

## **MEETING OF THE EDWARD RIVER COUNCIL HELD IN THE COUNCIL CHAMBERS DECEMBER 14, 2017 AT 9.00AM**

### **PRESENT:**

Mayor Cr Norm Brennan, Deputy Mayor Cr Pat Fogarty, Cr Marg Bull, Cr Norm McAllister, Cr Peter McCrabb, Cr Peta Betts, Cr Ashley Hall

### **COUNCIL STAFF PRESENT:**

Adam McSwain, General Manager, Caroline Wallis, Director Corporate Services, John Harvie, Director Economic Development & Business, Oliver McNulty, Director Infrastructure, Cian Middleton, Communications Officer, Belinda Perrett, Executive Assistant.

### **GALLERY MEMBERS:**

The Gallery was unoccupied.

### **GUESTS: Nil**

### **CHAIRMANSHIP OF MEETING:**

The Mayor, Cr Norm Brennan, chaired the meeting.

### **INTERPRETATION:**

In these Minutes "the Council" means the Edward River Council

### **DECLARATION OF MEETING OPEN:**

The Mayor, Cr Norm Brennan, formally declared the meeting open at 9.00am and welcomed everyone to the meeting.

### **257/17 LEAVE OF ABSENCE:**

An apology was tendered for the non-attendance of Councillor Nick Metcalfe and Councillor Mac Wallace

Moved Councillor McCrabb

That the apologies from Councillors Metcalfe and Wallace be accepted.

Seconded Councillor McAllister

**CARRIED**

### **DECLARATION OF INTERESTS: Nil**

**ACKNOWLEDGEMENT OF COUNTRY**

*"I would like to acknowledge that we are here today on the land of the 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."*

**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.

**258/17 LATE REPORT**

Moved Mayor Brennan

That Council accept a late report on Doctor Incentives.

Seconded Councillor Fogarty

**CARRIED**

**259/17 CONFIRMATION OF MINUTES – ORDINARY COUNCIL MEETING HELD 16 NOVEMBER 2017**

Moved Councillor Fogarty

That the Minutes of the Ordinary Council meeting held 16 November 2017 be confirmed as a true and accurate record.

Seconded Councillor Betts

**CARRIED**

**260/17 CONFIRMATION OF MINUTES – CENTRAL MURRAY REGIONAL LIBRARY ANNUAL GENERAL MINUTES HELD 22 NOVEMBER 2017**

Moved Councillor Bull

That the Resolutions of the Central Murray Regional Library Annual General Meeting held 22 November 2017 be accepted.

Seconded Councillor Betts

**CARRIED**

**261/17 CONFIRMATION OF MINUTES – QUARTERLY MEETING OF THE CENTRAL MURRAY REGIONAL LIBRARY COMMITTEE MEETING HELD 22 NOVEMBER 2017**

Moved Councillor McAllister

That the Resolutions of the Central Murray Regional Library Committee held 22 November 2017 be accepted and that offices investigate the building maintenance recommendations made and bring a report, including costings, back to Council.

Seconded Councillor Fogarty

**CARRIED**

**262/17 SUBJECT: RESOLUTIONS OF COUNCIL**

**FROM: ADAM MCSWAIN  
General Manager**

Moved Councillor Fogarty

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

Seconded Councillor Hall

**CARRIED**

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**263/17 SUBJECT: MAYOR AND GENERAL MANAGER MEETINGS**

**FROM: ADAM MCSWAIN  
General Manager**

Moved Councillor Fogarty

That Council note the information in the report detailing meetings undertaken by the Mayor and General Manager on behalf of Council during November 2017.

Seconded Councillor McAllister

**CARRIED**

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**264/17 SUBJECT: STRONGER COMMUNITIES FUND – MAJOR PROJECTS PROGRAM – DECEMBER PROGRESS REPORT**

**FROM: ADAM MCSWAIN  
General Manager**

Moved Councillor McCrabb

- i) That Council receive the Stronger Communities Fund – Major Projects Program - Progress Report for December 2017
- ii) Advise the Blighty Netball & Tennis Facility Working Group that if a final design isn't completed by 30 March 2018, Council will reconsider the viability of this project.

Seconded Council McAllister

**CARRIED**

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**265/17 SUBJECT: COUNCIL CHRISTMAS CLOSURE 2017/18**

**FROM: ADAM MCSWAIN  
General Manager**

Moved Councillor Fogarty

That Council resolves to note the following Council Christmas business closures:

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

Seconded Councillor McCrabb

**CARRIED**

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**266/17 SUBJECT: INVESTMENT REPORT AS AT 30 NOVEMBER 2017**

**FROM: CAROLINE WALLIS**  
**Director Corporate Services**

Moved Councillor McAllister

That Council note and receive the Report on Investments totalling \$42,865,203 inclusive of cash at bank for day-to-day operations; note that actual interest received for the month of November 2017 was \$56,548; note that accrued interest earned to 30 November 2017 but not yet received was \$487,016.

Seconded Councillor McCrabb

**CARRIED**

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**267/17 SUBJECT: FINANCIAL STATEMENTS 2016-2017**

**FROM: CAROLINE WALLIS**  
**Director Corporate Services**

Moved Councillor McAllister

That Council resolves to:-

1. Refer council's financial statements to audit in accordance with section 413 (1) of the *Local Government Act 1993*.

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

Seconded Councillor McCrabb

**CARRIED**

**268/17 SUBJECT: CODE OF MEETING PRACTICE**

**FROM: CAROLINE WALLIS  
Director Corporate Services**

Moved Councillor McAllister

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

Seconded Councillor McCrabb

**CARRIED**

**269/17 SUBJECT: COUNCILLOR EXPENSES AND FACILITIES POLICY**

**FROM: CAROLINE WALLIS  
Director Corporate Services**

Moved Councillor McAllister

That Council resolves to receive and consider the submission received as attached to this report; amend the *Councillor Expenses and Facilities Policy* to allow for reimbursement of carer expenses of \$20 per hour to a maximum of \$1800 per annum or a higher amount by

resolution of council on a case by case basis; adopt the *Councillor Expenses and Facilities Policy* and upload the *Councillor Expenses and Facilities Policy* onto council's website.

Seconded Councillor Bull

**CARRIED**

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**270/17 SUBJECT: DISCLOSURE OF INTEREST RETURNS**

**FROM: CAROLINE WALLIS**  
**Director Corporate Services**

Moved Councillor McCrabb

That council resolves to table the disclosure of interest returns in accordance with S450A of the *Local Government Act 1993* (Act).

Seconded Councillor Bull

**CARRIED**

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**271/17 SUBJECT: DELEGATIONS TO STAFF BY THE GENERAL MANAGER (Part 2)**

**FROM: CAROLINE WALLIS**  
**Director Corporate Services**

Moved Councillor Fogarty

That Council resolves to adopt (Part 2) of the *Delegations of Authority Policy*, being the delegations to staff by the general manager, as attached to this report.

Seconded Councillor Betts

**CARRIED**

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**272/17 SUBJECT: CONTRACT 2.19.239 – TECH ONE REIMPLEMENTATION**

**FROM: DIRECTOR CORPORATE SERVICES**  
**Caroline Wallis**

Moved Councillor Hall

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

Seconded Councillor Fogarty

**CARRIED**

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**273/17SUBJECT: MURRAY VALLEY INDUSTRY PARK – LEASE TO AUSWAY  
EDUCATION GROUP PTY LTD – RENT DETERMINATION**

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

Moved Councillor McAllister

That Council resolves to endorse the Mayor and General Manager's actions;

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

Seconded Councillor McCrabb

**CARRIED**

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**274/17 SUBJECT: APPOINTMENT OF EDWARD RIVER COUNCIL CITIZENS  
REPRESENTATIVE – CENTRAL MURRAY REGIONAL  
LIBRARY**

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

Moved Councillor Bull

That Council resolves to appoint Mrs Jan Renwick as citizen's representative to the Committee of Management of Central Murray Regional Library.

Seconded Councillor Fogarty

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**275/17 SUBJECT: DEVELOPMENT APPLICATION 57/17 – Multi dwelling  
development**

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

Moved Councillor McAllister

That Council resolves in accordance with section 80(1) of the Environmental Planning and Assessment Act APPROVE development application 57/17 for a multi dwelling development on Lot 24 DP815329 - 523 Henry Street, Lot 25 DP815329 -10 Ballantyne Crescent, Lot 38 DP749636 – 517 Henry Street, Lot 39 DP749636 – 519 Henry Street, and Lot 40 DP749636 – 9 Ballantyne Crescent, Deniliquin dated 25 August 2017 as shown on plan numbered

DA57/17#1 to DA57/17#11 inclusive and described in details accompanying the Development Application and subject to the following conditions:

### Conditions of consent:

#### 1. General / Miscellaneous

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

Reason: To clarify the extent of the consent.

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

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

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

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

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

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

Reason: To maintain existing drainage capacity.

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

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

1.6 No plants or trees are to be removed unless:

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

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

#### 2. Headworks Charges

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

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



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

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

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

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

### 3. Access

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

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

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

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

### 4. Stormwater

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

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

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

- Determination of pre-development storm-water run-off from the site;
- Detention basin layout and calculations including stage discharge curves;
- Outlet capacities, including calculations, for all orifice plates, pipe outlets or weir/overflow structures; and
- Location and capacity of overflow path.

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

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

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

## 5 Sewer

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

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

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

## 6 Water

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

Reason: To ensure adequate water supply.

## 7 Prior to issue of construction certificate

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

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

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

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

## 8. Prior to commencement of works

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

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

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

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

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

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

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

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

- 8.5 Any alteration to the ground surface adjacent to the sewerage manhole in the vicinity/ or within the property will require application and payment to Council for alterations to the manhole level to match the new ground surface level.

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

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

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

## 9. During construction

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

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

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

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

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

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

- 9.3 The builder / developer is to provide on-site waste bins for waste materials generated during construction and a bin with a tight-fitting lid for food scraps or they are to remove waste from the site to an EPA approved waste depot on a daily basis.

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

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

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

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

Reason: To ensure erosion control measures have been implemented.

- 9.6 All excavations and backfilling associated with the erection or demolition of a building must be executed safely and in accordance with appropriate professional standards. All excavations associated with the erection or demolition of a building must be properly guarded and protected to prevent them from being dangerous to life or property.

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

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

Reason: To ensure the responsible disposal of surplus landfill.

- 9.8 If the building / demolition work involves the removal of material suspected of containing asbestos all waste shall be removed strictly in accordance with the requirements of Chapter 8 of the NSW Work Health & Safety Regulations 2011. If this involves more than 10m<sup>2</sup> of waste this shall be by a NSW licensed asbestos removal contractor. All waste containing asbestos shall be disposed of at Council's EPA approved landfill depot or other facility at which asbestos waste can be lawfully disposed. A minimum of 24 hours notice is to be given to the landfill operator (PH: 0418 572 167).

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

**Note: WasteLocate**

*The EPA has introduced WasteLocate, an online reporting tool that is required for the movement of any load over 100kg of asbestos waste, or 10m<sup>2</sup> or more of asbestos sheeting within NSW. It's similar in many ways to tracking parcels in the post. Transporters are required to register with WasteLocate and report movements of asbestos from the point of generation to the place of disposal, including disposal at Council's waste facilities. Transporters must scan the QR2id plate at Council's Waste Disposal Depot with their mobile device to complete the process at the point of disposal. The EPA recently wrote to all companies and individuals licensed to carry out asbestos demolition or removal, reminding them of their obligations to report movements of asbestos. WasteLocate can be found as follows: <https://wastelocate.epa.nsw.gov.au> (See attached copy of information from the NSW EPA).*

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

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

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

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

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

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

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

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

- 9.11 A sign must be erected in a prominent position on any work site on which work involved in the erection or demolition of a building is being carried out:

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

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

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

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

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

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

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

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

## **8. Prior to the issue of the occupation certificate**

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

Reason: To ensure compliance to all requirements.

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

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

- 8.3 Prior to the issue of a Final Occupation Certificate, documentary evidence must be provided to the Principal Certifying Authority to demonstrate fulfilment of the commitments listed in BASIX Certificate number 813427M\_02 for this development.

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

- 8.4 Prior to the issue of a Final Occupation Certificate any damage to kerb and gutter, road surfaces, infrastructure or landscaping outside of the property boundary that is a result of the proposed work, must be reinstated at total cost to the person having the benefit of the consent and to the satisfaction of Council.

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

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

Reason: To ensure satisfactory completion and maintenance of landscaping.

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

The plan must provide the following:

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

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

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

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

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

- 8.8 Prior to issue of an Occupation Certificate, provide carpark construction conforming to the approved plans.  
Reason: To ensure provision of a carpark commensurate with proposed use.
- 8.9 Consolidation of the land is required as follows;
- Lots 24 and 25 DP815329 are required to be consolidated, and
  - Lots 38, 39 and 40 DP749636 are required to be consolidated.
- A plan of consolidation is required to be registered with the Lands Titles Office **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE.**  
Reason: To consolidate the land over which the development has been approved.
- 8.10 **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE** the street numbers allocated to the premises is to be clearly displayed.  
Reason: To ensure adequate numbering of the property for emergency services and other government organisations.
- 8.11 'No Parking' signs shall be installed at least 10m either side of any access to Ballantyne Crescent **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE.**  
Reason: To ensure safety of vehicles entering and exiting the site.
- 8.12 Security lighting is to be installed within the onsite parking areas, paths/accessways/building entrances and amenity areas on the site **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE.** The lighting is to be positioned so that no direct light or glare impacts on neighbouring properties.  
Reason: To ensure site layout enhances personal safety and minimizes the potential for crime.
- 8.13 An external drying area in a location that receives good solar access must be provided for each dwelling within the development **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE.** The drying area is to be adequately screened if it will be visible from a public road or place.  
Reason: To comply with the requirements of the Deniliquin Development Control Plan 2016.
- 8.14 A minimum provision of 18 onsite carparking spaces and 3 visitor parking spaces is required on the eastern side of the development (Lots 38, 39 and 40 DP749636).  
A minimum provision of 12 onsite carparking spaces and 2 visitor parking spaces is required on the western side of the development (Lots 24 and 25 DP815329).  
On-site carparking is to be line marked and sealed **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE.**  
Reason: To provide adequate on site carparking commensurate with traffic generation of the development.
- 8.15 Carparking spaces are to be suitably screened from view of public places or reserves **PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE.**  
Reason: To ensure that the visual impact of parking areas is minimised.

Division				
Name	For	Against	Abstain	Absent
Cr Peta Betts	X			
Cr Marg Bull	X			
Cr Pat Fogarty	X			
Cr Ashley Hall	X			
Cr Norm McAllister	X			
Cr Peter McCrabb	X			
Cr Nick Metcalfe				X
Cr Mac Wallace				X
Mayor Cr Norm Brennan	X			

Seconded Councillor Fogarty

**CARRIED**

**276/17 SUBJECT: DENILQUIN LOCAL ENVIRONMENTAL PLAN 2013 (AMENDMENT NO 8)**

**FROM: JOHN HARVIE**  
**Director Economic and Business Development**  
 Moved Councillor Fogarty

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

Division				
Name	For	Against	Abstain	Absent
Cr Peta Betts	X			
Cr Marg Bull	X			
Cr Pat Fogarty	X			
Cr Ashley Hall	X			



Cr Norm McAllister	X			
Cr Peter McCrabb	X			
Cr Nick Metcalfe				X
Cr Mac Wallace				X
Mayor Cr Norm Brennan	X			

Seconded Councillor Hall

**CARRIED**

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**277/17 SUBJECT: PROPOSED SOLAR FARMS**

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

Moved Councillor McAllister

That Council resolves to: i) note this report on the preparation of a technical submission on the development applications for the proposed solar farms known as 'Tarleigh Park' and 'Currawarra' and ii) request officers to work with RES to ensure discussions with the community are adhered to.

Seconded Councillor Fogarty

**CARRIED**

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**278/17 SUBJECT: CERTIFICATE OF AUTHORITY FOR STAFF – SWIMMING POOLS**

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

Moved Councillor Hall

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

Seconded Councillor Bull

**CARRIED**

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**279/17 SUBJECT: ENVIRONMENTAL SERVICES REPORT**  
**(November 2017)**

**FROM: DIRECTOR ECONOMIC DEVELOPMENT AND BUSINESS**  
**John Harvie**

Moved Councillor Fogarty

That Council note the information in the Environmental Services report for November 2017.

Seconded Councillor McCrabb

**CARRIED**

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It was noted that Councillor McAllister excused himself from the Chambers at 10.30am and returned at 10.33am

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**280/17 SUBJECT: RIVER STREET DRAINAGE**

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

Moved Councillor Hall

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

Seconded Councillor McAllister

**CARRIED**

It was noted that Councillor McCrabb excused himself from the Chambers at 10.36am and returned at 10.37am

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**281/17 SUBJECT: HEADWORKS CHARGES NOT FOR PROFIT ORGANISATIONS POLICY**

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

Moved Councillor McAllister

That Council resolves to place the *Headworks Charges Not for Profit Organisations Policy* on public exhibition for a period of at least 28 days; and invite public submissions following placement of the policy on public exhibition; and following expiry of the public exhibition period, receives a further report considering all submission received and making any appropriate changes to the draft policy.

Seconded Councillor Betts

**CARRIED**

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**282/17 SUBJECT: CONTRACT 2.19.236 – PREPARATION OF ASSET  
MANAGEMENT PLANS FOR EDWARD RIVER COUNCIL**

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

Moved Councillor McCrabb

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

Seconded Councillor Bull

**CARRIED**

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**283/17 SUBJECT: DOCTOR INCENTIVES**

**FROM: ADAM MCSWAIN  
General Manager**

Moved Councillor Fogarty

That Council resolves to note the one submission received in support of the Doctor Incentives Program; approve the implementation of the one-off Doctor Incentive package of \$7,800 following the closure of the section 356 public submission process at 5pm on Friday 15 December 2017 and note that a Doctor Incentives Policy will be brought to Council for a discussion by April 2018

Seconded Councillor Hall

**CARRIED**

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**Mayor Councillor Norm Brennan declared the meeting closed at 10.50am**