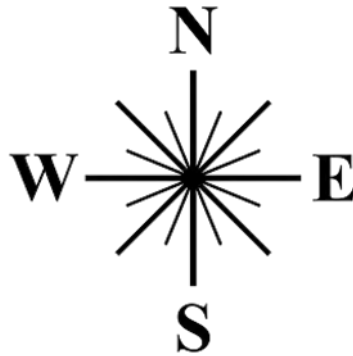


CENTRAL DARLING



SHIRE COUNCIL

ORDINARY COUNCIL MEETING

BUSINESS PAPER

24 JULY 2024

The Meeting will be held at 10:30 AM in the
Council Chambers, 21 Reid Street, Wilcannia

MISSION STATEMENT

To promote the Central Darling Shire area by encouraging development through effective leadership, community involvement and facilitation of services.

RECORDING AND WEBCAST OF COUNCIL MEETINGS

Council meetings are recorded and webcast on Council's website, your attendance and/or input may be recorded and publicly broadcast.

PUBLIC RECORDING PROHIBITED WITHOUT COUNCIL AUTHORITY

A person may only use a recording device, including audio and visual recording and any device capable of recording speech, to record a Council meeting by the resolution of the Council.

A person may be expelled from a Council meeting for having used a recording device without consent.

PHOTOGRAPHY PROHIBITED WITHOUT PERMISSION

Photography is not permitted at a Council meeting without the consent of the General Manager.

PUBLIC FORUM - EXTRACT FROM THE CODE OF MEETING PRACTICE POLICY

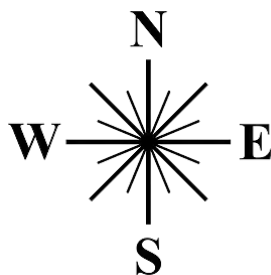
1. The Council may hold a public forum prior to each ordinary meeting of the Council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary Council meetings and meetings of Committees of the Council.
2. Public forums are to be chaired by the Mayor or their nominee.
3. To speak at a public forum, a person must first make an application to the Council in the approved form. Applications to speak at the public forum must be received by same day 8.50am before the date on which the public forum is to be held and must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
4. A person may apply to speak on no more than two (2) items of business on the agenda of the Council meeting.
5. Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
6. The General Manager or their delegate may refuse an application to speak at a public forum. The General Manager or their delegate must give reasons in writing for a decision to refuse an application.
7. No more than three (3) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the Council meeting.
8. If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the General Manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the Council on the item of business. If the speakers are not able to agree on whom to nominate to address the Council, the General Manager or their delegate is to determine who will address the Council at the public forum.
9. If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the General Manager or their delegate may, in consultation with the Mayor or the

Mayor's nominated Chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the Council to hear a fuller range of views on the relevant item of business.

10. Approved speakers at the public forum are to register with the Council any written, visual or audio material to be presented in support of their address to the Council at the public forum, and to identify any equipment needs no more than three (3) days before the public forum. The General Manager or their delegate may refuse to allow such material to be presented.
11. The General Manager or their delegate is to determine the order of speakers at the public forum.
12. Each speaker will be allowed five (5) minutes to address the Council. This time is to be strictly enforced by the Chairperson.
13. Speakers at public forums must not digress from the item on the agenda of the Council meeting they have applied to address the Council on. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.
14. A Councillor (including the Chairperson) may, through the Chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
15. Speakers are under no obligation to answer a question put under Clause 4.14. Answers by the speaker, to each question are to be limited to three (3) minutes.
16. Speakers at public forums cannot ask questions of the Council, Councillors or Council staff.
17. The General Manager or their nominee may, with the concurrence of the Chairperson, address the Council for up to three (3) minutes in response to an address to the Council at a public forum after the address and any subsequent questions and answers have been finalised.
18. Where an address made at a public forum raises matters that require further consideration by Council staff, the General Manager may recommend that the Council defer consideration of the matter pending the preparation of a further report on the matters.
19. When addressing the Council, speakers at public forums must comply with this code and all other relevant Council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the Council's Code of Conduct, or making other potentially defamatory statements.
20. If the Chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in Clause 4.19, the Chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the Chairperson's request, the Chairperson may immediately require the person to stop speaking.
21. Clause 4.20 does not limit the ability of the Chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 14 of this code.
22. Where a speaker engages in conduct of the type referred to in Clause 4.19, the General Manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the General Manager or their delegate considers appropriate.

23. Councillors (including the Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a Council or Committee meeting. The Council is to maintain a written record of all conflict-of-interest declarations made at public forums and how the conflict of interest was managed by the Councillor who made the declaration.

CENTRAL DARLING



SHIRE COUNCIL

ORDINARY COUNCIL MEETING

Wednesday, 24 July 2024

10:30 AM

Council Chambers, 21 Reid Street, Wilcannia

BUSINESS PAPER AGENDA

1	OPENING OF MEETING	7
2	ACKNOWLEDGEMENT OF COUNTRY.....	7
3	APOLOGIES AND LEAVE OF ABSENCE	7
	3.1 APOLOGIES	7
	3.2 LEAVE OF ABSENCE.....	7
4	DISCLOSURES OF INTEREST.....	7
5	CONFIRMATION OF MINUTES	7
	5.1 PREVIOUS MEETING MINUTES.....	7
6	NOTICE OF MOTION	7
7	MAYORAL (ADMINISTRATOR) MINUTE(S)	7
8	FINANCIAL REPORTS	8
	8.1 CASH AND INVESTMENTS - JUNE 2024	8
	8.2 GRANTS REGISTER - JUNE 2024.....	10
	TO DELIVER COUNCIL’S COMMITMENT TO TRANSPARENCY AND IMPROVED FINANCIAL MANAGEMENT, COUNCIL HAS DEVELOPED A GRANTS AND CONTRIBUTIONS REGISTER, TO PROVIDE INFORMATION ON GRANTS APPLIED FOR AND RECEIVED.....	10
9	GOVERNANCE REPORTS	12
	9.1 RFS SERVICE LEVEL AGREEMENT.....	12
	9.2 PROPOSED LAND TRANSFER TO WILCANNIA LOCAL ABORIGINAL LAND COUNCIL.....	15
	9.3 VICTORY CARAVAN PARK OPERATIONS	19

9.4	LOCAL GOVERNMENT REMUNERATION TRIBUNAL - MAYOR AND COUNCILLOR FEES AND SUPERANNUATION	21
9.5	FLOOD PLAIN MANAGEMENT COMMITTEE	25
10	CUSTOMER SERVICE REPORTS.....	27
11	SHIRE SERVICES REPORTS.....	28
11.1	ADOPTION OF CENTRAL DARLING DEVELOPMENT CONTROL PLAN 2024.....	28
11.2	ENVIRONMENTAL SERVICES REPORT FOR JUNE 2024	31
11.3	ROADS TO RECOVERY 2024-2025.....	33
11.4	ROADS AND AERODROMES	37
11.5	WATER AND SEWER UPDATE	41
11.6	WASTE SERVICES - MENINDEE.....	44
11.7	SERVICES UPDATE.....	47
12	MINUTES OF COMMITTEE MEETINGS	48
13	RESOLUTION TRACKER.....	49
13.1	RESOLUTION TRACKER JUNE 2024.....	49
14	CONFIDENTIAL MATTERS	50
14.1	REINFORCED CONCRETE BOX CULVERT INSTALLATIONS TENDER CDSC 3/2024.....	50
15	MEETING CLOSE	51

1 OPENING OF MEETING

The Council Meeting will be declared open by the Mayor/Administrator.

2 ACKNOWLEDGEMENT OF COUNTRY

We would like to acknowledge the traditional custodians of this land and pay respects to Elders past and present.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 APOLOGIES

3.2 LEAVE OF ABSENCE

4 DISCLOSURES OF INTEREST

Pursuant to the Model Code of Conduct for Local Councils in NSW Councillors and Council staff are required to declare any pecuniary or non-pecuniary conflicts of interest.

RECOMMENDATION:

That the Disclosures of Interest – Pecuniary and Non-Pecuniary be received and noted.

5 CONFIRMATION OF MINUTES

5.1 PREVIOUS MEETING MINUTES

RECOMMENDATION:

That the Minutes of the Ordinary Council Meeting held on 26 June 2024 be received and confirmed as an accurate record.

Attachments:

1. [Ordinary Council Meeting - 26 June 2024](#)

6 NOTICE OF MOTION

Nil

7 MAYORAL (ADMINISTRATOR) MINUTE(S)

Nil

8 FINANCIAL REPORTS

8.1 CASH AND INVESTMENTS - JUNE 2024

FILE NUMBER: GD24/9440
REPORT AUTHOR: MANAGEMENT ACCOUNTANT
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

This report is to provide a summary of Council’s cash and investments as at 30th June 2024.

RECOMMENDATION:

That Council

1. Receive and note the report.

REPORT:

In accordance with *Clause 212 of the Local Government (General) Regulations 2005*, a monthly report setting out details of all money that Council has invested under *Section 625 of the Local Government Act 1993* is required to be submitted to Council.

Cash and Investment Accounts:

Cash and Investment Accounts	Current Month	Last Month	Movement	Interest Rate	Current Month Interest	YTD Interest
Westpac 11am Investment Account	\$2,200,000.00	\$2,900,000.00	(\$700,000.00)	1.35%	\$4,338.86	\$68,302.91
Operating Account	\$12,401,565.51	\$1,116,195.57	\$11,285,069.94	N/A	NIL	NIL
Post Office Clearing Account	\$46,987.30	\$46,987.30	NIL	N/A	NIL	NIL
Total Cash at bank as of 30th June 2024						\$14,648,552.81

Commentary:

The net movement of cash for the month of June 2024 was an increase of \$10,585,069.94.
 Payments for wages and creditors for the month of April 2024 totalled \$ 5,832,684.54.
 Receipts for the month of April 2024 totalled \$16,417,754.48 with major receipts being:

- Department of Regional NSW \$229,278.90

- Roads to Recovery \$2,003,637.00
- DPE Finance FAG Advance \$7,133,795.00
- DPE Finance \$477,782.00
- DPE Water \$3,205,000.00
- Restart NSW \$1,700,367.64

Receipts expected in May 2024 are:

- Restart NSW \$834,519.14
- NSW Reconstruction Authority \$10,000.00
- Regional NSW \$40,000.00
- Department Climate Change, Environment & Water \$18,182.00

Restrictions:

Restricted Cash and Investments	
	Jun-24
Externally Restricted ⁽¹⁾	(\$000's)
Specific purpose unexpended grants	9,355
Water supplies	-
Sewerage services	2,811
Domestic waste management	34
Total Externally Restricted	12,200
<small>(1) Funds that must be spent for a specific purpose</small>	
Internally Restricted ⁽²⁾	
Employees Leave Entitlements	935
Plant and vehicle replacement	8
Other Waste Management Reserve	9
Total Internally Restricted	952
<small>(2) Funds that Council has earmarked for a specific purpose</small>	
Total Restricted Funds	13,152
Total Cash & Investments	14,649
Unrestricted Funds (ie. available after the above Restrictions)	1,497

Commentary:

The level of unrestricted funds required by Council is generally \$1,000,000. Currently Council's unrestricted funds are above this level. This has occurred due to the payment of grant debtors during the month.

Attachments:

NIL

8.2 GRANTS REGISTER - JUNE 2024

FILE NUMBER: GD24/9473
REPORT AUTHOR: MANAGEMENT ACCOUNTANT
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is to provide a summary Council’s current year grant funding applications status as of 31st May 2024.

RECOMMENDATION:

That Council will:

1. Receive the report and note the report.

BACKGROUND:

To deliver Council’s commitment to transparency and improved financial management, Council has developed a Grants and Contributions Register, to provide information on grants applied for and received.

REPORT:

For the month of June 2024, scheduled acquittals were completed in line with the reporting requirements of the funding deeds and any approved variations to those deeds.

Morris & Piper continue to assist with grant submissions, approvals and acquittals. Their monthly report for June 2024, including a work plan up to September 2024, is attached to this report.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Focus/Goals/Objectives	Strategic Area	Actions
2 Local & Regional Governance	2.1 Shire governance	2.1.4 Ensure that governance of the shire is focused on the effective planning and delivery of adequate and appropriate services and facilities to local communities

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	Positive
Economic	Positive
Governance	Positive

Financial and Resource Implications:

Ensures that any funding sourced is being deployed within the approved scope of services, works and facilities for which they were intended.

Policy, Legal and Statutory Implications:

Regulation 208 of the Local Government (General) Regulation 2005 provides a requirement that:

A member of the staff of a council who has control of any of the council's accounting records must—

(a) produce those records for inspection and audit in proper order whenever directed or requested to do so by the council's mayor, responsible accounting officer, general manager (if not the council's responsible accounting officer) or auditor or by the Director-General or a person to whom the Director-General's functions under *section 430 of the Act* have been delegated or subdelegated under *section 745 of the Act*, and

(b) render all practicable assistance to the mayor, responsible accounting officer, general manager, auditor, the Director-General, or such a delegate or subdelegate with respect to those records.

Risk Management - Business Risk/Work Health and Safety/Public:

Periodic reporting enables Council to keep both funding providers and the community informed on the deployment of those funds as intended and as such significantly mitigate the risk of inappropriate usage of those funds.

OPTIONS:

Nil.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:**Internal Exhibition:**

Not Required

External Exhibition:

Not Required

Attachments:

1. [Morris & Piper June 2024 Monthly Report](#)  

9 GOVERNANCE REPORTS

9.1 RFS SERVICE LEVEL AGREEMENT

FILE NUMBER: GD24/8796
REPORT AUTHOR: GENERAL MANAGER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is to advise Council of the negotiations between the General Manager and the NSW Rural Fire Service of the review of the current Service Level Agreement, for the delivery of services.

RECOMMENDATION:

That Council will:

1. Receive and note the report.
2. Authorise the General Manager to negotiate with the NSW Rural Fire Service of the review of the current Service Level Agreement in delivering services.

BACKGROUND:

Council has had in place with NSW Rural Fire Service (RFS), a Service Level Agreement (SLA) since June 2014. The SLA covers all RFS brigades in the shire area, for the delivery of services such as:

- Purchasing
- Accounts Receivable
- Fleet Management
- Maintenance on plant and equipment
- Maintenance on fix assets
- Access to Council data
- Environmental Services
- Administration Services

Traditionally Council has been responsible for delivering these services, however over the years some of these tasks have fallen back to the RFS to deliver. Each financial year, RFS provides Council a M&R Budget, to reimburse Council to deliver these services, which Council claims expenditure from the M&R Budget with quarterly invoicing by Council. As part of the Service Level Agreement, Council is paid an annual fee of \$1.

REPORT:

As mentioned above, the Service Level Agreement was signed ten years ago, which in this time, Council cost in providing services have considerably changed. Council oncosts have increased considerably during this time in providing services and delivering works, either private or council works. Council carries the financial liability of providing the service to the RFS for many months, until the funds have been reimbursed, through the RFS R&M Budget. Any financial liability or outstanding debtor affects Council ability to maintain a reasonable cash flow to pay Council creditors and wages. Furthermore, providing this service is a burden to Council resources in undertaking administration duties.

In September 2023 and again in March, the General Manager raised with the Regional Commander and District Manager, Council intention to initiate Item 14- Termination Clause of the Rural Fire Service SLA and renegotiate a new agreement. Recently the General Manager has been in discussions with the Chief Superintendent Area Commander for the Western Area. Council has been advised the current SLA arrangements will need to remain as the status quo, until such time, as these may be addressed through potential legislative changes.

This somewhat limits the scope of the discussion around aspects of the Service Level Agreement. The financial and governance relationship between Local Government and the RFS, is currently subject to examination by the NSW Public Accounts Committee Inquiry, (and a Private Members Bill) which may or may not recommend changes to the relevant sections of the Rural Fires Act 1997 which apply to these arrangements.

The General Manager will continue discussions with the RFS to amend the current Service Level Agreement, to lessen the financial and resource burden to Council. Council will continue to support local RFS brigades in the shire within our current financial and resources limits.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Focus/Goals/Objectives	Strategic Area	Actions
2 Local & Regional Governance	2.1 Shire governance	2.1.4 Ensure that governance of the shire is focused on the effective planning and delivery of adequate and appropriate services and facilities to local communities

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	NA
Economic	Positive
Governance	Positive

Financial and Resource Implications:

The purpose of exercise is to reduce financial and resources implications

Policy, Legal and Statutory Implications:

Nil

Risk Management - Business Risk/Work Health and Safety/Public:

Nil

OPTIONS:

Not to continue with negotiation and leave the existing SLA in place.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

Not required

External Exhibition:

Not required

Attachments:

NIL

9.2 PROPOSED LAND TRANSFER TO WILCANNIA LOCAL ABORIGINAL LAND COUNCIL

FILE NUMBER: GD24/8979
REPORT AUTHOR: GENERAL MANAGER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is to inform Council of the discussion between the General Manager and the Wilcannia Local Aboriginal Land Council of the transfer of council owned land in the Mallee Estate at Wilcannia. The report also seeks Council endorsement for the General Manager to continue discussions with Wilcannia Local Aboriginal Land Council for the land transfer and a commitment for the continuation of services in the Mallee Estate.

RECOMMENDATION:

That Council will:

1. Receive the report.
2. Approve the General Manager to negotiate the land transfer of seventeen allotments contained within the Mallee Estate to the Wilcannia Local Aboriginal Land Council.
3. note if the land transfer of the seventeen allotments in the Mallee Estate proceeds, Council would commit to:
 - (a) provide a weekly waste collection service.
 - (b) Provide aid in road maintenance activities, e.g., pothole repairs.
 - (c) not to provide road or other infrastructure replacement or renewal programs.
4. on the acceptance of Wilcannia Local Aboriginal Land Council acquiring the seventeen allotments in the Mallee estate, a report to an Ordinary Council meeting, authorising the General Manager the transfer of the land.
5. on the rejection of Wilcannia Local Aboriginal Land Council acquiring the seventeen allotments in the Mallee Estate, a report to an Ordinary Council meeting be provided, on options of the disposal of the land through public sale or gifting to a government identity for community social housing needs.

BACKGROUND:

Over the past 12 months, the General Manager has been looking at Council owned land which may be surplus to Council needs. With the view of the reclassification of Council owned land being converted from Community to Operational land which can be sold or gifted for future development for community social housing.

Council owned land has been identified contained with what is known as the Mallee Estate at Wilcannia. Council owns seventeen allotments in this area, varying in different sizes, of which several of these properties contains housing and other infrastructure owned by Wilcannia Local Aboriginal Land Council (WLALC), or by other Aboriginal Corporations. The Council owned allotments are mainly encompassed by WLALC owned land (DP39794, lot 109). There are several gazetted public roads in the Mallee Estate, partly McIntyre, Hood and James streets and all of Murray Street.

There has been funding provided to WLALC to upgrade road infrastructure in the Mallee Estate, "Roads to Home Program", which would greatly benefit residents in this area. However, partial road and utilities infrastructure appears to be running through the Council owned land, which will create problems and potentially may stop the project from going ahead.

REPORT:

In the past 6 months, the General Manager has been in discussion with WLALC, and formally wrote to them in March 2024, offering the Council owned seventeen allotments. The proposal was to gift the allotments to WLALC at no cost. Council would seek financial assistance for conveyancing and land surveying fees with the assistance of WLALC, from the State Government for the land transfer.

If the allotment transfers did proceed, the gazette public roads in the Mallee Estate, partly McIntyre, Hood and James streets and all of Murray Street would provide opportunity to do one of several things.

Abolish the above-mentioned gazetted public roads contained within the estate. The Council owned allotments and land from the road corridors to be transferred to the ownership of WLALC. This land could be absorbed into existing Land Title which the WLALC already owns or create several other Land Titles. This would mean that all infrastructure would be contained within land owned by WLALC. However, there may be a need to create easements for the services for utilities, e.g., electricity & phone.

Alternate option is, Council gifted allotments and gazette road corridors be absorbed into allotments owned by the WLALC. Then establish new gazetted roads reserves, which capsulate the existing road network and utilities, which would be owned and maintained by Council.

For either option above to work, the Council allotments will need to be transferred into WLALC ownership.

The below aerial imagery is the majority of the Mallee Estate. The allotments highlighted in dark red is Council owned allotments. The proposed transfer of land to the WLALC is contained within the current gazetted roads of McIntyre, Hood and all of Murray Streets. The proposed closures of gazetted roads would only occur in the proximity of the intersection of Hood and McIntyre Streets.



Correspondence received from the WLALC, by email (9/7/2024), *“The 3rd July 2024, the Board of the Wilcannia Local Aboriginal Land Council confirmed an earlier decision to request from CDSC the addresses of the properties that Council is proposing to transfer to the Wilcannia LALC. In addition, the Board requires confirmation that a grant will be sought for the cost of transfer fees and a written assurance from CDSC that it will continue to maintain roads and to collect rubbish on a weekly basis”.*

Council has provided the WLALC, Certificate of Titles for each Council owned allotment and maps where each allotment is within the Mallee Estate, and recent updated urban street addressing, in comparison against the old street addressing.

Council currently provides a weekly waste collection service and road repair in the Mallee Estate. Last financial year, Council received a State Government grant for cleaning up Wilcannia; old cars were removed and slashing of vacant allotments was undertaken by a contractor in the Mallee Estate.

If the Council owned allotments were transferred and gazetted roads dissolved creating a single or multiple allotments, under ownership of the WLALC. Council would be compelled under the *Local Government Act 1993* to continue waste collection services in the Mallee Estate. It would be recommended to Council to continue road maintenance activities like pothole repairs. However, Council would not take ownership and be responsible for infrastructure renewals, e.g., road surfacing or reconstruction of assets.

If the Council owned allotments in the Mallee Estate were not transferred, this may jeopardise the “Roads to Home Program” funding received by the WLALC and inhibit any future development or improvements in this area. The General Manager over the next few months will try to source and secure funding to compensate the land transfer fees and charges which will be incurred by WLALC and Council.

Furthermore, if complications occur in negotiations and the land transfers does not happen, or Council elects not to proceed, the seventeen allotments could be publicly sold or gifted to the State Government (Aboriginal Housing Office) for future community social housing needs.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Focus/Goals/Objectives	Strategic Area	Actions
5 Rural and Urban Land Use	5.1 Land availability for housing	5.1.2 Identify land areas in Wilcannia, Menindee and Ivanhoe for new housing development
		5.1.3 Identify land areas in Wilcannia, Menindee and Ivanhoe for further development of social and community housing

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	NA
Economic	Positive
Governance	Positive

Financial and Resource Implications:

Not associated with the report, efforts are being made to reduce potential cost to Council.

Policy, Legal and Statutory Implications:

Nil

Risk Management - Business Risk/Work Health and Safety/Public:

Nil

OPTIONS:

Council could elect different several options, such as, not continue with the land transfer WLALC, or sell the land direct to WLALC or publicly.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

Not required

External Exhibition:

Not required

Attachments:

NIL

9.3 VICTORY CARAVAN PARK OPERATIONS

FILE NUMBER: GD24/9395
REPORT AUTHOR: GENERAL MANAGER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

This report is to provide Council information on the implementation of the RMS online booking system for Victory Caravan Park, with income and expenditure over the past two financial years, the future operations, and improvements of the caravan park. The report also provides information about White Cliffs caravan park.

RECOMMENDATION:

That Council will:

1. Receive and note the report with a future report to be provided on the potential implementation of CCTV for Victory Caravan Park and the future management of White Cliffs Caravan Park.

REPORT:

Reported to December 2023 Ordinary Council meeting, an additional report (RESOLVED: OCM 06-12-2023) on the operations of Victory Caravan Park to be provided at Julys Ordinary Council meeting.

Council has implemented an on online booking system for the Victory Caravan Park in September 2023. The online booking system is done through a provider called "RMS", who specialise in online bookings for caravan parks and motels. RMS online booking system is accessible by computer or mobile phone.

Prior to the implementation of the RMS online booking system, Council had in place since 2018, a caretaker managing the caravan park, which they were responsible for collection of camping fees, basic ground maintenance and daily cleaning of the amenities. Council income for Victory Caravan Park has increased considerably since the RMS system has been implemented.

The figures below are a comparison from the last two financial years:

- Financial Year 2022-23 Income \$37,886.36
- Financial Year 2023-24 Income \$70,465.58 Expenditure \$33,498.37 Balance \$36,967.21

It is worth noting, the caravan park was closed from December to February in the FY 22/23, due to flooding, and again in December to February FY 23/24 for amenities upgrades.

Expenditure of \$28,815 was incurred during FY 23/24 for the engagement of Cultural Solutions for cleaning of amenities and grounds maintenance. As from the 1 July 2024, Shire Services field staff have been undertaking cleaning of amenities and ground maintenance for the current financial year.

Prior to the RMS online booking system, cash was collected daily by the caretaker. The RMS system payment method is by credit card or direct debit into Council's bank account, removing any possible fraudulent possibilities of misuse of handling cash. In some instances, campers that don't have accessibility to the RMS online booking system have been paying their camping fees at the Wilcannia Office during opening hours.

Whilst the system may not completely capture those campers who do not wish to pay by using the online booking system, or pay at the Council Office, the percentage is very low. In comparison, during the caretaker tenure, it has been reported on several occasions camping fees were not collected due to the absence of the caretaker, or the caretaker arrange for others to collect fees, not endorsed by the General Manager to do so.

The RMS online booking system provides financial and occupancy reporting. A daily report is provided in the late evening. The Council Ranger inspects camper's vehicle registration to match against the report for payment. If a camper hasn't paid camping fees, the Ranger enquires with the camper as to why not and assist them in payment of the fee.

Recently, at Victory Caravan Park, there has been reports on social media of attempts of break-ins to vehicles. Local police are aware of these incidents and have increased nightly patrols through the caravan park. Council staff are also investigating the installation and cost of CCTV for the caravan park to increase security. A report will be provided to Council once investigations have been completed and found to be a viable proposition to undertake.

White Cliffs Caravan Park is Council owned and is managed by White Cliffs Community Association on behalf of Council. The current caretaker's contract will be expiring in late August and Expression of Interest (EOI) is currently being advertised. Likewise, White Cliffs Caravan Park will be introducing the RMS online booking system, to reduce administration costs. The EOI for the caravan park services is focussed on cleaning and maintenance of amenities for a period of 12 months, with a possible extension of another 12 months. A report will be provided at an Ordinary Council meeting, once EOI have been evaluated.

Attachments:

NIL

9.4 LOCAL GOVERNMENT REMUNERATION TRIBUNAL - MAYOR AND COUNCILLOR FEES AND SUPERANNUATION

FILE NUMBER: GD24/9459
REPORT AUTHOR: GOVERNANCE OFFICER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purpose of this report is to determine the fees and superannuation payable to the incoming Mayor, Deputy Mayor and Councillors following the ordinary Council election.

RECOMMENDATION:

That Council will:

1. Receive the report, noting the determination made by the Local Government Remuneration Tribunal (LGRT) on 29 April 2024, in respect to the remuneration for Mayors and Councillors.
2. Fixes the annual fee to be paid to each Councillor at \$10,220 pursuant to section 248(2) of the *Local Government Act 1993*.
3. Fixes the additional annual fee payable to the Mayor at \$10,880 pursuant to section 249(3) of the *Local Government Act 1993*.
4. Determines, pursuant to section 249(5) of the *Local Government Act 1993*, that an annual fee of \$850 be paid to the Deputy Mayor, with that fee to be deducted from the annual fee paid to the Mayor in accordance with resolution number 3 above
5. Resolves for the incoming Mayor and Councillors to have the option to elect to receive superannuation at the federal superannuation guarantee rate (11.5% as of 1 July 2024) in accordance with section 245(B) of the *Local Government Act 1993*.

BACKGROUND:

On 29 April 2024, the Local Government Remuneration Tribunal (LGRT) released its Annual Report and Determination under sections 239 and 241 of the *Local Government Act 1993* (LG Act), on the categories of Councils and the minimum and maximum fees to be paid to Mayors and Councillors. Central Darling Shire Council (CDSC) remains in the Rural category.

Sections 248 and 249 of the LG Act require Councils to fix and pay an annual fee to the Mayor and Councillors. The fee must be fixed in accordance with an appropriate determination of the LGRT.

Under section 254B of the LG Act, Councils may also contribute to a superannuation account individually nominated by the Mayor or Councillor.

REPORT:

The LGRT determines a minimum and maximum remuneration range for the Mayor and Councillors. It is up to individual Councils to fix the annual fee, by resolution. This is in accordance with section 241 of the LG Act. Budget calculations for the return of elected members have been based on paying the minimum determination, which applies unless CDSC resolves otherwise. The determination of fees paid to the Mayor and Councillors has no impact on the remuneration of the Administrator. The table below is an extract from LGRT's report:

General Purpose Councils - Non-Metropolitan

Councillor/Member Annual Fee (\$) effective 1 July 2024

Category	Minimum	Maximum
Major Regional City	20,500	35,620
Major Strategic Area	20,500	35,620
Regional Strategic Area	20,500	33,810
Regional Centre	15,370	27,050
Regional Rural	10,220	22,540
Rural Large	10,220	18,340
Rural	10,220	13,520

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2024

Category	Minimum	Maximum
Major Regional City	43,530	110,970
Major Strategic Area	43,530	110,970
Regional Strategic Area	43,530	98,510
Regional Centre	31,980	66,800
Regional Rural	21,770	49,200
Rural Large	16,330	39,350
Rural	10,880	29,500

Deputy Mayor

CDSC may have a Deputy Mayor in accordance with section 231 of the LG Act. Should CDSC decide to have a Deputy Mayor, it is appropriate that there is remuneration for the performance of this role. In accordance with section 249(5) of the LG Act, CDSC may pay the Deputy Mayor a fee for the time the Deputy acts in the office of the Mayor. The amount of the fee paid must be deducted from the Mayor’s annual fee.

This report proposes that \$850 be paid to the Deputy Mayor from the Mayor’s annual fee, which is just over four weeks (rounding to the nearest \$10) of the Mayoral annual fee – the workplace standard annual leave entitlement.

Superannuation

Councillors have not previously been paid superannuation. The making of superannuation payments for Councillors is optional and is paid at each Council’s discretion. To exercise this option, CDSC must first resolve at an open meeting to make superannuation contributions for Councillors.

When a Council resolves to make superannuation contributions for its Councillors, the amount payable is the same amount CDSC would be required to pay under the *Commonwealth Superannuation Guarantee (Administration) Act 1992* as if the Councillors were employees. As of 1 July 2024, the superannuation guarantee rate is 11.5%, increasing on 1 July 2025 to 12%. The superannuation is to be paid by CDSC at the same intervals the annual fee is paid.

To receive a superannuation contribution, each Councillor must first nominate a superannuation account before the end of the month to which the payment relates. The nominated account must be a scheme or fund to which the *Commonwealth Superannuation Guarantee (Administration) Act 1992* applies. Individual Councillors may opt out of receiving benefits. Either choice must be made in writing.

Councils must not make superannuation contributions for Councillors during any period in which they are suspended from their civic office or their right to be paid any other fee, remuneration or expense is suspended under the LG Act.

The fees payable for Councillors and Mayors are effective from 1 July 2024. For CDSC, fees would not be paid until members resume office following Council elections.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Focus/Goals/Objectives	Strategic Area	Actions
2 Local & Regional Governance	2.1 Shire governance	2.1.3 Manage governance of the Central Darling region in co-operation with other existing governance systems including those provided by Local Area Land Councils and the Murdi Paaki Regional Assembly and Community Working Parties

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	NA
Environmental	NA
Economic	NA
Governance	Positive

Financial and Resource Implications:

Remuneration for the return of Elected members at the minimum LGRT rates and superannuation at the rate of 11.5% have been included in the budget for the 2024-25 financial year.

Policy, Legal and Statutory Implications:

CDSC must pay an annual fee to each Councillor and an additional payment to the Mayor under sections 248 and 249 of the LG Act.

Risk Management - Business Risk/Work Health and Safety/Public:

Not fixing a fee could mean that CDSC could be in breach of the LG Act.

OPTIONS:

That Council resolves to adopt the minimum remuneration rates as detailed above and budgeted, or resolves to adopt a higher amount and amends the 2024-25 budget accordingly.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

Not required, as this does not affect employees.

External Exhibition:

As part of the public business papers and minutes of this Ordinary Council meeting.

Attachments:

1. [Local Government Remuneration Tribunal Annual Determination 29 April 2024](#) ↓ 

9.5 FLOOD PLAIN MANAGEMENT COMMITTEE

FILE NUMBER: GD24/9474
REPORT AUTHOR: GOVERNANCE OFFICER
RESPONSIBLE DIRECTOR: GENERAL MANAGER

EXECUTIVE SUMMARY:

The purposed of this report is to seek approval for the draft Terms of Reference of an advisory Flood Plain Management Committee.

RECOMMENDATION:

That Council will:

1. Receive the report
2. Approve the draft Terms of Reference and proposed committee membership as attached.

BACKGROUND:

A Council may have a Flood Plain Management Committee to oversee and co-ordinate the management of flood plains within the local government area. By having a dedicated committee with both local community and specialist input, Central Darling Shire Council (CDSC) can ensure flood plain management is given the attention and expertise it needs to protect the community and the environment.

REPORT:

The NSW State Emergency Services (SES) have recently provided advice to the General Manager to help establish an advisory Flood Plain Management Committee (the Committee) for CDSC. Council staff, Government and non-government agencies and members of the community can work together in the form of an advisory committee to review, develop and implement risk management studies and plans for the Shire, in accordance with the NSW Floodplain Risk Management Manual. By including the recommended broad range of stakeholders in the attached draft document, the Committee can discuss and advise on matters including:

- Risk Management – identifying and mitigating flood-related risks to people and property
- Regulatory Compliance – ensuring development within flood plains complies with relevant legislation
- Environmental Protection – to safeguard the natural environment and ecosystem
- Community Engagement – providing a forum for community input and participation
- Planning and Development – guiding development on flood plains in a sustainable and responsible way
- Emergency Preparedness – contribute to emergency response plans in a flood event
- Infrastructure Protection – protecting public infrastructure, such as roads, bridges and buildings, from flooding.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Focus/Goals/Objectives	Strategic Area	Actions
2 Local & Regional Governance	2.1 Shire governance	2.1.2 Undertake ongoing engagement with shire Communities to ensure their input in the design of local governance structures and services

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	Positive
Economic	NA
Governance	Positive

Financial and Resource Implications:

To be managed within the existing budget.

Policy, Legal and Statutory Implications:

Although not a Policy, a formal Terms of Reference promotes accountability and serves as a reference point to ensure the Committee stays on track and is responsible for its outcomes.

Risk Management - Business Risk/Work Health and Safety/Public:

The Terms of Reference can help the Committee identify potential risks within the scope of its purpose.

OPTIONS:

That Council approves the draft Terms of Reference as attached, or recommends changes needed before adoption.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

Communication to involved employees and consultants by the General Manager.

External Exhibition:

Part of the public business papers and minutes for the Ordinary Council Meeting.

Attachments:

1. [Draft Terms of Reference - Flood Plain Management Committee](#)  

10 CUSTOMER SERVICE REPORTS

Nil

11 SHIRE SERVICES REPORTS

11.1 ADOPTION OF CENTRAL DARLING DEVELOPMENT CONTROL PLAN 2024

FILE NUMBER: GD24/8889
REPORT AUTHOR: SENIOR PLANNER
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

The report is to recommend to Council that the *Central Darling Development Control Plan 2024* be adopted.

The *Central Darling Development Control Plan 2024* has been exhibited for the statutory required 28 days and no submissions were received from the community.

No submissions have been received from the NSW Department of Planning, Housing and Infrastructure.

Therefore, the adoption of the Central Darling Development Control Plan 2024 is recommended.

RECOMMENDATION:

That Council will:

1. Receive the report
2. Adopt the *Central Darling Development Control Plan 2024*.
 - (a) The *Central Darling Development Control Plan 2024* to commence on 24 July 2024.

BACKGROUND:

The *Central Darling Development Control Plan 2024* has been prepared by council over the last three years commencing in 2021.

The draft *Central Darling Development Control Plan 2024* has been sent for comment to internal Council officers and sent to the Department of Planning, Housing and Infrastructure for comment. No comments or submissions were received from the internal Council officers or the Department.

The *Central Darling Control Plan 2024* has incorporated the new flood mapping for the Central Darling Shire Council area.

PROCESS:

The draft *Central Darling Development Control Plan 2024* has been prepared by council officers with the assistance of the Department of Planning, Housing and Infrastructure.

The statutory requirements have been followed for the preparation of the *Central Darling Development Control Plan 2024* under Division 3.6 Development Control Plans (DCPs) in the *Environmental Planning and Assessment Act 1979 No 203 and the Environmental Planning and Assessment Regulation 2021*.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPEARTIONAL PLAN:

Focus/Goals/Objectives	Strategic Area	Actions
1 Community and Culture	1.1 Housing	1.1.9 Ensure that the design and construction of all future social housing is sustainable and

		environmentally sensitive and responsive to cultural needs
2 Local & Regional Governance	2.1 Shire governance	2.1.1 Design and implement governance systems within the shire that are culturally responsive and ensure communities have effective local democratic structures and representation
		2.1.3 Manage governance of the Central Darling region in co-operation with other existing governance systems including those provided by Local Area Land Councils and the Murdi Paaki Regional Assembly and Community Working Parties
		2.1.4 Ensure that governance of the shire is focused on the effective planning and delivery of adequate and appropriate services and facilities to local communities
3 Natural Environment	3.1 The Baaka / Darling River, Menindee Lakes and Willandra Creek	3.1.7 Create protection zones along the river to preserve the riverside environment and Aboriginal cultural heritage near Wilcannia and Menindee

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	Positive
Economic	Positive
Governance	Positive

Financial and Resource Implications:

Central Darling Shire Council will have a development control plan to provide guidance for future development within the local government area.

Policy, Legal and Statutory Implications:

Central Darling Shire Council is required to have a Development Control plan to guide development within the local government area.

Risk Management - Business Risk/Work Health and Safety/Public:

Central Darling Shire Council is required to have a Development Control plan to provide guidance for future development and to ensure the environment and the community are protected.

OPTIONS:

N/A

COUNCIL SEAL REQUIRED:

Yes

COMMUNITY ENGAGEMENT AND COMMUNICATION:**Internal Exhibition:**

Yes sent to internal sections within the Central Darling Shire Council area.

External Exhibition:

Yes exhibited for a minimum of 28 days on the Central Darling Shire Council website.

Attachments:

1. [Central Darling Development Control Plan 2024](#) ↓ 
2. [DCP Flood mapping for Menindee 2024](#) ↓ 
3. [DCP Flood mapping for Tilpa 2024](#) ↓ 
4. [DCP Flood mapping for Wilcannia 2024](#) ↓ 

11.2 ENVIRONMENTAL SERVICES REPORT FOR JUNE 2024

FILE NUMBER: GD24/8890
REPORT AUTHOR: SENIOR PLANNER
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

The purpose of this report is to provide an update on the environmental services data for June 2024.

RECOMMENDATION:

That Council will:

1. Receive and Note the report.

REPORT:

Services:

Statistics for June 2024		
Development approvals / final certificates issued under Part 4, Part 5 of the <i>Environmental Planning and Assessment Act 1979</i> . Number of Certificates issued under the <i>Local Government Act 1993</i> .	Number of DAs Approved – New Dwellings	0
	Number of DAs Approved – Renovation	0
	Number of DAs Approved – Other	0
	Total Value of DAs Approved	0
	Number of Construction Certificates / Crown Construction Certificates Issued	0
	Number of Complying Development Certificates issued	0
	Number of LGA S68 Approvals	0
	Number of Occupation Certificates Issued	0
	Number of completion Certificates issued (S68)	0
	Section 10.7 Planning Certificates	4
Food Safety	Food Premises Inspected	0
Animal Control Activities -	Impounded	9 Dogs
	Surrendered	0 Dogs 0 Cats
	Rehomed	9 Dogs 0 Cats
	Returned to Owner	0 Dogs 0 Cats
	Euthanized	0 Dogs 0 Cats
	Registrations	0 Dogs
	Microchipped	0
	Penalty Notices Issued	0
Water Sampling	Microbiology Samples Collected	11

	Chemistry Samples Collected	0
	Non-Compliant Samples	0
	Darling River Algae Samples	0

Attachment: Nil

Attachments:

NIL

11.3 ROADS TO RECOVERY 2024-2025**FILE NUMBER: GD24/9177****REPORT AUTHOR: DIRECTOR SHIRE SERVICES****RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES**

EXECUTIVE SUMMARY:

The purpose of this report is to provide Council with information relating to the federally funded Roads to Recovery program to enable Council to make an informed decision on the allocation of the funding for the financial year.

Council is required to submit at least 12 months of rolling program works to the Roads to Recovery Infrastructure Management System. Projects may be entered from 1 July 2024 to 31 July and the first payment for the new program will be made in August 2023 pending program of works.

RECOMMENDATION:

That Council will:

1. Receive the report
2. Allocate the 2024/2025 Roads to Recovery funding to the following projects:
 - Adams Street, Wilcannia, initial seal
 - Wilson Street, Wilcannia, initial seal
 - Johnston Street, White Cliffs, initial seal
 - The Blocks, White Cliffs, initial seal
 - Lakeview Ave, Sunset Strip, drainage, kerb and road reconstruction
 - Kingfisher Ave, Sunset Strip, drainage, kerb and road reconstruction
- 3.

BACKGROUND:

The objective of Roads to Recovery is to contribute to the Infrastructure Investment Programme through supporting maintenance of the nation's local road infrastructure asset, which facilitates greater access for Australians and improved safety, economic and social outcomes.

Roads to Recovery allocations for the Councils in each jurisdiction (except the ACT as it is a unitary jurisdiction) have been determined on the basis of the recommendations of the Local Government Grants Commissions in each state and the Northern Territory for the roads component of the Financial Assistance Grants. This is the same methodology as was used for this purpose in previous Roads to Recovery Programmes.

Council's allocation for the 2024-25 to 2028-29 period is \$8,816,030

REPORT:

Council’s allocation for the 2024-25 year is \$1,302,368.

Historically, the Local Roads Financial assistance grants (FAG) - local roads allocation component enables Council to maintain its local road network to the standards required by the Transport Asset Management Plan and Road Hierarchy and Service Level documents. Unfortunately, there is no opportunity for capital improvements with the limited funding and Council rely on other grant funding opportunities to complete capital works on local roads.

It is proposed to utilise the 2024-25 allocation to local road capital improvement works.

The following projects have been identified as priorities.

Location	Issue	Solution	Cost
Wilcannia, Adams Street, between Reid St and Wilson St	Unsealed Rd, problematic when wet, dust issues when dry	Reconstruct and seal 115m	\$60,000
Wilcannia, Wilson Street, between Adamas St and Martin St	Unsealed Rd, problematic when wet, dust issues when dry	Reconstruct and seal 280m	\$160,000
Johnston Street, White Cliffs	Unsealed Rd, problematic when wet, dust issues when dry	Reconstruct and seal 400m	\$150,000
The Blocks, White Cliffs	Unsealed Rd, problematic when wet, dust issues when dry	Reconstruct and seal 1000m	\$420,000
Lakeview Ave, Sunset Strip	Isolated drainage issues and property inundation in rain events	Install new drainage pits, pipes, kerb and getter. Road reconstruction 270m	\$260,000
Kingfisher Ave, Sunset Strip	Isolated drainage issues and property inundation in rain events	Install new drainage pits, pipes, kerb and getter. Road reconstruction 270m	\$252,368
		Total	\$1,302,368

The works will address items included in the Community Plans

- Develop and implement a stormwater management plan for Sunset Strip addressing sub-surface drainage and improved kerb and guttering

- Reform and seal local roads in White Cliffs around Smiths and Turleys Hill and the Blocks area

All six locations have been the subject of past and ongoing customer complaints. Budget constraints have not enabled Council to resolve these issues in the past.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Focus/Goals/Objectives	Strategic Area	Actions
6 Infrastructure and Services	6.3 Local and regional roads	6.3.1 Ensure ongoing rural and regional equity of access
		6.3.4 Ensure ongoing funding to provide road maintenance and upgrade services across the shire

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	NA
Economic	NA
Governance	Positive

Financial and Resource Implications:

Roads to Recovery budget allocation for Local Roads included.

Council has the contract plant resources and staff resources to deliver the projects within a 12-month timeframe

Policy, Legal and Statutory Implications:

Council is a Control Authority pursuant to the *Roads Act 1993*

Risk Management - Business Risk/Work Health and Safety/Public:

Business risk exists through budget exceedance and subsequent financial implications. Poor reflection on Council’s reputation if works are delivered to a poor standard.

WHS/ Public Risks are identified and controlled through project planning and system documents

OPTIONS:

Allocate the 2024/25 funding to alternate projects.

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

Nil

External Exhibition:

Nil

Attachments:

NIL

11.4 ROADS AND AERODROMES

FILE NUMBER: GD24/9409
REPORT AUTHOR: ROAD ENGINEER
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

The purpose of this report is to provide an update on road and aerodrome maintenance and capital works expenditure within the Central Darling Local Government Area.

RECOMMENDATION:

That Council will:

1. Receive and note the report

REPORT:

State Roads

Council is engaged by Transport for NSW (TfNSW) to maintain the State Highway network within the Shire boundaries. The two State Highways are the Barrier Highway and the Cobb Highway.

Council is engaged under contract conditions specified under the Routine Maintenance Council Contract (RMCC). The contract details routine works required to be completed throughout the year and capital works which are supplied to Council via a Works Order (WO).

2024/25 RMCC Routine Maintenance allocation is: \$1,387,606.

2023/24 RMCC Works Orders value is \$2,898,818.

2024/25 RMCC Works Orders value is \$0.

2023/24 Works Orders are programmed for completion by August 2024. No works orders have been received for 2024-25 financial year.

Works Description	Original Budget	% Expended	Remaining budget
Routine FY 2024-25	\$1,387,606	1%	\$1,378,187
FY 2023-24 WO	\$2,898,818	60%	\$1,153,617
FY 2024-2025 WO	\$0	0%	\$0

Regional Roads

Council maintains 790km of Regional Roads throughout the Shire.

2024/25 Regional Road Block Grant amount (including roads, traffic and supplementary components) of \$2,919,000 is based on 2023-24 amount. Council has not received the agreement for this financial year at the time of report writing.

The Regional Emergency Road Repair Fund (RERRF) allocation for Regional Roads is \$4,224,500. The works include improvements to unsealed formation, gravel resheeting works and culvert works. Works will be delivered over 3 years.

The Pooncarie Rd Initial Seal Project is programmed for completion by August 2024. All initial seals work now been completed. Ancillary works are in progress including guardrail installations, batter erosion protection works, culvert scour protection works, signage and guideposts. The pavement and verge damage sustained as part of the earlier flood events are in progress. Once finalised all line marking works will be completed.

Works Description	Original Budget	% Expended	Remaining Budget
Regional Road Block Grant	\$2,919,000	0%	\$2,908,759
RERRF – Regional Roads	\$4,224,500	0%	\$4,222,476
Pooncarie Rd IS project	\$39,600,000	95%	\$1,924,165

Local Roads

Council maintains 1600km of Local Roads throughout the Shire.

2024/25 Operating budget is \$1,994,730 funded from the Financial Assistance Grant (FAG) – Local Roads Component.

2023/24 Roads to Recovery (R2R) allocation was \$1,001,818. Three capital improvement projects are programmed for completion by December 2024.

The Regional Emergency Road Repair Fund (RERRF) allocation for local Roads is \$6,250,475. The works include improvements to unsealed formation, gravel resheeting works and culvert works. Works will be delivered over 3 years.

Fixing Local Roads (FLR Rd 4) Program was successful for funding of \$2,343,471 with contribution amount of 10% to complete the realignment, construction, and seal of the Racecourse Road Menindee. Initial survey and Environmental works have been completed. Native Title Claim and legal

road issues are in discussions with Crown Lands and the Barkindji Native Title Corporation. An extension of time request has been submitted to TFNSW due to the legal issues with this project. Council will be updated upon receipt of information from TFNSW.

Works Description	Original Budget	% Expended	Remaining Budget
Local Roads Component (FAG)	\$1,994,730	0%	\$1,992,829
Ivanhoe-Menindee Rd RCBC (R2R)	\$400,000	11%	\$357,766
Wilc-Menindee East Rd RCBC (R2R)	\$201,818	11%	\$179,150
Teryawynia-Ashmont Rd RCBC (R2R)	\$400,000	10%	\$358,240
Racecourse Rd (FLR Rd 4)	\$2,343,471	5%	\$2,220,629
RERRF – Local Roads	\$6,250,475	0%	\$6,249,730

Aerodromes

Council maintains 6 aerodromes throughout the Shire: Wilcannia, Menindee, Ivanhoe, White Cliffs, Tilpa and Emmdale.

Council’s application under the Remote Aerodrome Upgrade Program (RAUP) Rd 10 was unsuccessful. The application aimed to upgrade the Wilcannia aerodrome amenities and water supply. Further grant opportunities will be investigated.

Works Description	Original Budget	% Expended	Remaining Budget
Aerodromes R&M	\$313,000	0%	\$311,447

Electronic Signs

Council has been working to improve the electronic signs in the region, with all signs in Wilcannia now fixed and the process of repairing those in Menindee currently underway. This initiative aims to ensure that residents and visitors have clear and accurate information about road conditions.

Attachments:

NIL

11.5 WATER AND SEWER UPDATE

FILE NUMBER: GD24/9462
REPORT AUTHOR: UTILITIES ENGINEER
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

The purpose of this report is to provide an update on Water and Sewer Maintenance, Capital Works and expenditure on all assets with the Central Darling Local Government Area.

RECOMMENDATION:

That Council will:

1. Receive and note the report

REPORT:

Water & Sewerage Operations:

- Wilcannia’s potable water supply is sourced from the Darling River Weir Pool. Estimated supply once weir stops flowing is 6 months. There are three emergency bores equipped for town supply usage. They were all repaired and cleaned to maintain good working condition.
- White Cliffs town water supply is sources from the Wakefield Tank. Wakefield Tank storage supply is White Cliffs town water supply is sourced from Wakefield Tank, storage supply is estimated 9 months’ supply remaining. There is no emergency supply for White Cliffs, water carting is necessary in the event of nil rainfall and depleted catchments.
- Ivanhoe town water supply is currently being sourced from Morrison’s Dam. Morrison’s Dam capacity is 150 megalitres. 5 months’ supply remaining. Work has been carried out to prepare for pumping raw water into the Dam. Ivanhoe has 5 emergency bores equipped for town supply usage.

Works Description	Original Budget	% Expended	Remaining Budget
Wilcannia Water	\$464,500	1%	\$460,067
Wilcannia Sewer	\$305,000	0%	\$304,052
White Cliffs Water	\$124,000	2%	\$121,589
Ivanhoe Water	\$347,500	2%	\$340,599
Tilpa Water	\$62,000	0%	\$62,000
Aboriginal Communities Water and Sewer program	\$144,700	0%	\$144,700

Water and Sewer Capital Works:

- The White Cliffs WTP project is in progress. SNG Engineering commenced works March 2024 and completion is forecast for November 2024. Works are 65% complete with building structure complete, chemical dosing systems installed, treatment lagoons excavated, and storage and dosing tanks installed.

The White Cliffs Reticulation works commenced 22 May 2023 and have been in progress to December 2023. Approximately 75% of the town reticulation upgrade length have been completed. Works recommenced in May 2024 and are progressing well.

The Commonwealth Government has allocated an additional \$2,765,000 to complete the original scope of works outlined in the Restart NSW funding deed. The deed of variation had not been finalised at the time of this report.

White Cliffs WTP, Reticulation, Rising Main and Reservoir Augmentation works are currently funded by Restart NSW. Ivanhoe and Wilcannia WTP's are funded by the Safe and Secure Water Program.

- The Ivanhoe Water Treatment Plant Tender was awarded to Liquitek Pty Ltd following Council resolution at the Ordinary Meeting of Council, May 2024. Initial design reviews are in progress.

Council received an amended executed funding deed for the Ivanhoe WTP to the value of \$5,850,000. The additional amount of \$3,350,000 was provided by the Commonwealth Government "Far West Water Treatment Plants" project funds.

- The Wilcannia Water Treatment Plant has not been awarded. Further process designs are being reviewed by Department of Health to ensure the new WTP is capable of treating possible contaminated raw water supply from the proposed new weir pool.

Council received an amended executed funding deed for the Wilcannia WTP to the value of \$7,385,000. The additional amount of \$3,885,000 was provided by the Commonwealth Government "Far West Water Treatment Plants" project funds.

- Tilpa Village emergency water supply works including a 17km pipeline and bore were completed by June 2023. Further water quality testing is required, and possible water treatment and storage options are being investigated.
- Installation of the remaining smart meters in Ivanhoe and Wilcannia were planned for August 2024. Discussion with Taggle and its subcontractors has been resumed by finalising the details of larger size water meters.

The table below reflects expenditure to date for Capital Projects.

Works Description	Original Budget	% Expended	Remaining Budget
White Cliffs WTP and Retic	\$8,265,000	76%	\$1,971,218
Wilcannia WTP	\$7,385,000	25%	\$5,508,401
Ivanhoe WTP	\$5,850,000	24%	\$4,472,531
Smart Meters	\$50,000	0%	\$50,000
Valve Replacement	\$150,000	0%	\$150,000
AC Main Replacements	\$150,000	0%	\$150,000
Tilpa Reservoir	\$65,000	0%	\$65,000
Water Bubblers	\$30,000	0%	\$30,000

Attachments:

NIL

11.6 WASTE SERVICES - MENINDEE**FILE NUMBER: GD24/9472****REPORT AUTHOR: OPERATIONS MANAGER****RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES**

EXECUTIVE SUMMARY:

The purpose of this report is to provide information in response to a Notice of Motion on the Menindee Waste Facility.

RECOMMENDATION:

That Council will:

1. Receive and note the report

BACKGROUND:

The Menindee Waste Facility (Facility) is located on Lot 71 DP 46640, about four kilometres from the township of Menindee. It serves a population of approximately 550 residents.

The Facility uses a trench and fill waste disposal method that involves excavation of a trench into which waste is placed, spread, compacted and covered with excavated soil.

The Notice of Motion requested that a report on the Menindee landfill be presented to a future Council Meeting detailing:

- 1 Requirements to address disposal, recycling, fire control, windblown litter (including upgrade fencing) and signage to improve operations at the landfill.
- 2 Estimate to seal the existing gravel road to the landfill.
- 3 That Options be developed including costings for public consultation.
- 4 That a future Management Plan and Operational Procedures be developed.

REPORT:

The Facility has had a history of noncompliance with the Protection of the Environment Operations (Waste) Regulation 2014 (Regulation) due to an absence of effective waste management practices, such as:

- 1 The method of waste disposal did not allow for the waste to be effectively compacted and covered with soil.
- 2 The disposal method also did not prevent the opportunity for windblown waste to be carried away from the disposal area to offsite locations including neighbouring properties.
- 3 Ongoing management of waste facility's operations was inconsistent and ineffective.

There are two locations where waste is being deposited at the Facility, which for purposes of this report are referred to as Site 1 and Site 2. Site 1 was the active and larger site utilised by the community while Site 2 was used as a secondary disposal site.

To address these issues and achieve compliance with compliance requirements, extensive earthworks were carried out on both sites, which included:

- 1 Sites were alternately closed /opened to the community.
- 2 The existing waste was pushed up and compacted into a tight cell and covered with soil.

- 3 The sites were reshaped, extended or deepened as required with a disposal area shaped to be more suited for effective disposal and management of the waste.

The resulting waste disposal sites now provide residents with an improved facility for safe dumping of their waste and more effective waste management operations.

Another outcome of improved waste sites is more effective control of litter, which was previously a significant issue. Litter is minimised by the reshaping the disposal sites, application of soil cover, which has impeded scavengers access to the waste material. Litter is also collected by hand picking and mechanical racking.

Sealing of access road

Consideration has been given to sealing the road from the railway crossing to the entrance of the Facility, which for a rehabilitation of the current road 8 metre wide by 600 long would cost approximately \$336,000. The approximate cost would include site preparation, road materials, sealing, road plant, project management and workers.

Public consultation

During the reshaping of the Facility, Council media releases and social media were utilised to inform the community of the works being carried out at the Facility.

An ongoing approach to public consultation and communication has been considered. It was decided to review operations of the Facility after at least six months to determine if any changes to the waste disposal approach were required.

Options considered for public consultation and communication include:

- Utilising Council media services such as media releases, public notices, website and social media.
- Community waste awareness campaigns
- Focus group meetings
- Resident newsletter
- Collaborations with appropriate state agencies

Cost for the consultation and communication activities would be already costed for existing Council staff time.

Management planning

A long-term plan of management that considers future waste and disposal options, the interrelationship of activity areas, development works, and infrastructure is an important tool. A Menindee Waste Facility Operations Improvement Plan and a Menindee Waste Facility Long Term Plan of Management prepared by a consultant is currently used. The documents will be helpful in developing a more refined management and operations plan and procedures.

NSW Environmental Protection Authority

In March 2024, a meeting was held with the NSW Environmental Protection Authority (EPA) at the Facility to discuss and observe the current waste management practices. The EPA was impressed and satisfied that appropriate waste management practices were now being used at the Facility including litter control measures.

LINKS TO THE COMMUNITY STRATEGIC PLAN AND DELIVERY PROGRAM AND OPERATIONAL PLAN:

Focus/Goals/Objectives	Strategic Area	Actions
6 Infrastructure and Services	6.4 Waste management	6.4.4 Identify opportunities and funding for improvement of local landfill sites

SUSTAINABILITY ASSESSMENT:

	Assessment
Social	Positive
Environmental	Positive
Economic	Positive
Governance	NA

Financial and Resource Implications:

Financial and resource implications are addressed in the 2024-25 financial year.

Policy, Legal and Statutory Implications:

Compliance is required under the Environment Operations (Waste) Regulation 2014.

Risk Management - Business Risk/Work Health and Safety/Public:

No risks identified.

OPTIONS:

n/a

COUNCIL SEAL REQUIRED:

No

COMMUNITY ENGAGEMENT AND COMMUNICATION:

Internal Exhibition:

Not required

External Exhibition:

Not required

Attachments:

NIL

11.7 SERVICES UPDATE

FILE NUMBER: GD24/9476
REPORT AUTHOR: OPERATIONS MANAGER
RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

EXECUTIVE SUMMARY:

The purpose of this report is to provide an update on the services expenditure on all associated assets within the Central Darling Local Government Area.

RECOMMENDATION:

That Council will:

1. Receive and note the report.

REPORT:

Services:

Works Description	Original Budget	% Expended	Remaining Budget
Parks & Gardens/ Sporting Facilities	\$176,500	1%	\$175,438
Ancillary Works	\$243,500	6%	\$229,540
Street Cleaning/Bins	\$315,000	1%	\$311,962
Buildings	\$301,700	0%	\$301,360
Swimming Pools	\$380,000	3%	\$369,908
Domestic Waste	\$323,500	1%	\$320,377

Services Capital Works:

There are a variety of capital services infrastructure improvements programmed this year which are detailed in the Grants Register section of this Agenda.

Attachments:

NIL

12 MINUTES OF COMMITTEE MEETINGS

Nil

13 RESOLUTION TRACKER

13.1 RESOLUTION TRACKER JUNE 2024

FILE NUMBER: GD24/9378
REPORT AUTHOR: EXECUTIVE ASSISTANT
RESPONSIBLE DIRECTOR: GENERAL MANAGER

RECOMMENDATION:

1. That the Resolution Tracker from the Ordinary Council Meeting held on 26/06/2024 be received and noted and any amendments be noted.

Attachments:

1. [RESOLUTION TRACKER JUNE 2024](#) ↓ 

14 CONFIDENTIAL MATTERS

The *Local Government Act 1993* provides that Council may close to the public that part of the meeting that deals with matters of a confidential nature.

The grounds on which a meeting is closed to the public must be specified in the decision to close the meeting and recorded in the minutes of the meeting.

The *Local Government Act 1993* provides that Council may close to the public that part of the meeting that deals with matters of a confidential nature.

The grounds on which a meeting is closed to the public must be specified in the decision to close the meeting and recorded in the minutes of the meeting.

RECOMMENDATION:

That Council Meeting move into Confidential to consider the matters listed in the confidential section of the agenda in accordance with Section 10A 2 of the Local Government Act 1993 for the reasons specified.:

14.1 Reinforced Concrete Box Culvert Installations Tender CDSC 3/2024

FILE NUMBER: GD24/9464

REPORT AUTHOR: UTILITIES ENGINEER

RESPONSIBLE DIRECTOR: DIRECTOR SHIRE SERVICES

Item 14.1 is confidential under the Local Government Act 1993 Section 10A(2) - (c) as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

RECOMMENDATION:

That Council moves out of Confidential and back into Open Chambers.

15 MEETING CLOSE

The Ordinary Council Meeting will be declared closed by the Mayor/Administrator.

The next Ordinary Council Meeting will be held on Wednesday, 28 August 2024 in Council Chambers, 21 Reid Street, Wilcannia at 10:30 AM.

**MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN THE
COUNCIL CHAMBERS, 21 REID STREET, WILCANNIA
ON WEDNESDAY, 26 JUNE 2024**

PRESENT: Administrator, Bob Stewart

IN ATTENDANCE: Greg Hill (General Manager)
 Reece Wilson (Director Shire Services)
 Glenda Dunn (Senior Planning Officer)
 Kevin Smith (Finance Manager)
 Darryl Telfer (Acting Rates Officer)
 Kara Mohr (Risk & WHS Officer)
 Natalie Batson (Executive Assistant)
 Nerida Carr (Governance Officer)
 Gabrielle Johnston (Community Engagement)
 Shirley Burraston (Management Accountant)
 Uday Mamidala (Finance Officer)
 John Carleton (Operations Manager)

1 OPENING OF MEETING

The meeting was declared open at 10:45am

2 ACKNOWLEDGEMENT OF COUNTRY

An acknowledgement of the traditional custodians of the land was delivered by the Administrator, Bob Stewart.

3 APOLOGIES AND LEAVE OF ABSENCE

3.1 APOLOGIES

Nil

3.2 LEAVE OF ABSENCE

Nil

4 DISCLOSURES OF INTEREST

Pursuant to the Mode Code of Conduct for Local Councils in NSW Councillors and Council staff are required to declare any pecuniary or non-pecuniary conflicts of interest.

RESOLVED: OCM 01-06-2024

Mover: Administrator Bob Stewart

That the Disclosures of Interest – Pecuniary and Non–Pecuniary be received and noted.

CARRIED

No declarations were received.

5 CONFIRMATION OF MINUTES

5.1 PREVIOUS MEETING MINUTES

RESOLVED: OCM 02-06-2024

Mover: Administrator Bob Stewart

That the minutes of the Ordinary Council Meeting held on 22 May 2024 be received and confirmed as an accurate record.

CARRIED

6 NOTICE OF MOTION

Nil

7 MAYORAL (ADMINISTRATOR) MINUTE(S)

7.1 MAYORAL MINUTE - JUNE 2024

RESOLVED: OCM 03-06-2024

Mover: Administrator Bob Stewart

As per tabled report

CARRIED

8 FINANCIAL REPORTS

8.1 CASH AND INVESTMENTS - MAY 2024

RESOLVED: OCM 04-06-2024

Mover: Administrator Bob Stewart

That Council

1. receive and note the report.

CARRIED

8.2 ADOPTION OF DRAFT OPERATIONAL PLAN, DELIVERY PROGRAM AND BUDGET 2024-25

RESOLVED: OCM 05-06-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Note that no submissions were received during the public exhibition period.
3. Adopt the Draft 2024-25 Operational Plan and Budget noting a net surplus of \$15,000.00.
4. Note the following amendments:
 - i. RMS works an increase of \$250,000
 - ii. Private Works an increase of \$750,000 (These amendments have been made due to an increase in expected activity and an increase in charged on-costs)
 - iii. Contractor costs a decrease of \$350,000 (Re-assessment based on likely expenditure to be incurred in relation to the level of grants received, private and RMS works)
 - iv. Adjustment to Roads Depreciation (A minor adjustment to the useful lives of some of the roads within the municipality)
 - v. The Draft budget for capital works indicated total expenditure of \$18.099 million, which included expenditure of \$350,000 for a new three bedroom house. On review this item has been removed.

Total capital works is now \$17.649 million.

5. Make and levy the following rates and charges under the *Local Government Act 1993* for the 2024-25 year.
 - (a) In accordance with Sections 492-494, 497-499, 533-535 and 543 of the *Local Government Act 1993*, Council make and levy the following ordinary rates for the 2023/24 year as follows:
 - (i) Farmland Rate ad valorem amount 0.0004470 cents in the dollar
 - (ii) Farmland Base Amount: \$130.00
 - (iii) Residential Rate ad valorem amount 0.070630 cents in the dollar
 - (iv) Residential Base Amount \$130.00
 - (v) Business Rate ad valorem amount 0.0582740 cents in the dollar
 - (vi) Business Base Amount \$130.00
 - (b) In accordance with Sections 496 and 501 of the *Local Government Act 1993*, Council make and impose charges for waste management services in 2024/25 as follows:

DOMESTIC WASTE SERVICE CHARGES LEVIED UNDER SECTION 496 OF THE LOCAL GOVERNMENT ACT 1993	CHARGE UNIT	2024-25 CHARGE
DOMESTIC WASTE MANAGEMENT AVAILABILITY CHARGE (PREVIOUSLY KNOWN AS AN “UNOCCUPIED” PROPERTY CHARGE) <u>PURPOSE:</u> FUND WASTE MANAGEMENT FACILITIES TO MEET POTENTIAL FUTURE DEMANDS FROM VACANT LAND. <u>APPLIES TO:</u> ALL VACANT PARCELS OF RATEABLE	PER PROPERTY	\$327.00

<p>LAND WITHIN THE WILCANNIA, IVANHOE OR MENINDEE WASTE COLLECTION AREAS. <u>PURPOSE:</u> FUND WASTE MANAGEMENT FACILITIES TO MEET POTENTIAL FUTURE DEMANDS FROM VACANT LAND.</p>		
<p>DOMESTIC WASTE MANAGEMENT SERVICE <u>PURPOSE:</u> ENTITLEMENT TO A WEEKLY COLLECTION OF A 240 LITRE WASTE BIN & FREE ACCESS TO DISPOSE OF DOMESTIC WASTE AT COUNCIL'S WASTE MANAGEMENT FACILITY IN THE TOWN THE PROPERTY IS LOCATED IN. <u>APPLIES TO:</u> ALL PROPERTIES WITHIN THE IVANHOE, MENINDEE OR WILCANNIA COUNCIL'S WASTE COLLECTION AREAS, WITH AN APPROVAL FOR A RESIDENTIAL BUILDING.</p>	<p>PER PROPERTY</p>	<p>\$685.00</p>
<p>DOMESTIC WASTE MANAGEMENT SERVICE – SUNSET STRIP <u>PURPOSE:</u> PROVIDE SUNSET STRIP RESIDENTS WITH FREE ACCESS TO THE DISPOSE OF DOMESTIC WASTE AT THE SUNSET STRIP WASTE MANAGEMENT FACILITY. <u>APPLIES TO:</u> ALL RATEABLE PROPERTIES IN SUNSET STRIP.</p>	<p>PER PROPERTY</p>	<p>\$87.00</p>
<p>DOMESTIC WASTE MANAGEMENT SERVICE – WHITE CLIFFS <u>PURPOSE:</u> PROVIDE RESIDENTS OF THE WHITE CLIFFS TOWNSHIP WITH FREE ACCESS TO THE DISPOSE OF DOMESTIC WASTE AT THE WHITE CLIFFS WASTE MANAGEMENT FACILITY. <u>APPLIES TO:</u> ALL RATEABLE PROPERTIES IN THE WHITE CLIFFS TOWNSHIP.</p>	<p>PER PROPERTY</p>	<p>\$73.00</p>
<p>DOMESTIC WASTE MANAGEMENT – ADDITIONAL BIN COLLECTION SERVICES <u>PURPOSE:</u> WEEKLY COLLECTION OF ADDITIONAL 240 LITRE WASTE BIN (ADDITIONAL CHARGE PER BIN). <u>APPLIES TO:</u> ALL PROPERTIES WITHIN THE WILCANNIA, IVANHOE OR MENINDEE WASTE COLLECTION AREAS WHERE AN ADDITIONAL DOMESTIC WASTE COLLECTION SERVICE(S) HAS/HAVE BEEN REQUESTED AND PROVIDED.</p>	<p>PER BIN</p>	<p>\$685.00</p>

<p>WASTE MANAGEMENT SERVICE CHARGES - NON DOMESTIC LEVIED UNDER SECTION 501 OF THE LOCAL GOVERNMENT ACT 1993</p>	<p>CHARGE UNIT</p>	<p>2023-24 CHARGE</p>
<p>WASTE MANAGEMENT SERVICE <u>PURPOSE:</u> ENTITLEMENT TO A WEEKLY COLLECTION OF A 240 LITRE WASTE BIN. <u>APPLIES TO:</u> ALL PROPERTIES WITHIN ANY OF COUNCIL'S WASTE COLLECTION AREAS WHERE A WASTE COLLECTION SERVICE HAS BEEN REQUESTED AND PROVIDED.</p>	<p>PER PROPERTY</p>	<p>\$685.00</p>

<p>WASTE MANAGEMENT ADDITIONAL BIN <u>PURPOSE:</u> ENTITLEMENT TO A WEEKLY COLLECTION OF ADDITIONAL 240 LITRE WASTE BINS. <u>APPLIES TO:</u> ALL PROPERTIES WITHIN ANY OF COUNCIL'S WASTE COLLECTION AREAS WHERE AN ADDITIONAL NON DOMESTIC WASTE COLLECTION SERVICE(S) HAS/HAVE BEEN REQUESTED AND PROVIDED.</p>	PER BIN	\$685.00
---	---------	----------

c. In accordance with Sections 501 and 502 of the *Local Government Act 1993*, make and levy charges for water supply services in 2023-24 as follows:

Water Service Charges - Wilcannia		
Service Charge Description	Charge Unit	2023-24 Charge
Filtered Water Connected	Per Connection	\$275.00
Non- Potable/Raw Water Connected	Per Connection	\$1,083.00
Filtered Water Availability	Per Property	\$181.00
Non- Potable/Raw Water Availability	Per Property	\$181.00
Filtered Water Usage	Per Kilolitre (kL)	\$3.75
Filtered Water Usage – Metered Non- Rateable Properties	Per Kilolitre (kL)	\$3.75
Non- Potable/Raw Water Usage – Metered Non Rateable Properties	Per Kilolitre (kL)	\$3.75
Water Service Charges - Ivanhoe		
Service Charge Description	Charge Unit	2024-25 Charge
Filtered Water Connected	Per Connection	\$322.00
Non- Potable/Raw Water Connected	Per Connection	\$539.00
Filtered Water Availability	Per Property	\$240.00
Non- Potable/Raw Water Availability	Per Property	\$240.00
Filtered Water Usage	Per Kilolitre (kL)	\$4.18
Non -Potable/Raw Water Usage – Rateable Properties	Per Kilolitre (kL)	\$1.81
Filtered Water Usage – Metered Non- Rateable Properties	Per Kilolitre (kL)	\$5.03
Non -Potable/Raw Water Usage – Metered Non -Rateable Properties	Per Kilolitre (kL)	\$4.18

Water Service Charges – White Cliffs		
Service Charge Description	Charge Unit	2024-25 Charge
Filtered Water Connected	Per Connection	\$1,043.00
Non- Potable/Raw Water Connected	Per Connection	\$1,043.00
Filtered Water Availability	Per Property	\$912.00
Non -Potable/Raw Water Availability	Per Property	\$912.00
Filtered Water Usage	Per Kilolitre (kL)	\$4.08
Non -Potable/Raw Water Usage – Rateable Properties	Per Kilolitre (kL)	\$4.08
Filtered Water Usage – Metered Non- Rateable Properties	Per Kilolitre (kL)	\$4.08
Non- Potable/Raw Water Usage – Metered Non- Rateable Properties	Per Kilolitre (kL)	\$4.08

d. In accordance with Sections 501 of the *Local Government Act 1993*, Council make and levy charges for sewerage services in 2023-24 as follows:

Service Charge Description	Unit Type	2024-25 Charge
Sewerage Service Charge	Per property – up to 2 connections	\$980.00
Sewerage Service Additional Charge	Per connection – more than 2 connections	\$338.00

e. Council make and impose the maximum charge for interest on overdue rates and charges as determined by the Minister for Local Government, in accordance with Section 566(3) of the *Local Government Act 1993*, being 10.5 per cent per annum for the period 1 July 2024 to 30 June 2025.

f. Fees and Charges for the use of services provided by the Council as detailed in the Operational Plan and Budget 2024-25 be adopted in accordance with Section 608 of the *Local Government Act 1993*. **CARRIED**

8.3 ADOPTION OF DRAFT LONG TERM FINANCIAL PLAN 2025-34

RESOLVED: OCM 06-06-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Note that no submissions were received during the public exhibition period.

3. Adopt the Long Term Financial Plan 2025 – 2034. **CARRIED**

8.4 GRANTS REGISTER - MAY 2024

RESOLVED: OCM 07-06-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report and note the report.

CARRIED

9 GOVERNANCE REPORTS

9.1 ADOPTION OF DRAFT COUNCIL SOCIAL MEDIA POLICY

RESOLVED: OCM 08-06-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Note the report
 - (a) Adopt the draft Council Social Media Policy.
 - (i) Place the Council Social Media Policy on Council's website.

CARRIED

9.2 FLOW FM RADIO TO BROADCAST TO THE SHIRE

RESOLVED: OCM 09-06-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report.

CARRIED

9.3 ARIC- TERMS OF CONDITIONS AND INTERANL AUDIT CHARTER

RESOLVED: OCM 10-06-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. Adopt ARIC Terms of Conditions.
3. Adopt ARIC Internal Audit Charter.

CARRIED**9.4 ARIC - ENDORSEMENT OF NEW COMMITTEE MEMBER****RESOLVED: OCM 11-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Appoint Sean Hounslow to Councils Audit, Risk and Improvement Committee (ARIC).

CARRIED**9.5 MENINDEE HOUSE FIRE INSURANCE CLAIM****RESOLVED: OCM 12-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. Select Option Four – “Replacement value cash settlement, via unplanned capital expenditure provisions” amount of \$346,018.38.
3. put the funds towards unplanned capital expenditure within two years from the date of the loss.
 - (a) The supply and delivery of one-bedroom prefabricated house on Council land at Ivanhoe to be used for staff accommodation.
 - (b) The supply and installation of Aerated Effluent Water Treatment system at 37 Darling Street, Menindee (DP 1064220 PT1) to service the remaining four houses to address the issues of effluent disposal on the adjoining property.
4. The General Manager to report back to Council with the following:
 - (a) The acceptance by Statewide Mutual, that Council wishes to pursue Option Four with the projects as recommended above (3a & 3b).
 - (b) If projects have been rejected by Statewide Mutual, provide alternative projects.
 - (c) If projects are approved, provide detail project costs and delivery plan.

CARRIED**9.6 CENTRAL DARLING SHIRE COUNCIL DRAFT RISK MANAGEMENT POLICY & PROCEDURE****RESOLVED: OCM 13-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Adopt the Risk Management Policy and Procedure

CARRIED**9.7 NEW POLICY - CONTROL OF ACCESS TO RESTRICTED LOCATIONS****RESOLVED: OCM 14-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Approve and adopt the draft Control of Access to Restricted Locations Policy

CARRIED**9.8 NEW POLICY - DATA BREACH POLICY****RESOLVED: OCM 15-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Approve the draft Data Breach policy
3. Place the Data Breach Policy on public exhibition for a period of 28 days to allow for public review and submissions.

CARRIED**10 CUSTOMER SERVICE REPORTS****10.1 POLICY REVIEW - ACCESS TO INFORMATION POLICY****RESOLVED: OCM 16-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Approve the draft Access to Information Policy
3. Place the Access to Information Policy on public exhibition for a period of 28 days to allow for public review and submissions.

CARRIED**11 SHIRE SERVICES REPORTS****11.1 ENVIRONMENTAL SERVICES REPORT MAY 2024**

RESOLVED: OCM 17-06-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED**11.2 AMENDMENT TO THE CENTRAL DARLING LOCAL ENVIRONMENTAL PLAN 2012 - RECLASSIFICATION OF COUNCIL OWNED LAND FROM COMMUNITY LAND TO OPERATIONAL LAND.****RESOLVED: OCM 18-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Note that the Department of Planning, Housing and Infrastructure NSW has made legal the amendment to the *Central Darling Local Environmental Plan 2012* to reclassify 232 council owned lots from community land to operational land.

CARRIED**11.3 STATUTORY CHANGES TO THE CEMETERIES AND CREMATORIA ACT 2013****RESOLVED: OCM 19-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Write to the NSW Premier and Minister for Lands and Property asking that they urgently reverse their decision to impose a new tax on all burials and cremations
3. Adopt the new statutory levy fees for cremation, ash internment and burials imposed by the *Cemeteries and Crematoria Act 2013*, adding these fees to the Council fees and charges.
4. Note the new statutory maintenance requirements for Council cemeteries.

CARRIED**11.4 ROADS AND AERODROMES****RESOLVED: OCM 20-06-2024**

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.5 SERVICES

RESOLVED: OCM 21-06-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.6 WATER AND SEWER

RESOLVED: OCM 22-06-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive and note the report

CARRIED

11.7 RACECOURSE ROAD, MENINDEE, JUNE UPDATE

RESOLVED: OCM 23-06-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report
2. Rescind the resolution of Council OCM 24-05-2024 to withdraw the approved FLR project with Transport for NSW
3. Rescind the resolution of Council to submit change request with Transport for NSW for the reconstruction and seal of 3.5km of the Wilcannia-Menindee East Road.
4. Submit an extension of time request with Transport for NSW for the approved FLR project to December 2025.

CARRIED

12 MINUTES OF COMMITTEE MEETINGS

12.1 ARIC MINUTES 22.05.2024

RESOLVED: OCM 24-06-2024

Mover: Administrator Bob Stewart

1. That the Minutes of the Audit, Risk and Improvement Committee held on 22/05/2024 be received and noted.

CARRIED

13 RESOLUTION TRACKER

13.1 RESOLUTION TRACKER MAY 2024

RESOLVED: OCM 25-06-2024

Mover: Administrator Bob Stewart

1. That the Resolution Tracker from the Ordinary Council Meeting held on 22/05/2024 be received and noted and any amendments be noted.

CARRIED

14 CONFIDENTIAL MATTERS

It was resolved that Council moved into Confidential to consider the matters listed in the confidential section of the agenda in accordance with Section 10A 2 of the *Local Government Act 1993* for the reasons specified. Confidential section was closed to the public and began at 11:22am.

RESOLVED: OCM 26-06-2024

Mover: Administrator Bob Stewart

That Council move into Confidential to consider the matters listed in the confidential section of the agenda in accordance with Section 10A 2 of the Local Government Act 1993 for the reasons specified.:

14.1 Overdue Rates and Charges - Proposed Payment Arrangement and Future Write off of Interest and Legal Costs

Item 14.1 is confidential under the Local Government Act 1993 Section 10A(2) - (b) as it relates to discussion in relation to the personal hardship of a resident or ratepayer.

14.2 Morris Pipper -Service Quote for Specialty Grant Service

Item 14.2 is confidential under the Local Government Act 1993 Section 10A(2) - (c) and (d) as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed:

- (i) prejudice the commercial position of the person who supplied it, or
- (ii) confer a commercial advantage on a competitor of the council, or
- (iii) reveal a trade secret.

CARRIED

RECOMMENDATION:

That Council moves out of Confidential and back into Open Chambers 11:26am.

The General Manager reviewed the resolutions of the confidential matters and reported the following for the listed reports:

14.1 OVERDUE RATES AND CHARGES - PROPOSED PAYMENT ARRANGEMENT AND FUTURE WRITE OFF OF INTEREST AND LEGAL COSTS

RESOLVED: OCM 27-06-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. Enter a payment arrangement in respect of outstanding rates and charges on 86 Reid Street Wilcannia for payments for an initial period of 12 months, subject to payments being commenced within one month of such arrangement being accepted.
 - (a) Subject to that agreement being maintained throughout the initial 12 month period, Council;
 - (i) not undertake any legal/recovery action in respect of outstanding rates and charges on 86 Reid Street Wilcannia, and;
 - (ii) write-off interest charges which accrue on outstanding rates and charges on 86 Reid Street Wilcannia.
 - (b) Upon the successful conclusion of the initial 12 month payment agreement term, and subject to a further payment agreement being made for ongoing payments, and being eligible for assistance Council's Economic Hardship Policy, Council will;
 - (i) write-off interest currently outstanding at 6 June 2024, and;
 - (ii) write-off the debt enforcement costs incurred since June 2022, and;
 - (iii) provide any assistance available under Council's Economic Hardship Policy, including the write-off of further interest charges which accrue.

CARRIED

14.2 MORRIS PIPPER -SERVICE QUOTE FOR SPECIALTY GRANT SERVICE

RESOLVED: OCM 28-06-2024

Mover: Administrator Bob Stewart

That Council will:

1. Receive the report.
2. Council authorises the engagement of Morris Piper to assist Council in the preparation of future grant funding submissions, milestone and acquittal reporting until the end of the Financial Year 24/25.
3. Council notes the engagement of consultant is not in accordance with Council's Procurement Policy, however under the *Local Government Act 1993*, Section 55, Part 3(i) endorses the engagement of Morris Piper due to the remoteness of locality and the unavailability of competitive or reliable tenderers.

CARRIED

15 MEETING CLOSE

There being no further business to discuss, the meeting was closed at **11:29am**.

The minutes of this meeting were confirmed at the Ordinary Council Meeting of the Central Darling Shire Council held on Wednesday, 24 July 2024.

.....

ADMINISTRATOR

Central Darling Shire Council

MONTHLY REPORT JUNE 2024

Morris & Piper

Monthly Report

216/15 Irving Street
Phillip, ACT, 2606
Email: office@morrispiper.com
ABN: 58646584616

INTRODUCTION

This monthly report is prepared for the Central Darling Shire Council (CDSC) under the current 2023-24 Service Agreement. The report captures work completed in June 2024 and sets out a proposed detailed work schedule for the month of July 2024. The report will also look forward to potential activities to be undertaken in the first quarter of 2024-25.

Morris Piper thanks CDSC for electing to continue our successful working relationship for the 2024-25 financial year.

JUNE 2024 UPDATE

Finalised and submitted the following applications:

- Follow up work for the department on the Safer Roads Program (NSW) – Four applications:
 - o Safer Roads - MR433 Menindee-Ivanhoe Rd Initial Seal Project - \$3,588,393 (ex GST).
 - o Walking and Cycling - Wilcannia linking remote communities - \$2,384,883 (ex GST).
 - o Walking and Cycling - Ivanhoe linking remote communities - \$1,704,318 (ex GST).
 - o School Zone - Ivanhoe Central School - \$281,377– (ex GST).

Notified that the following grant applications were successful:

- Get NSW Active 2024-25 (NSW) - Wilcannia Shared Paths and Lighting Upgrades - \$217,226 (ex GST)
- Community Building Partnership 2023 (NSW) - Ivanhoe Campdraft Grounds Improvements - \$14,043 (ex GST)

Notified that the following grant applications were unsuccessful:

- N/A

Drafting the following applications:

- Supporting Spontaneous Volunteers Program (NSW) - Central Darling Local Volunteer Activation Project - \$TBC.

CDSC grant program contract management support, reporting and acquittal of all CDSC grant funding, including the following updates:

- Community Events Program – 0137 acquittal submitted. The department has asked for further information from the council to finalise the report assessment.
- Milestone 5 report for LSP-041 submitted.
- SCCF4-0915 milestone report has now been submitted. To department has advised that for its assessment to be finalised, evidence of the signage being installed is needed. Council is arranging that evidence.
- M&PA working with the consultant for the 'Stories Behind the Stones' grant to submit the milestone report.
- NSW Severe Weather & Flood - AGRN 1030/1034 (OLG00028) – working with Department on two replacement projects for White Cliffs and Sunset Strip. Met Department 21 June 2024.
- Final Report for the Murray Darling Basin Economic Development Program – Victory Caravan Park Amenity Block Upgrade Project. Waiting on Independent Audit Report from Brett Hanger to finalise the grant. Please note the Department has asked us to prioritise this acquittal as it is overdue.
- Acquittal report for the Wilcannia Accommodation Business Case grant underway.
- Working on the acquittal reports for the CRIF (Tilpa Hall and Victory Park Caravan Park) grants. Council yet to confirm expenditure figures.
- Sunset Strip Stormwater Mitigation grant evaluation report and other required documentation to acquit has been provided to the council for review and signing.
- M&PA working with the council to acquit the Heavy Rigid Vehicle Licence Training (Regional Aboriginal Partnerships) grant.
- Working with the council, the Department of Regional NSW and the Baaka Corporation to acquit BCW-002 and BCW-003.
- Regional Drought Resilience Plan (RDRP2-008) milestone report drafted. Invoice for progress payment to be generated by the council.



Provided general grant and project management advice, including:

- Met with OLG and CDSC on 11 June 2024 to discuss grant funding.
- Regional Drought Resilience Plan (RDRP2-008) project management:
 - o Project Support.
 - o Meetings with CDSC, BHCC & Department of Regional NSW held on 26 June 2024.
 - o Draft plan completed, endorsed by PCG and submitted to CSIRO for review.
- Central Darling Shire Floodplain Risk Management Study and Plan project management:
 - o Variation to Workplan Approved – RFQ process concluded with successful respondent selected.
- Drafted CDSC submission to Australian National Audit Office on Implementation and award of funding for the Growing Regions Program.
- Attended Safer Local Roads & Infrastructure VC Session 28 June 2024 and reported to CDSC.
- Supporting CDSC with grants advice and planning.
- Supporting the Baaka Cultural Centre with grant strategy and advice.

PROPOSED JULY 2024 WORK SCHEDULE

- Preparing and finalising applications for the following project(s):
 - o Supporting Spontaneous Volunteers Program (NSW) - Central Darling Local Volunteer Activation Project - \$TBC.
 - o Youth Opportunities Program – 2024 (NSW) – Project TBA with NSW Police (Broken Hill) - \$TBC.
- Continue with project management of both Central Darling Shire Floodplain Risk Management Study and Plan and Regional Drought Resilience Plan.
- Exploring Regional Precincts and Partnerships Program as a possible application for a Wilcannia Tourism project masterplan.
- Pursue outstanding acquittals, including issue of appropriate signatory to witness stat decs.
- Finalise outstanding requirements for Local Government Recovery Grants – NSW Severe Weather and – AGRN 1030/1034 – Projects 3 & 4 which are being withdrawn and replaced by a similar project.
- CDSC grant programs support including tracking, reporting and acquittal grant funding.
- Continue to explore and research grant funding opportunities to meet Council priorities.
- Support for Baaka Cultural Centre as agreed with CDSC.

PROPOSED SCHEDULE TO SEPTEMBER 2024

- Continue to work on and submit new grant applications due to September 2024, including matching CDSC project priorities with grant opportunities as they become available with a focus on funding for:

<ul style="list-style-type: none"> - Capital funding for Ivanhoe childcare start-up - Streetscapes - Review of the EMPlan. - Roads and Airstrips - Council cemeteries (fencing/plaques) - Menindee Street Art - Replacement of Shire Swimming Pools x 4. - Solar Panels for Council buildings Ivanhoe Swimming Pool heating 	<ul style="list-style-type: none"> - Ivanhoe Community Golf Club (applications pending). Sound Dome Beautification – White Cliffs - White Cliffs Sporting Clubs Community Hub and outdoor amenities block - Landfill improvements (Litter fencing, CCTV, operational) - Water Security for White Cliffs - Ivanhoe RSL Tennis Court Resurface / Multipurpose Courts
---	---

- Continued grants administration advice and support (including reporting and acquittals).

SUMMARY OF DAYS WORKED

Total Days under Service Agreement (to end June 2024)	Rolling Total Days Used	June 2024 Days Used	Days Remaining at 30 June 2024 ¹
84	87	5.5	-1

Please contact me if there is anything you would like to discuss regarding the above report.

Prepared by:



Andrew Morris
 Director, Morris & Piper Advisory
 2 July 2024
 Email: andrew@morrispiper.com
 Mobile: 0427 015 580

¹ Includes carry over of 7.5 days from 2022-23. Day owed from June 2024 to be carried into 2024-25.
 2 July 2024

**Local Government
Remuneration Tribunal**

Annual Determination

Report and determination under sections
239 and 241 of the Local Government Act
1993

29 April 2024



Contents

Executive Summary	3
Categories	3
Fees	3
Section 1 – Introduction	4
Section 2 – 2023 Determination	5
Section 3 – 2024 Review	6
2024 Process	6
Submissions Received – Request for recategorisation	6
Categories – movement of Councils within the framework	10
Submissions Received – Remuneration Structure	11
Section 4 – 2024 Fees	16
Submissions - 2024 Fees	16
Conclusion	20
Section 5 – Determinations	21
Determination No. 1 – Allocation of councils into each of the categories as per section 239 of the LG Act effective 1 July 2024	21
Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2024	25
Appendices	28
Appendix 1 Criteria that apply to categories	28

Executive Summary

The *Local Government Act 1993* (LG Act) requires the Local Government Remuneration Tribunal (the Tribunal) to report to the Minister for Local Government by 1 May each year on its determination of categories of councils and the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

Categories

Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. A review of categories was last carried out by the Tribunal in 2023.

The Tribunal will next consider the model, criteria for each group, and the allocation of councils in the 2026 review.

The criteria for each category is published in Appendix 1 of the Determination and remains unchanged from 2023.

Two (2) councils have been recategorised from Rural Large to Regional Rural as a result of meeting the criteria at Appendix 1.

Fees

The Tribunal has determined a 3.75 per cent per annum increase in the minimum and maximum fees applicable to each category from 1 July 2024.

Section 1 – Introduction

1. Section 239 of the LG Act requires the Tribunal to determine the categories of councils and mayoral offices at least once every 3 years. The Tribunal last undertook a significant review of the categories and the allocation of councils into each of those categories in 2023.
2. Section 241 of the LG Act provides that the Tribunal determine the maximum and minimum amount of fees to be paid to mayors and councillors of councils, as well as chairpersons and members of county councils for each of the categories determined under section 239.
3. Section 242A(1) of the LG Act requires:

“In making a determination, the Remuneration Tribunal is to give effect to the same policies on increases in remuneration as those that the Industrial Relations Commission is required to give effect to under section 146C of the [Industrial Relations Act 1996](#) when making or varying awards or orders relating to the conditions of employment of public sector employees.”
4. The Industrial Relations Amendment Act 2023, assented on 5 December 2023, repealed section 146C of the *Industrial Relations Act 1996*, resulting in changes to wages policy and removal of the cap on remuneration increases.
5. The Tribunal can also determine that a council can be placed in another existing or new category with a higher range of fees.
6. The Tribunal’s determination takes effect from 1 July each year.

Section 2 – 2023 Determination

7. In 2023, the Tribunal received 18 written submissions.
8. An extensive review of the categories, criteria, and allocation of councils into each of the categories was undertaken by the Tribunal as required by Section 239 of the LG Act.
9. The review resulted in the Tribunal determining the creation of two new categories, being Metropolitan Major and Rural Large.
10. The categories of general purpose councils were determined as follows:

Metropolitan	Non-Metropolitan
Principal CBD	Major Regional City
Major CBD	Major Strategic Area
Metropolitan Major	Regional Strategic Area
Metropolitan Large	Regional Centre
Metropolitan Medium	Regional Rural
Metropolitan Small	Rural Large
	Rural

11. The Tribunal was of the view that improving consistency of criteria in categories was paramount. The Tribunal therefore determined to include the non-resident population criteria in Major Strategic, Regional Strategic, Regional Centre, and Regional Rural categories.
12. A total of 26 councils were recategorised as a result of changes in the 2023 Determination.
13. The Tribunal determined that fees would increase by 3 per cent in the minimum and maximum fees applicable to each category from 1 July 2023.

Section 3 – 2024 Review

2024 Process

14. The Tribunal's annual review commenced in October when it wrote to all councils inviting submissions regarding fees. The Tribunal outlined that it is only required to review the categories every three years and will next consider the model, the criteria applicable to each category and the allocation of councils in the 2026 review. The invitation noted that it is expected that submissions are endorsed by respective councils.
15. The Tribunal also wrote to the President of Local Government NSW (LGNSW) inviting a submission.
16. The Tribunal received 19 written submissions, of which 18 were from individual councils and 1 submission from LGNSW.
17. The Tribunal notes that 17 of the 18 council submissions were endorsed by their representative councils.
18. The Tribunal acknowledges and thanks all parties for their submissions.

Submissions Received – Request for recategorisation

19. Two council submissions received requested recategorisation, with Paramatta City Council and Lake Macquarie putting forward individual cases for the Tribunal's consideration.

20. Paramatta City Council requested recategorisation from its current classification of Major CBD to Principal CBD. Paramatta City Council's case to be included in Principal CBD category is based on the following:
- Paramatta being critical to the success of the Greater Sydney Region Plan
 - The LGA expecting an estimated 186,000 new residents between 2022 and 2041
 - An increase in the number of government services, corporations, and private enterprises relocating into Paramatta CBD
 - A local economy that generates approximately \$32.88 billion in gross regional product and 33,000 businesses that generated over 202,000 jobs
 - The Council's Local Strategic Planning Statement covers seven priority growth areas and precincts identified by the NSW Government in order to give effect to their Housing strategy
 - Paramatta City Council has a 2023/24 capital works budget of \$613m and it provides a number of significant services within the local government area, including two aquatic centres, redevelopment to key community centres, and funding for local parks, roads, cycleways, and footpaths.
21. The Tribunal last considered the criteria for Principal CBD in the 2023 Annual Determination process. The Tribunal's view at the time was that

the criteria characteristics for Principal CBD category was appropriate, therefore no changes were required.

22. Paramatta City Council does not meet the criteria for Principal CBD. Accordingly, the Tribunal is not persuaded to include Paramatta Council in Principal CBD category.
23. Lake Macquarie City Council requested that it be recategorised from a Regional Strategic Area to a Major Strategic Area. Reasons include:
 - The LGA having a resident population of 216,603, and a non-resident working population of 24,769 (for a total of 241,372)
 - Connection to Greater Sydney via the M1, rail and a regional airport that supports the community
 - 99 towns, villages and nine economic centres across an area of 757 square kilometres
 - An annual economic output of \$26.1 billion (which is approximately 20 per cent of the Hunter economy)
 - 1.3 million tourists per year
 - 14,081 active businesses, 73,233 jobs and a total workforce across the LGA of 102,029
 - Community facilities that include a Regional Gallery – Museum of Art and Culture, one University, two TAFE campuses and a regional centre for health care
 - Operating revenue exceeding \$290 million.

24. As stated in Council's own submission, currently it does not meet the population threshold criteria for Major Strategic Area. Accordingly, the Tribunal is not persuaded to include Lake Macquarie Council in Major Strategic Area category.
25. The council also advocated for the population threshold for Major Strategic Area to be reviewed from its current threshold of 300,000 to 200,000 to restore incremental balance between Major Strategic Area and Regional Strategic Area categories.
26. Lake Macquarie Council provided late supplementary information to support their argument for the population threshold of Regional Strategic Area being adjusted. Council submitted that five precincts in the Lake Macquarie LGA have been identified for inclusion in the New South Wales Government Transport Oriented Development Program, which aims to encourage housing development near transport hubs.
27. The Council argues this increase in housing will lead to population growth in the selected centres, especially those with a large number of identified precincts.
28. Consistent with section 239 and 240 of the LG Act, the Tribunal carefully considered the population threshold for all categories, as part of the 2023 Annual Determination. It was determined at that time, on extensive evidence examined and considered by the Tribunal, that the population threshold for Major Strategic Area was appropriate.
29. The Tribunal is not persuaded at this time to change the population threshold for Major Strategic Area. Should further evidence become available to support a change in the population threshold for this category,

it can be considered by the Tribunal as part of the three yearly review of categories in 2026.

30. The Tribunal will monitor, as data becomes available, the impact of the New South Wales Government Transport Oriented Development Program on population thresholds.
31. One submission received from Wollondilly Shire Council advised that Council resolved to write to the Premier and appropriate Ministers, requesting Wollondilly Shire Council be considered as a regional Council.
32. The Tribunal has previously determined that Wollondilly Shire Council, for the purpose of setting the minimum and maximum fees payable to Councillors and Mayors, be classified as Regional Centre.
33. The Tribunal notes Wollondilly's submission and proposed course of action.

Categories – movement of Councils within the framework

34. The Tribunal reviewed population and data relating to Council operations to determine if the categorisations of Councils was consistent with the current criteria.
35. Population data was sourced from the Australian Bureau of Statistics (ABS), released 26 March 2024 for the period 2022 – 2023 financial year, the most recent data available at the time of writing this determination.

36. Data relating to Council operations was sourced from the Office of Local Government (OLG).
37. These sources provide a consistent, and complete overview of all councils in NSW. These data sources are consistent with those used in previous LGRT determinations.
38. Each Council was also assessed against the relevant criteria at Appendix 1.
39. As a result, it was identified that two Rural Large councils, Hilltops Council and Muswellbrook Shire Council, each had a combined resident and non-residential working population above 20,000 each. This population figure exceeds the population threshold for a Regional Rural council classification.
40. For this reason, the Tribunal has reclassified both Hilltops Council and Muswellbrook Shire Council as Regional Rural councils.


Submissions Received – Remuneration Structure

41. A significant number of submissions commented on the remuneration structure, advocating for major changes to be made, including the need for a full comprehensive review. These issues are addressed below.
42. One submission advocated for a new remuneration structure to be established that:
 - Is benchmarked in a more transparent way

- Recognises workload
 - Encourages participation by a cohort that is more representative of the community
 - Recognises skills and experience that is relevant to the roles.
43. Several submissions argued that the current remuneration structure does not adequately compensate elected Councillors and Mayors for the complex requirements of the role, significant workload, time requirements, responsibilities, and changes in the role over recent years.
44. A number of submissions provided comparison data that included remuneration paid to: Queensland and Victorian local government Councillors and Mayors, Federal, State, and Territory Parliamentary Members, Audit Risk and Improvement Committee members, and average remuneration for chairs/directors of not-for-profit organisations.
45. The basis of providing this data was to support arguments that NSW Councillors and Mayors are paid below these organisations and the work of Councillors and Mayors is being undervalued.
46. Some submissions outlined that low levels of remuneration can have a detrimental impact on the quality and diversity of candidates standing for election.
47. The LG Act is clear that Councillors and Mayors receive an annual fee, not a wage, with section 251 clearly stating that fees paid do not constitute a salary.

48. Whilst the Tribunal acknowledges these issues, as previously explained in the 2023 Annual Determination at paragraph 97 they are not currently within the Tribunal's remit.
49. One submission advocated for fees of rural councils to be commensurate with those of regional and metropolitan councils, arguing that the skills and knowledge required for the role is the same regardless of the council location.
50. Others advocated for significant increases to rural and regional fees in order to address low candidate numbers while others asserted that the current remuneration fails to take into account significant stressors facing regional and rural councils.
51. The Act requires that the Tribunal must determine categories at least once every three years and places each council into a category. The determination of categories by the Tribunal is for the purpose of determining the minimum and maximum fees to be paid for councillors and Mayors in each category. When determining categories, the Tribunal is required to take into account matters prescribed in Section 240 of the LG Act:
- *the size of areas;*
 - *the physical terrain of areas;*
 - *the population of areas and the distribution of the population;*
 - *the nature and volume of business dealt with by each council;*
 - *the nature and extent of the development of areas;*

- *the diversity of communities served;*
 - *the regional, national and international significance of the council;*
 - *such matters as the Remuneration Tribunal considers relevant to the provision of efficient and effective local government; and*
 - *such other matters as may be prescribed by the regulations.*
52. The Determination of minimum and maximum fees for 2024 is dealt with below at section 4.
53. Two submissions asserted that the current remuneration structure fails to recognise the role, responsibilities, and contribution of the Deputy Mayor position. It was suggested that a distinct independent fee be included for the position of Deputy Mayor.
54. Section 249 (5) of the LG act states:
- “A council may pay the deputy mayor (if there is one) a fee determined by the council for such time as the deputy mayor acts in the office of the mayor. The amount of the fee so paid must be deducted from the mayor’s annual fee.”*
55. Accordingly, the Tribunal lacks the power to implement changes to the fee structure that would include a distinct independent fee for the position of Deputy Mayor.
56. One argument put forward is that the impact of the current superannuation arrangements has a negative impact on female participation.

- 
-
57. Section 254B of the Act sets out the circumstances with respect to the payment of superannuation for Mayors and Councillors. The payment of superannuation is not automatic or mandatory, pursuant to 254B (4)(a) of the Act a council must pass a resolution prior to making superannuation contribution payments.
 58. Any changes to superannuation contribution payments for Councillors and Mayors to assist in eliminating barriers to participation would require changes to the legislation.

Section 4 – 2024 Fees

Submissions - 2024 Fees

59. The LGNSW submission requested the Tribunal increase fees by at least 10% in order to:

- Reverse the fee erosion which occurred under the NSW Public Sector Wages Policy
- Mitigate economic pressures and the rising cost of living
- Ensure that Councillors and Mayors receive fair and reasonable remuneration for the work they perform
- Address the historic undervaluation of the work performed by elected representatives in local government in New South Wales.

60. LGNSW used economic and wage data to support their argument that included:

- Consumer Price Index
- Wage Price Index
- National and State Wage cases
- Market comparability

61. LGNSW in its meeting with the Tribunal and Assessors asserted that fees paid to Councillors and Mayors have reduced in real terms over recent years, further advocating for an increase of 10% being fair and reasonable.

62. In meeting with LGNSW, the question of Government policies (State and Federal) on housing reform was discussed. The Tribunal is mindful of the additional workload associated with policies such as the NSW Government's Transport Oriented Development Program place on affected Councils. Similar considerations arise from the infrastructure requirements related to Renewable Energy Zones.
63. The role of a Councillor as a member of the governing body of the council is outlined under s232 of the LG Act and the Tribunal has addressed this matter generally in the 2023 Determination at paragraph 97.
64. Four submissions received from individual councils addressed the issue of fees quantum increase. These submissions sought an increase ranging from 3% to 5.57%.
65. Other submissions advocated for remuneration to be set at a level to:
- Reflect the role, commitment required, complexity of the role, workload, and responsibilities required to perform the role successfully
 - Ensure no one is out of pocket for the work they do for council
 - Attract a diverse range of potential candidates.
66. Five submissions advocated for the Tribunal to change the determination in regard to the remuneration structure. Some submissions suggested setting a fixed mandatory fee for Councillors and Mayors, whilst others argued that individual councils should not determine their own

remuneration, due to potential conflict of interest, instead the decision should be left to State Government or an independent decision maker.

67. It has been suggested that such an approach could:
- Remove potential conflict of interest
 - Facilitate good governance
 - Create equity amongst councils in the same category
 - Assist in fostering good relationships with the community
 - Alleviate public perception that increases are unjust.
68. Currently the Tribunal, consistent with its obligations set out in the LG Act, section 248 and section 249, determines a minimum and maximum remuneration range for Councillors and Mayors. It is then up to individual councils, to fix the annual fee for councillors and Mayors.
69. Furthermore, the tribunal does not have the authority to determine a fixed mandatory fee, section 241 of the LG Act states:

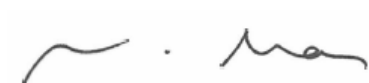
“The Remuneration Tribunal must, not later than 1 May in each year, determine, in each of the categories determined under section 239, the maximum and minimum amounts of fees to be paid during the following year to councillors (other than mayors) and mayors.”

Fee Increase.

70. The Tribunal considered a range of factors in determining the amount to increase minimum and maximum fees payable to Councillors and Mayors. This included economic data, including the Consumer Price Index, Wage Price Index, full-time adult average weekly ordinary time earnings, NSW Public Sector increases, and Local Government State Award increases. It also considered the Base Cost Change model used by IPART in setting the rate peg for 2024-25.
71. On this occasion the Tribunal has determined that a 3.75% per cent increase will apply to the minimum and maximum fees applicable to existing categories.

Conclusion

72. The Tribunal's determination has been made with the assistance of the Assessors, Ms Kylie Yates, Mr Brett Whitworth and Mr Douglas Walther.
73. Determination 1 sets out the allocation of councils into each of the categories as per section 239 of the LG Act.
74. Determination 2 sets out the minimum and maximum fees paid to councillors and mayors and chairpersons of county concills as per section 241 of the LG Act.
75. The Tribunal acknowledges and thanks the secretariat for their excellent research and support in completing the 2024 determination.



Viv May PSM

Local Government Remuneration Tribunal

Dated 29 April 2024

Section 5 – Determinations

Determination No. 1 – Allocation of councils into each of the categories as per section 239 of the LG Act effective 1 July 2024

General Purpose Councils – Metropolitan

Principal CBD (1)

- Sydney

Major CBD (1)

- Parramatta

Metropolitan Major (2)

- Blacktown
- Canterbury-Bankstown

Metropolitan Large (10)

- Bayside
- Cumberland
- Fairfield
- Inner West
- Liverpool
- Northern Beaches
- Penrith
- Ryde
- Sutherland
- The Hills

Metropolitan Medium (8)

- Campbelltown
- Camden
- Georges River
- Hornsby
- Ku-ring-gai
- North Sydney
- Randwick
- Willoughby

Metropolitan Small (8)

- Burwood
- Canada Bay
- Hunters Hill
- Lane Cove
- Mosman
- Strathfield
- Waverley
- Woollahra

General Purpose Councils - Non-Metropolitan

Major Regional City (2)

- Newcastle
- Wollongong

Major Strategic Area (1)

- Central Coast

Regional Centre (23)

- Albury
- Armidale
- Ballina
- Bathurst
- Blue Mountains
- Byron
- Cessnock
- Clarence Valley
- Coffs Harbour
- Dubbo
- Eurobodella
- Hawkesbury

Regional Strategic Area(4)

- Lake Macquarie
- Maitland
- Shoalhaven
- Tweed

- Lismore
- Mid-Coast
- Orange
- Port Macquarie-Hastings
- Port Stephens
- Queanbeyan-Palerang
- Shellharbour
- Tamworth
- Wagga Wagga
- Wingecarribee
- Wollondilly

Regional Rural (14)

- Bega
- Broken Hill
- Goulburn Mulwaree
- Griffith
- Hilltops
- Kempsey
- Kiama
- Lithgow
- Mid-Western
- Muswellbrook
- Nambucca
- Richmond Valleys
- Singleton
- Snowy Monaro

Rural Large (16)

- Bellingen
- Cabonne
- Cootamundra-Gundagai
- Cowra
- Federation
- Greater Hume
- Gunnedah
- Inverell
- Leeton
- Moree Plains
- Murray River
- Narrabri
- Parkes
- Snowy Valleys
- Upper Hunter
- Yass

Rural (38)

- Balranald
- Berrigan
- Bland
- Blayney
- Bogan
- Bourke
- Brewarrina
- Carrathool
- Central Darling
- Cobar
- Coolamon
- Coonamble
- Dungog
- Edward River
- Forbes
- Gilgandra

- Glen Innes Severn
- Gwydir
- Hay
- Junee
- Kyogle
- Lachlan
- Liverpool Plains
- Lockhart
- Murrumbidgee
- Narrandera
- Narromine
- Oberon
- Temora
- Tenterfield
- Upper Lachlan
- Uralla
- Walcha
- Walgett
- Warren
- Warrumbungle
- Weddin
- Wentworth

County Councils

Water (4)

- Central Tablelands
- Goldenfields Water
- Riverina Water
- Rous

Other (6)

- Castlereagh-Macquarie
- Central Murray
- Hawkesbury River
- New England Tablelands
- Upper Hunter
- Upper Macquarie

Determination No. 2 - Fees for Councillors and Mayors as per section 241 of the LG Act effective from 1 July 2024

The annual fees to be paid in each of the categories to Councillors, Mayors, Members, and Chairpersons of County Councils effective on and from 1 July 2024 as per section 241 of the *Local Government Act 1993* are determined as follows:

Table 4: Fees for General Purpose and County Councils

General Purpose Councils – Metropolitan

Councillor/Member Annual Fee (\$) effective 1 July 2024

Category	Minimum	Maximum
Principal CBD	30,720	45,070
Major CBD	20,500	37,960
Metropolitan Major	20,500	35,890
Metropolitan Large	20,500	33,810
Metropolitan Medium	15,370	28,690
Metropolitan Small	10,220	22,540

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2024

Category	Minimum	Maximum
Principal CBD	188,010	247,390
Major CBD	43,530	122,640
Metropolitan Major	43,530	110,970
Metropolitan Large	43,530	98,510
Metropolitan Medium	32,650	76,190
Metropolitan Small	21,770	49,170

General Purpose Councils - Non-Metropolitan

Councillor/Member Annual Fee (\$) effective 1 July 2024

Category	Minimum	Maximum
Major Regional City	20,500	35,620
Major Strategic Area	20,500	35,620
Regional Strategic Area	20,500	33,810
Regional Centre	15,370	27,050
Regional Rural	10,220	22,540
Rural Large	10,220	18,340
Rural	10,220	13,520

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2024

Category	Minimum	Maximum
Major Regional City	43,530	110,970
Major Strategic Area	43,530	110,970
Regional Strategic Area	43,530	98,510
Regional Centre	31,980	66,800
Regional Rural	21,770	49,200
Rural Large	16,330	39,350
Rural	10,880	29,500

County Councils


Councillor/Member Annual Fee (\$) effective 1 July 2024

Category	Minimum	Maximum
Water	2,030	11,280
Other	2,030	6,730

Mayor/Chairperson Additional Fee* (\$) effective 1 July 2024

Category	Minimum	Maximum
Water	4,360	18,520
Other	4,360	12,300

*This fee must be paid in addition to the fee paid to the Mayor/Chairperson as a Councillor/Member (s.249(2)).



Viv May PSM

Local Government Remuneration Tribunal

Dated 29 April 2024

Appendices

Appendix 1 Criteria that apply to categories

Principal CBD

The Council of the City of Sydney (the City of Sydney) is the principal central business district (CBD) in the Sydney Metropolitan area. The City of Sydney is home to Sydney's primary commercial office district with the largest concentration of businesses and retailers in Sydney. The City of Sydney's sphere of economic influence is the greatest of any local government area in Australia.

The CBD is also host to some of the city's most significant transport infrastructure including Central Station, Circular Quay and International Overseas Passenger Terminal. Sydney is recognised globally with its iconic harbour setting and the City of Sydney is host to the city's historical, cultural and ceremonial precincts. The City of Sydney attracts significant visitor numbers and is home to 60 per cent of metropolitan Sydney's hotels.

The role of Lord Mayor of the City of Sydney has significant prominence reflecting the CBD's importance as home to the country's major business centres and public facilities of state and national importance. The Lord Mayor's responsibilities in developing and maintaining relationships with stakeholders, including other councils, state and federal governments, community and business groups, and the media are considered greater than other mayoral roles in NSW.

Major CBD

The Council of the City of Parramatta (City of Parramatta) is the economic capital of Greater Western Sydney and the geographic and demographic centre of Greater Sydney. Parramatta is the second largest economy in NSW (after Sydney CBD) and the sixth largest in Australia.

As a secondary CBD to metropolitan Sydney the Parramatta local government area is a major provider of business and government services with a significant number of organisations relocating their head offices to Parramatta. Public administration and safety have been a growth sector for Parramatta as the State Government has promoted a policy of moving government agencies westward to support economic development beyond the Sydney CBD.

The City of Parramatta provides a broad range of regional services across the Sydney Metropolitan area with a significant transport hub and hospital and educational facilities. The City of Parramatta is home to the Westmead Health and Medical Research precinct which represents the largest concentration of hospital and health services in Australia, servicing Western Sydney and providing other specialised services for the rest of NSW.

The City of Parramatta is also home to a significant number of cultural and sporting facilities (including Sydney Olympic Park) which draw significant domestic and international visitors to the region.

Metropolitan Major

Councils categorised Metropolitan Major will typically have a minimum residential population of 400,000.

Councils may also be categorised Metropolitan Major if their residential population combined with their non-resident working population exceeds 400,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$300M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Major will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Large

Councils categorised as Metropolitan Large will typically have a minimum residential population of 200,000.

Councils may also be categorised as Metropolitan Large if their residential population combined with their non-resident working population exceeds 200,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$200M per annum
- the provision of significant regional services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- significant industrial, commercial and residential centres and development corridors
- high population growth.

Councils categorised as Metropolitan Large will have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

Metropolitan Medium

Councils categorised as Metropolitan Medium will typically have a minimum residential population of 100,000.

Councils may also be categorised as Metropolitan Medium if their residential population combined with their non-resident working population exceeds 100,000. To satisfy this criteria the non-resident working population must exceed 50,000.

Other features may include:

- total operating revenue exceeding \$100M per annum
- services to greater Sydney including, but not limited to, major education, health, retail, sports, other recreation and cultural facilities
- industrial, commercial and residential centres and development corridors
- high population growth.

The sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Large councils.

Metropolitan Small

Councils categorised as Metropolitan Small will typically have a residential population less than 100,000.

Other features which distinguish them from other metropolitan councils include:

- total operating revenue less than \$150M per annum.

While these councils may include some of the facilities and characteristics of both Metropolitan Large and Metropolitan Medium councils the overall sphere of economic influence, the scale of council operations and the extent of regional servicing would be below that of Metropolitan Medium councils.

Major Regional City

Newcastle City Council and Wollongong City Councils are categorised as Major Regional City. These councils:

- are metropolitan in nature with major residential, commercial and industrial areas
- typically host government departments, major tertiary education and health facilities and incorporate high density commercial and residential development
- provide a full range of higher order services and activities along with arts, culture, recreation, sporting and entertainment facilities to service the wider community and broader region

- have significant transport and freight infrastructure servicing international markets, the capital city and regional areas
- have significant natural and man-made assets to support diverse economic activity, trade and future investment
- typically contain ventures which have a broader State and national focus which impact upon the operations of the council.

Major Strategic Area

Councils categorised as Major Strategic Area will have a minimum population of 300,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Central Coast Council meets the criteria to be categorised as a Major Strategic Area. Its population, predicted population growth, and scale of the Council's operations warrant that it be differentiated from other non-metropolitan councils. Central Coast Council is also a significant contributor to the regional economy associated with proximity to and connections with Sydney and the Hunter Region.

Regional Strategic Area

Councils categorised as Regional Strategic Area are differentiated from councils in the Regional Centre category on the basis of their significant population and will typically have a residential population above 100,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$250M per annum
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Currently, only Lake Macquarie Council meets the criteria to be categorised as a Regional Strategic Area. Its population and overall scale of council operations will be greater than Regional Centre councils.

Regional Centre

Councils categorised as Regional Centre will typically have a minimum residential population of 40,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large city or town providing a significant proportion of the region's housing and employment
- health services, tertiary education services and major regional airports which service the surrounding and wider regional community
- a full range of high-order services including business, office and retail uses with arts, culture, recreation and entertainment centres
- total operating revenue exceeding \$100M per annum
- the highest rates of population growth in regional NSW
- significant visitor numbers to established tourism ventures and major events that attract state and national attention
- a proximity to Sydney which generates economic opportunities.

Councils in the category of Regional Centre are often considered the geographic centre of the region providing services to their immediate and wider catchment communities.

Regional Rural

Councils categorised as Regional Rural will typically have a minimum residential population of 20,000. To satisfy this criteria the non-resident working population can be included.

Other features may include:

- a large urban population existing alongside a traditional farming sector, and are surrounded by smaller towns and villages
- health services, tertiary education services and regional airports which service a regional community
- a broad range of industries including agricultural, educational, health, professional, government and retail services
- large visitor numbers to established tourism ventures and events.

Councils in the category of Regional Rural provide a degree of regional servicing below that of a Regional Centre.

Rural Large

Councils categorised as Rural Large will have a residential population greater than 10,000, and a councillor to resident ratio of at least 1 to 1200.

Other features may include:

- one or two significant townships combined with a considerable dispersed population spread over a large area and a long distance from a major regional centre
- a limited range of services, facilities and employment opportunities compared to Regional Rural councils
- local economies based on agricultural/resource industries.

Rural

Councils categorised as Rural will typically have a residential population less than 10,000.

County Councils - Water

County councils that provide water and/or sewerage functions with a joint approach in planning and installing large water reticulation and sewerage systems.

County Councils - Other

County councils that administer, control and eradicate declared noxious weeds as a specified Local Control Authority under the Biosecurity Act 2015.



FLOOD PLAIN MANAGEMENT COMMITTEE – TERMS OF REFERENCE

Document Reference No:	GD/	Version:	One
Service Unit:	Governance		
Author:	Governance Officer		
Responsible Director:	General Manager		
Authorisation Date:	24 July 2024	Review Date:	January 2025
Minute No:			

Printing Disclaimer

If you are viewing a printed copy of this document it may not be current. Printed copies of this document are not controlled.

Before using a printed copy of this document, verify that it is the most current version by referencing Council's Document Management System.

Flood Plain Management Committee – Terms of Reference

Purpose

The Flood Plain Management Committee has been established to:

- Assist Central Darling Shire Council (CDSC) in the review, development and implementation of one or more Floodplain Risk Management Studies and Plans for the region in accordance with the NSW Floodplain Risk Management Manual.
- Assist the Local Emergency Management Committee (LEMC) in monitoring and assessing the effectiveness of these Management Plans during and after their implementation.
- Inform the education and public awareness activities led by the LEMC to address matters associated with floodplain management.
- Assist CDSC by providing input into known flood behaviour.
- Facilitate broader community consultation and participation in Floodplain Risk Management initiatives through informing and liaising with member community groups.

Application

The Flood Plain Management Committee (referred to hereafter as “the Committee”) is an advisory body with the authority to recommend to the LEMC the review, development and adoption of Flood Plain Risk Management Studies and Plans.

CDSC remains responsible for all budgetary considerations.

The General Manager retains, and will be entirely responsible for, the appointment and dismissal of members.

The General Manager retains all responsibility for the direction of any staff member.

Term

The Committee members' term will be for 18 months.

Structure and Membership

The structure and membership of the Committee with voting rights will be as follows:

General Manager or Administrator (optional) of CDSC

Five Council staff members / consultants appointed by the General Manager of CDSC: Director Shire Services, Senior Town Planner, Environmental Officer, Consultants Scott Button and Andrew Morris.

Representatives of the NSW State Government and Non-Government agencies, including New South Wales State Emergency Services (SES), NSW Department of Planning and Environment, NSW Rural Fire Services (RFS), NSW National Parks, NSW Local Land Services and Barkindji Native Title Group

Three community appointments of Justin McClure, Bill Elliot and Richard Unsworth who reside in a flood impacted area of the Central Darling Shire and as such, have experience and knowledge of the flooding of the Darling River and other watercourses in the Shire.

The Committee will elect one of its members to be the Chairperson, and another to be the Deputy Chairperson, who will act in the absence of the Chairperson.

Flood Plain Management Committee – Terms of Reference

No staff member of CDSC, other than the General Manager, will be elected as Chairperson / Deputy Chairperson of the Committee.

Each member of the Committee who is entitled to vote shall have only one vote, except that of the Chairperson having the casting vote in the case of equality of votes.

The Committee may co-opt additional members from time to time, at its discretion, to provide specialist advice or assistance. Such co-opted members will only serve on the Committee for the period of time needed and will not have any voting rights.

The General Manager of CDSC will select and appoint community members to the Committee.

Members of the Committee will cease to hold office:

- If the Committee is dissolved by CDSC
- Upon written resignation or death
- If absent without prior approval for three consecutive meetings
- If CDSC determines by resolution that the member has breached CDSC's Code of Conduct (in the same way the Code of Conduct applies to Councillors).

Procedures and General

Ordinary meetings of the Committee will be held no less than three times per year. Special meetings may be convened at the discretion of the Chairperson.

CDSC will provide a Minute Clerk for the purpose of recording and distribution of the Committee's meeting minutes.

A quorum of the Committee will be eight members.

Any member having a pecuniary / conflict of interest in any matters being discussed by the Committee will declare such interest at the start of the meeting and refrain from voting or discussion on that matter. The requirements for declaration of interests for members also apply to any observers, co-opted members, and to the Minute Clerk.

Related Documents

Floodplain Risk Management Committee Handbook – A Guide for Committee Members

Flood Risk Management Manual (NSW)

Monitoring and Review

The Terms of Reference will be monitored and reviewed by the General Manager to ensure compliance. Once adopted, it remains in force until it is reviewed by Council. It is to be reviewed approximately every two (2) years to ensure that it meets requirements, or sooner if the General Manager determines appropriate.



Central Darling Shire Council

Central Darling Development Control Plan 2024

July 2024



July 2024

Table of Contents

Chapter 1: Introduction 9

 1.1. Name of Plan 9

 1.2. Land to which this plan applies 9

 1.3. Date of Commencement 9

 1.4. Relationship to other plans and policies 9

 1.5. Aims of this Plan 9

 1.6. Definitions 9

Chapter 2: Information Requirements 9

 2.1. Introduction 9

 2.2. SEPP Building Sustainability Index 2004 10

 2.3. Statement of Environmental Effects 10

 2.4. Plans and Reports 10

 2.4.1 Site Plans 10

 2.4.2 Floor Plans, Elevations & Sections 10

 2.4.3 Landscape Plans 10

 2.5. Potential Site Contamination 10

 2.6. Development Notification 10

 2.6.1. Development that must be notified 10

 2.6.2. Development that must be Advertised 11

Chapter 3: Natural Hazards 12

 3.1. Introduction 12

 3.2. Flooding 12

 3.2.1. Flood Affected Land 12

 3.2.2. Access 12

 3.2.3. On-site Sewer Management 12

 3.2.4. General Development Requirements 12

 3.2.5. Residential Development 13

 3.2.6. Commercial / Retail / Industrial Development 13

 3.2.7. Subdivision 13

 3.2.8. Landfilling 13

 3.2.9. Non-residential rural buildings 13

 3.3. Bushfire 14

 3.4. Council recommends 14

Chapter 4: Development Types 14

 4.1. Introduction 14

 4.2. Objectives 14

4.3.	General Housing and Ancillary Structures	15
4.3.1.	Building Setbacks	15
4.3.2.	Design	15
4.3.3.	Building Height	15
4.3.4.	Utilities	15
4.3.5.	Site Coverage	15
4.3.6.	Solar Access	16
4.3.7.	Privacy	16
4.3.8.	Parking.....	16
4.3.9.	Access	16
4.3.10.	Fencing	16
4.3.11.	Outbuildings and Detached Garages	16
4.3.12.	Temporary Accommodation during dwelling construction	16
4.3.13.	Relocated Dwellings.....	16
4.3.14.	Ridgelines	17
4.3.15.	Pools	17
4.3.16.	Water tanks	17
4.3.17.	Car Ports	17
4.4.	Residential Dual Occupancy	17
4.4.1.	Building Setbacks	17
4.4.2.	Density.....	17
4.4.3.	Design	17
4.4.4.	Building Height	18
4.4.5.	Utilities	18
4.4.6.	Site Coverage	18
4.4.7.	Solar Access	18
4.4.8.	Privacy	18
4.4.9.	Parking.....	18
4.4.10.	Access	19
4.4.11.	Landscaping	19
4.4.12.	Private Open Space.....	19
4.4.13.	Fencing	19
4.4.14.	Outbuildings and Detached Garages	19
4.4.15.	Ridgelines	20
4.4.16.	Pools	20
4.4.17.	Water tanks	20
4.4.18.	Car Ports	20
4.4.19.	Facilities	20

4.4.20.	Utilities and Services.....	20
4.4.21.	Future Subdivision	20
4.5.	Residential Multi-Dwelling Development	20
4.5.1.	Building Setbacks	20
4.5.2.	Density.....	21
4.5.3.	Design	21
4.5.4.	Building Height	21
4.5.5.	Utilities	21
4.5.6.	Site Coverage.....	21
4.5.7.	Solar Access	21
4.5.8.	Privacy	21
4.5.9.	Parking.....	21
4.5.10.	Access	22
4.5.11.	Landscaping	22
4.5.12.	Private Open Space.....	22
4.5.13.	Outdoor Lighting.....	22
4.5.14.	Adaptability	22
4.5.15.	Facilities	22
4.5.16.	Utilities and Services.....	23
4.5.17.	Storage	23
4.5.18.	Fencing	23
4.5.19.	Outbuildings and Detached Garages	23
4.5.20.	Ridgelines	23
4.5.21.	Pools.....	23
4.5.22.	Water tanks.....	23
4.6.	Subdivision	23
4.6.1.	Lot size.....	23
4.6.2.	Servicing Strategy	23
4.6.3.	Sewer.....	24
4.6.4.	Water.....	24
4.6.5.	Stormwater Drainage	24
4.6.6.	Telecommunications.....	24
4.6.7.	Electricity	24
4.6.8.	Battle-axe shaped lots	24
4.6.9.	Industrial lots.....	24
4.6.10.	Road Network Design	24
4.6.11.	Culs-de-sac.....	25
4.6.12.	Landscaping	25

4.6.13.	Site Access	25
4.6.14.	Lot Orientation	25
4.6.15.	Open Space.....	25
4.6.16.	Vegetation	25
4.6.17.	Garbage collection.....	25
4.6.18.	Community Title Subdivision	25
4.6.19.	Contamination	25
4.6.20.	Road Widths	25
4.7.	Industrial Development	27
4.7.1.	Building Setbacks.....	27
4.7.2.	Design.....	72
4.7.3.	Utilities and Services.....	27
4.7.4.	Landscaping	27
4.7.5.	Fencing	27
4.7.6.	Traffic and Access	28
4.7.7.	Parking.....	28
4.7.8.	Loading / unloading Facilities	29
4.7.9.	Outdoor Signage.....	29
4.7.10.	Outdoor lighting	29
4.7.11.	Noise.....	29
4.8.	Commercial & Retail Development	29
4.8.1.	Building Setbacks.....	29
4.8.2.	Height	29
4.8.3.	Outdoor Lighting.....	29
4.8.4.	Outdoor Signage.....	29
4.8.5.	Design.....	30
4.8.6.	Post supported verandahs and balconies	30
4.8.7.	Utilities and Services.....	30
4.8.8.	Traffic and Access	30
4.8.9.	Parking.....	31
4.8.10.	Brothels and Restricted Premises	32
4.8.11.	Landscaping	32
4.9.	Heritage.....	32
4.9.1.	Heritage Items	32
4.9.2.	Subdivision.....	32
4.9.3.	Alterations and/or additions to existing heritage items	33
4.9.4.	Change of Use of a Heritage Item	33

4.9.5.	Fencing of Heritage Items.....	33
4.9.6.	New Development.....	33
4.9.7.	New Ancillary Structures.....	33
4.10.	Animal Boarding or Training Establishment.....	34
4.10.1.	Building Setbacks.....	34
4.10.2.	Noise.....	35
4.10.3.	Waste and Water Management.....	35
4.10.4.	Transport and Access.....	35
4.10.5.	Landscaping.....	35
4.11.	Land Forming Development.....	35
4.11.1.	Definition.....	35
4.11.2.	Consideration of Development.....	36
4.11.3.	Design of Land forming.....	36
4.11.4.	Plans.....	36
4.11.5.	Levels.....	36
4.12.	Intensive Livestock Agriculture.....	37
4.12.1.	Siting and Setbacks.....	37
4.12.2.	Noise, odour and dust.....	37
4.12.3.	Soil and Water Management.....	37
4.12.4.	Transport and Access.....	38
4.12.5.	Landscaping.....	38
4.13.	Intensive Plant Agriculture.....	38
4.13.1.	Siting and Setbacks.....	38
4.13.2.	Controlled Environment Structures.....	39
4.13.3.	Noise and Odour.....	39
4.13.4.	Soil, Waste and Water Management.....	39
4.13.5.	Pest Management.....	40
4.13.6.	Transport and Access.....	40
4.13.7.	Landscaping.....	40
Chapter 5: General Development controls – White Cliff Dugouts - TBA.....		41
Chapter 6: General Development Specifications.....		42
6.1.	Introduction.....	42
6.2.	Other Development Types.....	42
6.2.1.	Parking.....	42
6.2.2.	Landscaping.....	42
6.2.3.	Outdoor Lighting.....	42
6.2.4.	Outdoor Advertising / Signage.....	43

6.2.5.	Wilcannia, White Cliffs, Menindee, Ivanhoe, Tilpa and Emmdale Aerodromes	43
6.2.6.	rural land use conflict	44

APPENDIX 1 - Flood mapping

- a. Wilcannia
- b. Menindee
- c. Tilpa

APPENDIX 2- Buffer distances

APPENDIX 3 - Information required for all development applications,
Complying Development applications and Section 68 applications

Central Darling Development Control Plan 2024

Chapter 1: Introduction

1.1. Name of Plan

This plan is known as Central Darling Development Control Plan 2024

1.2. Land to which this plan applies.

This plan applies to all land within the Central Darling Shire Council Local Government Area

1.3. Date of Commencement

This plan was adopted by Council on 24 July 2024 and came into effect on 24 July 2024.

Subsequent amendments have occurred as described in the Schedule of Amendments in the following table.

Amendment Number	Nature of Amendment	Adopted by Council	Date it became Effective
1	New Central Development Control Plan July 2024	24 July 2024	24 July 2024

1.4. Relationship to other plans and policies

This plan is made pursuant to the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*, and the *Central Darling Local Environmental Plan 2012*.

1.5. Aims of this Plan

The aims of this plan are as follows:

- a) Define development standards and controls to achieve the outcomes desired by the community of Central Darling Shire Council local government area.
- b) Provide clear and concise development guidelines for various forms of development.
- c) Encourage innovation in design and development by the provision of clearly stated development controls and standards.
- d) Provide certainty of development outcomes for applicants and the community.
- e) Provide development controls in relation to flood control lots subject to flooding from the Darling River.

1.6. Definitions

Definitions used in this DCP are derived from and are included in the *Environmental Planning and Assessment Act 1979*; the *Environmental Planning and Assessment Regulation 2000*; the *Central Darling Local Environmental Plan 2012*; and the *Flood Risk Management Manual*.

Chapter 2: Information Requirements

Central Darling Development Control Plan 2024

2.1. Introduction

This section of the DCP outlines the matters that have to be submitted with the Development Application.

2.2 State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX certificate must be submitted with a development application as required by State Environmental Planning Policy (Sustainable Buildings 2022).

2.3 Statement of Environmental Effects

A Statement of Environmental Effects is required to be lodged with all development applications through the NSW Planning Portal at <https://apps.planningportal.nsw.gov.au>. All development applications must meet the development standards outlined in this development control plan.

2.4 Plans and Reports

2.4.1 Site Plans

A detailed site plan is required with all applications for residential development. In preparing this plan, an analysis of the range of environmental factors that will influence the proposed development is required. These factors may be both internal and external to the site. The level of site analysis varies with the complexity of the project.

For small alterations and additions, a simple plan/diagram outlining key site characteristics, such as: -

- a) Refer to the registered survey drawing (by a registered land surveyor).
- b) North point.
- c) Location and size of any other buildings or structures on the subject lot:
- d) Location of trees, boundaries, buildings and streets.
- e) Location of sewer and water lines and septic.
- f) Location of any drainage line or natural waterways.
- g) Location of any easements.

2.4.2 Site location Plans / Floor Plans / Elevations / Sections / construction or engineering details.

Detailed floorplans and elevation along with sections of the building are to be supplied drawn to scale 1:1000, 1:500, 1:200 for site / location plans.

For Floor plans elevations and sections drawn to scale – 1:100, 1:50, 1:20 as required.

For details – construction and structural drawings – 1:20 or 1:10.

2.4.3 Landscape Plans

A landscape plan is to accompany all development applications which involve residential, commercial, tourist or industrial buildings.

2.5 Potential Site Contamination

A statement must be included providing a history of the site to ascertain if it is potentially contaminated. In this regard, expert advice should be sought as to the requirements for detailed investigations and remediation measures required by Chapter 4 of State Environmental Planning Policy (Resilience and Hazards) 2021.

2.6 Development Notification

2.6.1 Development that must be notified

All development applications that involve alteration to the external configuration of a building, the erection of a new building, or variation to an adopted building line are to be exhibited or notified to adjoining landowners and the

Central Darling Development Control Plan 2024

community upon the Central Darling Shire Council website.

The types of development that will be exhibited or notified comprise:

- a) Single storey dwelling house.
- b) Installation of one or more manufactured dwellings,
- c) Single storey additions to a house.
- d) Minor dwelling additions such as: open car port, pergola, veranda.
- e) Private swimming pool.
- f) Detached garage or shed associated with a dwelling.
- g) New commercial, tourism or industrial buildings
- h) Any building on land within RU1 Primary Production,
- i) Subdivision creating additional lots.
- j) Commercial or industrial development within a business or industrial zone.
- k) Farm buildings over 200m²
- l) Rural Industrial development.

Note: Only complying development or exempt development is not exhibited or notified on the Central Darling Shire Council website.

Written notice to adjoining landowners shall contain the following minimum information:

- a) Real property description and address of the land.
- b) Applicant's name.
- c) Description of the proposal for which consent is sought.
- d) The period in which submissions must be made.
- e) A notification plans.

2.6.2 Development that must be advertised

The following kinds of development will be advertised:

- a) All residential development including new buildings, installation of manufactured dwellings, modification or additions to a dwelling,
- b) New commercial, tourist or industrial or rural industrial development,
- c) Modification or alterations to commercial, tourist or industrial or rural industrial development,
- d) Demolition of a building identified as a heritage item in Schedule 5 to the *Central Darling Local Environmental Plan 2012*.
- e) Use of a heritage item for a purpose prohibited within the zone, as provided for by clause 5.10(10) of the *Central Darling Local Environmental Plan 2012*.
- f) Major Council projects (not including utility service infrastructure) with a value exceeding \$1,000,000, or likely to be of significant community interest.
- g) Non-residential uses in or adjacent to the R5 Large Lot Residential, and RU5 Village Land use Zones.
- h) Subdivisions creating more allotments.
- i) Within the R5 Large Lot Residential or, RU5 Village Land use Zones, development applications for the purposes of:
 - i. semi-detached dwellings; dual occupancies; attached dwellings; multi dwelling housing; residential flat buildings; seniors housing; hostels; boarding houses; group homes; tourist and visitor accommodation; boarding houses; caravan parks; exhibition homes; exhibition villages.
- j) Any development identified by Senior Council staff that should be advertised in the public interest.

These developments will be advertised by:

- a) Notice of the development in a local newspaper, containing the same information as is required to be given in the written notice.
- b) Written notice of the proposal to be given to all adjoining landowners.
- c) Period of exhibition to comprise a minimum of 28 days from the date notice is published (plus an

Central Darling Development Control Plan 2024

additional 7 days of exhibition where the period of exhibition coincides with Public School Holidays, or additional day/s for a Public Holiday).

Chapter 3: Natural Hazards

3.1. Introduction

A number of site constraints and hazards can exist when developing or building in the Shire. These hazards can include bushfire, land slip and flooding.

The aim of this section of the DCP is to: -

- a) To advise the community of the approach that Council will take in considering development applications for residential development proposals within the Shire on land the subject of natural hazards.
- b) To ensure that acceptable standards of safety to life and property are applied when Council considers proposals for development on a flood control lot, flood liable and bushfire prone land.
- c) To ensure that development that is approved in flood liable areas is structurally capable of withstanding the effects of flowing floodwaters including debris and buoyancy forces.
- d) To ensure that development is not permitted on a flood control lot or flood liable and bushfire prone areas where that development would result in unnecessary risk of life to occupants or rescuers or unwarranted public costs.
- e) To inform the community of Council's requirements in relation to the development and use of a flood control lot or flood liable and bushfire prone land.
- f) To encourage development and construction that is compatible with a flood control lot or flood and bushfire hazard control measures.

3.2. Flooding

Flood Affected Land

Central Darling Shire Council local government area has the Darling River and tributaries traversing the Shire.

This Development Control Plan aims to minimise the impacts of flooding on development upon flood control lots adjacent and nearby to the Darling River.

Controls

The Flood Planning Level (FPL) is defined as the one percent annual exceedance probability (1:100 ARI) flood level, plus 500 mm (0.500m) freeboard.

The Flood Planning Area is defined as the area of land below the Flood Planning Level and thus subject to flood related controls. Refer to the maps in Appendix # to view the Flood Planning Area for Menindee, Tilpa, and Wilcannia. The maps show the height of the Flood Planning Level above current ground level.

3.2.1. Flood Affected Land – Land adjacent to the Darling River

- a) A significant amount of land along the Darling River and its tributaries is now mapped as being flood control lots or flood prone land.
- b) Development (dwellings or ancillary development or structures) will not be permitted within the 20m setback from the Darling River edge, in accordance with NSW Water and NSW Environment Guidelines. Areas subject to flood may require a minimum setback of 40m from the Darling/ River edge.
 - i. Note: Land adjacent to the Darling River is Crown Land or land owned by NSW Water. Development is not permitted on Crown Land or the Darling River.

3.2.2. Access

- a) Flood free vehicle access is required for all dwellings on a flood control lot.
- b) For development of lots with existing development, where flood free vehicle access is not possible, the

Central Darling Development Control Plan 2024

development must be able to achieve safe wading criteria as specified in Figure L1 of the Flood Risk Management Manual.

- c) Note: Central Darling Shire Council directions must be followed for the use of roads during and after flood or rain events, particularly on unsealed roads.

3.2.3. On-site Sewer Management

Onsite sewer management facilities must be sited and designed to withstand flooding conditions (including consideration of structural adequacy, avoidance of inundation, and flushing/leaking into flowing flood waters). Tank and trench style of systems are not permitted on land affected by the Flood Planning Level.

All sewer fixtures must be located above the 1% AEP Flood.

3.2.4. General Development Requirements

- a) Clause 5.21 of the *Central Darling Local Environmental Plan 2012* provides that the Council must consider certain specified matters for development proposed in a floor planning area.
- b) The required finished floor levels for new habitable buildings in designated parts of the Menindee, Tilpa and Wilcannia townships are identified by the Maps at Attachment ## to this DCP.
- c) No building or work (including land filling, fencing, excavation) shall be permitted on flood control lots or flood affected land where, in the opinion of Council, such a building or work will obstruct the movement of floodwater or cause concentration or diversion of floodwaters.
- d) A development application must be accompanied by a flooding report by a qualified professional that demonstrates the building or structure can withstand the force of flowing floodwaters, including debris and buoyancy forces as appropriate.
- e) A survey plan prepared by a registered surveyor is required to be lodged with a development application showing existing ground levels, finished ground levels, finished floor levels, flood levels and location of existing/proposed buildings and safe evacuation path on the site relative to AHD. This survey plan is to have regard to the flood planning level of the 1:100 ARI flood.
- f) All materials used in construction shall be flood compatible.
- g) Development must be designed in accordance with the Flood Control manual preparation by Central Darling Shire Council).

3.2.5. Residential Development

- a) Floor levels of all habitable rooms, or rooms with connection to sewer infrastructure shall not be less than the flood planning level which is 500mm (freeboard) above the level of the highest known flood.
- b) Upon completion and prior to occupation (where relevant), a certificate by a registered surveyor showing the finished ground and floor levels conform to approved design levels shall be submitted to Council.
- c) Additions to existing buildings will only be permitted, with limitations, as follows:
 - a. where the floor level of the proposed addition is located below the flood standard the maximum increase in floor area is not to exceed 10% of the floor area of the existing dwelling; or
 - b. where the floor level of the proposed addition is located above the flood standards the maximum increase in habitable floor space shall not exceed 10m².
- d) Where additions are below the 500mm "freeboard" (the flood planning level) Council must be satisfied that the addition will not increase risk to inhabitants in the event of a flood.
- e) Rebuilding part of a dwelling may be permitted provided the building maintains the same dimensions which result in the same impact on flood behaviour.

3.2.6. Commercial / Retail / Industrial Development

- a) Development shall incorporate measures to seal or flood proof buildings, to avoid activities or fittings susceptible to flood damage, and/or to store the contents of buildings above the flood planning level.

3.2.7. Subdivision

- a) Residential subdivision will not be permitted where any lot to be created will be fully inundated by flood higher than the flood planning level event and the creation of such lot will result in the potential for increased intensity of development on flood control lots or flood liable land.

Central Darling Development Control Plan 2024

3.2.8. Landfilling

Where a development application is lodged which involves landfilling:

- a) a survey plan prepared by a registered surveyor is required, showing the contour levels of the natural surface, any existing fill and the designed contour levels for the finished work;
- b) A report certified by a consulting engineer is required to detail the impact of the proposed fill on adjoining properties and, where levee banks are proposed, and the methods of internal drainage.

Development applications shall be accompanied by a construction management plan to show:

- a) source of fill, including contamination assessment
- b) an assessment of the impact of haulage vehicles on roads
- c) precondition report of all haulage routes
- d) details of method of compaction of fill and associated impacts: control of dust, sedimentation, water quality impacts, noise and vibration
- e) contingency for containment of fill in the event of a flood during placement.

3.2.9. Non-residential rural buildings

- a) Are not permitted in "floodways".
- b) Floor areas of non-residential rural buildings shall be located above the flood planning level.

Definitions are as per the Flood Risk Management Manual (NSW Government)

3.3. Bushfire

The publication *Planning for Bushfire Protection* was developed by the NSW Rural Fire Service in collaboration with the Department of Planning. This Guideline provides the necessary planning considerations when developing areas for residential use in residential, rural residential, rural and urban areas when development sites are in close proximity to areas likely to be affected by bushfire events. This Guideline is adopted for the purposes of this DCP and is available from the Rural Fire Service website www.rfs.nsw.gov.au.

All development in land identified as being Bushfire prone land must be in accordance with the requirements of the *Environmental Planning and Assessment Act, 1979* and "Planning for Bushfire Protection". Council requires a report by a professional person qualified to issue a report on development within a bushfire affected area to the effect that that all residential development located within identified high bushfire risk areas is in accordance with the recommendations of publication "Planning for Bushfire Protection".

3.4 Council recommends

- a) Prior to the submission of a development application for residential development, contact should be made with Council to ascertain whether or not the proposed development will be located within a flood planning area.
- b) Prior to the submission of a development application for residential development, contact should be made with Council to ascertain whether or not the proposed development will be located within a high-risk bushfire area;
- c) Where the development is located within a high-risk bushfire area, preliminary discussions should also be convened with the NSW Rural Fire Service to ascertain the Department's likely requirements;
- d) Prior to the submission of a development application for residential development, contact should be made with Council to ascertain whether a threatened species (flora & fauna) or biodiversity assessment is required.

Chapter 4: Development Types

4.1. Introduction

This chapter provides controls for all of the development types that are anticipated within the Shire. These include the following:

- a) Housing (including dual occupancy and multi-unit development – more than 2 dwellings per lot)

Central Darling Development Control Plan 2024

- b) Manufactured dwellings
- c) Land Subdivision
- d) Industrial
- e) Commercial
- f) Tourism
- g) Community and public buildings
- h) Intensive livestock
- i) Intensive plant agriculture

4.2. Objectives

- a) To ensure that all development is compatible with the surrounding development.
- b) To ensure that development does not impact on the surrounding development by way of overshadowing or privacy.
- c) To ensure that development has adequate access to services and utility infrastructure.

4.3. General Housing and Ancillary Structures

4.3.1. Building Setbacks

The building setbacks are related to the RU5 village zone and R5 large lot residential zone in the Central Darling Local Environmental Plan. They are set out in the following table.

Zone	Street Frontage	Side / Rear Boundary	Outbuildings	
			Size	Cumulative Outbuildings
Primary Production (RU1)	20 m	10m	Not specified	
Village (RU5)	4.5 m	1.5m side boundary 4.5m rear boundary	50 m ²	100 m ²
Large Lot Residential (R5) 2 ha	6 m	Side boundary 2m. rear boundary 6m	100 m ²	100 m ²

4.3.2. Design

- a) The front façade of a residential dwelling/ manufactured dwelling must have a front door and window facing the primary street frontage. The garage and or carport must be set back at least 1m behind the front building line (RU5 Village zone - building line is the mandatory front setback i.e. at least 6m from the front boundary line).

4.3.3. Building Height

Measured from natural ground level to:

- a) Topmost roof ridge: maximum 8.5m.

Central Darling Development Control Plan 2024

4.3.4. Utilities

- a) Buildings and structures are to be located 1.5m clear of any utility infrastructure.
- b) For sewer mains, structures are to be located a minimum of one and half metres or the equivalent invert depth, whichever is greater, from the centreline of the main.
- c) Stormwater runoff must not exceed infrastructure capacity.

4.3.5. Site Coverage

The maximum site coverage for all buildings is set out in the following table.

Zone	Cumulative site Coverage
Primary Production (RU1)	Not Specified
Village (RU5)	60%
Large Lot Residential (R5) 2 ha	30%

4.3.6. Solar Access

- a) Two storey development >2m from the boundary does not require a shadow diagram or notification.
- b) Two storey dwellings <2m from the boundary shall ensure habitable rooms of adjoining dwellings and major part of their landscaped open space to retain a minimum of 4hrs sunlight between 9am-3pm on 21st June (winter solstice).

4.3.7. Privacy

- a) Single storey development must be set back at least 1.5m from side boundary and must not louvres to enable privacy for the adjoining dwelling.
- b) Development of more than one storey require privacy louvres to restrict overlooking of adjoining dwellings.

4.3.8. Parking

- a) Provision for parking of two vehicles at least 1m behind the front building line either in a garage or carport of parking hardstand must be provided upon the lot.

4.3.9. Access

- a) All weather vehicular access is required for all new or altered dwellings.

4.3.10. Fencing

- a) Street fencing shall be open or combination of open panels and masonry columns to a maximum height of 1.2 metres above ground level existing, for front fences and fences to the front building line.
- b) All side and rear fences maximum height of 1.8 m above ground level existing, behind the front building line.
- c) Where a street fence is proposed, the section of side boundary fencing located in front of the front building line shall be open or combination of open panels and masonry columns to match front fence with a maximum height of 1.2m above ground level existing.
- d) Street fencing details are required with a DA for dwelling.
- e) No barb wire on front or side fences is permitted.
- f) For corner lots the front fence must not obstruct site lines therefore the fence in front of the front building line has a maximum height of 1.2m above ground level existing.

4.3.11. Outbuildings and Detached Garages and car ports.

- a) Not within front building line (must be located minimum 1m behind front building line or 6m from front boundary lot line).
- b) Not in front of main dwelling, must be located at least 1m behind the front building line (6m +1m from front building line for RU5 Village zone).

Central Darling Development Control Plan 2024

- c) Maximum height of 6m to peak of roof or not greater than the maximum roof ridge of dwelling house.

4.3.12. Temporary Workers Accommodation during dwelling construction

- a) Permitted in Village (RU5) zones. This applies to the Primary Production RU1 Zone
- b) Written evidence that finance is available for erection of the proposed permanent dwelling within a period not exceeding 12 months.
- c) Maximum period of occupation is 12 months.
- d) Cannot be situated in front of the proposed dwelling.
- e) Footings of the main dwelling must be constructed and inspected before occupation of the temporary accommodation.
- f) Occupation of the temporary accommodation by the owner and immediate family only.

4.3.13. Relocated Dwellings

- a) Dwelling not to be moved onto site before development consent issued and no work is to commence on the erection of the dwelling until the Construction Certificate is approved by Council or the Principal Certifying Authority.
- b) The DA must include:
- c) A comprehensive report prepared by an accredited Building Surveyor or Structural Engineer certifying the soundness of the building; and
- d) Photographic evidence of the dwelling supported by a description of its condition.

4.3.14. Pools

- a) Must be located in the rear yard.
- b) Must comply with the requirements under the swimming pool act with accompanying statutory pool fencing and childproof gates.
- c) Any associated retaining walls or decks are not to exceed 1.0 metres above natural surface level.
- d) Pool pump enclosure must have a sound-proof enclosure.

4.3.15. Water tanks

- a) Located behind the street setback of the existing dwelling.
- b) Maximum height of 3.2 metres
- c) Suitably screened where visible from a public place or street

4.3.16. Car Ports

- a) Must be located 1m behind the front building line of the dwelling (at least 7m from front boundary line).

4.4. Residential Dual Occupancy

4.4.1. Building Setbacks

The building setbacks are set out in the following table.

Zone	Single Storey		Rear boundary	2 Storeys		Rear boundary
	Street Frontage	Side Boundary		Street Frontage	Side Boundary	
Village (RU5)	4.5 m	1.5 m	4.5m	6m	2m	6m
Large Lot Residential (R5)	6 m	2m	6m	6 m	2m	6m

- a) Setback for a secondary frontage/ corner lot minimum of 2m setback.
- b) A side boundary wall of a residential dwelling must contain windows and opening for at least 30% and the

Central Darling Development Control Plan 2024

maximum length of an unbroken wall is 10m.

4.4.2. Maximum site coverage of all development

- a) The site coverage of a new dwelling house and all ancillary development on a lot in Zone RU5 must not be more than 60% or R5 large lot residential that has an area of less than 4,000m² must not be more than 30 per cent.

Maximum floor area for new dwelling houses

- b) The floor area of a new dwelling house on a lot in Zone RU5 Village zone must not be more than 300 m² or R5 large lot residential that has an area of less than 4,000m² must not be more than 430m².

Maximum floor area for new outbuildings

- c) The floor area of a new outbuilding on a lot in Zone RU5 Village zone is maximum of 50 m², or R5 Large Lot residential zone that has an area of less than 4,000m² must not be more than the following—
- 500m², if the only purpose of the outbuilding is for agricultural use,
 - 100m², in any other case.

Setbacks and maximum floor area for balconies, decks, patios, terraces and verandahs

- The total floor area of all balconies, decks, patios, terraces and verandahs on a lot must not be more than 12m² if—
 - any part of the structure is within 6m from a side or the rear boundary, and
 - the structure has any point of its finished floor level more than 2m above ground level (existing).
- A balcony, deck, patio, terrace or veranda must not have any point of its finished floor level—
 - if it is located within 3m of a side or the rear boundary—more than 2m above ground level (existing), or
 - if it is located more than 3m but not more than 6m from a side or the rear boundary—more than 3m above ground level (existing), or
 - if it is located more than 6m from a side or the rear boundary—more than 4m above ground level (existing).
- Any detached balcony, deck, patio, terrace or verandah (including any alterations or additions to the detached balcony, deck, patio, terrace or verandah) must not have a floor level that is more than 600mm above ground level (existing).
- This clause does not apply to a balcony, deck, patio, terrace or verandah that is located on the front elevation of a dwelling house unless the dwelling house is located on a battle-axe lot.

Design

For corner lots, dwellings shall be designed to present to and have vehicle access from alternate frontages, unless one street is a collector road or greater, where both shall be accessed from the lesser street classification.

4.4.3. Building Height

Measured from natural ground level to:

- 8.5 m above ground level existing for the maximum ridge point of the dwelling.
- Basements are permitted if 2/3 of the floor to ceiling height of the basement is excavated below existing ground level.
- Note: basements are not permitted on flood control lots as identified in the Central Darling flood mapping.

4.4.4. Utilities

- Buildings and structures are to be located not less than 2m clear of utility infrastructure.
- For sewer mains, structures are to be located a minimum of two metres or the equivalent invert depth, whichever is greater, from the centreline of the main.
- Stormwater runoff must not exceed infrastructure capacity.

4.4.5. Site Coverage

- Residential zones: Maximum site coverage of 75% (includes all hardstand areas).

4.4.6. Solar Access

- Two storey development >2m from the boundary does not require a shadow diagram or notification.

Central Darling Development Control Plan 2024

- b) Two storey dwellings <2m from the boundary shall ensure habitable rooms of adjoining dwellings and major part of their landscaped open space to retain a minimum of 4hrs sunlight between 9am-3pm on 21st June (winter solstice).

4.4.7. Privacy

- a) Development of more than one storey must locate and size windows to habitable rooms to avoid facing onto windows, balconies or courtyards of adjoining dwellings.

4.4.8. Parking

Parking is to meet the requirements set out in the following table:

Number of beds in each dwelling	Parking spaces per dwelling
1	1
2	1
3	2
4 or more	2

- a) Rooms capable of occupation as a bedroom (eg study) are treated as a bedroom for the purpose of calculating parking requirements.
- b) 1 visitor space must be provided onsite where on-street parking within the property’s street frontage is not available.

4.4.9. Access

- a) All weather 2WD access is required to the dwelling.
- b) Dimensions to meet Australian Standard AS2890.1 Parking Facilities.
- c) All parking and manoeuvring areas to be hardstand (pavers or concrete).
- d) Onsite turning areas must be provided onsite where fronting a major road.

4.4.10. Landscaping

- a) Minimum of 50m2 of landscaping for each dwelling

4.4.11. Private Open Space

- a) Private open space must be provided in accordance with the following table in relation to its position relative to the dwelling for solar access.

Private Open Space Location	Minimum Amount	Minimum Dimension
North	16 m ²	4 m x 4 m
East	16 m ²	4 m x 4 m
South	16 m ²	4 m x 4 m
West	16 m ²	4 m x 4 m

- b) Must be directly accessible from a living area.
- c) Area calculation does not contain intrusions such as drying areas, electricity substation, water tanks, hot water systems, retaining walls.

Central Darling Development Control Plan 2024

4.4.12. Fencing

- a) Street fencing shall be open or combination of open panels and masonry columns to a maximum height of 1.8 metres.
- b) Where a street fence is proposed, the section of side boundary fencing located in front of the building setback shall be open or combination of open panels and masonry columns to match front fence.
- c) Street fencing details are required with DA for dwelling.

4.4.13. Outbuildings and Detached Garages

- a) Not within front building line setback.
- b) Not in front of main dwelling if <4,000m² lot.
- c) Maximum height of 3.2m to eave, 3.6m to peak of roof or match house roof pitch for, Large Lot Residential (R5) or Village (RU5)
- d) Not specified for Primary Production zone

4.4.14. Ridgelines

- a) Development roofline must not project above the ridgeline where visible from any public road or place.

4.4.15. Pools

- a) Where visible from a public place or road, details of screening are to be supplied.
- b) Any associated retaining walls or decks are not to exceed 1.0 metres above natural surface level.
- c) Pool pump enclosure to be placed greater than 5 metres from a habitable room in a dwelling on adjoining property or within a sound-proof enclosure.

4.4.16. Water tanks

- a) Located behind the street setback of the existing dwelling.
- b) Maximum height of 3.2 metres
- c) Suitably screened where visible from a public place or street

4.4.17. Car Ports

- a) Must be located at least 1m behind the front building line setback.

4.4.18. Facilities

- a) Letterboxes to be provided at the front property boundary in accordance with Australia Post requirements. Strata developments require an additional letter box for the Body Corporate.
- b) Clothes drying facilities are required to be free of access ways. Clothes lines and hoists shall be located at the rear of development and adequately screened from adjoining roads.

4.4.19. Utilities and Services

- a) Servicing strategy required to demonstrate the availability and feasibility of providing water, sewer and stormwater services appropriate for the scale of development.

4.4.20. Future Subdivision

- a) Dual occupancy development must consider potential future subdivision and locate buildings with adequate access to and clearance from utilities.

4.5. Residential Multi-Dwelling Development

4.5.1. Building Setbacks - greater than 2 dwellings per lot

The building setbacks are set out in the following table.

Zone	Single Storey		2 Storeys	
	Street Frontage	Side / Rear Boundary	Street Frontage	Side / Rear Boundary

Central Darling Development Control Plan 2024

Village (RU5)	4.5 m, 5.5 m to garage	1 m (675 mm [#]) side boundary (terrace housing does not require side setback from the adjoining dwelling) 4 m rear boundary	4.5 m, 5.5 m to garage	2m side boundary Except for terrace housing which requires no setback. 6 m rear boundary
Large Lot residential (R5)	6 m, 7 m to garage	2 m side boundary (terrace housing does not require side setback from the adjoining dwelling) 6 m rear boundary	6 m, 7 m to garage	3m side boundary Except for terrace housing which requires no setback. 6 m rear boundary

[#] roof eaves, sunhoods, gutters, downpipes, chimney flues, light fittings, electricity and gas metres, and aerials.

- a) No concession to secondary frontage.

4.5.2. Density

- a) Minimum lot size for a dwelling 300 m² in the Village (RU5) Zone (must include area for a holding tank or septic tank)
- b) Minimum lot size for a dwelling 300 m² in the Large lot Residential (R5) Zone (must include area for a holding tank or septic tank)

Design

- a) For corner lots, dwellings be designed to present to and have vehicle access from alternate frontages, unless one street is a collector road or greater, where access shall be obtained from the lesser street classification.
- b) No continuous section of wall built on a side boundary shall exceed 50% of the length of the boundary up to a maximum of 10m.

4.5.3. Building Height

Measured from natural ground level to:

- a) Topmost ceiling: maximum 8.5m
- b) Top of the ridge: maximum 10m

4.5.4. Utilities

- a) Buildings and structures are to be located clear of utility infrastructure.
- b) For sewer mains, structures are to be located a minimum of two metres or the equivalent invert depth, whichever is greater, from the centreline of the main.
- c) Stormwater runoff must not exceed infrastructure capacity.

4.5.5. Site Coverage

- a) Residential zones: Maximum site coverage of 75% (includes all hardstand areas).

4.5.6. Solar Access

- a) Shadow diagrams are required for developments of ≥ 2 storeys and need to demonstrate habitable rooms of adjoining dwellings and major part of their landscaped open space to retain a minimum of 4hrs sunlight between 9am-3pm on 21st June (winter solstice).

4.5.7. Privacy

- a) Multi-storey development must locate and size windows to habitable rooms to avoid facing onto windows, balconies or courtyards of adjoining dwellings.

4.5.8. Parking

Parking is to meet the requirements set out in the following table:

Central Darling
Shire Council 2024

Central Darling Development Control Plan 2024

Number of beds in each dwelling	Parking spaces per dwelling	Visitor Spaces
1	1 (enclosed)	1 per 5 dwellings *
2	1 (enclosed)	
3	2 (both enclosed)	1 per 3 dwellings*
4 or more	2 (both enclosed)	1 per 2 dwellings*

* This is the minimum requirement

- a) Rooms capable of occupation as a bedroom (eg study) are treated as a bedroom for the purpose of calculating parking requirements.

4.5.9. Access

- a) All weather 2WD access is required to the dwelling.
- b) Dimensions to meet Australian Standard AS2890.1 Parking Facilities.
- c) Stack parking is not deemed to satisfy parking requirements.
- d) • All parking and manoeuvring areas to be hardstand (pavers or concrete).
- e) Developments requiring 4 or more car spaces are to provide adequate turning dimensions to allow all vehicles to enter and leave the site in a forward direction.

4.5.10. Landscaping

- a) Landscaping shall be provided on the basis of 50m² per dwelling for the development site.
- b) Location and grouping of plant types shall be multi-functional providing privacy, security, shading and recreation functions.
- c) Landscaping shall comprise only native, drought and frost tolerant species.
- d) Landscaping shall allow solar access to windows, solar collectors, living areas and drying areas in winter and shade to buildings and outdoor spaces in summer.
- e) Minimum width of 2m required for all landscaped areas.

4.5.11. Private Open Space

Private open space must be provided in accordance with the following table in relation to its position relative to the dwelling for solar access.

Private Open Space Location	Minimum Amount	Minimum Dimension
North	16 m ²	4 m x 4 m
East	16 m ²	4 m x 4 m
South	16 m ²	4 m x 4 m
West	16 m ²	4 m x 4 m

- a) Must be directly accessible from a living area.
- b) Area calculation does not contain intrusions such as drying areas, electricity substation, water tanks, hot water systems, retaining walls.

4.5.12. Outdoor Lighting

- a) Must provide certification of compliance with AS4282 Control of Obtrusive Effects of Outdoor Lighting if >10 dwellings proposed.

Central Darling Development Control Plan 2024

4.5.13. Adaptability

- a) Development of 5 or more units must provide 1 in 5 units capable of conversion to adaptable housing in accordance with AS4299, Class C level.

4.5.14. Facilities

- a) Screened garbage storage required inside front property boundary, at the rear of each unit or within garages. Storage locations to be included in landscape plan.
- b) Letterboxes provided at the front property boundary in accordance with Australia Post requirements. Strata developments require an additional letter box for the Body Corporate.
- c) Clothes drying facilities required free of access ways. Clothes lines and hoists shall be located at the rear of development and adequately screened from adjoining roads.

4.5.15. Utilities and Services

- a) Multi- dwellings must provide adequate holding tank or septic tanks for all dwellings on the lot.
- b) Servicing strategy is required to demonstrate the availability and feasibility of providing water, sewer and stormwater services appropriate for the scale of development.

4.5.16. Storage

- a) Must provide a minimum of 5m³ of dedicated storage area per dwelling in addition to the standard internal storage provision (e.g. wardrobes, kitchen cupboards, pantry, linen press).

4.5.17. Fencing

- a) Street fencing shall be open or combination of open panels and masonry columns to a maximum height of 1.8 metres.
- b) Where a street fence is proposed, the section of side boundary fencing located in front of the building setback shall be open or combination of open panels and masonry columns to match front fence.
- c) Street fencing details are required with DA for dwelling.

4.5.18. Outbuildings and Detached Garages

- a) Not within building setback.
- b) Not in front of main dwelling if <4,000m² lot.
- c) Maximum height of 3.2m to eave, 3.6m to peak of roof or match house roof pitch for Large Lot Residential (R5) or Village (RU5)

4.5.19. Ridgelines

- a) Development roofline must not project above the ridgeline where visible from any public road or place.

4.5.20. Pools

- a) Where visible from a public place or road, details of screening are to be supplied.
- b) Any associated retaining walls or decks are not to exceed 1.0 metres above natural surface level.
- c) Pool pump enclosure to be placed greater than 15 metres from a habitable room in a dwelling on adjoining property or within a sound-proof enclosure.

4.5.21. Water tanks

- a) Located behind the front building line of the new or existing dwelling.
- b) Maximum height of 3.2 metres
- c) Suitably screened where visible from a public place or street

4.6. Subdivision

4.6.1. Lot size

- a) "Lot size map" and Clause 4.1 of LEP 2012 of the Central Darling LEP 2012 prescribe the minimum lot sizes for all new allotments.
 - b) Minimum lot sizes do not apply to Strata and Community Title Subdivisions.
-

Central Darling Development Control Plan 2024

-
- c) Residential lots must be able to accommodate a rectangle suitable for building purposes behind the street setback (note there is no concession to a second street frontage for setbacks).
 - d) Easements are not to encumber more than 10% of the total area of the lot.

4.6.2. Servicing Strategy

- a) All development applications shall provide a servicing strategy (water, sewer, septic tank, stormwater, telecommunications and electricity) to demonstrate that it is feasible for the subdivision to be serviced in accordance with the requirements of Council's Engineering Guidelines for Subdivision and Developments.
- b) The strategy shall include evidence that the developer has consulted with Council's Manager of Water and Wastewater in relation to the availability and capacity of the existing water and sewer networks consistent with the likely future use of the land.
- c) For new estates this shall include nomination of a maximum number of equivalent tenements that will be serviced by the infrastructure.

4.6.3. Sewer

- a) The servicing strategy shall identify the method of providing sewerage waste disposal to the proposed lots in accordance with the directives of Councils engineering services.
- b) Residential lots are to be serviced by an approved sewerage disposal scheme.
- c) The area within proposed lots shall be capable of being serviced by an approved sewerage scheme or septic tank system).
- d) On-site sewer management facilities will be required when developing lots where the Lot Size Map specifies a minimum area of 1 hectare or greater.

Water

- a) The Servicing Strategy shall identify the method of providing water to the proposed lots in accordance with the Council's Engineering Guidelines for Subdivision and Development.
- b) On-site water storage requirements will be applied when future development occurs on lots where the Lot Size Map specifies a minimum area of 20 hectares or greater.

4.6.4. Stormwater Drainage

- a) The servicing strategy shall include consideration of flows up to the 1:100 ARI flood event or existing natural flow, existing developed flow and post developed flow.
- b) Minor flows are to be piped to a 1:5 ARI flood event.
- c) Location of major flows are to be defined to a designated overland flow path up to a 1:100 ARI flood event and are to be dedicated as a drainage reserve.
- d) Measures to control stormwater flow and water quality are required.
- e) Where drainage is required to the rear of the lot, inter-allotment drainage shall be located in easements in favour of the upstream properties benefitted by the easement.
- f) Lot layout and easements are to be established so that no future development will rely upon pump-out, infiltration systems or any other method other than connection to the gravity piped system.

4.6.5. Telecommunications

- a) Telecommunications are to be provided underground.

4.6.6. Electricity

- a) For subdivision of land in the Primary Production Zone electricity supply is required and may be overhead.

4.6.7. Battle-axe shaped lots

- a) Minimum area for battle-axe shaped lot is 800m² excluding the access handle.
- b) Access handles shall be of a minimum width of 4.5 metres, of which 3 metres is to be constructed and sealed with asphaltic concrete or interlocking pavers at the time of subdivision.
- c) The topography of the site may require installation of kerbing to manage overland stormwater.
- d) Battle-axe lots must also share a common boundary with a public reserve of at least 15 metres in length.
- e) Only 1 Torrens title lot is to use battle-axe handle access.

4.6.8. Industrial lots

Central Darling Development Control Plan 2024

-
- a) Industrial lots shall have a minimum street frontage and square width of 24m and an area of 1,000m².
 - b) Industrial subdivision cannot be serviced by cul-de-sac road formation.

4.6.9. Road Network Design

- a) The road hierarchy shall be defined.
- b) Roads to be all weather sealed 6m wide pavement with table drains and entry culvert.
- c) Residential subdivision must incorporate appropriate facilities and opportunities for pedestrian and bicycle movement.
- d) The alignment, width and design standard for all roads shall be in accordance with the expected traffic volume, type of traffic and desired speed in accordance with the Council's Engineering Guidelines for Subdivision and Development.
- e) Kerb and gutter are required for subdivision where the Lot Size Map specifies a minimum lot size of up to and including 2 ha.
- f) The road pavement requirement will be determined based on vehicle movements (both current and future) and with consideration to the existing development and character of the locality. Generally, sealed pavement will be required where the Lot Size Map specifies a minimum lot size of up to and including 10 hectares.
- g) A road within a residential subdivision servicing 15 lots or more must include a constructed pedestrian footpath.
- h) Subdivision layouts shall make provision for road connection to adjoining undeveloped land.
- i) Subdivision design shall ensure that individual allotments are within 400 metres walking distance of a collector road.
- j) Roads to be designed having regard to topographic contours to minimise cut and fill.

4.6.10. Culs-de-sac

- a) Radius of a cul-de-sac bowl in a residential subdivision shall not be less than 12.5 metres.
- b) The design must accommodate stormwater drainage overland flow paths.
- c) Alternate cul-de-sac configuration is not permitted, such as "hammerhead" or "Y" shapes.

4.6.11. Landscaping

- a) Subdivision involving new road construction shall include street tree planting of suitable species.
- b) Landscape plans shall be provided for all dual use drainage reserves to enhance recreational opportunities and visual amenity without compromising drainage function.

4.6.12. Site Access

- a) Public road access is required to all lots.
- b) Commercial or industrial subdivision shall include provision of a kerb layback which is -
 - i. located at either end of the property frontage.
 - ii. not closer than 6m to an intersecting road or break in a traffic island; and
 - iii. located so that sight distance is adequate.
 - iv. No direct access to arterial or sub-arterial roads shall be permitted where alternatives are available.

i. Lot Orientation

- a) Where residential subdivision involves a road running north-south, allotments are to be designed to provide solar access for future development.
- b) Orientation shall minimise potential overshadowing impacts of existing and future buildings.

4.6.13. Open Space

- a) Open space provision within residential subdivision will be determined compliance with the provisions of the Site-Specific Design Criteria.
 - b) Where required, subdivision design must provide open space achieving the following criteria:
 - i. Minimum area of 0.5ha;
 - ii. Buffered from main roads and identified hazards for improved safety.
 - iii. Safely accessible by pedestrian and cycleway links.
 - iv. Connectivity maximised between open space.
 - v. Walkable access to highest number of the population.
 - vi. High passive surveillance opportunities.
 - vii. Minimum slope; and
-

Central Darling Development Control Plan 2024

viii. Provide complimentary uses of open space (drainage, conservation, cycleways etc.) that ensures ongoing usability.

4.6.14. Vegetation

a) The design shall accommodate the retention of any significant trees and vegetation.

4.6.15. Garbage collection

- a) Road design must accommodate the legal movement of garbage collection vehicles.
- b) Allotments are to allow for placement of garbage receptacles for collection within the alignment of that lot.
- c) Temporary turning facilities shall be provided to facilitate garbage collection services.

4.6.16. Community Title Subdivision

a) Community title subdivision must include community facilities that are shared between the residents of the development. It is not appropriate that this form of development be used as an alternative to strata title where the only shared component is a driveway.

4.6.17. Contamination

a) All subdivision development applications are to include consideration of potential land contamination.

4.6.18. Road Widths

Road widths are determined based on the road category, in accordance with the table below.

Road Category	Indicative Traffic Volume (vehicles per day)	Road Width (metres)				
		Road Reserve	Traffic Lane	Parking Lane	Median	Verge (footway)
1. Arterial	> 10,000	34	4 x 3.5	2 x 3.0	1 x 5.0	2 x 4.5
2. Sub-Arterial (divided)	6,000 - 10,000	32	4 x 3.5	2 x 3.0	1 x 5.0	2 x 3.5
3. Distributor	4,000 - 6,000	20	2 x 3.5	2 x 3.0	Nil	2 x 3.5
4. Collector	2,000 - 4,000	20	2 x 3.5	2 x 3.0	Nil	2 x 3.5
5.1 Local Serving > 15 lots	500 - 2,000	18	2 x 3.5	2 x 3.0	Nil	2 x 3.5
5.2 Culs-de-sac and short loops	150 - 500	15	2 x 4.0	Nil	Nil	2 x 3.5
5.3 Minor culs-de-sac	0 - 150	13	1 x 6.0	Nil	Nil	2 x 3.5
5.4 Local Access street (laneway)	0 - 50	13	1 x 6.0	2.5 (parking bays)	Nil	2 x 3.5
6. Industrial	NA	25	2 x 3.5	2 x 5.5	Nil	2 x 3.5

Central Darling Development Control Plan 2024

4.7. Industrial Development

4.7.1. Building Setbacks

- a) Street setback must be a minimum of 5m.
- b) No concession for secondary frontage.
- c) Street setback must be landscaped.
- d) Side and rear setbacks to meet BCA requirements.

4.7.2. Design

- a) Building elevations to the street frontage or where visible from a public road, reserve, railway or adjoining residential area are to incorporate variations in façade treatments, roof lines and building materials.
- b) Low scale building elements such as display areas, offices, staff amenities are to be located at the front of premises and constructed in brick or finished concrete.
- c) Roofing materials should be non-reflective where roof pitch is greater than 17 degrees or not visible from a public road.

4.7.3. Utilities and Services

- a) Servicing strategy is required to demonstrate the availability and feasibility of providing water, sewer and stormwater services appropriate for the scale and nature of development.
- b) Applications must demonstrate adequate provision for storage and handling of solid wastes.
- c) Trade Waste Application and facilities are required where liquid wastes (excluding domestic waste from a hand wash basin, shower, bath or toilet) are to be discharged to Council's sewerage system.
- d) Onsite stormwater capture and reuse shall be provided for maintenance of landscaping. Storage tanks shall be appropriately located and screened.
- e) Buildings and structures are to be located clear of utility infrastructure.
- f) For sewer mains, structures are to be located a minimum of one metre or the equivalent invert depth, whichever is greater, from the centreline of the main.

4.7.4. Landscaping

- a) Landscaping is required:
- b) in the front 5m of street setback;
 - i. side and rear setbacks where visible from public place or adjoining residential area; and
 - ii. areas adjacent to building entrances and customer access points.
- c) Landscaping or shade structures shall be provided in outdoor car parking areas where >10 spaces are required, to provide shading and soften the visual impact of large hard surfaces.
- d) Landscaping shall comprise only low maintenance, drought and frost tolerant species.

4.7.5. Fencing

- a) Open work or storage areas visible from a public place or street must be fenced by masonry materials or pre-coloured metal cladding of minimum 2m height. Fencing to be located behind the building setback.
- b) Security fencing must be also located behind the building setback area except when of a decorative nature to be integrated in the landscaped area.

Central Darling Development Control Plan 2024

4.7.6. Traffic and Access

- a) The Traffic Assessment is required to demonstrate the adequacy of:
 - i. road network,
 - ii. site access,
 - iii. loading/unloading facilities, and
 - iv. safe on-site manoeuvring for largest design vehicle
 - v. wearing surfaces for access driveways, parking areas, loading/unloading facilities and associated vehicle manoeuvring areas relative to the design vehicle.
- b) Unsealed vehicle movement areas are not acceptable due to environmental management impacts.
- c) All vehicles must be able to enter and exit the site in forward direction.
- d) Site access not permitted:
 - i. Close to traffic signals, intersection or roundabouts with inadequate sight distances;
 - ii. Opposite other large developments without a median island;
 - iii. Where there is heavy and constant pedestrian movement on the footpath;
 - iv. Where right turning traffic entering the site may obstruct through traffic.
- e) Separate signposted entrance and exit driveways are required for developments requiring more than 50 parking spaces or where development generates a high turnover of traffic.
- f) The number of access points from a site to any one street frontage is limited to 1 ingress and 1 egress.
- g) Driveways must be provided in accordance with Australian Standard AS2890.1 Parking Facilities.

4.7.7. Parking

The parking requirements are set out in the following table.

Land Use	Parking Requirement
Industrial retail	1 space per 45m ² GFA
Industrial	1 space per 75m ² GFA or 1 space per 2 employees. Whichever is Greater
Transport / Truck Depot	space for each vehicle present at peak time onsite and driver parking
Vehicle Body Repair Workshop or Repair Station	1 per 40m ² GFA or 3 spaces per workshop bay. Whichever is Greater
Warehouses	1 space per 300m ² GFA or 1 space per employee. Whichever is Greater
Other	Based on predicted

Central Darling Development Control Plan 2024

peak vehicle use

- a) A Portion of customer parking to be provided convenient to the public entrance.

4.7.8. Loading / unloading Facilities

- a) Adequate space and facilities are required to be provided wholly within the site.
- b) Loading and delivery bays must be designed to allow vehicles to enter and exit the site in a forward direction.
- c) Loading bay(s) must be sited to avoid use for other purposes such as customer parking or materials storage and be linemarked and signposted.

4.7.9. Outdoor Signage

- a) Single occupant industrial site:
 - i. one free standing advertisement within the 5m landscaped setback; and
 - ii. one advertisement integrated within the facade of the building, but no higher than the building roof line.
- b) Multiple unit industrial site:
 - i. one index board near site entrance or within the 5m landscaped setback; and
 - ii. one advertisement integrated within the facade of each unit, but no higher than the building roof line.
- c) Signage must comply with SEPP 64 – Advertising and Signage Schedule 1 Assessment Criteria.

4.7.10. Outdoor lighting

- a) Must comply with Australian Standard AS4282 Control of Obtrusive Effects of Outdoor Lighting.

4.7.11. Noise

- a) Windows, doors and other wall openings shall be arranged to minimise noise impacts on residences where proposed within 400m of a residential zone.
- b) External plant (generators, air conditioning plant etc.) shall be enclosed to minimise noise nuisance where adjoining residential area.

4.8. Commercial & Retail Development

4.8.1. Building Setbacks

- a) No minimum setbacks are specified.
- b) Side and rear setbacks must meet BCA requirements.

4.8.2. Height

- a) Maximum Building height 15m
- b) Maximum structure height (communications tower or antennae 150m)

4.8.3. Outdoor Lighting

- a) Demonstrate compliance with AS/NZS 11583.1 Pedestrian Area (Category P) Lighting and AS4282 Control of Obtrusive Effects of Outdoor Lighting.

4.8.4. Outdoor Signage

- a) A single business premises is permitted to have:
 - i. one under awning sign,
 - ii. one top hamper sign, and
 - iii. one fascia sign,
 - iv. that do not project above or beyond that to which it is attached. One of which may be illuminated, but not flashing, moving or floodlit.
- b) Design and location of signage must be shown on plans with DA.
- c) Where there is potential for light spill from signage to adjoining properties, all illuminated signage shall be fitted with a timer switch to dim or turn off the light by 11pm each night.
- d) Signage must comply with SEPP 64 – Advertising and Signage Schedule 1 Assessment Criteria.

Central Darling Development Control Plan 2024

4.8.5. Design

- a) Building facades shall be articulated by use of colour, arrangement of elements or by varying materials.
- b) Large expansive blank walls not permitted unless abutting a building on an adjoining allotment.
- c) Plans must show the location of all external infrastructure (including air conditioning units, plant rooms, ducting) and demonstrate how it will be screened from view from a public place or road.
- d) Development on corner sites shall incorporate splays, curves, building entries and other architectural elements to reinforce the corner as landmark feature of the street.

4.8.6. Post supported verandahs and balconies

- a) Set back a minimum of 600 mm from the back of the kerb.
- b) Must complement the style, materials and character of the building being altered.
- c) Public liability insurance to Council requirements, and a Council license is required for verandah or balcony awning over the public footpath.
- d) Not to interfere with operation of or access to utility infrastructure.

4.8.7. Utilities and Services

- a) Servicing strategy required to demonstrate the availability and feasibility of providing water, sewer and stormwater services appropriate for the scale and nature of development. Evidence of consultation with the Council is to be provided.
- b) Applications must demonstrate adequate provision for storage and handling of solid wastes.
- c) Trade Waste Application and facilities are required where liquid wastes (excluding domestic waste from a hand wash basin, shower, bath or toilet) are to be discharged to Council's sewerage system.
- d) Buildings and structures are to be located clear of utility infrastructure.
- e) For sewer mains, structures are to be located a minimum of one metre or the equivalent invert depth, whichever is greater, from the centreline of the main. See Council Policy "Excavating/Filling or Building Adjacent to or Over Existing Sewer Mains" for further detail.

4.8.8. Traffic and Access

- a) All vehicles must be able to enter and exit the site in a forward direction.
- b) Design must demonstrate no conflict between pedestrian, customer vehicles and delivery vehicles.
- c) Wearing surfaces for access driveways, parking areas, loading/unloading facilities and associated vehicle manoeuvring areas relative to the design vehicle.
- d) Unsealed vehicle movement areas are not acceptable due to environmental management impacts.
- e) Loading bay(s) must be sited to avoid use for other purposes such as customer parking or materials storage and be linemarked and signposted.
- f) Site access not permitted:
 - i. Close to traffic signals, intersection or roundabouts with inadequate sight distances;
 - ii. Opposite other large developments without a median island;
 - iii. Where there is heavy and constant pedestrian movement on the footpath;
 - iv. Where right turning traffic entering the site may obstruct through traffic.
- g) Separate, signposted entrance and exit driveways are required for developments requiring more than 50 parking spaces or where development generates a high turnover of traffic.
- h) The number of access points from a site to any one street frontage is limited to 1 ingress and 1 egress.
- i) Driveways must be provided in accordance with AS 2890.1 Parking Facilities.

Central Darling Development Control Plan 2024

4.8.9. Parking

Land Use	Parking Requirements
Bulky Goods	1 space per 45 m ² GFA
Business	1 space per 25 m ² GFA
Brothels	1 space per staff working at any one time plus 1 space per room where sexual services are provided
Childcare Centre	1 space per every 5 children (based on maximum allowed)
Drive-in takeaway food shop	1 space per 8.5 m ² GFA plus 1 space per 3 seats
Health Consulting Rooms	3 spaces per practitioner plus 1 space per employee
Hotel	1 space per hotel unit plus 1 space per 3.5 m ² licensed public floor area
Major Retail Premises	Refer to RTA Guidelines
Medical Centres	1 space per 25 m ² GFA or 3 spaces per practitioner plus 1 space per employee whichever is greater
Motel	1 space per accommodation unit plus 1 space per 2 employees
Restricted Premises	1 space per 23 m ² GFA (leasable)
Retail Premises shops < 1,000 m GFA	1 space per 25 m ² GFA
Retail Premises shops > 1,000 m GFA	2 spaces per 16 m ² GFA
Retail Premises video	3 spaces per 16 m ² GFA

Central Darling Development Control Plan

NB. Other land use requirements are provided in Parking Schedule of the Discretionary Development Standards

4.8.10. Brothels and Restricted Premises

- a) Landscaping Must be located at least 150m from any of the following:
- i. Existing dwelling;
 - ii. Residential zone;
 - iii. Place of worship;
 - iv. Any place designated for and utilised by children (e.g. childcare centre, community facility, educational establishment, entertainment facility, recreation area/facility);
 - v. Any other sex services premises.

4.8.11.

- a) Landscaping or shade structures shall be provided in outdoor car parking areas where >10 spaces are required, to provide shading and soften the visual impact of large hard surfaces.
- b) Edging to be provided to retain mulch and protect the landscaping from damage from vehicles.
- c) Landscaping shall comprise only low maintenance, drought and frost tolerant species.

4.9. Heritage

4.9.1. Heritage Items

There are a number of buildings and sites within the Shire which have heritage significance. They are listed in the heritage schedule 5 of the *Central Darling LEP 2012*.

- a) The following objectives are in the *Central Darling LEP 2012* and are repeated here to provide context to the issue:
- i. to conserve the environmental heritage of Central Darling Shire Council, and*
 - ii. to conserve the heritage significance of heritage items and heritage conservation areas including associated fabric, settings and views,*
 - iii. to conserve archaeological sites,*
 - iv. to conserve Aboriginal objects and Aboriginal places of heritage significance.*

When carrying out development on the same lot as a heritage item or on lots in the vicinity, it is necessary to carry out an assessment of the impact of the development on the heritage item. A Heritage Impact Statement Report is required for any development in the heritage conservation area or if the lot contains a heritage item listed in the *Central Darling Local Environmental Plan 2012*.

Note: A qualified Heritage consultant – registered with the NSW heritage office/ or equivalent, must sign the Heritage Impact Statement Report.

4.9.2. Subdivision

- a) Subdivision proposals must be consistent with the prevailing subdivision pattern.
- b) Subdivision of a property containing a heritage item must:
 - i. Maintain existing building curtilage;
 - ii. Provide for outbuildings and garaging; and
 - iii. Ensure significant landscape features and vegetation are retained.

Central Darling Development Control Plan

4.9.3. Alterations and/or additions to existing heritage items

- a) Destruction of important elements such as chimneys, windows and gables will not be permitted.
- b) Original details such as panelling, ceilings, skirtings, architraves or remaining door and window furniture, must be retained.
- c) Fire safety upgrading of buildings must be undertaken in accordance with the NSW Heritage Office manual titled "Heritage on Fire".
- d) In relation to siting of alterations and additions, the following criteria apply –
 - i. Basement additions are not permitted at the front elevation
 - ii. Extensions or alterations to heritage items should not project beyond the front building line.
 - iii. Side additions should not compromise the ability for driveway access to the rear of the block
 - iv. Front and side setbacks should be typical of the spacing between buildings located in the vicinity of the new development.
 - v. Extensions or additions to a building on a heritage listed site must only occur at the rear of the existing building or where not visible from the street.
- e) In relation to roofing -
 - i. Original roof material must be matched in material and colour.
 - ii. Skillion roofs of additions must be pitched rather than flat and should be of a depth which is secondary to that of the main building.
 - iii. Roof pitch of additions must match existing.
 - iv. Roofing must maintain the scale and massing of the existing roof form.
 - v. All roof openings must be located on the rear pitch of the roof and not be visible from the street.
- f) In relation to size and scale -
 - i. Building bulk and large expanses of solid masonry should be avoided through the use of recesses, bays, vertical elements and/or the use of additional surface treatments/materials.
- g) In relation to materials and colours -
 - i. Extensions or alterations must retain existing materials and finishes and use compatible materials for new work.
 - ii. New face brickwork should match the existing brick in colour and texture, and type of jointing and mortar colour.
 - iii. Unpainted face brick or stone must remain unpainted and unrendered.
 - iv. Original timber windows must be retained, repaired or reconstructed in existing buildings. New doors and windows must be of materials consistent with the existing building.
 - v. Colour schemes must match the period of the building.
 - vi. Mock historical details must not be applied.

4.9.4. Change of Use of a Heritage Item

- a) Adaptive reuse of a building must:
 - i. Retain all significant fabric of the heritage listed building.
 - ii. Retain the general appearance of the building so that its original role can be readily interpreted

4.9.5. Fencing of Heritage Items

- a) Original fences must be retained and maintained unless they are beyond repair.
- b) Fences must be of a scale comparable with the street and the building.
- c) Front fences must be of materials characteristic to the surrounding area, particular to the street and suitable to the era of the house. Examples include timber picket, low masonry, palisade and hedges.
- d) Plain or colour treated metal fences are not permitted on any street frontage or side boundary in front of the street setback or heritage item.

4.9.6. New Development

- a) Design shall give consideration to the following -
 - i. New development must have a hipped or gabled roof without unnecessary secondary projections.
 - ii. New development must use materials which are consistent with the overall character of the streetscape, as defined by reference to the original older buildings in the immediate locality.
 - iii. Openings in visible frontages must retain a similar ratio of solid to void as to that established by the original older buildings.
 - iv. If a large area of glass is required, vertical mullions must be used to suggest vertical orientation. A large

Central Darling Development Control Plan

4.10.2. Noise

- a) Must comply with the Industrial Noise Policy of the Environment Protection Authority and any relevant policy.
- b) Sound-proofed holding sheds for all distressed animals must be provided.

4.10.3. Waste and Water Management

- a) Must demonstrate that waste can be managed without detriment to the environment.
- b) Stormwater must be disposed of in a manner that does not interfere with adjoining land uses.
- c) Stormwater and wastewater generated from the cleaning of structures and yard areas will require treatment to remove pathogens prior to being reused on-site for irrigation purposes.
- d) Applications are to demonstrate that an adequate water supply (reticulated water, rainwater tanks and surface waters) is available to support the proposed development.
- e) Applications must not solely rely on reticulated water supply to service the needs of the development and must demonstrate an integrated approach to water management using alternate water sources in conjunction with reticulated water.
- f) Stormwater drains are to be wide, gently sloping open drains that are well vegetated to minimise erosion potential and facilitate filtering of solid particles contained in the runoff.
- g) In addition to the controls above, the following apply to animal boarding and training establishments for the purpose of dog kennels:
 - i. The flooring of kennels must be constructed from concrete to facilitate ease in cleaning and must be a minimum of 75mm thick.
 - ii. Concrete flooring must have a graded fall to the front opening and must be serviced by a catchment drain that is integrated into the on-site wastewater management system prior to any reuse on-site.
 - iii. Yard areas must be designed to allow cleansing and removal of refuse and must be fully turfed or concreted. Brick, asphalt or earth yard areas are not permitted.

4.1.2. Transport and Access

- a) Internal access roads must be of all-weather design constructed and have turning areas adequate for large articulated vehicles where required.
- b) The location of roads, parking and turning areas must recognise potentially sensitive areas such as neighbouring houses.
- c) The timing and manner of transport activities associated with the development including the frequency, times, routes and number of animal deliveries and pick-ups, feed deliveries and clean-outs must take into consideration the impact on adjoining neighbours.
- d) Car parking and manoeuvring areas for vehicles must be constructed in accordance with Council's Design Specifications.

4.1.3. Landscaping

- a) Where native vegetation is limited in its capacity to provide visual screening then the following vegetation design controls apply:
 - i. Site boundaries – vegetative screen. Rows of vegetation to be established and maintained
 - ii. Site boundaries – vegetative windbreak (where provided). 3 rows of vegetation to be established and maintained
 - iii. Around Site Structures Grassed areas are to be kept maintained
 - iv. Open Stormwater Drains Grassed areas are to be kept maintained
- b) All plantings are to be in groups, consist of advanced stock and are to be a minimum of 12m from buildings to allow adequate air movements. In bushfire prone areas, fire retardant species must be utilised and separation from buildings must be consistent with the requirements of Planning for Bushfire Protection.
- c) The mature height of tall species should be sufficient to intercept a direct line of sight from a neighbouring dwelling or roadway (measured 2m above the natural ground level).
- d) Landscaping must not impede on any required area for on-site effluent disposal.

4.2. Land Forming Development

4.2.1. Definition

Central Darling Development Control Plan

- a) Land forming development means works associated with agriculture that involve the process of adjusting or altering the natural formation or surface of land, and includes the construction of levees, drains, channels and dams.

4.2.2. Consideration of Development

- a) When considering an application for land forming development, it shall take into consideration the following matters:
 - b) The effect of the development of the potential for wind erosion;
 - a) The effect of the development on the landscape and scenic quality of the land;
 - b) Whether any trees or other vegetation on the land should be preserved;
 - c) The topography of the site and adjoining land, in particular, the level of the land to be developed in relation to the surrounding land;
 - d) The flood liability of the land;
 - e) The likely effect of flooding on adjoining or other land in the locality as a result of the development of the land;
 - f) The risk of soil erosion and other land degradation;
 - g) The loss of important vegetation systems and natural wildlife habitats;
 - h) An estimation of natural peak discharge from the holding for a one in twenty, one in fifty and one in one-hundred-year rainfall pattern (based on Rational Method as set out in "Australian Rainfall and Run-off") or on such other method as the Council may agree to;
 - i) An estimation of peak discharge from the holding for a one in twenty, one in fifty and one in one-hundred-year rainfall pattern after the completion of the development; and
 - j) A whole farm plan indicating the proposed overall irrigation layout pattern including provisions for supply, drainage and on farm storage.

4.2.3. Design of Land forming

- a) The land forming design must be able to:
 - i. Maximise the distance of storm water travel to the discharge point of the holding;
 - ii. Maximise time concentration by slowing the rate of stormwater run-off;
 - iii. Minimise the volume of overland flow per unit area; and
 - iv. Provide buffers such as retention basins and vegetation plots to increase the time of concentration.

4.2.4. Plans

The following details are to be included on land forming development plans:

- a) *Site Plans* are recommended to be a scale to fit on an A3 or A1 sheet and should show existing and proposed lot boundaries, extent of works, features, vegetation, drainage lines, contours, existing buildings, flood prone land, existing and proposed roads, land capability, areas of special significance and any hazard land.
- b) *Survey Plans* are recommended to be a suitable scale to fit on an A1 or A3 sheet. These plans should indicate detailed locations of all lots and the balance of title, dimensions and areas lots.
- c) *Detail Plans* are required to show the following:
 - i. Existing vegetation and trees on the land;
 - ii. Existing levels and topographical details of the land including contour lines drawn at suitable intervals;
 - iii. The natural pattern of rainfall run-off;
 - iv. Divert stormwater away from or around critical features such as steep slopes or unstable soil;
 - v. Provide for zero net increase in peak discharge from the holding and direct such discharge to the natural discharge point; and
 - vi. Preserve natural drainage lines through the property or make provision for adequate alternative drainage lines.

4.2.5. Levels

- a) All plans should indicate falls for surface run-off. This may be done using ratios of percentage slope, i.e. 1 in 80 or 3%.
- b) Levels should also be indicated as spot levels or contour lines.
- c) Where changes of level are being incorporated into the design, both new and existing levels should be

Central Darling Development Control Plan

shown.

4.3. Intensive Livestock Agriculture

4.3.1. Siting and Setbacks

- a) Development for the purposes of intensive livestock agriculture, are required to comply with the minimum buffer’s distances outlined below

	Intensive livestock agriculture (except poultry farms)	Poultry farms
Front building setback	175 m	50 m
Side or rear building setback	150 m	50 m
Dwelling on same property	100 m	50 m
Any dwelling on a neighbouring property	150 m	150 m
All residential zones	500 m	500m

- b) Development must be in accordance with the “Blue Book” Code of Practice for Animal Care produced by the Department of Primary Industries.
- c) Sites with a slope greater than 5% must not be used for intensive livestock agriculture.
- d) Sites that have residual chemicals in the soil such as organochlorides and arsenic must not be used for intensive livestock agriculture.
- e) Development must be located having regard to the topography and microclimate of the area to ensure concentration of odours cannot occur.

4.3.2. Noise, odour and dust

- a) Where possible, buildings and facilities are to be located out of the line of sight of adjoining neighbours.
- b) Locate all stationary noise generating machinery within sheds and where practical away from property boundaries.
- c) Ensure that feed grain is stored in a dry storage area to prevent fermentation.
- d) Prevent entry of drainage/seepage water into site sheds and storage facilities through the construction of earth contour banks and drainage.
- e) Feeding troughs and self-feeders must be designed to minimise any spillage that could potentially contribute to odour emissions.
- f) Appropriately silenced forklifts should be utilised to reduce night noise generation.
- g) Noise levels generated must not exceed the requirements of the NSW Industrial Noise Policy (NSW EPA, 2000).
- h) Industry Best Practice Management measures developed to eliminate or reduce odour are to be employed.
- i) Where practical, major truck deliveries and produce transport should be scheduled for
- j) reasonable hours of the day.
- k) In addition to the above, the following controls apply to poultry sheds:
 - i. All poultry sheds are to be appropriately cleaned out after every batch.
 - ii. Sheds or structures must be adequately ventilated.
 - iii. Shed curtains or shutters must be utilised during shed clean outs (to minimise the impact of dust on adjoining land users). As far as practicable, dust generated must stay within property boundaries.
 - iv. The type of litter material chose for shed floors must have regard to its propensity to produce dust.

4.3.3. Soil and Water Management

- a) Local drainage patterns are to be maintained and stormwater flows effectively managed.

Central Darling Development Control Plan

- b) Development must incorporate the construction of stormwater diversion banks, sedimentation ponds and the installation of a wastewater treatment system to divert and treat wastewater and run-off.
- c) Suitable impermeable sedimentation pond structures must be constructed that will not contaminate surface and ground waters.
- d) Development must provide appropriate methods for the adequate management and handling of litter, manure, composting and removal of dead animals.
- e) Runoff from feeding pens and site buildings (sealed or compacted) is to be collected in sedimentation ponds prior to any irrigation on-site. Contaminated waters must be suitably treated before reuse on the farm.
- f) All sedimentation ponds are to be de-sludge to remove build-up of solid effluent when their storage capacity is reduced by more than 25%.
- g) Loads of litter, manure and feed being transported to the property are to be adequately covered.
- h) Prompt and safe disposal of feed by-products is to be arranged where recycling is not
- i) possible to avoid the harbouring of pests and vermin.
- j) Diversion banks may need to be constructed to intercept and divert runoff away from manure stockpile and carcass disposal area.
- k) Runoff from shed roofs, access tracks and hard stands (sealed or compacted) is to be collected and stored on site.

4.3.4. Transport and Access

- a) Internal access roads must be of all-weather design constructed and have turning areas adequate for large articulated vehicles where required.
- b) The location of roads, parking and turning areas must recognise potentially sensitive areas such as neighbouring houses.
- c) The timing and manner of transport activities associated with the development including the frequency, times, routes and number of animal deliveries and pick-ups, feed deliveries and clean-outs must take into consideration the impact on adjoining neighbours.
- d) Car parking and manoeuvring areas for vehicles must be constructed in accordance with Council's Design Specifications.

4.3.5. Landscaping

- a) Where native vegetation is limited in its capacity to provide visual screening then the following vegetation design controls apply:
 - i. Site boundaries – vegetative screen. Rows of vegetation to be established and maintained
 - ii. Site boundaries – vegetative windbreak (where provided). 3 rows of vegetation to be established and maintained
 - iii. Around Site Structures - Grassed areas are to be kept maintained
 - iv. Earth dam banks - Grassed areas are to be kept maintained
 - v. Open Stormwater Drains - Grassed areas are to be kept maintained
- b) Landscaping must incorporate a mixture of trees, shrubs and groundcovers, and where practicable utilise species that are endemic to the Central Darling Shire.
- c) All plantings are to be in groups, consist of advanced stock and are to be a minimum of 12m from sheds to allow adequate air movements. In bushfire prone areas, fire retardant species must be utilised and separation from buildings must be consistent with the requirements of Planning for Bushfire Protection.
- d) The mature height of tall species should be sufficient to intercept a direct line of sight from a neighbouring dwelling or roadway (measured 2m above the natural ground level).
- e) Tree planting must not impede on the available area for on-site effluent disposal.

4.4. Intensive Plant Agriculture

4.4.1. Siting and Setbacks

- a) Development for the purposes of intensive plant agriculture, are required to comply with the minimum buffer's distances outlined below

Central Darling Development Control Plan

	Horticulture (field based)	Controlled environment structures (igloos)	Viticulture
Front building setback	Nil	20 m	40 m
Side or rear building setback	Nil	20 m	40 m
All residential zones	200 m	200 m	200 m
Dwelling on same property	20 m	20 m	20 m
Any other dwelling	50 m	50 m	50 m

- b) Development for the purposes of intensive plant agriculture must accommodate future expansion of the farm while maintaining recommended buffer distances.
- c) Must not be located on visually prominent locations such as ridgelines and highly exposed areas.
- d) Must, where possible, be sited in locations that maximise opportunities for cooperative packing and labour pooling.
- e) Must, where practical, be sited in locations that minimise impact to the amenity of surrounding land uses.
- f) Sites with a slope greater than 5% must not be used for intensive plant agriculture, other than for the purposes of viticulture, which may be located on slopes up to 20%.
- g) Sites that have residual chemicals in the soil such as organochlorides and arsenic must not be used for intensive plant agriculture.

4.4.2. Controlled Environment Structures

- a) All controlled environment structures, including covering materials, are to be kept well maintained and in good condition.
- b) The orientation of controlled environment structures must be determined in accordance with the direction of prevailing winds to take advantage of cooling summer breezes.
- c) Where possible, controlled environment structures are to be a minimum of 4 metres in height to encourage adequate ventilation, provide optimal growing environment and increase the overall efficiency.
- d) Development must include the planting and maintenance of vegetative screens and windbreaks.
- e) Controlled environment horticulture structures are to be raised to facilitate the drainage of stormwater away from structures.

4.4.3. Noise and Odour

- a) Where possible, site building and facilities are to be located out of the line of visual impact of neighbouring dwellings.
- b) Ensure that feed grain is stored in a dry storage area to prevent fermentation.
- c) Prevent entry of drainage/seepage water into site sheds and storage facilities through the construction of earth contour banks and drainage.
- d) Appropriately silenced forklifts should be utilised to reduce night noise generation.
- e) Noise levels generated must not exceed the requirements of the NSW Industrial Noise Policy (NSW EPA, 2000).
- f) Where practical, major truck deliveries and produce transport should be scheduled for reasonable hours of the day. Council acknowledges that farmers need to access markets early in the morning therefore requiring nighttime vehicle movements.
- g) Locate all stationary noise generating machinery within sheds and where practical away from property boundaries.

4.4.4. Soil, Waste and Water Management

- a) Intensive plant or horticultural operations are to incorporate grassed inter-row areas or cover crops between production areas crop rows in order to:
 - i. reduce erosion potential,
 - ii. improve soil organic matter,
 - iii. provide trafficable areas in wet weather,
 - iv. act as biological filters for water run-off, and

Central Darling Development Control Plan

- v. reduce pest and disease levels.
- b) The existing soil moisture content must be assessed prior to undertaking any cultivation practices to avoid damage to the soil structure from cultivating when too dry or moist.
- c) Cultivation between crop rows must be minimised and only undertaken for moisture retention and ground preparation.
- d) Viticulture farms are to incorporate cover crops in their overall farm management practices to reduce erosion potential, improve soil organic matter and reduce pest and disease levels.
- e) Any cultivation of the site must follow the natural contour lines to increase soil water retention and to minimise erosion potential.
- f) Applications are to demonstrate that an adequate water supply is available to support the proposed development.
- g) Water quality tests must be performed to demonstrate that levels of salts, minerals, and pH are suited for horticultural use.
- h) Stormwater drains are to be wide, gently sloping open drains that are well vegetated to minimise erosion potential and facilitate filtering of solid particles contained in the runoff.
- i) Local drainage patterns are to be maintained and stormwater flows effectively managed.
- j) Development must incorporate the construction of stormwater diversion banks, sedimentation ponds and the installation of a wastewater treatment system to divert and treat wastewater and run-off.
- k) Runoff from site buildings (sealed or compacted) is to be collected in sedimentation ponds prior to any irrigation on-site. Contaminated waters must be suitably treated before reuse on the farm.
- l) Diversion banks may need to be constructed to intercept and divert runoff away from any composting areas.
- m) Viticulture farms must consider soil types and their suitability for the production of grapes over the proposed development site.

4.4.5. Pest Management

- a) Pesticide use must meet the requirements of any relevant pesticide legislation (currently being the *NSW Pesticides Act 1999* and associated regulations such as the *Pesticides Regulation 2009*, *Pesticides Amendment (Records) Regulation 2001* and the *Pesticides Amendment (User Training) Regulation*, administered through the NSW Department of Environment, Climate change and Water).
- b) The storage, transport, and keeping of records for all pesticides used in intensive plant agriculture farms are to be in accordance with any relevant legislation (currently being the *NSW Pesticides Regulation 1995*).

4.4.6. Transport and Access

- a) Internal access roads must be of all-weather design constructed and have turning areas adequate for large articulated vehicles where required.
- b) The location of roads, parking and turning areas must recognise potentially sensitive areas such as neighbouring houses.
- c) The timing and manner of transport activities associated with the development including the frequency, times, routes and number of deliveries and pick-ups must take into consideration the impact on adjoining neighbours.

4.4.7. Landscaping

- a) Where native vegetation is limited in its capacity to provide visual screening then the following vegetation design controls apply:
 - i. Site boundaries – vegetative screen. Rows of vegetation to be established and maintained
 - ii. Site boundaries – vegetative windbreak (where provided). 3 rows of vegetation to be established and maintained
 - iii. Around Site Structures - Grassed areas are to be kept maintained
 - iv. Earth dam banks - Grassed areas are to be kept maintained
 - v. Open Stormwater Drains - Grassed areas are to be kept maintained
- b) All plantings are to be in groups, consist of advanced stock and are to be a minimum of 12m from structures to allow adequate air movements. In bushfire prone areas, fire retardant species must be utilised and separation from

Central Darling Development Control Plan

- buildings must be consistent with the requirements of Planning for Bushfire Protection.
- c) The mature height of tall species should be sufficient to intercept a direct line of sight from a neighbouring dwelling or roadway (measured 2m above the natural ground level).
 - d) Landscaping must not impede on the available area for on-site effluent disposal.
 - e) The mature height of tall species must not impede or shade the available growing area for horticultural crops.
 - f) Landscaping must incorporate a mixture of shrubs and groundcovers, and where practical utilise species that are endemic to the Central Darling Shire.

Chapter 5: General Development Controls – White Cliff Dugouts

5.1. Introduction

This chapter covers the dugouts at White Cliffs.

The dugouts located on Crown land - lots - 2 DP1182315 (Smiths Hill), Lot 3 DP 1182315 (Turleys Hill) and Lot 4 DP 1182315 (The Blocks), are not covered by the *Central Darling Development Control Plan 2024*.

However, setback requirements listed in the *Central Darling Development Control Plan 2024*, apply to all free standing buildings or structures erected on a dugout lot. Setbacks are required from lot boundaries and from a street boundary.

Central Darling Development Control Plan

Chapter 6: General Development Specifications

6.1. Introduction

This chapter covers the development specifications for a number of developments associated types like parking, landscaping, outdoor lighting and advertising and signage that has not been discussed in the previous chapter.

6.2. Other Development Types

6.2.1. Parking

- a) Parking must be provided as per the Schedule in Appendix 1.
- b) Where calculation of parking spaces required results in a fraction of a space, the total required number of spaces will be the next highest whole number.
- c) Parking and traffic requirements will be based on consideration of:
 - i. likely peak usage times;
 - ii. the availability of public transport;
 - iii. likely demand for off street parking generated by the development;
 - iv. existing traffic volumes on the surrounding street network; and
 - v. efficiency of existing parking provision in the location.
- d) Comply with Australian Standard AS2890.1 Parking Facilities.
- e) Where existing premises are being redeveloped or their use changed, the following method of calculation shall apply: -
 - i. Determine the parking requirements of the previous or existing premises in accordance with Appendix A;
 - ii. Determine the parking requirement of the proposed development in accordance with Appendix I to these Guidelines;
 - iii. Subtract the number of spaces determined in (a) above from the number of spaces calculated in (b) above;
 - iv. The difference calculated in (c) above represents the total number of parking spaces to be provided either in addition to the existing on-site car parking or as a cash-in-lieu contribution to Council where applicable.

6.2.2. Landscaping

- a) Location and grouping of plant types shall be multi-functional providing privacy, security, shading and recreation functions.
- b) Landscaping or shade structures shall be provided in outdoor car parking areas where >10 spaces are required, to provide shading and soften the visual impact of large hard surfaces.
- c) Landscaping shall comprise low maintenance, drought and frost tolerant species.

6.2.3. Outdoor Lighting

- a) All developments shall demonstrate compliance with Australian Standard AS4282 Control of Obtrusive Effects of Outdoor Lighting.
- b) Sweeping lasers or searchlights or similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal is prohibited.

Central Darling Development Control Plan

6.2.4. Outdoor Advertising / Signage

- a) Where there is potential for light spill to adjoining properties, all illuminated signage shall be fitted with a timer switch to dim or turn off by 11pm each night.
- b) Signage must comply with SEPP 64 – Advertising and Signage Schedule 1 Assessment Criteria.
- c) Advertising in Primary Production zones may only:
 - i. advertise a facility, activity or service located on the land; or
 - ii. direct travelling public to a tourist facility or building or place of scientific, historical or scenic interest within the area. Cannot include names of proprietary products or services or sponsoring businesses. Each sign must be sited a minimum distance of 1km from each other.
 - iii. External illumination to signs must be top mounted and directed downwards.
- d) The following types of signs are not acceptable:
 - i. Portable signs on public footways and road reserves including A Frame and Sandwich Boards;
 - ii. Electronic trailer mounted road signs used for promotional or advertising purposes;
 - iii. Outdoor furniture (including chairs, bollards and umbrellas) advertising products such as coffee, alcohol or soft drink;
 - iv. A roof sign or wall sign projecting above the roof or wall to which it is affixed;
 - v. Flashing or intermittently illuminated signs;
 - vi. Advertisements on parked motor vehicles or trailers (whether or not registered) for which the principal purpose is for advertising;
 - vii. Signs fixed to trees, lights, telephone or power poles;
 - viii. Signs which could reduce road safety by adversely interfering with the operation of traffic lights or authorized road signs;
 - ix. Any sign which would in the opinion of Council, be unsightly, objectionable or injurious to the amenity of the locality, any natural landscape, public reserve or public place;
 - x. Numerous small signs and advertisements carrying duplicate information; and
 - xi. Overhead banners and bunting, except in the form of temporary advertisement.

6.2.5.

Wilcannia, White Cliffs, Menindee, Ivanhoe, Tilpa and Emmdale Aerodromes

The aerodromes at White Cliffs, Menindee, Ivanhoe, Tilpa and Emmdale are on Crown Reserves and are operational land.

Wilcannia aerodrome is on Central Darling Shire Council operational land.

3.1 OBJECTIVES:

The objectives of this plan relating to the Central Darling Shire Councils Aerodromes are:

- a) to specifically outline the type of development which can be carried out on the land,
- b) to maintain the efficiency and safety of the Aerodromes,
- c) to ensure that any new use and development of the site does not prejudice the operation of the Aerodromes
- d) to ensure that the operation of the Aerodromes is not detrimental to any use or development permitted on the site
- e) to promote the development of this land for rural living having an association with aviation and the need for access to aerodrome for private flights
- f) to ensure that the density of development is compatible with the land capability, and any natural physical constraint.

AIRCRAFT HANGARS

- a) Aircraft hangar sites should be set back 15 m from the rear boundaries of each lot. Care should be taken to ensure that hangars do not project through the obstacle height limitation surface. Ideally hangars should be grouped in pairs on alternate lot boundaries to minimise their visual impact.
- b) Council seeks to limit the use of zincalume and/or corrugated iron materials on aircraft hangars as the bulk and scale of such structures can impeded on the safety of approaching and departing aircraft from the aerodrome due to excessive glare. Replacement of similar materials may be considered by Council and nonetheless it is discouraged.

AERODROME SECURITY

- a) Aerodrome security must be maintained at all times. The boundaries between the airfield are to be fenced

Central Darling Development Control Plan

with a stock proof fence which should be maintained in good order.

- b) Perimeter fencing should abut the private hangars and provide unimpeded access for aircraft. Any personal access gates onto the airfield should be fitted with self closers and maintained to the satisfaction of Council.

OUTDOOR LIGHTING

- a) All outdoor lighting is to be baffled so that the proper operation of the aerodrome is not comprised.

6.2.6.

Rural land use conflict

Objectives

To ensure that rural development occurs in such a way as to minimise land use conflict.

Controls

Buffer distances

- a) Rural dwellings and proposed dwelling envelopes are to be separated from other rural land uses. This is to minimise negative impacts on rural dwellings from agriculture and rural industry by way of dust, fumes, odour, and spray drift, light and noise.
- b) Failure to ensure adequate setbacks can lead to land use conflict, which has the potential to significantly impact on rural production, with resultant adverse effects on local employment and economic activity. As a general principle, all required buffers are to be provided on the land subject of the development proposal.
- c) Agriculture, forestry and associated rural industry are significant sources of economic activity and employment. Because of this, rural dwelling development is a secondary, or ancillary, use of rural land and should not adversely impact on the continuing viability of these industries, including their ability to adapt to changing market and environmental circumstances, through new techniques, approaches and crops. On this basis, Council will not accept the imposition of restrictions on the use of adjoining rural lots in lieu of appropriate buffers within the designated large lot residential areas.
- d) In the case of major recreation facilities (e.g. motor racing tracks), dwellings proposed closer than the recommended buffer distance, at a minimum should comply with industry best noise insulation standards.

6.3. Environmental Controls

6.3.1. Environmental Effects

The application documentation shall identify any potential environmental impacts of the development and demonstrate how they will be mitigated.

These impacts may relate to:

- a. Traffic
- b. Flood liability
- c. Slope
- d. Construction impacts
- e. Solid and Liquid Waste
- f. Air quality (odour and pollution)
- g. Noise emissions
- h. Water quality
- i. Sustainability

6.3.2. Soil and Erosion Control

- a) Runoff shall be managed to prevent any land degradation including offsite sedimentation.
-

Central Darling Development Control Plan

- b) Cut and fill will be minimised, and the site stabilised during and after construction.
- c) Arrangements in place to prompt revegetation of earthworks to minimise erosion.

6.3.3. Vegetation

- a) Development design shall accommodate the retention of any significant trees and vegetation.

6.3.4. Waste Management

- a) General waste storage and collection arrangements shall be specified.

6.3.5. Noise

- a) Where relevant, applications are to contain information about likely noise generation and the method of mitigation.

6.3.6. Geology

- a) The design process must give consideration to the potential impact of erosive soils, saline soils, soils of low wet strength, highly reactive soils and steep slopes and document how these constraints are addressed.

Central Darling Development Control Plan

APPENDIX 1 Flood mapping

- a. Wilcannia
- b. Menindee
- c. Tilpa

Central Darling Development Control Plan

APPENDIX 2 BUFFER DISTANCES

TYPE OF PRODUCTION, USE OR STORAGE (PURPOSE)	THRESHOLD DISTANCE (METRES)	NOTES
Food, Beverages & Tobacco		
Abattoir:	500	
Smallgoods production	100	
Manufacture of milk products:	300	
Production of vegetable oils and fats using solvents:	300	
Flour mill:	300	
Bakery (other than one ancillary to a shop):	100	
Seafood processor:	500	
Maltworks:	300	
Tobacco and cigarette production:	500	
Poultry processing works	100	
Freezing and cool storage	150	
Milk depot	100	
Food or beverage production other than above:		Note 1
Textiles		
Dyeing or finishing of cotton, linen and woollen yarns and textiles:	300	
Carpet backing with latex:	300	
Production of artificial fibres & textiles:		
• cellulose nitrate or viscose fibre, cellophane or artificial rubber	1,000	Note 2
• other synthetic fibres and textiles	500	Note 2
Treatment or production of textiles:		
• using carbon disulphide	500	Note 2
• using other substances		Note 1
Rope, cordage and twine production:	100	
Wool scouring:	200	
Wood, Wood Products & Furniture		
Sawmill:	500	
Charcoal production:		
• by the retort process	500	
• other than by the retort process	1,000	
Wood preservation plant:	100	
Wood-fibre or wood-chip products:	1,500	
Joinery:	100	
Paper & Paper Products:		
Paper or paper pulp production:		
• involving combustion of sulphur or sulphur containing materials	5,000	Note 2
• from semi-processed materials	100	
• from prepared cellulose & rags	200	
• by other methods than above		Note 1

Central Darling Development Control Plan

Chemical, Petroleum & Coal Products		
Chemical Fertiliser production:	1,000	Note 2
Industrial gases production:	1,000	Note 2
Polyester resins production	1,000	Note 2
Synthetic resins & rubber production other than above:	1,000	Note 2
Ammunition, explosives and fireworks production:	1,000	Note 2
Formaldehyde production:	300	Note 2
Paints and inks :		
• manufacture	1,000	Note 2
• blending and mixing only	300	
Pharmaceutical and veterinary production:	1,000	
Biocides production and storage:	1,000	
Soap and other detergents production:	300	
Cosmetics and toilet preparations production:	100	
Inks production:	300	
Petroleum refinery:	2,000	Note 2
Briquette production:	300	
Other petroleum or coal production:	500	Note 2
Organic industrial chemicals production other than above:	1,000	Note 2
Inorganic industrial chemicals production other than above:	1,000	Note 2
Chemical products other than above:	300	Note 2
Non-metallic Mineral Products		
Glass and glass production including glass wool:	500	
Rock wool manufacture:	500	
Clay bricks, tiles and pipe refractories, with a design production rate exceeding 10,000 tonnes a year:	200	
Cement production in amounts:		
• up to 5,000 tonnes a year	300	
• between 5,000 & 150,000 tonnes a year	500	
• exceeding 150,000 tonnes a year	1,000	
Concrete batching plant:	300	
Bitumen batching plant:	500	
Concrete article or stone article production:	100	
Plaster or plaster articles production:	100	

Central Darling Development Control Plan

Basic Metal Products		
Works producing iron or steel products in amounts:		
• up to 1,000,000 tonnes a year	100	
• exceeding 1,000,000 tonnes a year	1,000	
Production of non-ferrous metals as:		
• aluminium by electrolysis	2,000	
• other non-ferrous metals in amounts:		
. up to 100 tonnes a year	100	
. between 100 & 2,000 tonnes a year	300	
. exceeding 2,000 tonnes a year	500	
Fabricated Metal Products		
Structural or sheet metal production:	500	
Works producing iron or steel products in amounts:		
• up to 1,000,000 tonnes per year	100	
• exceeding 1,000,000 tonnes per year	1,000	
Boiler makers	100	
Abrasive blast cleaning:		Note 1
Miscellaneous Manufacturing		
Rendering and casings works:	1,000	
Leather tanning and dressing:	300	
Leather and artificial leather goods production:	300	
Rubber production, using either organic solvents or carbon black:	300	Note 2
Fibreglass production:	200	
Printing and coating works with heated curing ovens:	500	
Transport and Storage		
Storage of petroleum products and crude oil in tanks exceeding 2,000 tonnes capacity:		
• with fixed roofs	300	Note 2
• with floating roofs	100	
Grain elevators:	300	
Storage of wet-salted or unprocessed hides:	300	
Storage of bulk volatile organic compounds in quantities greater than 1,000 tonnes:		
	1,000	Note 2
Sanitary and garbage disposal in:		
• Landfill		Note 1
• Recycling and composting centre	200	
Sanitary and garbage storage and treatment in transfer station	300	
Depot for refuse collection vehicles	100	
Temporary storage of industrial wastes:	300	Note 2
Treatment of aqueous waste:	200	Note 2
Treatment of organic waste:	500	Note 2

Central Darling Development Control Plan

Waste incinerator for:		
• Woodwaste	300	
• Plastic or rubber waste	500	Note 2
• Chemical, biomedical or organic waste		Notes 1, 2
Recreation, Personal & Other Services		
Industrial dry cleaning:	100	Note 2
Industrial laundry:	100	
Other Premises		
Panel beating:	100	
Composting:		Note 1
Rural industry handling, processing or packing agricultural produce:	300	

Note 1 of the Table: The threshold distance / buffer are variable, dependent on the processes to be used and materials to be processed or stored.

Note 2 of the Table: An assessment of risk to the safety of people located off the land may be required.

General Note: If a land use is not listed in the above listing, please consult with Council Planning Unit as to the appropriate classification of that land use comparatively to one of the land use listed.

Central Darling Development Control Plan

APPENDIX 3

Information required for all development applications, Complying Development applications and Section 68 applications

Development Plans

- a) Dimensioned development plans, at a scale of 1:200. The development plans must be in A3 or A1 size and must include in the case of building construction all floor plans, elevations and sections. This control applies to all development types.
- b) Elevations of the building as viewed from the street for multi-dwelling housing, residential flat buildings and mixed use development must also show existing buildings located on either side of the land subject to the development. Included also shall be a schedule of external colours and finishes in colour. This control applies to all development types.
- c) Also any shadow diagrams are to be included showing the length of shadow at 9am, 12 noon and 3pm on 21 June, the location of all buildings on adjoining sites, and all north facing windows in dwellings on sites adjoining to the south. This control does not apply to commercial and industrial developments in the exception to those developments adjoining residential dwellings.

BASIX Certificate

A BASIX certificate identifies the sustainability features required to be incorporated in the building design. A BASIX certificate is needed for all types of residential development. Commencement dates and details of the types of development are available at www.basix.nsw.gov.au. This control does not apply to commercial and industrial developments

Drainage plan

This plan must be prepared at a scale of 1:200 and detail the proposed method of connection to the drainage system and identify the proposed method of stormwater detention within the development or subdivision.

Landscape plan

The submission of a landscape plan at a scale of 1:200 for residential and at a scale of 1:100 for commercial and industrial development is required for all development applications involving

- a. more than one dwelling on a lot or
- b. commercial development or
- c. industrial development or
- d. dwelling development on a floodplain

This landscape plan must be prepared by a suitably qualified / experienced person. The Landscape plan must indicate:

- a. Existing site information, north point, site boundaries and dimensions;
- b. Proposed buildings/structures, services, easements, rights-of-way, roadways, car parks and footpaths;
- c. Trees to be retained and the means of protection and trees to be removed (WHERE APPLICABLE);
- d. Location and construction materials of external building structures including retaining walls, fences, materials, heights and finishes;
- e. Basic design levels to AHD of both hard and soft landscape areas including existing and proposed contours, spot heights, areas of cut and fill and finished levels;
- f. Proposed surface treatment of all landscape and hardstand areas – courtyards, paving, lawn, water and gravel, driveways, parking areas;
- g. Each plant species identified and catalogued in a plant schedule describing the height and spread, quality, size and staking. The plant schedule should be divided into trees, shrubs and ground covers;
- h. Construction drawings for outdoor structures, garden beds and planting, paving, edging, tree protection and retaining walls;
- i. Design details for special situations including erosion control or bank stabilisation. This is a compulsory requirement for development of new dwellings with dual frontage onto the Darling / River;
- j. Irrigation layout, tap locations and details of sprinkler systems to be used;
- k. Location and details of lighting (FOR INDUSTRIAL & COMMERCIAL DEVELOPMENTS);

Central Darling Development Control Plan

- l. Location of proposed drainage (both surface and sub-surface). Note – landscape and drainage plans must be compatible;
- m. Specification notes for soil preparation, plant material, tree protection etc; and
- n. Details of minimum 6 months maintenance schedule (FOR INDUSTRIAL & COMMERCIAL DEVELOPMENTS).

Site analysis

A site plan prepared at 1:200 should include a site analysis.

Registered Survey Plan

Applications are to include the provision of a survey plan of the development site drawn by a registered surveyor at a suitable scale showing the legal boundaries of the allotment(s), all required easements for infrastructure services, natural ground levels along boundaries and existing natural features including trees and creek lines.

Site Management Plan

Applications that involve major site works must be accompanied by a Site Management Plan. The plan shall include the following information:

- a. Property details;
- b. Location of the property boundaries and adjoining roads;
- c. Location and type of all proposed erosion and sediment control measures;
- d. Location of stabilised all weather access point;
- e. Location of material stockpile areas and control methods;
- f. Location of rubbish collection and storage; and
- g. Erosion and sediment control plan.

For discussion on whether your proposal involves major site works, please contact Planning Unit staff for assistance.

Development Master plan

For developments involving more than 5 new residential allotments (including the cumulative total of all current development applications and any previous consent on the same land) a development master plan is to be submitted to Council. This master plan is to identify the following:

- a. compliance with the objectives and principles for subdivision set out in the Structure Plan;
- b. compliance with this DCP;
- c. the relationship of the development with surrounding development including consideration of traffic generation and management, social and community facilities provision, views and solar access, pedestrian and cycleway movements, and retention of trees;
- d. the distance of the development to any identified bus route and bus stop; and
- e. the proposed lot layout.

Statement of Environmental Effects (SEE)

A Statement of Environmental Effects is a report to accompany a development application which details the potential environmental effects of the proposed development and the steps that will be taken to minimise the impacts. The statement of environmental effects must detail the manner in which the proposal complies with the objectives and relevant standards that apply to a proposal.

For all other developments including commercial and industrial development, a more detailed Statement of Environmental Effects (SEE) is required to be submitted with a development application.

The Statement must:

- a. explain how the proposal has resolved relevant matters for consideration under S79C of the Environmental Planning and Assessment Act 1979; and
- b. explain how the project has responded to the information contained in the site analysis and set out the measures to mitigate impacts.

For commercial and industrial development, details of the hours of operation, the types, size and quantity of goods to be manufactured, stored, displayed or transported, the loading and unloading facilities, signage and advertising and the number of employees are to be provided.

In the case of commercial development, the SEE will need to include an assessment of design and aesthetics, the relationship to adjoining development, orientation and energy conservation, microclimate and weather protection, overlooking and overshadowing, landscaping, streetscape and visual interest, traffic access and parking, and waste removal.

Central Darling Development Control Plan

In the case of industrial development, the SEE will need to include an assessment of the plant to be used on site, processes to be used, noise, water and air pollutants likely to be generated, waste products and method of disposal of wastes, traffic generation and traffic movements.

Other development specific Information

Other reports and/or information that may be required to accompany a development application for subdivision and other development proposals depending on the nature of the development, the particular site and other Council requirements. A pre-application meeting with Planning Unit staff will facilitate this information gathering process.

Environment Management Plan

In conjunction with other reporting and assessments required for new development, Council may require for developments that are considered to have a significant impact on the natural environment, the preparation of an Environmental Plan having regard to AS/NZS ISO 14001:1996 Environmental Management Systems – Specification with guidance for use (consult with Department of Environment, Climate Change and Water).

An Environment Management Plan will need to address the planning, implementation, monitoring and review of environmental management and in conjunction with other specific related assessments may need to address the following key environmental issues:

- a. Stormwater protection;
- b. Salinity management;
- c. Stockpiles and materials storage;
- d. Soil erosion and sedimentation;
- e. Construction traffic management;
- f. Potential soil contamination from past land uses and its remediation;
- g. Drainage;
- h. Water cycle management;
- i. Terrestrial and riparian habitats;
- j. Wildlife management;
- k. Feral and domestic predators;
- l. Weed management;
- m. Planting systems and maintenance;
- n. Heritage items;
- o. Utility services;
- p. Waste management;
- q. Air quality;
- r. Visual amenity;
- s. Noise;
- t. Hazardous materials; and
- u. Quality of materials.

Accessibility Report

For multi-dwelling developments, residential flat buildings, certain commercial developments and mixed use developments involving more than 6 dwellings a report must be provided to Council from an accredited Access Consultant certifying that the dwellings can satisfy the pre-adaptation requirements of AS 4299-1995.

Aboriginal Heritage assessment

Council has a long history with Aboriginal people and as a result particular land within the shire has the potential as having archaeological potential or cultural significance. Mapping of sites with the potential to contain archaeological or cultural significance have been mapped through a heritage assessment of the shire by the National Parks and Wildlife Services.

In the event land is located within such an area, an independent Aboriginal Heritage Assessment is to be undertaken in accordance with the requirements of the Department of Environment, Climate Change and Water .

Following completion of the report it will be considered by the appropriate organisations including DECCW and the Council.

Contamination report

In accordance with the provisions of State Environmental Planning Policy No 55, an assessment of the likely

Central Darling Development Control Plan

contamination of the land is to be completed in accordance with the relevant guidelines under this policy.

Site rehabilitation plan will be included as a condition of development consent.

For proposals involving the development of land for dwelling where the lot exists on the commencement of **Central Darling Local Environmental Plan 2012** and no subdivision is proposed, a localised contamination report is required to make discovery of any land contamination within the boundaries.

Flood report

Where land has been identified as being subject to flooding a flood study is to be prepared in accordance with Council's requirements addressing the impacts of flooding and any measures to mitigate these impacts.

A Flood Planning Area Map is on the Council website and Council has prepared flood mapping for land identified as flood control lots.

for the area of shire affected by this DCP Council has prepared maps indicating flood levels and the floor level required above the maximum flood level.

The Council flood mapping and the Central Darling Development Control mapping shows the extent of flooding with the floodway that follows the Darling River and shows the flood storage areas of both low and high hazard adjoining the floodway.

Geotechnical report

A geotechnical report including a foundation classification for later buildings for proposed subdivisions is to be provided to Council. This report must identify problem soils/conditions, level of water table, soil saturation levels and any saline issues within the development site. Measures to address any relevant geotechnical issues are to be included within this report.

Heritage impact assessment

A Heritage Impact Statement prepared by a suitably qualified heritage architect must be submitted to Council where the land, building or site is an identified heritage item, in the vicinity of a heritage item or within a heritage conservation area.

Services assessment

A separate services assessment report is to be provided. This report is to address stormwater retardation/infiltration and any measures to implement stormwater collection on individual lots or within the proposed development.

Threatened species assessment

On land that has been identified as being environmentally sensitive an assessment of the environmental impact of the development is to be completed in accordance with Part 5A of the Environmental Planning and Assessment Act 1979.

In particular allotments adjoining the Darling River or having direct access to the river foreshore environs will be inspected for potential impacts on threatened species especially those threatened and/or endangered species in aquatic habitat.

Consultation will be made with Industry and Investment (Fisheries) and Department of Environment, Climate Change and Water where a potential detrimental impact may occur as a result of the proposed development.

Traffic Report

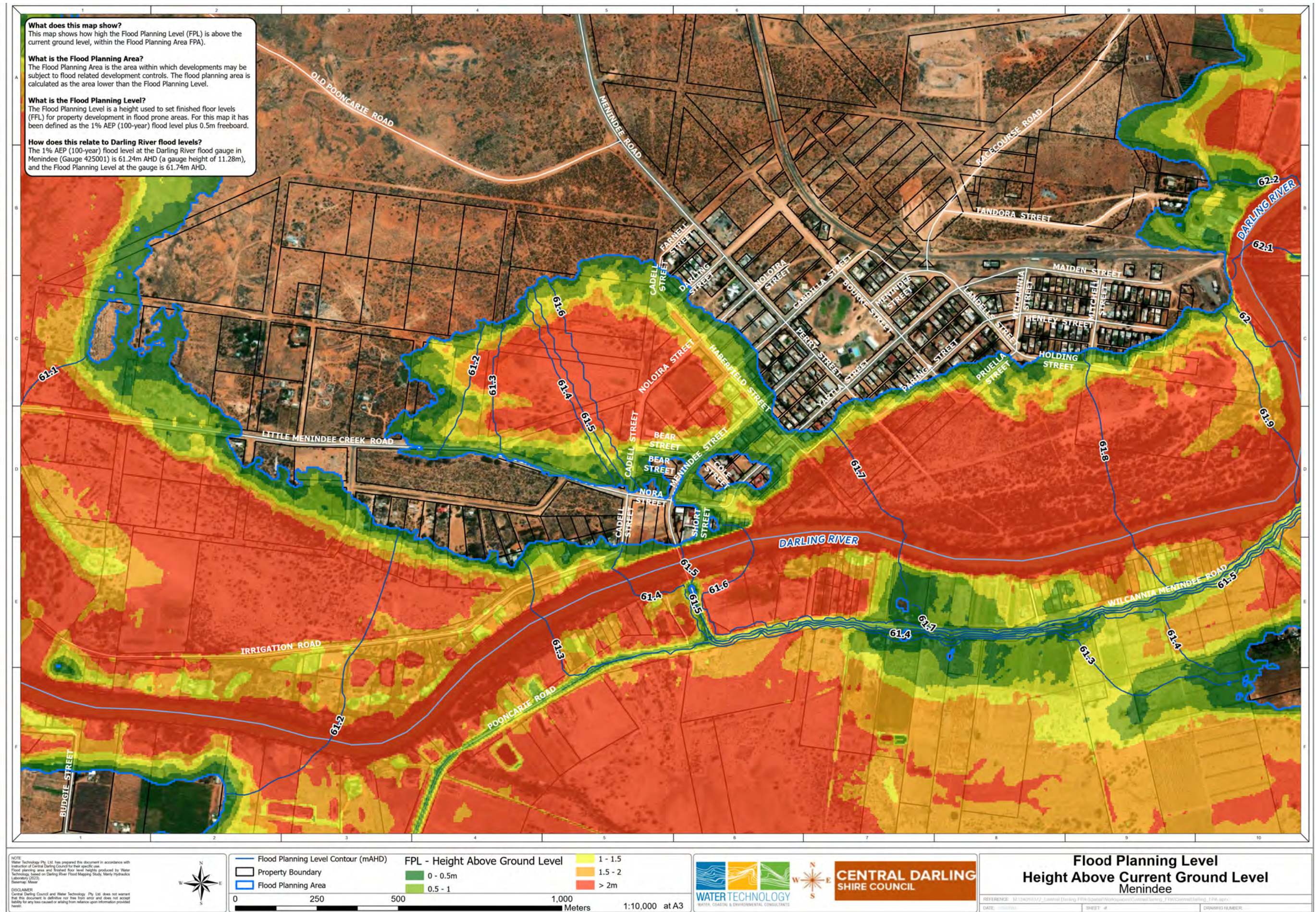
A traffic report must be provided to Council for all commercial developments, industrial developments and residential developments and subdivision (in excess of 5 lots) and mixed use developments and other forms of development that are likely to significantly impact on surrounding traffic flows.

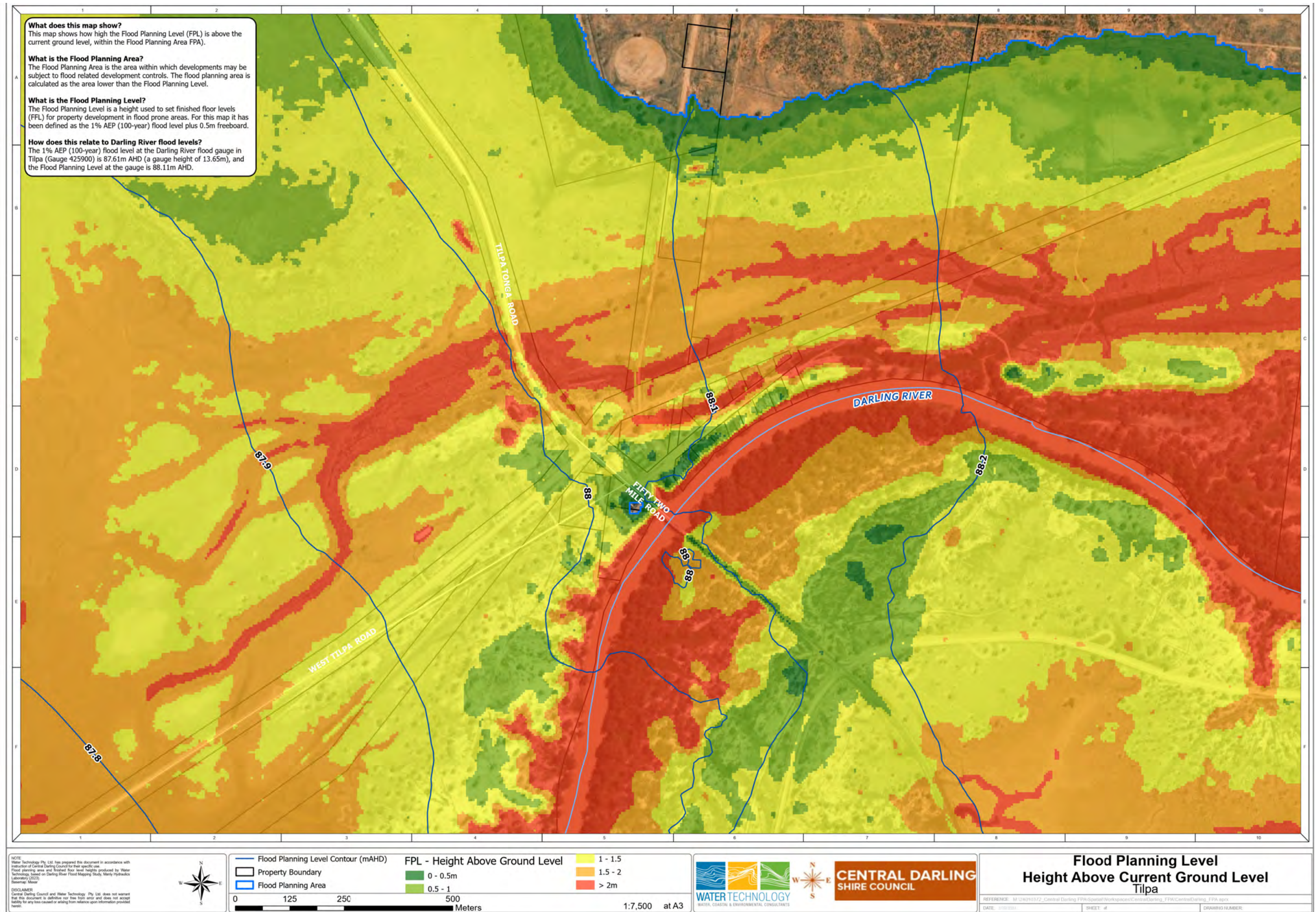
The traffic report must be prepared by an appropriately qualified engineering professional and shall detail:

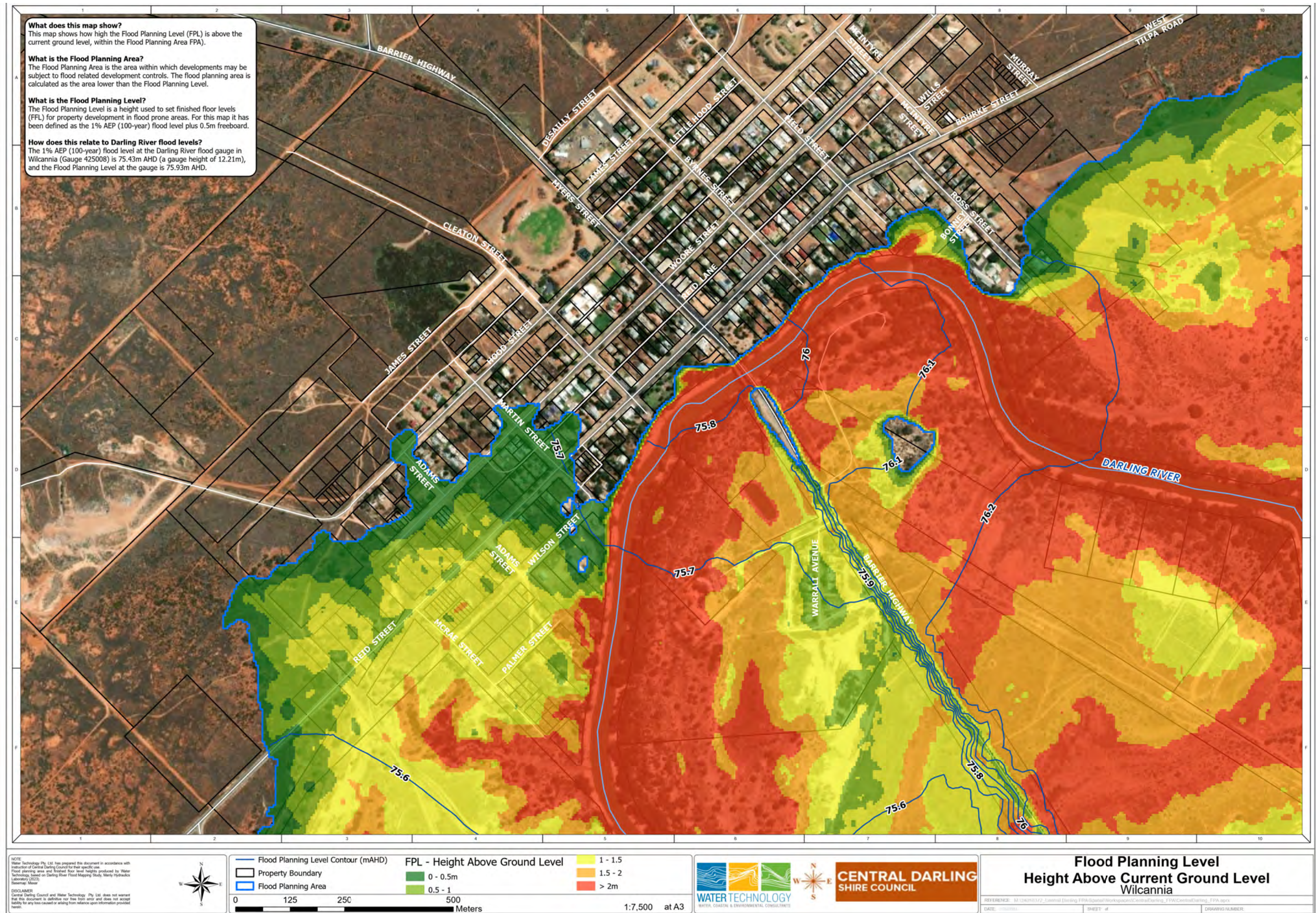
- a. The existing traffic movement;
 - b. The estimated number of traffic movements generated by the development;
 - c. The ability of the surrounding road system to accommodate the increased movements;
 - d. Sight distance and other safety issues;
 - e. The adequacy of car parking including visitor parking, and access; and
 - f. In the case of commercial and industrial development, the manoeuvring of vehicles into, within and out of the site.
-

Central Darling Development Control Plan

For certain developments including commercial and industrial development, Council may refer the application to the NSW Roads and Traffic Authority under the provisions of State Environmental Planning Policy (Infrastructure) 2008 for concurrence.







Meeting Date	Section	Item Number	Item Header	Resolution Number	Resolution	Responsible Officer	Resolution Status
19/10/2022	NOTICE OF MOTION	6.1	MENINDEE LANDFILL	03-10-22	<p>That a report on the Menindee Landfill be presented to a future Council Meeting detailing</p> <ol style="list-style-type: none"> 1. Requirements to address disposal, recycling, Fire control, windblown litter (including upgrade fencing) and signage to improve operations at the landfill. 2. Estimate to seal the existing gravel road to the landfill. 3. That Options be developed including costings for public consultation. 4. That a future Management Plan and Operational Procedures be developed. 	Reece Wilson;#29;#Greg Hill;#57	IN PROGRESS
22/02/2023	SHIRE SERVICES REPORT	11.2	PROPOSED ACCESS ROAD FOR THE NEW WILCANNIA WEIR AND COMMUNITY RIVER PLACE AT UNION BEND PARK	10-02-2023	<ol style="list-style-type: none"> 1. Receive the report 2. Note the status of the Wilcannia Weir project and proposed access road 3. Council staff continue negotiations with Department Planning and Environment – Regional Projects -Water, for Council preferred design and source of remuneration for ownership and ongoing maintenance for proposed access roads. 4. Council staff continue negotiations with Department Planning and Environment – Regional Projects -Water, with proposed Community River Place area at the Union Bend Park upgrade and the ongoing future maintenance of the Crown Reserve. 5. A report be provided to Council on the outcomes of discussion with Department Planning and Environment – Regional Projects- Water, on the proposed access road and Community River Place area at the Union Bend Park. 	Reece Wilson;#29	ONGOING
22/02/2023	SHIRE SERVICES	11.7	WASTE SERVICES, MENINDEE	15-02-2023	<p>Receive the reportBring a further report to implement all actions recommended by the Waste Facilities Operations Strategic Plan and the Menindee Waste Facility Long Term Plan of Management including time schedule, budget implications and the possibility of sealing the tip road.</p>	Reece Wilson;#29	IN PROGRESS
24/05/2023	SHIRE SERVICES REPORTS	11.1	PLANNING PROPOSAL – RECLASSIFICATION OF COUNCIL OWNED LAND FROM COMMUNITY LAND TO OPERATIONAL LAND	14-05-2023	<ol style="list-style-type: none"> 1. Endorse the submission of the Planning Proposal at Attachment 1 and supporting documentation to the Department of Planning and Environment through the Planning Portal to seek a Gateway Determination. 2. Endorse the preparation of a second Planning Proposal for Lot 8 DP1182315 (Beth Street, White Cliffs) as it may have been dedicated as a public reserve requiring the consent of the Minister to achieve reclassification. 3. Subject to the receipt of a gateway determination from the Department of Planning and Environment, proceed with both Planning Proposals and consultation is undertaken with the community and government agencies in accordance with Schedule 1, Division 1, Clause 4 of the Environmental Planning and Assessment Act 1979 and any directions of the Gateway Determination. 4. Endorse Council staff organising a Public Hearing pursuant to Section 29 of the Local Government Act 1993 at the end of the public exhibition period of both the Planning Proposals. 5. Should no objections be received, a copy of this report and any other relevant information (including the Planning Proposal(s)) is sent to the NSW Department of Planning and Environment and/or NSW Parliamentary Counsels Office, in accordance with the Environmental Planning & Assessment Act 1979 to request the Minister for Planning (or a delegate on their behalf) undertake the appropriate actions to secure the making of the Amendment to the Central Darling Local Environmental Plan 2012. 	Greg Hill;#57	IN PROGRESS

28/06/2023 SHIRE SERVICES REPORTS	11.2 URBAN AND RURAL ADDRESSING PROJECT	20-06-2023	<ol style="list-style-type: none"> 1. Receive the report 2. Endorse the adoption of the Urban and Rural Project street addresses and numbering for use on the councils rates and addressing systems as listed in the attachment report item 11.2 pages 159 - 220 3. Inform Commonwealth and State agencies of the new street addressing and numbering to assist the local community. <p>(a) Endorse the submission of the new street addresses and numbering to the Geographic names board.</p>	Glenda Dunn;#100;#Reece Wilson;#29	IN PROGRESS
27/09/2023 SHIRE SERVICES REPORTS	11.8 WEEDS BIOSECURITY	OCM 20-09-2023	<ol style="list-style-type: none"> 1. Receive the report 2. Draft a Memorandum of Understanding between Broken Hill City Council and Central Darling Shire Council for the engagement of a Weeds Biosecurity Officer. 	Reece Wilson;#29	IN PROGRESS
25/10/2023 SHIRE SERVICES REPORTS	PLAN OF MANAGMENT FOR COMMUNITY LAND CROWN RESERVE 85567 UNION BEND PARK, LOT 7315 DP 1181235 11.5 WILCANNIA	OCM 15-10-2023	<ol style="list-style-type: none"> 1. Receive the report 2. Adopt the Draft Plan of Management for the Crown Reserve lot 85567 - Union Bend Park, with land use category as a "park" Lot 7315 DP 1181235, Wilcannia. <p>(a) Send the Draft Plan of Management for the Crown Reserve lot 85567</p>	Glenda Dunn;#100;#Reece Wilson;#29	IN PROGRESS
13/12/2023 SHIRE SERVICES REPORTS	DRAFT CENTRAL DARLING DEVELOPMENT CONTROL PLAN	OCM 20-12-2023	<ol style="list-style-type: none"> 1. Receive the report 2. Endorse the commencement of consultation on the Draft Central Darling Development Control Plan 2024. <p>(a) Note that the required exhibition period for the draft development control plan is 28 days. (i) Endorse the public exhibition of the Draft Central Darling Development Control Plan 2024 in February 2024.</p>	Reece Wilson;#29	IN PROGRESS