

### **PRESENT**

*Administrator, Mr David Shaw (in the Chair)*

### **IN ATTENDANCE**

*The following members of staff were also in attendance:*

|                     |                                                                         |
|---------------------|-------------------------------------------------------------------------|
| <i>S Arkinstall</i> | <i>Acting Interim General Manager</i>                                   |
| <i>J Louw</i>       | <i>Director Engineering</i>                                             |
| <i>G Bulmer</i>     | <i>Acting Director Planning, Environment &amp; Economic Development</i> |
| <i>K Keogh</i>      | <i>Executive Assistant (Minute Secretary)</i>                           |

### **ACKNOWLEDGEMENT OF COUNTRY**

The Administrator opened the meeting with an Acknowledgement of Country.

### **OPENING PRAYER**

The Administrator held a short appropriate prayer.

### **LEAVE OF ABSENCE/APOLOGIES**

**010817**      **RESOLVED (Mr Shaw)** that the apologies tendered on behalf of M Stork and P Arthur be accepted and that leave of absence from the meeting be granted.

### **CONFLICT OF INTEREST DECLARATIONS**

S Arkinstall declared an interest in Clause 6 of the Interim General Manager's Report on Planning Proposal to Amend Murray Local Environmental Plan 2011 – "Kooyong Park".

- (d) registered club,
- (e) restaurant.
- (2) From 26 January 2010, a sign must be displayed in a prominent position in the building stating the maximum number of persons, as specified in the development consent, that are permitted in the building.
- (3) Words and expressions used in this clause have the same meanings as they have in the standard instrument set out in the *Standard Instrument (Local Environmental Plans) Order 2006*.

*98E Condition Relating to Shoring and Adequacy of Adjoining Property*

- (1) For the purposes of section 80A (11) of the Act, it is a prescribed condition of development consent that if the development involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
  - (a) protect and support the adjoining premises from possible damage from the excavation, and
  - (b) where necessary, underpin the adjoining premises to prevent any such damage.
- (2) The condition referred to in subclause (1) does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.

FOR: Mr Shaw

AGAINST: Nil

**CLAUSE 4. PRIVATE PLANNING PROPOSAL TO AMEND MURRAY LOCAL ENVIRONMENTAL PLAN 2011 – SCHEDULE 1 ADDITIONAL PERMITTED USE**

**120817 RESOLVED (Mr Shaw)** that the subject Planning Proposal be sent to NSW Department of Planning and Environment for Gateway Determination.

FOR: Mr Shaw

AGAINST: Nil

**CLAUSE 5. DEVELOPMENT APPLICATION (108/17) (MURRAY LOCAL ENVIRONMENTAL PLAN 2011)**

**130817 RESOLVED (Mr Shaw)** that Development Application 108/17 be approved by Council, subject to the following conditions of deferred commencement development consent.

**ADOPTION**

**200817**      **RESOLVED (Mr Shaw)** that Council move into Open Council at 1:58pm.

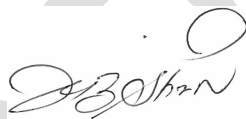
*The Administrator advised the decisions of the Confidential Committee in Open Council.*

**210817**      **RESOLVED (Mr Shaw)** that the recommendations of the Confidential Committee be adopted.

**THERE BEING NO FURTHER BUSINESS, THE MEETING CLOSED AT 2:01PM.**

The next Ordinary Meeting of Murray River Council will be held on Tuesday 26 September 2017, commencing at 1:00pm, in the Multi-Function Room, Mathoura Visitor & Business Centre, Cobb Highway, Mathoura.

**THESE MINUTES ARE SIGNED AS A TRUE AND ACCURATE RECORD OF THE PROCEEDINGS OF THE ORDINARY MEETING OF THE MURRAY RIVER COUNCIL HELD ON 8 AUGUST 2017, IN ACCORDANCE WITH A RESOLUTION OF THE COUNCIL ON 26 SEPTEMBER 2017.**



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**ADMINISTRATOR**