ERLEP encompasses land which is zoned for residential purposes (specifically land zoned R1 & R5).</p> <p>Some changes are proposed to the R5 zone objectives and land use permissibility to consolidate the existing planning instruments.</p> <p>The extent of amendments proposed are detailed in the main body of the Planning proposal and are consistent with this direction.</p>	<p>The proposal includes rezoning of part of the 'deferred area' from Urban Zone to B6 Enterprise Corridor. Shop top housing will be the only form of residential accommodation permitted in the zone. This rezoning will reduce housing choice deeming the proposal inconsistent with this Direction. The inconsistency is considered to be of minor significance as the land use remains permissible within appropriately zoned locations within the LGA and existing use rights are retained.</p>	N/A
6.2 Caravan Parks and Manufactured Home Estates	Yes	N/A	<p>The rezoning of the 'deferred area' includes land on which the Riverside Caravan Park is located. This land is proposed to be rezoned to RE2 which maintains permissibility of a Caravan Park. The proposal will retain the zonings of all other</p>	N/A



Section 9.1 Direction	Consistent	Comments		
			existing caravan parks. The proposal is consistent with this direction.	
5.1 Integrating Land Use & Transport	Yes	<p>Generally, the ERLEP does not seek to amend the location or provision of land zoned for residential, business, industrial, village or tourist purposes.</p> <p>The land use zone objectives, land use permissibility and land use provisions of the R5 zone are proposed to be amended to align existing planning instruments. The extent of amendments proposed is detailed in the main body of the Planning proposal. These changes are consistent with the intent of the zone, and enable land uses which have regard for the availability of existing</p>	<p>The rezoning of the 'deferred area' along Davidson St to B6, E3 and RE2 will encourage commercial activity along this transport corridor with existing infrastructure provision.</p> <p>The proposal is consistent with this direction.</p>	N/A



Section 9.1 Direction	Consistent	Comments		
		transport infrastructure.		
5.3 Development Near regulated Airports and Defence Airfields	Yes	The provisions of DLEP 2013 (Clause 6.6 Airspace Operations) are proposed to be incorporated within the ERLEP to address development near the Deniliquin Airport. The consolidation of the LEPs will not impact on the aerodrome. The proposal is consistent with this direction.	N/A	N/A
5.4 Shooting Ranges	Yes	N/A	N/A	<p>This direction applies to this planning proposal as it will include the rezoning of land at the Pretty Pine Recreation Reserve from RU1 to RE2, which includes an existing shooting range.</p> <p>A shooting range is defined as 'Recreation</p>



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Section 9.1 Direction	Consistent	Comments		
				facility (outdoor)' which is permissible within the proposed land use table for RE2 land. There is no change to the permissibility of a shooting range within the proposed LEP and the proposal is considered to be consistent with this direction.
7.2 Reduction in non-hosted short term rental accommodation period	N/A			
4.5 Acid Sulfate Soils	N/A			
4.6 Mine Subsidence and Unstable Land	N/A			
4.1.1 Flooding	Yes	<p>Areas of the Edward River LGA are flood prone.</p> <p>The ERLEP will generally not alter existing zoning of land which is currently subject to DLEP 2013 and CLEP 2013, excluding land within the</p>	<p>Land within the 'deferred area' was intended to be administered under the Deniliquin Local Environmental Plan 1997 until such time as the Edward River Flood Study was completed. The Edward River Flood study is now complete and the Department of Planning, and Environment have issued a gateway determination to proceed with a planning proposal (PP_2018_ERIVE_001_00) to amend the Deniliquin LEP 2013 and Deniliquin</p>	N/A



Section 9.1 Direction	Consistent	Comments
		<p>'deferred area'.</p> <p>LEP 1997 to update Flood Planning Maps and Clause as per the recommendations in the Floodplain Risk Management study and Plan.</p> <p>This proposal will consolidate both current Deniliquin LEP's subject to the flood planning amendment which will require rezoning of the 'deferred area' administered under the DLEP 1997 to be consistent with the Standard Instrument (SI) zoning.</p> <p>Rezoning of this area will involve the rezoning of flood prone land from the General Rural Zone to B6 and will permit some development to be carried out without development consent as detailed in the main body of the report (Section 2 Deferred Area).</p> <p>Flood risk has been considered during the land zoning process and the proposal does not seek to permit a significant increase in the development of this land. The proposal is inconsistent with this direction however is in accordance with a floodplain risk management plan - the Edward River Flood Study.</p>



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Section 9.1 Direction	Consistent	Comments		
			Consultation with the Biodiversity and Conservation Division will be undertaken to address consistency with this Direction.	
4.3 Planning for Bushfire Protection	Yes	<p>Areas of the Edward River LGA are identified as bushfire prone land.</p> <p>The ERLEP will generally not alter existing zoning of land which is currently subject to DLEP 2013 or CLEP 2013, excluding those within the 'deferred area'.</p>	<p>The consideration of the 'deferred area' land has had regard for bushfire prone land during the land zoning process and does not seek to permit a significant increase in the development of such land. The proposal is consistent with this Direction.</p> <p>Consultation with the NSW Rural Fire Service will be undertaken prior to community consultation as required by the Direction.</p>	N/A
5.2 Sydney Drinking Water Catchments	N/A			
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N/A			
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N/A			
5.8 Second Sydney Airport: Badgerys Creek	N/A			
1.17 North West Rail Link Corridor Strategy	N/A			
1.2 Implementation of Regional Plans	Yes	<p>Refer to Appendix 4.</p> <p>The proposals seek to provide for a single planning instrument applicable to the Edward River LGA, reflective of the goals and directions within the Murray Regional Environmental Plan 2036. An assessment of the proposal identifies that it consistent with the intent of relevant goals, directions and actions.</p>		



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Section 9.1 Direction	Consistent	Comments		
		The proposal is consistent with this Direction.		
1.3 Development of Aboriginal Land Council land	N/A			
1.4 Approval and Referral Requirements	Yes	This planning proposals do not propose to introduce any approval or referral requirements additional to those existing in the DLEP 2013 and CLEP 2013.		
5.2 Reserving Land for Public Purposes	Yes	This planning proposals do not intend to reserve additional land for public purpose but does create more land as RE1. The proposal is consistent with the Direction.		
1.5 Site Specific Provisions	N/A	The planning proposals do not propose to introduce any site-specific planning provisions.		
7.1 Implementation of A Plan for Growing Sydney	N/A			
7.2 Implementation of Greater Macarthur Land Release Investigations	N/A			
1.6 Parramatta Road Corridor Urban Transformation Strategy	N/A			
1.7 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A			
1.8 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A			
1.9 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A			
1.10 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A			
1.11 Implementation of Western Sydney Aerotropolis Plan	N/A			



Section 9.1 Direction	Consistent	Comments		
1.12 Implementation of Bayside West Precincts 2036 Plan	N/A			
1.13 Implementation of Planning Principles for the Cooks Cove Precinct	N/A			

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Appendix 4

Section 9.1 Direction 5.10 – Implementation of Regional Plans Checklist

Directions that do not apply to this planning proposal have been removed.

Direction 2: Promote and grow the agribusiness sector

No	Action	Consistent			Comments
		Yes	No	N/A	
2.1	Encourage agribusiness diversification by reviewing local plans and removing restrictive land use zonings and outdated land use definitions.	Yes			The planning proposal is consistent with DLEP 2013 and CLEP 2013. The proposal updates the DLEP 1997 to the Standard Instrument format and is therefore consistent with this Direction.
2.2	Provide opportunities to improve support to agriculture through better guidance on protecting agricultural land and managing the interface with other land uses.	Yes			The planning proposal involves the review of the Rural Zone objectives and land use permissibility and rural subdivision provisions to ensure consistency to enable consolidation. The proposal also involves some minor rezoning of rural zoned land to rectify anomalies. The protection of agricultural land and managing the interface with other land uses have been considered in this process. The removal of the Deferred Area is consistent with this action.
2.3	Facilitate investment in the agricultural supply chain by protecting assets, including freight and logistics facilities, from land use conflict arising from the encroachment of incompatible land uses.			N/A	

Direction 4: Promote business activities in industrial and commercial areas

No	Action	Consistent			Comments
		Yes	No	N/A	
4.1	Encourage the sustainable development of industrial land to maximise the use of infrastructure and connectivity to the existing freight network.			N/A	



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4.2	Promote specialised employment clusters and co-location of related employment generators in local plans.	N/A	
4.3	Protect industrial land, including in the regional cities, from potential land use conflicts arising from inappropriate and incompatible surrounding land uses.	N/A	
4.4	Encourage the consolidation of isolated, unused or underused pockets of industrial zoned land to create new development opportunities over the long-term.	N/A	
4.5	Monitor the supply and demand of employment and industrial land in regional cities to inform the planning and coordination of utility infrastructure to support new development.	N/A	
4.6	Accommodate future commercial and retail activity in existing commercial centres, unless there is a demonstrated need and positive social and economic benefits for the community.	Yes	The planning proposal includes the rezoning of the 'deferred area' to be consistent with SI zoning. Part of this area will be zoned B6 which will encourage additional commercial activity along the Davidson St corridor and maintain the development opportunities for existing businesses.
4.7	Require proposals for new retail development to demonstrate how they: <ul style="list-style-type: none"> • Respond to retail supply and demand needs; • Respond to innovations in the retail sector; • Maximise the use of existing infrastructure (including public transport and community facilities) commensurate with the scale of the proposal; and • Enhance the value of the public realm. 	N/A	



Direction 7: Promote tourism opportunities

No	Action	Consistent			Comments
		Yes	No	N/A	
7.1	Align local land use strategies and tourism strategies with the Destination Management Plan for the Riverina Murray Destination Network.			N/A	
7.2	Enable opportunities for tourism development and associated land uses in local plans.	Yes			The planning proposal involves the review of the Rural Zone objectives and land use permissibility to ensure consistency to enable consolidation. This has considered and incorporated opportunities for tourism development. Rezoning the land to RE1 and RE2 enables opportunities for tourism.
7.3	Target experiential tourism opportunities and tourism management frameworks to promote a variety of accommodation options.			N/A	
7.4	Continue to implement actions and invest in boating infrastructure priorities identified in the Murray-Riverina Regional Boating Plan to improve boating safety, boat storage and waterway access.			N/A	

Direction 16: Increase resilience to natural hazards and climate change

No	Action	Consistent			Comments
		Yes	No	N/A	
16.1	Locate developments, including new urban release areas, away from areas of known high biodiversity value, high bushfire and flooding hazards, contaminated land, and designated waterways, to reduce the community's exposure to natural hazards.			N/A	
16.2	Incorporate the findings of the Riverina Murray Enabling Regional Adaptation Project to inform future land use planning decisions.			N/A	
16.3	Adopt a whole-of-government approach to information exchange			N/A	



	on climate change adaptation and preparedness.		
16.4	Respond to climate-related risks by applying and communicating fine-scale climate information to support decision-making.		N/A
16.5	Implement the requirements of the NSW Floodplain Development Manual by updating flood studies and floodplain risk management plans.		N/A
16.6	Incorporate the best available hazard information in local plans, consistent with, current flood studies, flood planning levels, modelling and floodplain risk management plans.	Yes	The planning proposal includes the rezoning of the 'deferred area' to be consistent with SI zoning. The proposed rezoning to B6, E3 and RE2 is considered to be suitable for this land when considering the flooding nature of the land as informed by the Edward River Flood Study.
16.7	Update and share current information on environmental assets and natural hazards with councils to inform planning decisions.	Yes	The Edward River Flood Study has been completed and will be incorporated into the draft ERLEP.
16.8	Manage the risks of disturbance in areas affected by natural occurring asbestos.		N/A

Direction 27: Manage rural and residential development

No	Action	Consistent			Comments
		Yes	No	N/A	
27.1	Enable new rural residential development only where it has been identified in a local housing strategy prepared by council and approved by the Department of Planning and Environment.			N/A	No new residential areas are proposed as part of the consolidation of the LEPs.
27.2	Locate new residential areas: <ul style="list-style-type: none"> In close proximity to existing urban settlements to maximise the efficient 			N/A	No new residential areas are proposed as part of the consolidation of the LEPs.



	<p>use of existing infrastructure and services and social and community infrastructure.</p> <ul style="list-style-type: none">• To avoid or minimise the potential for land use conflicts with productive, zoned agricultural land and natural resources; and• To avoid areas of high environmental, cultural and heritage significance, important agricultural land or areas affected by natural hazards.		
27.3	Manage land use conflict that can result from cumulative impacts of successive development decisions.	Yes	The planning proposal involves the review of the Large Lot Residential Zone (R5) objectives and land use permissibility to ensure consistency to enable consolidation. This will assist in the management of land use conflict.



Appendix 5 – Land Use Tables

Changes to the zone objectives and some land use permissibility's required to ensure consistency.

Table 1: RU1 Zone – Objectives and Land Use Permissibility (*discrepancies and proposed changes in red*)

DLEP	CLEP	Proposed ERLEP
1 Objectives of zone <ul style="list-style-type: none"> • To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. • To encourage diversity in primary industry enterprises and systems appropriate for the area. • To minimise the fragmentation and alienation of resource lands. • To minimise conflict between land uses within this zone and land uses within adjoining zones. 	1 Objectives of zone <ul style="list-style-type: none"> • To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. • To encourage diversity in primary industry enterprises and systems appropriate for the area. • To minimise the fragmentation and alienation of resource lands. • To minimise conflict between land uses within this zone and land uses within adjoining zones. • To allow for the development of processing and service industries relating to primary production. • To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities. • To allow for the development of non-agricultural land uses that are compatible with the character of the zone. • To permit small-scale rural tourism uses associated with primary production and environmental conservation that have minimal impact on primary production and the scenic amenity of the area. • To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism. 	1 Objectives of zone <ul style="list-style-type: none"> • To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. • To encourage diversity in primary industry enterprises and systems appropriate for the area. • To minimise the fragmentation and alienation of resource lands. • To minimise conflict between land uses within this zone and land uses within adjoining zones. • To allow the development of non-agricultural land uses that are compatible with the character of the zone, including tourism and processing and service industries.
2 Permitted without consent	2 Permitted without consent	2 Permitted without consent



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Environmental protection works; Extensive agriculture; Home occupations; Intensive plant agriculture; Water reticulation systems	Building identification signs; Business identification signs; Environmental protection works; Extensive agriculture; Forestry; Home businesses; Home occupations; Intensive plant agriculture; Roads; Water reticulation systems	Building identification signs; Business identification signs; Environmental protection works; Extensive agriculture; Home businesses; Home occupations; Intensive plant agriculture; Roads; Water reticulation systems
3 Permitted with consent	3 Permitted with consent	3 Permitted with consent
Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Camping grounds; Cellar door premises; Cemeteries; Community facilities; Correctional centres; Depots; Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Freight transport facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Home-based child care; Home businesses; Home industries; Home occupations (sex services); Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Jetties; Landscaping material supplies; Mooring pens; Moorings; Open cut mining; Plant nurseries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Roads; Roadside stalls; Rural industries; Rural workers' dwellings; Secondary dwellings; Turf farming; Veterinary hospitals; Water recreation structures; Water	Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Bed and breakfast accommodation; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cellar door premises; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Freight transport facilities; Function centres; Garden centres; Health consulting rooms; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Intensive livestock agriculture; Jetties; Kiosks; Landscaping material supplies; Markets; Mooring pens; Moorings; Open cut mining; Places of public worship; Plant nurseries; Public administration buildings;	Air transport facilities; Airstrips; Animal boarding or training establishments; Aquaculture; Artisan food and drink industry; Bed and breakfast accommodation; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Cellar door premises; Cemeteries; Charter and Tourism Boating facilities; Community facilities; Correctional centres; Depots; Dual occupancies; Dual occupancies (attached); Dual occupancies (detached); Dwelling houses; Eco-tourist facilities; Environmental facilities; Extractive industries; Farm buildings; Farm stay accommodation; Flood mitigation works; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; High Technology Industries; Highway Service Centre; Home-based child care; Home occupations (sex services); Industrial training facilities; Information and education facilities; Intensive livestock agriculture; Jetties; Landscaping material supplies; Light industries; Markets; Mooring pens; Moorings; Open cut mining; Plant nurseries; Places of public worship; Recreation areas; Recreation facilities (major); Recreation



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supply systems; Wharf or boating facilities	Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Sex services premises; Storage premises; Take away food and drink premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Water recreation structures; Water supply systems; Wholesale supplies	facilities (outdoor); Roads; Restaurants or cafes; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Self Storage Units; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Water recreation structures; Water supply systems; Wharf or boating facilities
4 Prohibited	4 Prohibited	4 Prohibited
Any development not specified in item 2 or 3	Serviced apartments; Any other development not specified in item 2 or 3	Serviced Apartments; Backpackers accommodation; Child care centres; Educational Establishment; Garden centre; General industries; Health consulting rooms; Hotel or motel accommodation; Industries; Industrial Retail Outlet; Kiosk; Public administration building; Recreation facilities (indoor); Schools; Sex Service Premises; Take away food & drink premises; Wholesale Supplies; Any other development not specified in item 2 or 3

Changes to the zone objectives and some land use permissibility's required to ensure consistency.

Table 3: R5 Zone – Objectives and Land Use Permissibility (discrepancies and proposed changes in red)

DLEP	CLEP	Proposed ERLEP
1 Objectives of zone	1 Objectives of zone	1 Objectives of zone
<ul style="list-style-type: none"> To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally 	<ul style="list-style-type: none"> To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally 	<ul style="list-style-type: none"> To provide residential housing in a rural setting while preserving, and minimising impacts on, environmentally



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<p>sensitive locations and scenic quality.</p> <ul style="list-style-type: none"> To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. To minimise conflict between land uses within this zone and land uses within adjoining zones. 	<p>sensitive locations and scenic quality.</p> <ul style="list-style-type: none"> To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. To minimise conflict between land uses within this zone and land uses within adjoining zones. To provide opportunities for combining residential development with agricultural uses and home occupations of a domestic scale. To facilitate and promote an increased range of living opportunities by providing for low-intensity residential development that is compatible with the rural characteristics of the locality. 	<p>sensitive locations and scenic quality.</p> <ul style="list-style-type: none"> To ensure that large residential lots do not hinder the proper and orderly development of urban areas in the future. To ensure that development in the area does not unreasonably increase the demand for public services or public facilities. To minimise conflict between land uses within this zone and land uses within adjoining zones. To provide opportunities for low density residential development and other non-residential development that is compatible with the characteristics of the locality.
2 Permitted without consent	2 Permitted without consent	2 Permitted without consent
Environmental protection works; Home occupations; Water reticulation systems	Building identification signs; Environmental protection works; Extensive agriculture; Home occupations; Roads; Water reticulation systems	Environmental protection works; Home occupations; Water reticulation systems
3 Permitted with consent	3 Permitted with consent	3 Permitted with consent
Bed and breakfast accommodation; Building identification signs; Business identification signs; Dual occupancies; Dwelling houses; Food and drink premises; Garden centres; Group homes; Home industries; Kiosks; Plant nurseries; Roads; Roadside stalls; Any other development not specified in item 2 or 4	Bed and breakfast accommodation; Business identification signs; Cellar door premises; Dual occupancies; Dwelling houses; Home industries; Hotel or motel accommodation; Intensive plant agriculture; Kiosks; Landscaping material supplies; Markets; Plant nurseries; Waste or resource transfer stations; Any other development not specified in item 2 or 4	Artisan food and Drink Industry, Bed and breakfast accommodation; Bee keeping; Building identification signs; Business identification signs; Cemetery; Childcare centre; Community facilities; Dual occupancies; Dwelling houses; Exhibition homes; Farm buildings; Food and drink premises; Garden centres; Group homes; Group homes (permanent); Group homes (transitional); Home occupation (sex services); Home industries; Horticulture;



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		Information and education facilities; Kiosks; Places of public worship; Plant nurseries; Residential accommodation; Roads; Roadside stalls; Viticulture; Any other development not specified in item 2 or 4
4 Prohibited	4 Prohibited	4 Prohibited
Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Car parks; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Electricity generating works; Entertainment facilities; Extractive industries; Farm buildings ; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads ; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mortuaries; Open cut mining; Passenger transport facilities ; Public administration buildings; Pubs ; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sewage treatment plants ; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Water recycling facilities ; Water treatment facilities; Wharf or boating facilities; Wholesale supplies	Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Car parks; Cemeteries ; Centre-based child care facilities ; Charter and tourism boating facilities; Commercial premises; Community facilities ; Correctional centres; Crematoria; Depots; Electricity generating works; Entertainment facilities; Exhibition villages ; Extractive industries; Forestry; Freight transport facilities; Function centres ; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services) ; Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities ; Marinas; Mortuaries; Open cut mining; Places of public worship ; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Service stations; Sex services premises; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste or	Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Car parks; Cellar door premises ; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Dairy (pasture based) ; Depots; Electricity generating works; Entertainment facilities; Extensive Agriculture ; Extractive industries; Forestry; Freight transport facilities; Function centres ; Heavy industrial storage establishments; Helipad ; Highway service centres; Industrial retail outlets; Industrial training facilities; Industries; Intensive Plant Agriculture ; Landscaping material supplies ; Marinas; Markets ; Mortuaries; Neighbourhood shops ; Open cut mining; Passenger Transport Facilities ; Public administration buildings; Recreation facilities (indoor); Recreation facilities (major); Registered clubs; Research stations; Residential accommodation; Restricted premises; Restaurants or café ; Rural industries; Service stations Sex services premises; Signage; Storage premises; Take away food & drink premises ; Tourist and visitor accommodation; Transport



	resource management facilities; Water treatment facilities; Wharf or boating facilities; Wholesale supplies	depots; Truck depots; Turf farming ; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Water treatment facilities; Wharf or boating facilities; Wholesale supplies
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Table 5: B6 Zone (E3 – Objectives and Land Use Permissibility (proposed changes in red)

Note

Note: B6 (E3) zone not included in CLEP.

DLEP	Proposed ERLEP
1 Objectives of zone	1 Objectives of zone
<ul style="list-style-type: none"> To promote businesses along main roads and to encourage a mix of compatible uses. To provide a range of employment uses (including business, office, retail and light industrial uses). To maintain the economic strength of centres by limiting retailing activity. To provide for residential uses, but only as part of a mixed use development. 	<ul style="list-style-type: none"> To promote businesses along main roads and to encourage a mix of compatible uses. To provide a range of employment uses (including business, office, retail and light industrial uses). To maintain the economic strength of centres by limiting retailing activity. To provide for residential uses, but only as part of a mixed use development.
2 Permitted without consent	2 Permitted without consent
Environmental protection works; Home occupations; Water reticulation systems	Environmental protection works; Home occupations; Water reticulation systems
3 Permitted with consent	3 Permitted with consent
Business premises; Community facilities; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Landscaping material supplies; Light industries; Neighbourhood shops; Passenger transport facilities; Plant nurseries; Roads; Shop top housing; Warehouse or distribution centres; Water recycling facilities; Any other development not specified in item 2 or 4	Business premises; Community facilities; Garden centres; Hardware and building supplies; Hotel or motel accommodation; Landscaping material supplies; Light industries; Neighbourhood shops; Passenger transport facilities; Plant nurseries; Roads; Shops ; Shop top housing; Warehouse or distribution centres; Water recycling facilities; Any other development not specified in item 2 or 4
4 Prohibited	4 Prohibited
Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Cellar door premises; Cemeteries; Correctional centres; Crematoria; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Industrial training facilities; Industries; Open cut mining; Recreation facilities	Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Cellar door premises; Cemeteries; Correctional centres; Crematoria; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Freight transport facilities; Heavy industrial storage establishments; Industrial training facilities; Industries; Open cut mining; Recreation facilities



(major); Residential accommodation; Roadside stalls; Rural industries; Sewage treatment plants; Sex services premises; Shops ; Waste or resource management facilities; Water recycling facilities; Water treatment facilities; Wharf or boating facilities	(major); Residential accommodation; Roadside stalls; Rural industries; Sewage treatment plants; Sex services premises; Waste or resource management facilities; Water recycling facilities; Water treatment facilities; Wharf or boating facilities
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Table 7: INI Zone (E4)– Objectives and Land Use Permissibility (proposed changes in red)

Note: (INI) Zone E4 not included in CLEP.

DLEP	Proposed ERLEP
1 Objectives of zone	1 Objectives of zone
<ul style="list-style-type: none"> To provide a wide range of industrial and warehouse land uses. To encourage employment opportunities. To minimise any adverse effect of industry on other land uses. To support and protect industrial land for industrial uses. 	<ul style="list-style-type: none"> To provide a wide range of industrial and warehouse land uses. To encourage employment opportunities. To minimise any adverse effect of industry on other land uses. To support and protect industrial land for industrial uses.
2 Permitted without consent	2 Permitted without consent
Environmental protection works; Water reticulation systems	Environmental protection works; Water reticulation systems
3 Permitted with consent	3 Permitted with consent
Aquaculture; Depots; Food and drink premises; Freight transport facilities; Funeral homes; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Places of public worship; Plant nurseries; Roads; Rural supplies; Timber yards; Vehicle sales and hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4	Aquaculture; Depots; Food and drink premises; Freight transport facilities; Funeral homes; Garden centres; General industries; Hardware and building supplies; Industrial training facilities; Information and education facilities ; Kiosks; Landscaping material supplies; Light industries; Neighbourhood shops; Places of public worship; Plant nurseries; Roads; Rural supplies; Timber yards; Vehicle sales and hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4
4 Prohibited	4 Prohibited
Agriculture; Amusement centres; Camping grounds; Car parks; Caravan parks; Cemeteries; Centre-based child care facilities; Commercial premises; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Information and education facilities ; Public administration buildings; Pubs; Registered clubs; Residential accommodation; Respite day care centres;	Agriculture; Amusement centres; Camping grounds; Car parks; Caravan parks; Cemeteries; Centre-based child care facilities; Commercial premises; Eco-tourist facilities; Educational establishments; Entertainment facilities; Exhibition homes; Exhibition villages; Farm buildings; Forestry; Function centres; Health services facilities; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Public administration buildings; Pubs; Registered clubs; Residential accommodation; Respite day care centres;



Tourist and visitor accommodation; Wharf or boating facilities	Tourist and visitor accommodation; Wharf or boating facilities
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Development Standards

Table 9: Principle development standards (discrepancies and proposed changes in red)

DLEP	CLEP	ERLEP
4.1 Minimum subdivision lot size		
(1) The objectives of this clause are as follows: a) to ensure that new subdivisions reflect the characteristic lot sizes and patterns of the surrounding locality, (b) to ensure that lot sizes for dwelling houses are consistent with lot sizes on adjoining lands, (c) to ensure that lot sizes have a practical and efficient layout to meet their intended use, (d) to prevent the fragmentation of rural lands, (e) to minimise the intensification of development on flood liable land.	(1) The objectives of this clause are as follows: (a) to protect the productive capacity of agricultural land, (b) to maintain appropriate farm sizes for agricultural production, (c) to ensure that subdivision does not unreasonably impact on the natural and environmental values of the area, (d) to prevent the fragmentation of natural and rural areas, (e) to ensure that new subdivisions reflect characteristic lot sizes and patterns in the surrounding locality, (f) to ensure that rural residential development does not prejudice future agricultural production, (g) to ensure that the creation of lots and any subsequent development on such lots does not create a demand for the uneconomic provision of services by Council.	(1) The objectives of this clause are as follows: a) to maintain appropriate farm sizes for agricultural production and protect the productive capacity of agricultural land b) to ensure that rural residential development does not prejudice future agricultural production c) to ensure that subdivision does not unreasonably impact on the natural and environmental values of the area d) to prevent the fragmentation of natural and rural areas e) to ensure that new subdivisions reflect the characteristic lot sizes and patterns of the surrounding locality, and have a practical and efficient layout to meet their intended use f) to minimise the intensification of development on flood liable land g) to ensure that the creation of lots and any subsequent development on such lots does not create a demand for the uneconomic provision of services by Council
4.1AA Minimum subdivision lot size for community title schemes		
2) This clause applies to a subdivision (being a subdivision that requires development consent) under the Community Land Development Act 1989 of land in any of the following zones: (a) Zone RU1 Primary Production,	(2) This clause applies to a subdivision (being a subdivision that requires development consent) under the Community Land Development Act 1989 of land in any of the following zones: (a) Zone RU1 Primary Production,	2) This clause applies to a subdivision (being a subdivision that requires development consent) under the Community Land Development Act 1989 of land in any of the following zones: (a) Zone RU1 Primary Production,



(b) Zone R5 Large Lot Residential, (c) Zone E3 Environmental Management, but does not apply to a subdivision by the registration of a strata plan.	but does not apply to a subdivision by the registration of a strata plan.	(b) Zone R5 Large Lot Residential, (c) Zone E3 Environmental Management, but does not apply to a subdivision by the registration of a strata plan.
4.1A Exceptions to minimum subdivision lot sizes for certain split zones		
<p>(1) The objectives of this clause are:</p> <p>(a) to provide for the subdivision of lots that are within more than one zone but cannot be subdivided under clause 4.1, and</p> <p>(b) to ensure that the subdivision occurs in a manner that promotes suitable land use and development.</p> <p>(2) This clause applies to each lot (an original lot) that contains:</p> <p>(a) land in a residential, business or industrial zone, and</p> <p>(b) land in Zone RU1 Primary Production or Zone E3 Environmental Management.</p> <p>(3) Despite clause 4.1, development consent may be granted to subdivide an original lot to create other lots (the resulting lots) if:</p> <p>(a) one of the resulting lots will contain:</p> <p>(i) land in a residential, business or industrial zone that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land, and</p> <p>(ii) all of the land in Zone RU1 Primary Production or Zone E3 Environmental Management that was in the original lot, and</p> <p>(b) all other resulting lots will contain land that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land.</p>	BLANK	<p>(1) The objectives of this clause are:</p> <p>(a) to provide for the subdivision of lots that are within more than one zone but cannot be subdivided under clause 4.1, and</p> <p>(b) to ensure that the subdivision occurs in a manner that promotes suitable land use and development.</p> <p>(2) This clause applies to each lot (an original lot) that contains:</p> <p>(a) land in a residential, business or industrial zone, and</p> <p>(b) land in Zone RU1 Primary Production or Zone E3 Environmental Management.</p> <p>(3) Despite clause 4.1, development consent may be granted to subdivide an original lot to create other lots (the resulting lots) if:</p> <p>(a) one of the resulting lots will contain:</p> <p>(i) land in a residential, business or industrial zone that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land, and</p> <p>(ii) all of the land in Zone RU1 Primary Production or Zone E3 Environmental Management that was in the original lot, and</p> <p>(b) all other resulting lots will contain land that has an area that is not less than the minimum size shown on the Lot Size Map in relation to that land.</p>



4.1B Exceptions to minimum subdivision lot sizes for certain rural subdivisions		
<p>(1) The objective of this clause is to permit the subdivision of land in rural areas to create lots of an appropriate size to meet the needs of current permissible uses other than for the purpose of residential accommodation.</p> <p>(2) This clause applies to land in Zone RU1 Primary Production.</p> <p>(3) Land to which this clause applies may, with development consent, be subdivided to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land, if the consent authority is satisfied that the use of the land after the subdivision will be the same use (other than residential accommodation) permitted under the existing development consent for the land.</p> <p>(4) Development consent must not be granted for the subdivision of land to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) the subdivision will not adversely affect the use of the surrounding land for agriculture, and</p> <p>(b) the subdivision is necessary for the ongoing operation of the permissible use, and</p> <p>(c) the subdivision will not cause or increase rural land uses conflict in the locality, and</p> <p>(d) the subdivision is appropriate having regard to the natural and physical constraints affecting the land.</p>	BLANK	<p>(1) The objective of this clause is to permit the subdivision of land in rural areas to create lots of an appropriate size to meet the needs of current permissible uses other than for the purpose of residential accommodation.</p> <p>(2) This clause applies to land in Zone RU1 Primary Production.</p> <p>(3) Land to which this clause applies may, with development consent, be subdivided to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land, if the consent authority is satisfied that the use of the land after the subdivision will be the same use (other than residential accommodation) permitted under the existing development consent for the land.</p> <p>(4) Development consent must not be granted for the subdivision of land to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) the subdivision will not adversely affect the use of the surrounding land for agriculture, and</p> <p>(b) the subdivision is necessary for the ongoing operation of the permissible use, and</p> <p>(c) the subdivision will not cause or increase rural land uses conflict in the locality, and</p> <p>(d) the subdivision is appropriate having regard to the natural and physical constraints affecting the land.</p>
4.2B Erection of dwelling houses on land certain rural and environment protection zones		
(1) The objectives of this clause are as follows:	(1) The objectives of this clause are as follows:	1) The objectives of this clause are as follows:



<p>(a) to minimise unplanned rural residential development, (b) to enable the replacement of lawfully erected dwelling houses in rural and environment protection zones. (2) This clause applies to land in the following zones: (a) Zone RU1 Primary Production, (b) Zone E3 Environmental Management.</p>	<p>(a) to minimise unplanned rural residential development, (b) to enable the replacement of lawfully erected dwelling houses in rural and environment protection zones. (2) This clause applies to land in Zone RU1 Primary Production.</p>	<p>(a) to minimise unplanned rural residential development, (b) to enable the replacement of lawfully erected dwelling houses in rural and environment protection zones. (2) This clause applies to land in the following zones: (a) Zone RU1 Primary Production, (b) Zone E3 Environmental Management.</p>
<p>4.2D Boundary changes between lots in certain rural, residential and environment protection zones</p>		
<p>(1) The objective of this clause is to permit the boundary between 2 or more lots to be altered in certain circumstances to give landowners a greater opportunity to achieve the objectives for development in a zone. (2) This clause applies to land in any of the following zones: (a) Zone RU1 Primary Production, (b) Zone R5 Large Lot Residential, (c) Zone E3 Environmental Management. (3) Despite clause 4.1 (3), development consent may be granted to the subdivision of 2 or more adjoining lots, being land to which this clause applies, if the subdivision will not result in any of the following: (a) an increase in the number of lots, (b) an increase in the number of dwellings on, or dwellings that may be erected on, any of the lots. (4) In determining whether to grant development consent to the subdivision of land under this clause, the consent authority must consider the following:</p>	<p>BLANK</p>	<p>(1) The objective of this clause is to permit the boundary between 2 or more lots to be altered in certain circumstances to give landowners a greater opportunity to achieve the objectives for development in a zone. (2) This clause applies to land in any of the following zones: (a) Zone RU1 Primary Production, (b) Zone R5 Large Lot Residential, (c) Zone E3 Environmental Management. (3) Despite clause 4.1 (3), development consent may be granted to the subdivision of 2 or more adjoining lots, being land to which this clause applies, if the subdivision will not result in any of the following: (a) an increase in the number of lots, (b) an increase in the number of dwellings on, or dwellings that may be erected on, any of the lots. (4) In determining whether to grant development consent to the subdivision of land under this clause, the consent authority must consider the following:</p>



<p>(a) the existing uses and approved uses of other land in the vicinity of the subdivision,</p> <p>(b) whether or not the subdivision is likely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the development,</p> <p>(c) whether or not the subdivision is likely to be incompatible with a use referred to in paragraph (a) or (b),</p> <p>(d) whether or not the subdivision is likely to be incompatible with a use on land in any adjoining zone,</p> <p>(e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d),</p> <p>(f) whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,</p> <p>(g) whether or not the subdivision is likely to have an adverse impact on the environmental values or agricultural viability of the land.</p> <p>(5) This clause does not apply:</p> <p>(a) in relation to the subdivision of individual lots in a strata plan or a community title scheme, or</p> <p>(b) if the subdivision would create a lot that could itself be subdivided in accordance with clause 4.1.</p>	<p>(a) the existing uses and approved uses of other land in the vicinity of the subdivision,</p> <p>(b) whether or not the subdivision is likely to have a significant impact on land uses that are likely to be preferred and the predominant land uses in the vicinity of the development,</p> <p>(c) whether or not the subdivision is likely to be incompatible with a use referred to in paragraph (a) or (b),</p> <p>(d) whether or not the subdivision is likely to be incompatible with a use on land in any adjoining zone,</p> <p>(e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d),</p> <p>(f) whether or not the subdivision is appropriate having regard to the natural and physical constraints affecting the land,</p> <p>(g) whether or not the subdivision is likely to have an adverse impact on the environmental values or agricultural viability of the land.</p> <p>(5) This clause does not apply:</p> <p>(a) in relation to the subdivision of individual lots in a strata plan or a community title scheme, or</p> <p>(b) if the subdivision would create a lot that could itself be subdivided in accordance with clause 4.1.</p>
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Table 11: Miscellaneous Provisions (discrepancies and proposed changes in red)

DLEP	CLEP	ERLEP
5.4 Controls relating to miscellaneous permissible uses		
<p>(1) Bed and breakfast accommodation If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 5 bedrooms. Note. Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the Building Code of Australia.</p> <p>(2) Home businesses If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 50 square metres of floor area.</p> <p>(3) Home industries If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 50 square metres of floor area.</p> <p>(4) Industrial retail outlets If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed: (a) 30% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or (b) 400 square metres, whichever is the lesser.</p>	<p>(1) Bed and breakfast accommodation If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 5 bedrooms. Note. Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the Building Code of Australia.</p> <p>(2) Home businesses If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 50 square metres of floor area.</p> <p>(3) Home industries If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 50 square metres of floor area.</p> <p>(4) Industrial retail outlets If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed: (a) 50% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or (b) 400 square metres, whichever is the lesser.</p>	<p>1) Bed and breakfast accommodation If development for the purposes of bed and breakfast accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 5 bedrooms. Note. Any such development that provides for a certain number of guests or rooms may involve a change in the class of building under the Building Code of Australia.</p> <p>(2) Home businesses If development for the purposes of a home business is permitted under this Plan, the carrying on of the business must not involve the use of more than 50 square metres of floor area.</p> <p>(3) Home industries If development for the purposes of a home industry is permitted under this Plan, the carrying on of the home industry must not involve the use of more than 50 square metres of floor area.</p> <p>(4) Industrial retail outlets If development for the purposes of an industrial retail outlet is permitted under this Plan, the retail floor area must not exceed: (a) 50% of the gross floor area of the industry or rural industry located on the same land as the retail outlet, or (b) 400 square metres, whichever is the lesser.</p>



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<p>(5) Farm stay accommodation If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 5 bedrooms.</p> <p>(6) Kiosks If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 50 square metres.</p> <p>(7) Neighbourhood shops If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 100 square metres.</p> <p>(7AA) Neighbourhood supermarkets If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres.</p> <p>(8) Roadside stalls If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 50 square metres.</p> <p>(9) Secondary dwellings If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater: (a) 60 square metres, (b) 25% of the total floor area of the principal dwelling.</p>	<p>(5) Farm stay accommodation If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 10 bedrooms.</p> <p>(6) Kiosks If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 10 square metres.</p> <p>(7) Neighbourhood shops If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 200 square metres.</p> <p>(7AA) Neighbourhood supermarkets If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres.</p> <p>(8) Roadside stalls If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 30 square metres.</p> <p>(9) Secondary dwellings If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater: (a) 60 square metres, (b) 50% of the total floor area of the principal dwelling.</p>	<p>(5) Farm stay accommodation If development for the purposes of farm stay accommodation is permitted under this Plan, the accommodation that is provided to guests must consist of no more than 10 bedrooms.</p> <p>(6) Kiosks If development for the purposes of a kiosk is permitted under this Plan, the gross floor area must not exceed 50 square metres.</p> <p>(7) Neighbourhood shops If development for the purposes of a neighbourhood shop is permitted under this Plan, the retail floor area must not exceed 200 square metres.</p> <p>(7AA) Neighbourhood supermarkets If development for the purposes of a neighbourhood supermarket is permitted under this Plan, the gross floor area must not exceed 1,000 square metres.</p> <p>(8) Roadside stalls If development for the purposes of a roadside stall is permitted under this Plan, the gross floor area must not exceed 50 square metres.</p> <p>(9) Secondary dwellings If development for the purposes of a secondary dwelling is permitted under this Plan, the total floor area of the dwelling (excluding any area used for parking) must not exceed whichever of the following is the greater: (a) 60 square metres, (b) 50% of the total floor area of the principal dwelling.</p>
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<p>(10) Artisan food and drink industry exclusion</p> <p>If development for the purposes of an artisan food and drink industry is permitted under this Plan in an industrial or rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed:</p> <p>(a) 30% of the gross floor area of the industry, or</p> <p>(b) 400 square metres, whichever is the lesser.</p>	<p>(10) Artisan food and drink industry exclusion</p> <p>If development for the purposes of an artisan food and drink industry is permitted under this Plan in an industrial or rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed:</p> <p>(a) 50% of the gross floor area of the industry, or</p> <p>(b) 400 square metres, whichever is the lesser.</p>	<p>(10) Artisan food and drink industry exclusion</p> <p>If development for the purposes of an artisan food and drink industry is permitted under this Plan in an industrial or rural zone, the floor area used for retail sales (not including any cafe or restaurant area) must not exceed:</p> <p>(a) 50% of the gross floor area of the industry, or</p> <p>(b) 400 square metres, whichever is the lesser.</p>
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Table 13: Additional Local Provisions (discrepancies and proposed changes in red)

DLEP	CLEP	Proposed ERLEP
Salinity		
<p>(1) The objective of this clause is to provide for the appropriate management of land that is subject to salinity and the minimisation and mitigation of adverse impacts from development that contributes to salinity.</p> <p>(2) Before determining a development application for development that the consent authority is satisfied may affect the process of salinisation or is proposed to be carried out on land affected by groundwater salinity, the consent authority must consider the following:</p> <p>(a) whether the development is likely to have any adverse impact on salinity processes on the land,</p> <p>(b) whether salinity is likely to have an impact on the development,</p> <p>(c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>(3) Development consent must not be granted to development to which subclause (2) applies</p>	<p>(1) The objective of this clause is to provide for the appropriate management of land that is subject to salinity and the minimisation and mitigation of adverse impacts from development that contributes to salinity.</p> <p>(2) This clause applies to development on land affected by groundwater salinity and development that may have an adverse impact on salinity processes on any land.</p> <p>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following:</p> <p>(a) whether the development is likely to have any adverse impact on salinity processes on the land,</p> <p>(b) whether salinity is likely to have an impact on the development,</p> <p>(c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>	<p>(1) The objective of this clause is to provide for the appropriate management of land that is subject to salinity and the minimisation and mitigation of adverse impacts from development that contributes to salinity.</p> <p>(2) This clause applies to development on land affected by groundwater salinity and development that may have an adverse impact on salinity processes on any land.</p> <p>(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider the following:</p> <p>(a) whether the development is likely to have any adverse impact on salinity processes on the land,</p> <p>(b) whether salinity is likely to have an impact on the development,</p> <p>(c) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p>



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<p>unless the consent authority is satisfied that:</p> <p>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>	<p>(4) Development consent must not be granted to development to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>	<p>(4) Development consent must not be granted to development to which this clause applies unless the consent authority is satisfied that:</p> <p>(a) the development is designed, sited and will be managed to avoid any significant adverse environmental impact, or</p> <p>(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or</p> <p>(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.</p>
Location of sex services		
<p>(1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children.</p> <p>(2) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following:</p> <p>(a) whether the premises will be located on land that adjoins, is directly opposite or is separated only by a local road from land:</p> <p>(i) in Zone R1 General Residential or Zone RE1 Public Recreation, or</p> <p>(ii) used for the purposes of a centre-based child care facility, a community facility, a school or a place of public worship,</p> <p>(b) the impact of the development and its hours of operation on any place likely to be regularly frequented by children:</p>	<p>(1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children.</p> <p>(2) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following:</p> <p>(a) whether the premises will be located on land that adjoins, is directly opposite or is separated only by a local road from, land:</p> <p>(i) in Zone RU5 Village or Zone R5 Large Lot Residential, or</p> <p>(ii) used for the purposes of a centre-based child care facility, a community facility, a school or a place of public worship,</p> <p>(b) the impact of the proposed development and its hours of operation on any place likely to be regularly frequented by children:</p>	<p>(1) The objective of this clause is to minimise land use conflicts and adverse amenity impacts by providing a reasonable level of separation between sex services premises, specified land uses and places regularly frequented by children.</p> <p>(2) In deciding whether to grant development consent to development for the purposes of sex services premises, the consent authority must consider the following:</p> <p>(a) whether the premises will be located on land that adjoins, is directly opposite or is separated only by a local road from, land:</p> <p>(i) in Zone R1 General Residential, Zone RE1 Public Recreation, Zone RU5 Village or Zone R5 Large Lot Residential, or</p> <p>(ii) used for the purposes of a centre-based child care facility, a community facility, a school or a place of public worship,</p> <p>(b) the impact of the proposed development and its hours of operation on any place likely to</p>



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(i) that adjoins the development, or (ii) that can be viewed from the development, or (iii) from which a person can view the development.	(i) that adjoins the proposed development, or (ii) that can be viewed from the proposed development, or (iii) from which a person can view the proposed development.	be regularly frequented by children: (i) that adjoins the proposed development, or (ii) that can be viewed from the proposed development, or (iii) from which a person can view the proposed development.
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Schedule 2

Table 15: Schedule 2 – Exempt Development (*discrepancies and proposed changes in red*)

DLEP	CLEP	Proposed ERLEP
Schedule 2 Exempt Development		
BLANK	<p>Advertisements and advertising structures</p> <p>(1) Must not be illuminated.</p> <p>(2) Must relate to the lawful use of the premises.</p> <p>(3) Must not be located in land in a residential zone.</p> <p>(4) If located on land in Zone RU5 Village, maximum area—15% of the front elevation of a building on which it is displayed.</p> <p>(5) If located on land in any other zone, maximum area—2.5m².</p> <p>(6) Maximum height—3m above ground level (existing).</p> <p>(7) If sign is an underawning sign, maximum height—height of the underside of the awning to which it is attached or 3m above ground level (existing), whichever is greater.</p> <p>(8) If sign is suspended from an awning along a public road—must be at least 2.7m above ground level (existing).</p> <p>Real estate signs</p> <p>(1) Maximum area:</p> <p>(a) if located on land in an environment protection zone—2.5m², or</p> <p>(b) if located on land in any other zone—4m².</p> <p>(2) Must not be displayed for longer than 14 days after the date of sale or lease of the premises.</p> <p>(3) Maximum 2 signs per premises.</p> <p>Signs behind glass line of shop window</p> <p>If located on land in Zone R5 Large Lot Residential—must not be illuminated.</p>	BLANK



Land Use Table Deferred Matters – Davidson Street, Deniliquin

Table 17 Current & proposed land use permissibility (discrepancies and proposed changes in red)

DLEP 1997 (current)	ERLEP (proposed)
INI - Urban Zone	B6 – Enterprise Corridor
Permitted without consent	Permitted without consent
Nil	Environmental protection works, Home occupations, Water reticulation systems
Permitted with consent	Permitted with consent
Any development other than included in item 4	Business premises, Community facilities Garden centres, Hardware and building supplies, Hotel or motel accommodation, Landscaping material supplies, Light industries, Neighbourhood shops, Passenger transport facilities, Plant nurseries, Roads, Shop top housing, Warehouse or distribution centres, Water recycling facilities, Shop, Any other development not specified in item 2 or 4
Prohibited	Prohibited
Extractive Industries, Intensive livestock keeping establishments, Mines, Offensive or hazardous industries, Quarries	Agriculture, Air transport facilities, Airstrips, Amusement centres, Animal boarding or training establishments, Biosolids treatment facilities, Cellar door premises, Cemeteries, Correctional centres, Crematoria, Electricity generating works, Exhibition homes Exhibition villages, Extractive industries, Farm buildings, Farm stay accommodation, Forestry, Freight transport facilities, Heavy industrial storage establishments, Industrial training facilities, Industries, Open cut mining, Recreation facilities (major), Residential accommodation, Roadside stalls, Rural industries, Sewage treatment plants, Sex services premises, Waste or resource management facilities, Water recycling facilities, Wharf or boating facilities



Table 18 Current & proposed land use permissibility (*discrepancies and proposed changes in red*)

DLEP 1997 (current)	ERLEP (proposed)	
1(a) General Rural Zone	E3 - Environmental Management Zone	RE2 – Private Recreation Zone (Riverside Caravan Park land)
Permitted without consent	Permitted without consent	Permitted without consent
Agriculture	Home occupations, Water reticulation systems	Environmental protection works, Water reticulation systems
Permitted with consent	Permitted with consent	Permitted with consent
Any development other than included in item 2 or 4	Aquaculture, Bed and breakfast accommodation, Boat launching ramps, Boat sheds, Building identification signs, Business identification signs, Camping grounds, Caravan parks, Cellar door premises, Community facilities, Dwelling houses, Eco-tourist facilities, Environmental facilities, Environmental protection works, Farm buildings, Flood mitigation works, Home-based child care, Home businesses, Home industries, Home occupations (sex services), Information and education facilities, Jetties, Kiosks, Mooring pens, Moorings, Recreation areas, Recreation facilities (outdoor), Research stations, Roads, Roadside stalls, Secondary dwellings, Veterinary hospitals, Water recreation structures, Water supply systems	Airstrips, Animal boarding or training establishments, Boat launching ramps, Boat sheds, Camping grounds, Caravan parks, Centre-based child care facilities, Charter and tourism boating facilities, Community facilities, Eco-tourist facilities, Emergency services facilities, Entertainment facilities, Environmental facilities, Farm buildings, Flood mitigation works, Food and drink premises, Function centres, Helipads, Information and education facilities, Jetties, Kiosks, Marinas, Mooring pens, Moorings, Places of public worship, Recreation areas, Recreation facilities (indoor), Recreation facilities (major), Recreation facilities (outdoor), Registered clubs, Respite day care centres, Roads, Seniors housing, Signage, Tourist and visitor accommodation, Water recreation structures, Water recycling facilities, Water supply systems
Prohibited	Prohibited	Prohibited
Motor showrooms, Residential flat buildings, Shops (other than general stores <200sqm)	Industries, Multi dwelling housing, Residential flat buildings, Retail premises, Seniors housing, Service stations, Warehouse or distribution centres, Any other development not specified in item 2 or 3	Bed and breakfast accommodation, Farm stay accommodation, Water treatment facilities, Any other development not specified in item 2 or 3



Rezoning of recreation land

Table 20: Current and Proposed Objectives and Land Use Permissibility (*proposed changes in red*)

Current CLEP	Proposed
RU1 Primary Production	RE1 Public Recreation
Objectives of zone	Objectives of zone
<ul style="list-style-type: none"> To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. To encourage diversity in primary industry enterprises and systems appropriate for the area. To minimise the fragmentation and alienation of resource lands. To minimise conflict between land uses within this zone and land uses within adjoining zones. To allow for the development of processing and service industries relating to primary production. To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities. To allow for the development of non-agricultural land uses that are compatible with the character of the zone. To permit small-scale rural tourism uses associated with primary production and environmental conservation that have minimal impact on primary production and the scenic amenity of the area. To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism. 	<ul style="list-style-type: none"> To enable land to be used for public open space or recreational purposes. To provide a range of recreational settings and activities and compatible land uses. To protect and enhance the natural environment for recreational purposes.
Permitted without consent	Permitted without consent
Building identification signs; Business identification signs; Environmental protection works; Extensive agriculture; Forestry; Home businesses; Home occupations; Intensive plant agriculture; Roads; Water reticulation systems	Environmental protection works; Water reticulation systems
Permitted with consent	Permitted with consent
Air transport facilities; Airstrips; Animal boarding or training establishments; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cellar door premises; Cemeteries; Centre-based child care facilities;	Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Environmental facilities; Flood mitigation works; Heliports; Information and education facilities; Jetties; Kiosks; Mooring



Planning proposal
Consolidated Edward River Local Environmental Plan

<p>Charter and tourism boating facilities; Community facilities; Correctional centres; Crematoria; Depots; Dual occupancies; Dwelling houses; Eco-tourist facilities; Educational establishments; Environmental facilities; Extractive industries; Farm buildings; Flood mitigation works; Freight transport facilities; Function centres; Garden centres; Health consulting rooms; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Intensive livestock agriculture; Jetties; Kiosks; Landscaping material supplies; Markets; Mooring pens; Moorings; Open cut mining; Places of public worship; Plant nurseries; Public administration buildings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Restaurants or cafes; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings; Secondary dwellings; Sex services premises; Storage premises; Take away food and drink premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Water recreation structures; Water supply systems; Wholesale supplies</p>	<p>pens; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Roads; Water recreation structures; Water recycling facilities; Water supply systems</p>
Prohibited	Prohibited
Serviced apartments; Any other development not specified in item 2 or 3	Water treatment facilities; Any other development not specified in item 2 or 3
Current CLEP	Proposed
RU5 Village	RE1 Public Recreation
Objectives of zone	Objectives of zone
<ul style="list-style-type: none"> To provide for a range of land uses, services and facilities that are associated with a rural village. To ensure that land uses are supported by satisfactory arrangements for water supply and effluent disposal. To enable a range of housing forms and land uses that complement the character of each rural village. To provide for land uses that support the role of the rural villages. 	<ul style="list-style-type: none"> To enable land to be used for public open space or recreational purposes. To provide a range of recreational settings and activities and compatible land uses. To protect and enhance the natural environment for recreational purposes.
Permitted without consent	Permitted without consent
Environmental protection works; Home occupations; Roads; Water reticulation systems	Environmental protection works; Water reticulation systems



Planning proposal
Consolidated Edward River Local Environmental Plan

Permitted with consent	Permitted with consent
Agricultural produce industries; Centre-based child care facilities; Community facilities; Dwelling houses; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Schools; Any other development not specified in item 2 or 4	Boat launching ramps; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Environmental facilities; Flood mitigation works; Heliports; Information and education facilities; Jetties; Kiosks; Mooring pens; Moorings; Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Respite day care centres; Roads; Water recreation structures; Water recycling facilities; Water supply systems
Prohibited	Prohibited
Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Cellar door premises; Correctional centres; Crematoria; Extractive industries; Farm buildings; Farm stay accommodation; Forestry; Heavy industrial storage establishments; Heavy industries; Home occupations (sex services); Marinas; Mortuaries; Open cut mining; Rural industries; Rural workers' dwellings; Waste disposal facilities	Water treatment facilities; Any other development not specified in item 2 or 3

12.10. DEVELOPMENT SERVICES REPORT - JULY 2022

Author: Marie Sutton - Manager Planning & Environment

Authoriser: Mark Dalzell- Director Infrastructure

RECOMMENDATION

That Council receive and note the July Development Services update report

BACKGROUND

The Development Services Report for July 22 is included as Attachment 1.

ISSUE/DISCUSSION

N/A

STRATEGIC IMPLICATIONS

N/A

COMMUNITY STRATEGIC PLAN

N/A

FINANCIAL IMPLICATIONS

N/A

LEGISLATIVE IMPLICATIONS

N/A

ATTACHMENTS

Attachment 1 - 7 Environment Report July 2022



Development Activity					
Applications received – July 2022					
Application	Property Description	Proposal	Date Received	Date Approved	Status
DA2022/0057	Lot 52 DP 1189132, Macknight Drive, Deniliquin	Rural Fire Service Office	1/7/22	-	Under assessment
DA2022/0058 CC2022/0032	Lot 1 DP 1142624, 8235 Conargo Road, Deniliquin	Shed	1/7/22	-	Under assessment
DA2022/0059 CC2022/0033	Lot 2 DP 285832, 332 Wakool Road, Deniliquin	New Dwelling & Garage	7/7/22	-	Under assessment
CC2022/0034	Lot 35 DP 1189132, Saleyards Road, Deniliquin	Development of Industrial Factory and Detached Demountable Office	22/7/22	-	Under assessment
DA2022/0060	Lot 15 DP 873664, 104-108 Hardinge Street, Deniliquin	Signage	12/7/22	-	Under assessment
DA2022/0061	Lot 76 DP 756310, 298 Cobb Highway, Deniliquin	2 Lot Subdivision	21/7/22	-	Under assessment
DA2022/0062	Lot 13 DP 720244, 467 Kelly Street, Deniliquin	Industrial Shed	21/7/22	-	Under assessment
DA2022/0063 CC2022/0035	Lot 20 DP 29825, 436 Hay Road, Deniliquin	Carport	22/7/22	-	Under assessment
DA2022/0064 CC2022/0036	Lot 70 & 83 DP 756301, Moonee Swamp Road, Birganbigil	Birganbigil Fire Shed	26/7/22	-	Under assessment



Complying Development Certificates					
CDC2022/0005	Lot 6 Sec 18 DP758782, 255 River Street, Deniliquin	Inground Swimming Pool	22/7/22	-	Under assessment
S68 Applications					
LG2022/0021	Lot 2 DP 285832, 332 Wakool Road, Deniliquin	Install AWTS & Water Supply & Sewerage Work, Stormwater Drainage	7/7/22	-	Under assessment
LG2022/0022	Lot 35 DP 1189132, Saleyards Road, Deniliquin	Water Supply & Sewerage Work, Stormwater Drainage and draw water for a Fire Service supply	22/7/22	26/7/22	Approved
LG2022/0023	Lot 70 & 83 DP 756301, Moonee Swamp Road, Deniliquin	Install a Septic Tank	26/7/22	-	Under assessment
LG2022/0024	-	Mobile Food Van	28/7/22	-	Under assessment
LG2022/0025	Lot 9 DP 658823, 140 End Street, Deniliquin	Water Supply & Sewerage Work, Stormwater Drainage	29/7/22	-	Under assessment

Development Applications by Type for July 2022						
Development Type	New Dwellings	Dwelling Alts/Additions/sheds	Commercial/Industrial	Other	Subdivision	No of lots resulting
Number	1	2	4	1	1	2
Totals 2022	6	25	10	21	8	25



Processing Times for July 2022		
Application Type	* Mean Gross Days	** Mean Net Days
DA	37	37
Mod (\$4.55) of DA & DA/CC	-	-
CDC	-	-
CC	28	28
S68 Applications	27	27

* Mean gross days = Total days from lodgment to determination ** Mean Net Days = Total days less Stop the Clock days

Value and Number of Applications Determined 2021 and 2022										
Month	DAs 2021	DAs 2022	CDCs 2021	CDCs 2022	CC 2021	CC 2022	S68 2021	S68 2022	Value 2021	Value 2022
January	8	3	0	2	3	1	3	2	\$1,885,946	\$870,000
February	7	14	0	1	2	9	4	2	\$1,599,609	\$6,541,633
March	18	13	1	0	12	8	4	5	\$2,918,375	\$1,968,289
April	9	8	1	0	3	2	5	0	\$673,735	\$1,891,000
May	7	9	1	1	5	6	0	6	\$463,520	\$3,376,895
June	11	13	0	0	8	8	6	3	\$938,000	\$277,646
July	11	3	2	0	9	3	3	2	\$598,050	\$369,101
August	8		0		7		2		\$681,236	
September	8		1		4		5		\$1,017,000	
October	10		0		9		1		\$1,288,993	
November	18		0		12		6		\$1,156,791	
December	6		-		3		1		\$1,090,440	
TOTALS	121	63	6	4	87	37	40	20	\$14,311,695.00	\$15,294,564.00



Note: numbers of application determined does not include modifications and applications determined by private certifiers. Value of application determined does not include the value of work for Construction Certificates and s68 applications.

Section 10.7 Certificates/Sewerage Drainage Diagrams	
Planning certificates	35
Sewerage drainage diagrams	25
Average processing time	1day
Maximum time for processing	3

Swimming Pool Inspection Program				
Month	1 st Inspection	2 nd Inspection	3 rd Inspection	TOTAL 2022
July	5	3	-	21

Animal Control /Ranger Activities															
Ranger's Report – July 2022															
Companion Animals									Clean Up		Parking		Impoundment		
Seized/ Surrendered	Released to Owner	Impounded	Re- Homed	Euthanised	Declared Dangerous Menacing	Micro Chipped	Registered	Fines Issued	Notices Sent	Illegal Dumping	Patrols	Fines	Vehicles	Live Stock	Euthanised Wildlife
13	5	8	5	1	0	10	10	0	0	1	10	0	0	0	0



Dog Attacks		
Date	Details	Outcome
July	-	-

Public Health Activities	
Details	
Water quality monitoring – Reticulated Town Water Supply	Water quality monitoring continues to be carried out weekly as per memorandum of understanding with NSW Public Health
Food Premises Inspection Program	Food Premises inspections for all medium and high risk food premises have been completed . Food Activity report has been submitted to NSW Food Authority . Details of outcomes will be provided following finalization by NSW Food Authority

12.11. SPECIAL EVENT APPLICATION - 2022 DENI PLAY ON THE PLAINS FESTIVAL UTE MUSTER

Author: Katrina Bennett, Manager Engineering and Assets

Authoriser: Mark Dalzell, Director Infrastructure

RECOMMENDATION

That Council:

1. Classify the Ute Muster Event as a Class 1 event under the Special Events Guidelines, and
2. Approve the special event application for the 2022 Ute Muster, subject to the endorsement of the Local Area Traffic Committee.

BACKGROUND

An application has been received from the Deni Play on the Plains Festival Incorporated, seeking approval for the Special Event of the annual Ute Muster to be held between Thursday, 29 September 2022 and Sunday, 2 October 2022.

This matter will be presented to Council's Local Area Traffic Committee at its 11 August 2022 meeting. This committee includes representatives from Council, Police, RMS and the community. The minutes from this meeting will be tabled at the Council meeting.

ISSUE/DISCUSSION

The event meets the requirements to be classified as a Class 1 event, as described in the Special Events Guideline.

A traffic management plan has been developed for the site by the event organiser in conjunction with staff from Edward River Council. It is noted that Council staff undertake the traffic control during the event in accordance with the approved traffic management plan as part of Council's support for the event.

Traffic Control Plans have been developed in conjunction with Police, Transport for NSW, Council and the event organisers and are attached to the special event application. These traffic control plans take into consideration the duty of care that needs to be provided by the event organisers, Edward River Council, NSW Police and Transport for NSW. Traffic control will be similar to previous events, with the main points being:

- Speed has been reduced to 50 kph through the site location along Conargo Road (MR 552),
- "No Stopping" Signs for both sides of the road from the Moonee Swamp Road intersection to 500 metres towards Conargo from the main entrance to the site from Conargo Road,
- "No Camping" Signs will be erected in both sides of the road. No camping will be allowed on any road side or public reserves in the vicinity of the event. All Campers must be contained within the fenced Ute Muster allocated camping area on the corner of Moonee Swamp Road and Conargo Road (MR 552). Police will monitor and move on any campers not in the designated fenced area of the Ute Muster site,
- In the event that traffic starts to impact non-event traffic the reserve between Smart Street and Augustus Street will be used as a holding area. Traffic will then be intermittently (with the use of a traffic controller) directed across Conargo Road into the Ute Muster entrance,



- From 6am on Thursday 3rd October 2019 all traffic travelling South on Conargo Road, with the exception of school buses, will be diverted along Wandook Road to the Cobb Highway. Ute Muster traffic will turn on to Wanderer Street at the Davidson Street roundabout, and
- Variable Message Signs (VMS) will be located at each end.

STRATEGIC IMPLICATIONS

The Ute Muster is a major tourism event for the region and it is important that Council provides an appropriate level of support and technical advice to assist with the event's operation.

COMMUNITY STRATEGIC PLAN

- 3. Encouraging growth through partnerships
- 3.2 Economic development
- 5. Accountable leadership and responsive administration
- 5.1 Collaborative and Engaged
- 5.2 Financially sustainable
- 5.3 Professional Workplace culture

FINANCIAL IMPLICATIONS

The provision of traffic control services for the Ute Muster event is included in Council's overall support for the event.

LEGISLATIVE IMPLICATIONS

Council, as the road authority under the *Roads Act 1993*, has the authority to approve and implement traffic control measures and devices for special events.

ATTACHMENTS

A copy of the special event application from Deni Play on the Plains Festival Incorporated is included in Councillor's Teams folder.

12.12. TOWN HALL EXTERNAL COLOUR REVIEW

Author: Belinda Perrett

Authoriser: Phil Stone

RECOMMENDATION

That Council note this report and resolve not to amend the colour scheme as proposed by the contract architect.

BACKGROUND

The refurbishment of the Town Hall as part of the Deniliquin Civic Precinct Project, incorporates repainting all of the external surfaces of the building, other than the galvanised iron or exposed brickwork.

The architect appointed under contract to design the civic buildings refurbishment has provided a proposed colour scheme as required by their contract.

The colour scheme largely retains the existing colours with some minor changes where historically different colour would have applied. It reflects the colour scheme of the Estates Building.

Council has decided to give notice to the community of the proposed colour scheme and asked for comments and any alternative preferences.

ISSUE/DISCUSSION

The project is well through its works program. The painter has not yet acquired most of the paint required.

To enable the painting to be completed within the contract program, confirmation of the colours is required prior to the end of August.

The clock tower section has already been repainted in the existing colour to take advantage of ability to access the tower by mechanical lift before the addition of the foyer made it difficult to access.

If a different colour is chosen for the main external walls, then this section would be repainted, requiring the scaffolding of the western side of the bell tower to enable access, at additional cost.

The colour scheme of the external walls of the Town Hall were determined by the contract architect to largely retain the existing colours with some minor changes where historically different colour would have applied. It reflects the colour scheme of the Estates Building.

A render of the Town Hall and Estates Building was placed on Council's Facebook page, illustrating the proposed colour scheme of the two buildings. Community members were given the opportunity to suggest their support or otherwise and provide comment, including offering alternative colours.

The following are the comments that related specifically to the question of the colours. There were some additional comments or queries that did not relate to colours and have been omitted. Full record of the posts are contained in attachments 1 & 2

1. *"White with olive green trim..and spot lights on it..like the court house. It's so grand at night. Now with its awesome reno it needs to be seen at night too. Thanks for the opportunity to let public inout (sic). Also in the future with light art being a big thing now, white will allow this to happen The roof, which replaced with iron, could be better if painted black...,as the slate tiles were."*
1. *"I've seen this colour before with a blue trim"* (refer to above comment)
2. *"I'd like to go with original colours if that's possible but match the estates building."*



5. "Looks dreadful"
6. "Yay"
7. "Yay"
8. "White"
9. "Great that you ask for our opinion on council's preferred choice although would you agree it may be helpful if we knew what the other choice of colours are. This is a heritage building so is it correct that Edward River Council has heritage approved colours for the CBD?"
10. "Whilst white looks fantastic on the Court House in its own setting I don't believe white would tie in with any other buildings in the street. How much additional cost would it be to change the colour scheme?"
11. "I realise I'm too late, but it would be nice if the 2 buildings tied in/complimented each other. Anything other than heritage colours would've been refreshing"
12. "Thanks for throwing this out there ERC! Personally, I think the Courthouse colour scheme is beautiful. It's much cleaner and modern than the cream, whilst maintaining it's heritage. Looking forward to what I'm sure will be a beautiful space"
13. "It's 1980s old hat take a look at the courthouse revamped - it's a no brainer – white"
14. "Looks smart to me"
15. "Red to symbolise the red soils around deni n(sic) brown/green trim for the Edwards River"
16. "Thank you for the opportunity to 'have a say'. I really like the sample shown. Were any options proposed? The main body colour looks very similar to the finished Old Estates Building, I wonder if the trim used there, a red brick colour, could be repeated on Town Hall. This would tie them in as our major civic buildings."
17. "I was thinking exactly the same thing" (as the above comment)
18. "Same here" (as the above comment)

While there was a variety of ideas, four of the respondents nominated the white of the courthouse as preferred.

However, nine comments either supported the render colours or suggested heritage colours should be used.

Others simply did not like the render, but offered no alternative.

The Relevant objectives pertaining to the Council Local Environment Plan 2013 heritage overlay with regard to Colour Schemes include;

- a. To encourage the use of colours in a traditional way with base colours and highlights to appropriate elements.
- b. To undertake colour schemes, which complement the style of the building, will enhance the character of the surrounding area.
- c. To control the dominant use of bright corporate colours on building facades, which is generally inconsistent with maintaining the heritage character and significance of a building and/or Conservation Area.



While it is generally the case that addition as to heritage building are highlighted so as to not pretend to be part of the original building, the colours subject to this discussion relate to the older sections of the building that are not changed by the project.

Hence the existing colour scheme appropriately represents the traditional colours and is supported by a majority of those who offered an opinion.

STRATEGIC IMPLICATIONS

Community engagement is a strategic aim of Council to build increased confidence in Council performance.

COMMUNITY STRATEGIC PLAN

- 4. Delivering community assets and services
- 5. Accountable leadership and responsive administration
- 5.1 Collaborative and Engaged

FINANCIAL IMPLICATIONS

There would be some additional cost to the project if the principal wall colour was changed.

The additional cost to install scaffolding to the bell tower and to repaint it would be approximately \$10,000.

LEGISLATIVE IMPLICATIONS

The colour scheme selected by the architect was in accordance with the terms of engagement of the architect in accordance with *Local Government Act* and *Local Government (General) Regulations*.

ATTACHMENTS

- 1. Render of proposed Colour Scheme - Town Hall
- 2. Facebook posts - 1
- 3. Facebook posts - 2

Attachment 1 - External 10



Attachment 2 - Edward River Council - Posts _ Facebook

09/08/2022, 16:46

(5) Edward River Council - Posts | Facebook



Edward River Council

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Edward River Council

★ Favorites · August 5 at 6:59 AM · 🌐

🗣️ LAST CHANCE!! HAVE YOUR SAY ON THE PROPOSED COLOURS OF THE TOWN HALL BY SUNDAY 6PM! 🗣️

What do you think of the proposed colours for the outside of Town Hall? YAY OR NAY?

Perhaps you have a better suggestion?

We value your input and really want to hear from you! So leave your comments below...

Please note the render colours pictured below may not appear exactly as they will on the building; however, it does provide an excellent visual representation.



<https://www.facebook.com/edwardriver/posts/pfbid02Kggi8BtvzZKYn9G49kMU2Y9y1LDUEcV7g5WDEZXJoNZHwCukSRZgqtKvpFGodSzl>

1/9



09/08/2022, 16:46

(5) Edward River Council - Posts | Facebook



You and 8 others

19 Comments 1 Share

Like

Comment

Share

Most relevant ▼

Write a comment...



Brett Hunter

Whilst white looks fantastic on the Court House in its own setting I don't believe white would tie in with any other buildings in the street. How much additional cost would it be to change the colour scheme?

Like Reply 1d



Author

Edward River Council

Brett Hunter We were asking for community to provide their suggestions for consideration - no colour scheme had been locked in 😊

Like Reply 1d

Shirlee Burge

It's 1980s old hat take a look at the courthouse revamped - it's a no brainer - white

Like Reply 2d



Author

Edward River Council

Shirlee Burge thank you!

Like Reply 2d

Tessa Chartres

Thanks for throwing this out there ERC!

Personally, I think the Courthouse colour scheme is beautiful. It's much cleaner and modern than the cream, whilst maintaining it's heritage. ... **See more**

Like Reply 2d



Janine Luz Clarke

I realise I'm too late, but it would be nice if the 2 buildings tied in/complimented each other. Anything other than heritage colours would've been refreshing

Like Reply 2d



Author

Edward River Council

Janine Luz Clarke thank you for your feedback.

Like Reply 1d Edited





09/08/2022, 16:46

(5) Edward River Council - Posts | Facebook



Terri Edwards Wilson

Great that you ask for our opinion on council's preferred choice although would you agree it may be helpful if we knew what the other choice of colours are. This is a heritage building so is it correct that **Edward River Council** has heritage approved colours for the CBD?

Like Reply 2d



Author

Edward River Council

Terri Edwards Wilson yes correct. We are asking for opinions and suggestions to weigh up other colour options. If you have a suggestion, please provide in comments by tonight 😊

Like Reply 2d

Rhonda Butcher

Yay



Like Reply 4d

Author

Edward River Council

Rhonda Butcher Yay indeed! 🙌

Like Reply 4d



Shirlee Burge

Edward River Council well that's not one sided at all is it ??

Like Reply 2d

Author

Edward River Council

Shirlee Burge Sorry, for the miscommunication. We are referring to the overall painting project as exciting 😊

Like Reply 1d



Most Relevant is selected, so some replies may have been filtered out.

Sarah Rodgers

White 😊



Like Reply 2d

Jill Grimshaw

yay



Like Reply 2d

Justine Keech

Looks dreadful! 🙄



Like Reply 4d





09/08/2022, 16:46

(5) Edward River Council - Posts | Facebook



Author

Edward River Council

Justine Keech we are happy to hear your alternative suggestions - just make sure they are submitted by 6pm tonight 😊

Like Reply 2d Edited

Other posts

Possum Edwards

Love it 😊



Edward River Council

★ Favorites · 9h · 🌐



📷 DAY IN THE LIFE OF DENILIQVIN 📷

Don't forget to get to the Town Library for the [A Day in the Life of Deniliquin](#) exhibition! 😊

The exhibition includes a selection of large-scale prints, special video interviews and a large screen slideshow of the historical images galleries! ... [See more](#)



A Day in the Life of Deniliquin 2021, photograph of Andrew, Jack, Samuel and Charley by Jack C

**a day in
the life of
Deniliquin**

An exhibition of images from A Day in the Life of Deniliquin 1990, 2001, 2011 and 2021, a community photography project that has been recording snapshots of local life for 31 years.

Deniliquin Library
Throughout August 2022
View from inside or outside



Attachment 3 - (5) Edward River Council - Posts _ Facebook(1)

09/08/2022, 16:49

(5) Edward River Council - Posts | Facebook



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Edward River Council

★ Favorites · August 1 at 2:13 PM · 🌐

🗣️ HAVE YOUR SAY ON THE PROPOSED COLOURS OF THE TOWN HALL 🗣️

We want to hear from you on the proposed colours for the outside of the Town Hall. Let us know if you like them, if not, what would you propose? Comment below.

(Please note the render colours pictured below may not appear exactly as they will on the building, however, it does provide a good visual representation.)



<https://www.facebook.com/edwardriver/posts/pfbid0mQw6EfVbfZiDRqpxh56MHPMJqjz55gW4Fd4t4fQ8QSoaT1KQCjLXLwdM85dZozQl>

1/7



09/08/2022, 16:49

(5) Edward River Council - Posts | Facebook



You and 14 others

16 Comments 9 Shares

Like

Comment

Share

Most relevant ▾

Write a comment...



Author

Edward River Council

We are loving the feedback, keep the suggestions coming!

Like Reply 1w

Judy Bond

Thankyou for the opportunity to 'have a say'. I really like the sample shown.

We're any options proposed?

The main body colour looks very similar to the finished Old Estate Building, I wonder if the trim used there, a red brick colour, could be repeated on Town Hall. This would tie them in as our major civic buildings.

Like Reply 1w



Most Relevant is selected, so some replies may have been filtered out.

Author

Edward River Council

Judy Bond Some great suggestions, thank you!

Like Reply 4d

↪ View 1 more reply

Top fan

Clint Frree

I'd like to go with original colours if that's possible but match the estates building. Has this job got a finish date. Also how is town hall going to be utilised to its full potential. Can't wait to have a look inside.

Like Reply 1w



Author

Edward River Council

Clint Frree Thank you for your suggestions and feedback. We will take on everyone's feedback and look forward to revealing more soon!

Like Reply 4d





09/08/2022, 16:49

(5) Edward River Council - Posts | Facebook



Ed...

Contact us

Liked

Message



Lynette Ives

WHITE with olive green trim ... and spot lights on it .. like the court house. It's so grand at night . Now with its Awsome Reno it needs to be seen at night too. Thanks for opportunity to allow public in out. 😊❤️👍 also in the future .. with light art being a big thing now, white will allow this to happen.
The roof, which was replaced with iron, could be better if painted black.. as the slate tiles were.

Like Reply 1w Edited



Author

Edward River Council

Lynette Ives Thank you so much! Some great ideas!

Like Reply 4d

Andrew Johnston

Hot pink, surely



Like Reply 1w

Author

Edward River Council

Andrew Johnston now that would be a standout look! 🤔

Like Reply 4d



Top fan

Lynette Ives

Is the Hall going to have solar for all its electricity?

Like Reply 1w



Author

Edward River Council

Lynette Ives It isn't planned but we will table this great suggestion!

Like Reply 4d

Other posts

Most relevant is selected, so some comments may have been filtered out.

Edward River Council

★ Favorites · 9h · 🌐



📷 DAY IN THE LIFE OF DENILQUIN 📷

Don't forget to get to the Town Library for the [A Day in the Life of Deniliquin](#) exhibition! 😊

The exhibition includes a selection of large-scale prints, special video interviews and a large screen slideshow of the historical images galleries! ... [See more](#)



12.13. MONTHLY OPERATIONS REPORT - JULY 202

Author: Craig Maffescioni - Manager Operations

Authoriser: Mark Dalzell - Director Infrastructure

RECOMMENDATION

That Council receive and note the July 2022 Operations Report.

BACKGROUND

As part of the Operation Plan and Delivery Program, Council's Operations Department undertakes a variety of maintenance and capital works across a wide range of Council services.

The Operations Department is part of the Infrastructure Directorate.

ISSUE/DISCUSSION

N/A

STRATEGIC IMPLICATIONS

N/A

COMMUNITY STRATEGIC PLAN

1. Shaping the Future

1.1 Pristine natural environment

1.2 Quality built environment

1.3 Enhanced Active and Passive Open Spaces

1.4 Sustainable Waste Management

FINANCIAL IMPLICATIONS

Nil

LEGISLATIVE IMPLICATIONS

N/A

ATTACHMENTS

Operations Monthly Council Report July 2022.

Attachment 1 - Operations Monthly Council Report July



OPERATIONS DEPARTMENT UPDATE REPORT

ROADS AND ROAD MAINTENANCE – July 2022

LOCATION	COMPLETED	IN PROGRESS	PLANNED
Major Works Feb			
Maude Road	Pavement	Sealing	Early August
Resheet Program	Todd's Road	Aratula Road	Mabin's Well
Flanagan Lane Rehabilitation			Culvert construction
Transport for NSW Works			
Finley Road Construction	Seal	Line marking	
State Highway Network	Fortnightly inspections		
Maintenance			
Grading Zones / Roads completed in the Month	Russell's, Avalon, Marshall's, Cowies, Lyndhurst, Malones, Forest Ck, Woodvale, Hoads, Jarrett's, Hindley's, Bells, Sunny Pines, Campbell's, Uphill, Jones		
Shoulder Spraying	Forest Ck, Monimail, Nesbits, Wandook, Stud Park, Millears, Conargo tip, Bills park reserve, Booabula, Balpool, Old Conargo, Devan, Wanganella-Moulamein, Booroorban-Tchelery, Pretty Pine rec reserve.		
Grading/Fire breaks/Slashing	Corree Road, Woodbury Road, Conargo Jerilderie Road	Conargo Deniliquin Road	



ROADS AND ROAD MAINTENANCE – June 2022

LOCATION	COMPLETED	IN PROGRESS	PLANNED
Major Works March			
Maude Road	Section 7 complete	Remaining 510m	Seal end July
Resheet Program	Completed		
Barham Road	Completed		
Transport for NSW Works			
Finley Road Construction	Shoulder stabilisation section 1	Subbase pavements import section 1	Base pavements import mid-April section 1
State Highway Network	Fortnightly inspections		
Maintenance			
Grading Zones / Roads completed in the Month	Myrtle Park Road, Martins, Road, Moonee Swamp Road, McAllisters Road, Cassidy's Road, Larkins Road, Lower Finley Road, Cowans Road, Scott Rogers Road		
MR 296 Culvert replacement			
Grading/Fire breaks/Slashing			



WATER AND SEWER

MAINTENANCE			
Month	No. of Incidents / Issues		
	Sewer Chokes / Maintenance	Water Meter	Water Main Burst / Leak
July	16	4	16
June	14	8	8

WATER TREATMENT PLANT (WTP)		
Month	Water treated	Maintenance
July	83ML	Repaired leak in bore line Replaced flow switched on soda ash 1&3 PAC fault, rectified itself
June	79ML	Comms issue at saleyard's res Changed batteries at Saleyards res Early Backwash\ Polymer OFF 12pm to help bring up sludge blanket Fault finding Saleyards Rd Res /Soda Ash System 1&3 Tyndall Tank sealing repairs carried out Replaced gland packing Fluoride Feeder



SEWAGE TREATMENT PLANT (STP) & PUMP STATIONS				
Month	Repairs	Installations	testing	Other
July	15 July Macauley street pump station sensor fault after power outage	26 July installed new soft starter at Re sue pump station	Up to date	39ML
June	Replace probe at memorial park pump station Replace soft starter Reuse PS	Switchboard at Basketball stadium PS Switchboard at Hunter Street	Up to date	40ML

NEW WATER AND SEWER SERVICES			
Month	New Water Services Installed	Sewer Lines Installed	General
July	0	0	N/A
June	0	0	N/A

CAPITAL WORKS			
Month	Project	progress	Challenges
July	Old race course road water upgrade	100%	
June	Old racecourse road water upgrade	80%	Waiting for under borers to come back to town



PARKS AND GARDENS

PARKS AND GARDENS GENERAL			
Month	Waring Garden's Weed Control	Other	Challenges
July	Broadleaf spraying by P&G staff (Bradley)	Roundabout rose maintenance undertaken and mulching in the CBD New toilets at north rest area placed into service.	Staffing 2 staff down, and 1 casual on hand on small garbage truck. Covid leave also played a part
June	Minor spot spraying of gardens and garden beds. Tidy up Harrison Street area after toilet upgrade		



MAINTENANCE			
Month	Parks / Playgrounds / reserves	Tree removal / maintenance	General
July	Major emphasis on broadleaf and especially, Blake reserve Gates at play areas being vandalised ongoing, Rice growers are seeking to help and Paul in negotiations Toilets having fires lit at night, spoken to Police and patrols being undertaken Gold detecting in parks and ovals, working with Local Laws to monitor and spoken to a number of visitors who have been identified as undertaking such activities	Trimming as per customer requests, re-active	
June	Normal program, new mower helping as no breakdowns and working at full capacity	Minor trimming as per customer requests	Vandalism ongoing as per previous month

WEEDS				
Month	Roadside Spraying	High Risk Pathway Inspections	Khaki Program	Other Spraying
July		330Km		145Km
June		220Km		Control 415km

WASTE - GENERAL		
Month	General	Kerbside Collection



July		
June	Normal monthly activities, Chemclear collection programmed but re-scheduled for July	Consistent with May targets

PLANT AND FLEET

Plant and Fleet				
Month	Fleet Capital Plant Ordered	Plant Delivered	Construction Plant	Other
July				
June	Light Fleet Quote sent	Water Truck, Parks Mower, Water and sewer mower, Hyundai Tucson		

STAFF – July 2022

STAFF				
	Roads	Water and Sewer	Parks and Garden's	Plant and Fleet
Recruitment	Roads 2 vacant positions		2 vacant positions	
Incident Reports – Vehicles	3 windscreen damage in heavy vehicle fleet			
Incident Reports – Personal	Trip and fall visit doctor's minor injury			



Incident Reports – Construction	
Plant – RFS Checks TechOne Fleet Module	RFS Servicing and Maintenance repairs ongoing
Training Attendance	Cert IV construction Asset inspection

12.14. MAJOR PROJECTS REPORT - AUGUST 2022

Author: Nicole Rogers, Projects Coordinator

Authoriser: Mark Dalzell, Director Infrastructure

RECOMMENDATION

That Council receive and note the Major Projects Program – Progress Report for August 2022.

BACKGROUND

Since amalgamation in 2016, Council has received over \$46,000,000 in funding from State and Federal Government bodies. A breakdown of current funding and remaining spend is as follows:

Government Funding Body	Funding Amount
Stronger Communities - Round 2 (Additional merger funding)	\$3,990,000 Remaining: \$94,000
Stronger Country Communities – Round 3 (State funding)	\$1,264,500 Remaining : \$22,972
Stronger Country Communities – Round 4 (State funding)	\$768,338 Total remaining
Building Better Regions (Federal Funding)	\$630,883 Remaining: \$314,358
Our Rivers Our Region (Federal funding)	\$1,673,080 Remaining: \$ 4,785
Drought Communities Program – Round 2 (Federal Funding)	\$1,000,000 Remaining: \$210,000
Local Roads and Community Infrastructure Program (State funding)	\$963,190 Remaining: \$256,193
Local Roads and Community Infrastructure Program R2 (State funding)	\$880,903 Remaining: \$473,698
Local Roads and Community Infrastructure Program R3 (State funding)	\$1,926,340 Total remaining
HSVPP (Federal Funding), Fixing Country Roads, TfNSW (State Funding) for Maude Road Construction	\$2,980,568 Remaining: \$237,415.73
Commonwealth Regional Airport Program (Federal Funding)	\$2,500,000 Total remaining
Fixing Local Roads (TfNSW) Round 3	\$1,077,023



Government Funding Body	Funding Amount
(State Govt)	Remaining: \$1,031,678
NSW Showground Stimulus Funding R2 – Memorial Park Showground (State Funding)	\$1,650,775 Remaining: \$1,317,116
NSW Emergency Operations Centres (EOCS) Critical Upgrade Program (State Funding)	\$125,080 Remaining: \$23,424
Murray Darling Basin Economic Development Program R3 (State Funding)	\$1,000,000 Total remaining
Regional Growth Fund NSW (State Funding)	\$50,000 Total remaining
Streets as Shared Spaces (State Funding)	\$500,000 Remaining \$339,915

ISSUE/DISCUSSION

Project Updates

Civic Precinct Refurbishment

This project has received funding from Stronger Country Communities Rounds 2 and 3, Building Better Regions, New Council Implementation Funds, Stronger Communities and Council. Certificate of Occupancy has been received for the Estates Building and final clean-up is underway ready for Council staff to move into the building. Customer Service are looking to open the doors to customers on 14 June 2022.

Works under the floor including installation of air-conditioning ducting and strengthening of the subfloor timbers in the area where the retractable seating will be rolled back and stored. Electrical works are complete to the underfloor area.

Construction has commenced of the stage extension and internal wall framing. The clock has been mechanised and the bell hammer reinstalled.

Storm water realignment has been completed in the Plaza and work on the canopy structure is to commence mid-August.


Saleyards Road

Funding for this project was received through Fixing Local Roads Round 3 State Funding

Construction on Saleyards Road has commenced. Drainage is complete from Cob Highway to Wright Brothers Drive including culverts. Sewer and water line relocation will commence mid-August which will lead into the road construction.

Memorial Park - Showground Stimulus

This project has been funded through the NSW Showground Stimulus Fund - State Funding.



After further consultation with the Memorial Park User Group, design has been confirmed for the new amenities block. This contract was awarded earlier this year to B. Green Construction who will commence construction in November/December 2022.

Designs for the access roads and car parking are complete with construction due to commence late August 2022.

Demolition and construction of the DNA clubrooms Project is to be run in conjunction with the Deniliquin Cricket Club and the Deniliquin Netball Association who have obtained additional funding through SCCF R4. Architects have completed initial concept design which is considerably over the current budget. DCC and DNA will be reviewing design and scope to bring project in line with current budget.

Deniliquin Airport Runway Project

Funding for this program is through the Regional Airport Program R1 (Federal) and Local Roads and Community Infrastructure R3 (State).

Tenders for the lengthening and lighting of the runway closed on 4 August 2022 with 7 offers received. Tender evaluations will be finalised over the coming weeks.

STRATEGIC IMPLICATIONS

COMMUNITY STRATEGIC PLAN

4. Delivering community assets and services

4.1 Vibrant villages and towns

FINANCIAL IMPLICATIONS

Projects funded through these programs include costs for the design, documentation, and supervision costs for each project.

LEGISLATIVE IMPLICATIONS

Council must ensure that these projects are completed within the timeframes set out within the funding agreements

ATTACHMENTS

Attachment 1 - Project Summary Report August22 - Major Projects



Funded Projects - Summary Report – June/July 2022						
Time, Cost & Quality	Task/Activity – Completed ✓ or Progressing - on Time, Cost and Quality					
Time, Cost & Quality	Task/Activity – Progressing - requires monitoring and or action to minimise risk of not meeting performance targets					
Time, Cost & Quality	Task/Activity – Stalled/Stopped - High Risk or will not meet Performance Target.					
Time, Cost & Quality	Task/Activity- Pending - is currently not commenced					
Project Phase						
Project Description	Initiation and Communication	Design, Documentation and Approvals	Quotes and Tendering	Delivery and Handover	Code	Comments/Milestones
STRONGER COMMUNITIES GRANT FUNDING (ORIGINAL)						
Riverfront Masterplans and Initial Works \$750,000 + \$700,000 + (Stronger Communities Round 2) \$550,000 (Regional Growth Fund)	Complete	Complete	Complete	Complete		<ul style="list-style-type: none">Funding complete from this stream
Town Hall Revitalisation \$435,000 + \$1,315,170 (Stronger Country Communities Round 2l) +~\$329,000 (Unallocated Funding), +\$630,883 (Building Better Regions Fund), \$964,500 (Stronger Country Communities Round 3)	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none">Funding Complete from this stream
Stronger Community Grant Funding (Original) - Sub-Total \$8,600,000						
STRONGER COMMUNITIES GRANT FUNDING (ROUND 2)						
Riverfront Enhancement \$750,000 + \$550,000 (Regional Growth Fund) + \$750,000 (Stronger Communities Original)	Complete	Complete	Complete	Complete		<ul style="list-style-type: none">Funding complete from this stream
Truck Stop Strategic Plan \$10,000	Pending	Pending	Pending	Pending		<ul style="list-style-type: none">Discussions with stakeholders to be coordinated
Civic Plaza \$390,000	Completed	Complete	Complete	In Progress		<ul style="list-style-type: none">Works progressing on the plaza including planter boxes and underground works
Stronger Communities Grant Funding (Round 2) – Sub-Total \$3,390,000						
Environmental Trust NSW						
Landfill Consolidation (Pretty Pine & Conargo) \$200,000	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none">Closing out with EPA
Environmental Trust NSW - Sub-Total \$200,000						



Project Description	Initiation and Communication	Design, Documentation and Approvals	Quotes and Tendering	Delivery and Handover	Code	Comments/Milestones
REGIONAL GROWTH FUND						
Riverfront Revitalisation \$550,000 + \$750,000 (Stronger Communities Original), + \$700,000 (Stronger Communities Round 3)	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> EOI out for Art piece to complete project
Regional Growth Fund – Sub-Total \$1,673,080						

STRONGER COUNTRY COMMUNITIES GRANT FUNDING (ROUND 2)						
Deniliquin Town Hall & Arts & Cultural Precinct \$1,315,170 + \$435,000 (Stronger Communities Grant Funding Original) +~\$329,000 (Unallocated Funding), + \$630,883 (Building Better Regions Fund), \$964,500 (Stronger Country Communities Round 3)	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Works continuing the Town Hall Sub Floor base installed. Underfloor air-conditioning ducts underway, electrical complete. Stage 4 – stage commenced
Stronger Country Communities Grant Funding (Round 2) – Sub-Total \$3,371,750						

STRONGER COUNTRY COMMUNITIES GRANT FUNDING (ROUND 3)						
Town Hall \$964,500, + \$1,315,170 (Stronger Country Communities Round 2) + \$435,000 (Stronger Communities Grant Funding Original) +~\$329,000 (Unallocated Funding), + \$630,883 (Building Better Regions Fund)	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> See above
North Deni Rest Stop \$300,000	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Plantings to be finalised
Stronger Country Communities Grant Funding (Round 3) – Sub-Total \$1,264,500						

NB: Time Variation received until March 22 – Projects on track to be complete by revised due date.

DROUGHT COMMUNITIES PROGRAMME FUNDING (ROUND 2)						
Visit Deni Tourism Campaign \$50,000	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete
Rural Villages Business Painting \$100,000	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete
Waring Gardens Upgrade \$200,000	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Rotunda roof under construction.
Signage Strategy Implementation \$140,000	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete
Rotary Park (clubrooms and pitches) \$200,000	Completed	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete



Project Description	Initiation and Communication	Design, Documentation and Approvals	Quotes and Tendering	Delivery and Handover	Code	Comments/Milestones
Deniliquin Town Hall – Civic Plaza \$210,000	Completed	Complete	Complete	In Progress		<ul style="list-style-type: none"> Under construction. Stormwater aligned and canopy due to commence
North Tennis Court Redevelopment (Rest Stop) \$100,000	Completed	Complete	Complete	In Progress		<ul style="list-style-type: none"> See above (SCCF R3)
Drought Communities Programme Funding (Round 2) – Sub-Total \$1,000,000						

BUILDING BETTER REGIONS FUND						
Town Hall \$630,883 + \$964,500 (Stronger Country Communities Round 3), + \$1,315,170 (Stronger Country Communities Round 2) + \$435,000 (Stronger Communities Grant Funding Original) + ~\$329,000 (Unallocated Funding),	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> See comments above
Building Better Regions Fund – Sub-Total \$630,883						

Local Roads and Community Infrastructure Program Funding R1						
Community Facilities Refurbishment (\$350,000)	Complete	In Progress	In Progress	Pending		<ul style="list-style-type: none"> Contractor engaged for McLean Beach Amenities. Will not commence until Feb23. Extension of time being sort through funding body.
Deni Visitor Information Centre & V+CS area (\$200,000)	Complete	In Progress	Complete	Pending		<ul style="list-style-type: none"> Works nearing completion. Contractor engaged for further works to complete areas visible to the public
Airport Hangar Refurb (\$100,000)	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete
Urban & Rural Cemeteries (\$180,000)	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete
Memorial Park Amenities Upgrade (\$153,170)	Complete	In Progress	In Progress	Pending		<ul style="list-style-type: none"> Redesign complete Contractor repricing
Off Leash Dog Park (\$80,000)	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete
Sub-Total \$963,170						

Infrastructure NSW						
Maude Road Reconstruction	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Final .5km under construction
Restart NSW - Sub-Total \$2.90M						



Project Description	Initiation and Communication	Design, Documentation and Approvals	Quotes and Tendering	Delivery and Handover	Code	Comments/Milestones
Commonwealth Regional Airport Program – Round 1						
Deniliquin Aerodrome Upgrade	Complete	Complete	In Progress	Pending		<ul style="list-style-type: none"> Tenders received Evaluation underway
Commonwealth Regional Airport Program Fund – Sub-Total \$2,500,000						
Infrastructure NSW						
Fixing Local Roads R3 – Saleyards Road (Cobb Hwy to Cemetery Road)	Complete	Complete	Complete	Pending		<ul style="list-style-type: none"> Contractor commenced construction
Restart NSW - Sub-Total \$1,077,023M						
Local Roads and Community Infrastructure Program Funding Round 2						
Shortfall in Funding from Round 1, LRCI (\$100,000)	Complete	Complete	Complete	Pending		<ul style="list-style-type: none"> See above Community Facilities – LRCI1
Footpath replacement and upgrade (\$380,000)	Complete	Complete	Complete	Pending		<ul style="list-style-type: none"> Construction nearing completion
Skatepark Renewal Work (\$60,000)	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete
Fencing Island Sanctuary (\$60,000)	Complete	Complete	Complete	Complete		<ul style="list-style-type: none"> Complete
Rural Gravel Road Renewal and Upgrade	In Progress	In Progress	In Progress	Pending		<ul style="list-style-type: none"> Delayed until August 22
Sub-Total \$880,903						
Local Roads and Community Infrastructure R3						
Deniliquin Aerodrome Upgrade (\$1,500,000)	Complete	Pending	Pending	Pending		<ul style="list-style-type: none"> See above (RAP1)
Saleyards Refurbishment (\$426,340)	Complete	Pending	Pending	Pending		<ul style="list-style-type: none"> Planning commenced
Sub Total \$1,926,340						



Project Description	Initiation and Communication	Design, Documentation and Approvals	Quotes and Tendering	Delivery and Handover	Code	Comments/Milestones
NSW Emergency Operations Centre (EOCs) Critical Upgrade						
RFS FCC emergency line	Complete	Complete	Complete	Pending		<ul style="list-style-type: none"> Nearing Completion
Sub Total \$125,080						

Showground Stimulus Funding						
Construction of a new designated sealed access roads, kerb and gutter and carparks between ovals - \$792,000	In Progress	In Progress	Complete	Pending		<ul style="list-style-type: none"> Council completing work in-house To Commence Aug 22
Construction of new access roadway and formal carparking to the Eastern side of the reserve - \$276,925	In Progress	In Progress	Complete	Pending		<ul style="list-style-type: none"> Council completing work in-house To commence Aug 22
Demolition and construction of anew toilet block and facilities - \$168,850	In Progress	Complete	Complete	Pending		<ul style="list-style-type: none"> (see comments LRCI R1)
Construction of an extension to the club rooms utilised by the Netball association and cricket clubs adjacent to oval 3 - \$413,000	In Progress	In Progress	Pending	Pending		<ul style="list-style-type: none"> Architect engaged for redesign Project being run in conjunction with DCC and DNA who have received additional funding under SCCF R4
Sub Total \$1,650,775						

Murray Darling Diversification Funding						
Senior Living Precinct	In Progress	In Progress	In Progress	Pending		<ul style="list-style-type: none"> Funding/Milestone Variation received Civil works to commence Aug 22 Tenders closed for dwelling – Evaluation commenced
Sub-Total \$1,000,000						

Stronger Country Communities Round 4						
Lighting Deniliquin and Blighty Rec reserves	In Progress	Pending	Pending	Pending		<ul style="list-style-type: none"> PM engaged Community consultation to commence
Sub-Total \$768,338						

PROJECT SUMMARY NOTES						
<p>Summary, most projects are progressing well with only a few highlighted in Red that will require stringent management and action to bring them under control.</p> <p>The projects in Yellow will need attention to detail to ensure that they progress to the agreed Time, Quality & Cost outcomes.</p> <p>Other challenges that face council staff and project delivery is access to quality project managers that will be required to complete all Stronger Community grants by the agreed timelines. Staff are currently in discussion with managers to source the required resources. All costs will be recovered as part of the project delivery costs. Existing council staff and contractors are working extremely well in keeping most projects on Time, Cost and Quality.</p>						

13. NOTICES OF MOTIONS

14. QUESTIONS WITH NOTICE

15. CONFIDENTIAL MATTERS UNDEFINED

15.1. CONTRACT TENDER C2021/24 - PANEL OF CONSULTANTS

The Council is satisfied that, pursuant to Section 10A(2) of the Local Government Act 1993, the information to be received, discussed, or considered in relation to this agenda item is:

- d (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

15.2. CONTRACT C2021/26 SEALING AND ENRICHMENT WORKS WITHIN THE EDWARD RIVER COUNCIL LGA

The Council is satisfied that, pursuant to Section 10A(2) of the Local Government Act 1993, the information to be received, discussed, or considered in relation to this agenda item is:

- d (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

15.3. CONTRACT C2022/23 - OPERATION AND MANAGEMENT OF DENILQUIN SWIM CENTER AND HYDROTHERAPY POOL

The Council is satisfied that, pursuant to Section 10A(2) of the Local Government Act 1993, the information to be received, discussed, or considered in relation to this agenda item is:

- d (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

15.4. CONTRACT C2021/25 DENILQUIN AIRPORT RUNWAY AND LIGHTING UPGRADE

Author: Mark Dalzell, Director Infrastructure,

Authoriser: Phil Stone, General Manager.

The Council is satisfied that, pursuant to Section 10A(2) of the Local Government Act 1993, the information to be received, discussed or considered in relation to this agenda item is:

- d (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.