



WENTWORTH SHIRE COUNCIL

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that an **ORDINARY MEETING** of Wentworth Shire Council will be held in the **MIDWAY CENTRE, BURONGA AND VIA VIDEO CONFERENCING**, commencing at **10:00AM**.

The meeting is being livestreamed and/or recorded for on-demand viewing via Council's website and a person's image and/or voice may be broadcast.

Attendance at the meeting is to be taken as consent by a person to their image and/or voice being webcast.

All speakers should refrain from making any defamatory comments or releasing personal information about another individual without their consent.

Council accepts no liability for any damage that may result from defamatory comments made by persons attending meetings – all liability will rest with the individual who made the comments.

The meeting must not be recorded by others without prior written consent of the Council in accordance with the Council's code of meeting practice.

KEN ROSS
GENERAL MANAGER

ORDINARY MEETING AGENDA

21 OCTOBER 2020

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1 OPENING OF MEETING

THE MAYOR REQUESTS THAT THE GENERAL MANAGER MAKES
ANNOUNCEMENTS REGARDING THE LIVE-STREAMING OF THE MEETING.

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

3 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

4 DISCLOSURES OF INTERESTS

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 16 September 2020 be confirmed as
circulated.



WENTWORTH SHIRE COUNCIL

ORDINARY MEETING MINUTES

16 SEPTEMBER 2020

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1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 10.07am

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

COUNCILLORS: Councillor Melisa Hederics (Mayor)
Councillor Tim Elstone (Deputy Mayor)
Councillor Greg Evans
Councillor Steve Heywood
Councillor Jane MacAllister
Councillor Don McKinnon (Via Video Conferencing)
Councillor Susan Nichols
Councillor Peter Nunan
Councillor Bill Wheeldon OAM

STAFF: Ken Ross (General Manager)
Matthew Carlin (Director Health and Planning)
Geoff Gunn (Director Roads and Engineering)
Simon Rule (Director Finance and Policy)
Gayle Marsden (Executive Assistant General Manager)
Chloe Horne (Business Support Officer)

3 APOLOGIES AND LEAVE OF ABSENCE

Nil

4 DISCLOSURES OF INTERESTS

Cr Elstone declared a significant pecuniary interest in item 9.17 as he has business dealing with the applicants.

Cr Wheeldon declared a significant pecuniary interest in Item 9.9 as a family member lodged a submission.

Cr Wheeldon declared a significant pecuniary interest in Item 9.10 as he owns a business in the Wentworth Township.

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 19 August 2020 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 19 August 2020 be confirmed as amended.

Moved Cr. Nunan, Seconded Cr. Elstone

CARRIED

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/20/562

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Gayle Marsden - Executive Assistant

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

The Outstanding Matters report provides details of activities raised at previous Council meetings that remain outstanding.

Officer Recommendation

That Council notes the list of outstanding matters as at 8 September 2020.

Council Resolution

That Council notes the list of outstanding matters as at 8 September 2020.

Moved Cr. Nichols, Seconded Cr. MacAllister

CARRIED

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/20/502

Recommendation

That Council notes the information contained in the Mayoral report.

Council Resolution

That Council notes the information contained in the Mayoral report.

Moved Cr. Hederics, Seconded Cr. Elstone

CARRIED

Mayor Hederics thanked Councillors for their support for the last 2 years and noted that over the past 4 years Council has approximately \$37,000,000 worth of projects either completed or in progress.

7.2 STATUTORY MEETING ITEM - ELECTION OF MAYOR AND DEPUTY MAYOR

File Number: RPT/20/486

Mayor Hederics vacated the Chair at 10:15am

General Manager Ken Ross took the Chair as returning Officer.

Recommendation

That Council determines the process to elect the Mayor and Deputy Mayor by open voting.

That the General Manager receives nominations for the position of Mayor for the ensuing 12 month period and declares whether an election is required, and if so conducts the election.

That the General Manager receives nominations for the position of Deputy Mayor for the ensuing 12 month period and declares whether an election is required, and if so conducts the election.

The General Manager advised that he had received only one nomination for the position of Mayor, that being the nomination of Councillor Melisa Hederics, and that Councillor Hederics had accepted the nomination.

The General Manager declared Councillor Hederics as the duly elected Mayor for the period of twelve months.

The General Manager advised that he had received only one nomination for the position of Deputy Mayor, that being the nomination of Councillor Tim Elstone, and that Councillor Elstone had accepted the nomination.

The General Manager declared Councillor Elstone as the duly elected Deputy Mayor for the period of twelve months.

Mayor Hederics resumed the Chair as Mayor to continue the meeting.

7.3 STATUTORY MEETING ITEM - DELEGATIONS

File Number: RPT/20/487

Recommendation

That Council, pursuant to Section 377 of the Local Government Act 1993, revokes all previous delegations to the Mayor and Deputy Mayor.

That Council retains all functions, duties and responsibilities outlined in schedule 1 of Council Policy GOV009.

That Council, pursuant to Section 377 of the Local Government Act 1993, delegates to the Mayor, as elected at the Council Meeting on 16 September 2020, the powers, duties, authorities and functions of the position as listed in schedule 2 of the Delegation Policy (GOV009).

That Council resolves that in the absence of the Mayor, and when officially acting in the position of Mayor, the Deputy Mayor, as elected at the Council Meeting on 16 September 2020, is authorised to exercise delegations of the Mayor as listed in schedule 2 of the Delegation Policy (GOV009).

That the delegations remain in place for a period of 12 months, or until revoked or amended by Council.

Amendment

That the current delegations remain in place for the next 12 months.

Council Resolution

That the current delegations remain in place for the next 12 months.

Moved Cr. Nunan, Seconded Cr. Nichols

CARRIED

7.4 STATUTORY MEETING ITEM - COUNCIL MEETING DATES AND TIME

File Number: RPT/20/488

Recommendation

That Council determines the following in relation to Ordinary Meetings of Council:

1. Ordinary Council meetings will be held on the third Wednesday of all months excluding June
2. The June 2021 meeting will be held on Wednesday 23 June
3. All ordinary meetings of council will commence at 10.00am

Council Resolution

That Council determines the following in relation to Ordinary Meetings of Council:

1. Ordinary Council meetings will be held on the third Wednesday of all months excluding June
2. The June 2021 meeting will be held on Wednesday 23 June
3. All ordinary meetings of council will commence at 10.00am

Moved Cr. Nichols, Seconded Cr. McKinnon

CARRIED

7.5 STATUTORY MEETING ITEM - REVIEW OF INTERNAL COMMITTEES AND WORKING GROUPS

File Number: RPT/20/489

Recommendation

That Council determines its preferred committee structure for the upcoming 12 months.

Council Resolution

That Council resolves that the Internal committee structure remains unchanged for the upcoming 12 months.

Moved Cr. Nunan, Seconded Cr. McKinnon

CARRIED

7.6 STATUTORY MEETING ITEM - REVIEW OF EXTERNAL COMMITTEE REPRESENTATION

File Number: RPT/20/490

Recommendation

That Council considers the list of External Committees and determines appropriate representation.

Amendment

That the external committees remain the same with the exception of Arts Mildura which is to be replaced with West Darling Arts, Central Murray Transport be removed and Willandra Lakes Region World Heritage Advisory Committee be included.

Council Resolution

That the external committees remain the same with the exception of Arts Mildura which is to be replaced by West Darling Arts, Central Murray Transport Forum be removed and Willandra Lakes Region World Heritage Advisory Committee be included with Cr MacAllister as the Local Government representative.

Moved Cr. Nunan, Seconded Cr. MacAllister

CARRIED

8 REPORTS FROM COMMITTEES

8.1 MURRAY DARLING ASSOCIATION (MDA) DELEGATES REPORT AUGUST 2020

File Number: RPT/20/500

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Chloe Horne - Business Support Officer

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets

Strategy: 3.5 Recognise the importance of a healthy Murray-Darling River system

Summary

At the 20 April 2020 Murray Darling Association (MDA) Board meeting it was resolved that a monthly Delegate's Report be forwarded to all member Councils & delegates.

Recommendation

That Council notes the Delegate's Report for August 2020 from the Murray Darling Association.

Council Resolution

That Council notes the Delegate's Report for August 2020 from the Murray Darling Association.

Moved Cr. MacAllister, Seconded Cr. Evans

CARRIED

Cr MacAllister also provided a verbal report advising the Murray Darling Association Annual General Meeting was in progress as she was speaking. She also advised it was unfortunate that there was a meeting clash with the Wentworth Shire Council Ordinary Council Meeting particularly as Murray Darling Association Region 4 will host the next Annual General Meeting.

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGER'S REPORT

File Number: RPT/20/503

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Gayle Marsden - Executive Assistant

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

The General Manager's report details information pertaining to meetings attended and general information which are of public interest, and which have not been reported elsewhere in this agenda. Items of note in this report are:

1. OLG Circulars
Circulars 20-31 to 20-33
2. Meetings
As listed
3. Upcoming meetings or events
As listed
4. Other items of note
Nil

Recommendation

That Council notes the information contained within the report from the General Manager.

Council Resolution

That Council notes the information contained within the report from the General Manager.

Moved Cr. Elstone, Seconded Cr. MacAllister

CARRIED

9.2 CHRISTMAS LEAVE ARRANGEMENTS

File Number:	RPT/20/492
Responsible Officer:	Ken Ross - General Manager
Responsible Division:	Office of the General Manager
Reporting Officer:	Glen Norris - Manager Human Resources
Objective:	4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future
Strategy:	4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

This report sets out the proposed staffing arrangements for Council offices/areas closing over the Christmas and New Year period.

Recommendation

That Council approves the Christmas and New Year holiday arrangements.

Council Resolution

That Council approves the Christmas and New Year holiday arrangements.

Moved Cr. Elstone, Seconded Cr. MacAllister

CARRIED

9.3 UNION PICNIC DAY

File Number: RPT/20/494

Responsible Officer: Ken Ross - General Manager

Responsible Division: Office of the General Manager

Reporting Officer: Glen Norris - Manager Human Resources

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

Union Picnic Day is an entitlement under the Local Government (State) Award for employees who are union members. Council is required to determine which day shall be regarded as the Union Picnic Day and whether non-union members are required to work on the allocated day.

Recommendation

That Council approves Tuesday 3 November 2020 as the Award holiday known as Union Picnic Day for all staff.

Council Resolution

That Council approves Tuesday 3 November 2020 as the Award holiday known as Union Picnic Day for all staff.

Moved Cr. Wheeldon, Seconded Cr. Heywood

CARRIED

Cr Nunan requested his vote against the union picnic day for all staff be recorded.

9.4 2020 SPECIAL LOCAL ROADS AND TRANSPORT CONGRESS

File Number: RPT/20/506

Responsible Officer: Ken Ross - General Manager

Responsible Division: Office of the General Manager

Reporting Officer: Chloe Horne - Business Support Officer

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

The ALGA Special Local Roads and Transport Congress will be held from 16-18 November 2020 in Wagga Wagga, New South Wales and virtually. This year ALGA has expanded its Special Local Roads and Transport Congress to encompass the issues of natural disaster impacts, recovery and resilience and the coronavirus pandemic.

Recommendation

That Council determines attendees to the 2020 Special Local Roads and Transport Congress.

Council Resolution

That Council endorse the Director of Roads and Engineering, Road Safety Officer and Cr Heywood to attend the 2020 Special Local Roads and Transport Congress provided the staff residing in Victoria are permitted to travel.

Moved Cr. Heywood, Seconded Cr. MacAllister

CARRIED

9.5 MONTHLY FINANCE REPORT

File Number: RPT/20/505

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Vanessa Lock - Finance Officer

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

Rates and Charges collections for the month of August 2020 were \$2,855,386.77. After allowing for pensioner subsidies, the total levies collected are now 34.73%. For comparison purposes, 34.26% of the levy had been collected at the end of August 2019. Council currently has \$31,329,093.85 in cash and investments.

Recommendation

That Council notes the monthly finance report.

Council Resolution

That Council notes the monthly finance report.

Moved Cr. MacAllister, Seconded Cr. Heywood

CARRIED

9.6 MONTHLY INVESTMENT REPORT

File Number: RPT/20/561

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Hodi Beauliv - Manager Finance

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

As at 31 August 2020 Council had \$26,000,000.00 invested in term deposits and \$2 million in a cash at call account. Council received \$27,530.82 from its investments for the month of August 2020.

In August 2020 Council investments averaged a rate of return of 0.85% and it currently has \$8,466,832.09 of internal restrictions and \$14,244,410.21 of external restrictions.

Recommendation

That Council notes the monthly investment report.

Council Resolution

That Council notes the monthly investment report.

Moved Cr. Elstone, Seconded Cr. Evans

CARRIED

9.7 ANNUAL DISCLOSURES OF DESIGNATED PERSONS

File Number: RPT/20/567

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

The Model Code of Conduct for Local Councils in NSW, requires Councillors and designated persons to disclose their personal interests by completing a publicly available returns of interests.

The annual returns are required to be lodged within 3 months of 30 June and must be tabled no later than the first available Council meeting in October.

As required by the Office of Local Government and the *Government Information (Public Access) Act 2009 (NSW)* the returns will be made publicly available on Council's website.

Recommendation

That Council notes the tabling of the Disclosure Returns for Councillors and Designated persons for the period 01/07/2019 to 30/06/2020.

Council Resolution

That Council notes the tabling of the Disclosure Returns for Councillors and Designated persons for the period 01/07/2019 to 30/06/2020.

Moved Cr. Elstone, Seconded Cr. Heywood

CARRIED

9.8 TCORP LOAN AGREEMENT

File Number: RPT/20/576

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary**Recommendation**

That Council approves the execution of the TCorp Loan Agreement and delegates authority to the Mayor and the General Manager to sign the agreement and affix the Common Seal on behalf of Council.

Council Resolution

That Council approves the execution of the TCorp Loan Agreement and delegates authority to the Mayor and the General Manager to sign the agreement and affix the Common Seal on behalf of Council.

Moved Cr. MacAllister, Seconded Cr. Heywood

CARRIED

9.9 BURONGA GOL GOL STRUCTURE PLAN 2020

File Number: RPT/20/371

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Paul Amoateng - Development Services Officer

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire

Strategy: 1.2 Encourage and support population growth and resident attraction

Cr Wheeldon left the meeting at 10:49am as he declared a significant pecuniary interest in Item 9.9 and Item 9.10.

Summary

Wentworth Shire Council endorsed the draft Buronga Gol Gol Structure Plan 2020 for public exhibition at its Ordinary Meeting held 22 April 2020.

Eighteen (18) submissions were received at the end of the public exhibition period and these have been considered in the final plan.

This report seeks Council's adoption of the final Buronga Gol Gol Structure Plan 2020.

Recommendation

That Council resolves to adopt the Buronga Gol Gol Structure Plan 2020 and submit the Plan to the Department of Planning, Industry and Environment requesting endorsement of the Plan.

Council Resolution

That Council resolves to adopt the Buronga Gol Gol Structure Plan 2020 and submit the Plan to the Department of Planning, Industry and Environment requesting endorsement of the Plan.

Moved Cr. MacAllister, Seconded Cr. Nichols

CARRIED

9.10 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSAL FOR WENTWORTH TOWNSHIP COMMERCIAL PRECINCT

File Number: RPT/20/491

Responsible Officer: Matthew Carlin - Director Health and Planning
Responsible Division: Health and Planning
Reporting Officer: Paul Amoateng - Development Services Officer

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire
Strategy: 1.1 Grow the potential for business and industry to develop and expand

Summary

Wentworth Shire Council at its Ordinary Meeting held 16 October 2019 resolved to submit the Planning Proposal to amend the Wentworth Local Environmental Plan 2011, by rezoning fifty-one (51) lots located in the commercial precinct of Wentworth from RU5 Village to B2 Local Centre to the Department of Planning, Industry and Environment for consideration of a Gateway Determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.

A Gateway Determination to proceed was granted by the Department on 11 December 2019. The Gateway to proceed was subject to conditions, all of which have been satisfied.

This report seeks Council's endorsement to submit the Planning Proposal to Parliamentary Counsel for opinion and then to the Minister for the Department of Planning and Public Spaces to finalise and notify the amendment on the legislative website.

Recommendation

- a) That Council submits the Planning Proposal to amend the Wentworth Local Environmental Plan 2011 by rezoning the subject sites from RU5 Village to B2 Local Centre to Parliamentary Counsel for opinion.
- b) That Council submits the Planning Proposal to the Minister for Planning and Public Spaces for finalisation and notification of the amendment to the Wentworth Local Environmental Plan 2011, in accordance with Section 3.36 of the Environmental Planning and Assessment Act 1979.
- c) That a division be called in accordance with S375A of the Local Government Act 1993 (NSW).

Council Resolution

- a) That Council submits the Planning Proposal to amend the Wentworth Local Environmental Plan 2011 by rezoning the subject sites from RU5 Village to B2 Local Centre to Parliamentary Counsel for opinion.
- b) That Council submits the Planning Proposal to the Minister for Planning and Public Spaces for finalisation and notification of the amendment to the Wentworth Local Environmental Plan 2011, in accordance with Section 3.36 of the Environmental Planning and Assessment Act 1979.
- c) That a division be called in accordance with S375A of the Local Government Act 1993 (NSW)

Moved Cr. MacAllister, Seconded Cr. Nichols

CARRIED

In accordance with Section 375A of the Local Government Act the Mayor called for a division.

For the Motion : *Clr.s Elstone, Hederics, Heywood, MacAllister, McKinnon, Nichols and Nunan.*

Against the Motion: *Clr. Evans.*

Cr Wheeldon returned to meeting at 10:56am

9.11 POLICY REVIEW - MOBILE FOOD VENDOR POLICY PR016

File Number: RPT/20/493

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Matthew Carlin - Director Health and Planning

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire

Strategy: 1.1 Grow the potential for business and industry to develop and expand

Item withdrawn from agenda as not all relevant information has been presented.

Summary

The Mobile Food Vendor Policy PR016 was adopted by Council in May 2019. At the time, the policy was presented to the Internal Audit and Risk Management Committee for endorsement and was then presented to Council for adoption. A review of this Policy was sought by Council and on 24 June 2020, Council approved the public exhibition for a period of 28 days.

Recommendation

That Council resolves to adopt the policy as presented.

9.12 DA2018/005 FARM STAY ACCMODATION - 83 WILLIAMSVILLE ROAD, LOT 3 DP 540613, CURLWAA S4.55/2020/025 APPLICATION TO MODIFY CONSENT

File Number: RPT/20/533

Responsible Officer: Matthew Carlin - Director Health and Planning
Responsible Division: Health and Planning
Reporting Officer: George Kenende - Development Assessment Officer

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire
Strategy: 1.1 Grow the potential for business and industry to develop and expand

Summary

Council is in receipt of an application (S4.55/2020/025) to modify the approved plans for DA2018/005.

The proposed modifications include:

- Changing the bedroom layout to dorms
- Converting the kitchen into a sundeck
- Erecting a new kitchen/dining/lounge building

The site falls under the RU1 Primary Production zone and in accordance with the Wentworth Local Environmental Plan 2011 (WLEP 2011) farm stay accommodation is permissible with consent in that zone.

The definition of farm stay accommodation is for a building or place to be used to provide temporary or short-term accommodation to paying guests on a working farm, with the use being a secondary business to primary production.

Recommendation

- 1) That Council, having considered the content of this report and attached documentation, resolves to issue modification approval for S4.55/2020/025 being a farm stay accommodation located at 83 Williamsville Road, Lot 3 DP 540613 Curlwaa.
- 2) That a division be called in accordance with s375A of the Local Government Act 1993 (NSW).

Council Resolution

- 1) That Council, having considered the content of this report and attached documentation, resolves to issue modification approval for S4.55/2020/025 being a farm stay accommodation located at 83 Williamsville Road, Lot 3 DP 540613 Curlwaa.
- 2) That a division be called in accordance with s375A of the Local Government Act 1993 (NSW).

Moved Cr. MacAllister, Seconded Cr. Nunan

LOST

In accordance with Section 375A of the Local Government Act the Mayor called for a division.

For the Motion : Clr.s MacAllister, McKinnon, Nunan and Wheeldon.

Against the Motion: ***Clr.s Elstone, Evans, Hederics, Heywood and Nichols.***

Council Resolution

That Council hold over this item for further consideration next month and have all previous information brought back to Council including the detail provided when Council approved the Development Application.

Moved Cr Nichols, Seconded Cr Evans

CARRIED

Councillors Nunan, McKinnon, Wheeldon and MacAllister requested their vote against the motion be recorded.

9.13 DELEGATED AUTHORITY APPROVALS AS AT END OF AUGUST 2020

File Number: RPT/20/564

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Nicky Meredith - Coordinator Health and Planning

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire

Strategy: 1.1 Grow the potential for business and industry to develop and expand

Summary

For the month of August 2020, a total of 18 Development Applications and one S4.55 Modification Applications were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$2,917,768.00. This brings the year to date total to 108 Development Applications and 26 S4.55 Applications approved, with an estimated development value of \$25,681,577.00.

Recommendation

- a) That Council receives and notes the report for the month of August 2020.
- b) That Council publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) That a division be called in accordance with S375A of the *Local Government Act 1993 (NSW)*.

Council Resolution

- a) That Council receives and notes the report for the month of August 2020.
- b) That Council publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) That a division be called in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr. Nunan, Seconded Cr. Elstone

CARRIED

In accordance with Section 375A of the Local Government Act the Mayor called for a division.

For the Motion : ***Clr.s Elstone, Evans, Hederics, Heywood, MacAllister, McKinnon, Nichols, Nunan and Wheeldon.***

Against the Motion: ***Nil.***

9.14 RESERVE 89749 JUNCTION PARK REQUEST TO BECOME CROWN LAND MANAGER

File Number: RPT/20/513

Responsible Officer: Ken Ross - General Manager

Responsible Division: Office of the General Manager

Reporting Officer: Kathy Collinson - Reserves and Acquisitions Officer

Objective: 2.0 Wentworth is a desirable Shire to visit, live, work and invest

Strategy: 2.5 Maintain/create desirable open spaces and recreation facilities

Summary

During an audit of Council owned or controlled land for the purpose of the proposed Plan of Management for Community Land, the Management Type for Junction Park was identified as Devolved to Council. This could present problems should Council ever wish to lease or licence any part of the Park as devolved land cannot be leased or licensed under Section 48 of the *Local Government Act 1993*. In the past land has devolved to a Local Government entity when a trustee arrangement has not been considered.

Recommendation

That Council resolve to forward a request to Crown Lands to change the Management Type for Reserve 89749 Junction Park to Crown Land Manager and omit the reference to Devolution.

Council Resolution

That Council resolve to forward a request to Crown Lands to change the Management Type for Reserve 89749 Junction Park to Crown Land Manager and omit the reference to Devolution.

Moved Cr. MacAllister, Seconded Cr. Heywood

CARRIED

9.15 A43 HENDY ROAD SEWER EASEMENT / COMPENSATION / DEED OF AGREEMENT FOR MULTIPLE LANDHOLDERS

File Number: RPT/20/559

Responsible Officer: Matthew Carlin - Director Health and Planning
Responsible Division: Health and Planning
Reporting Officer: Hilary Dye - Property and Land Tenure Officer

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets

Strategy: 3.2 Plan for and develop the right assets and infrastructure

Summary

The Wentworth Shire Council undertook upgrades to Buronga Sewer Pump Station. A Council resolution is required for an easement for sewer pipeline over private land at Hendy Road, Buronga, NSW. It is proposed to be acquired by agreement under the *Land Acquisition (Just Terms Compensation) Act 1991* and by authority of the *Local Government Act 1993*.

NSW Public Works Advisory (PWA) has been engaged by Council to acquire the easement for sewer pipeline and on its behalf will consult with impacted residential property owners to set out the agreed terms in relation to such services and compensation to finalise the creation of the easement.

Over some of the effected land there is an existing easement for sewer, this will be extinguished by Council as the new infrastructure and proposed easement for sewer pipeline replaces it. Council is required to enable the Transfer Granting Easement Form for each matter to be authorised by Council. The Transfer Granting Easement form is required to be lodged at the NSW Land Registry Services (LRS) to enable the creation of the easement. Public Works Advisory requests that a report be prepared recommending that Council approve the acquisition of the easement for sewer pipeline over the effected land.

Recommendation

1. That Council proceed to acquire an easement for sewer pipeline shown as "(A) Proposed Easement for Sewer Pipeline 1 and 3 wide" in DP1263431 by agreement under the Land Acquisition (Just Terms Compensation) Act 1991 and by authority contained in the Local Government Act 1993, over the following land;
 - 106 Hendy Road, Lot 3 DP803858
 - 108 Hendy Road, Lot 4 DP803858
 - 114-116 Hendy Road, Lot 2 DP816778
 - 118 Hendy Road, Lot 2 DP858624
 - 120 Hendy Road, Lot1 DP858624
 - 122 Hendy Road, Lot 50 DP756946
 - 128 Hendy Road, Lot 167 DP756946
 - 134 Hendy Road, Lot 54 DP756946
 - 136-138 Hendy Road, Lot 74 DP756946

- 140A Hendy Road, Lot 2 DP1103082
 - 142 Hendy Road, Lot 1 DP803596
 - 144-146 Hendy Road, Lots 1&2 DP848519
 - 148 Hendy Road, Lot 233 DP822003
 - 150 Hendy Road, Lot 234 DP822003
2. That minerals are to be excluded from this acquisition.
 3. That these acquisitions are not for the purpose of resale.
 4. That compensation be paid to the effected land-owners listed above as per valuation advice and a valuation report obtained from the valuer Heron Todd White.
 5. That Council extinguish an existing easement for sewer over the following land, Lot 3 DP 803858, Lot 2 DP 816778, Lot 1 & 2 DP858624, Lots 1 & 2 DP848519, Lots 233 & 234 DP822003, shown as B, C, F, G and H in DP126343.
 6. That the General Manager be authorised to finalise each matter.

Council Resolution

1. That Council proceed to acquire an easement for sewer pipeline shown as “(A) Proposed Easement for Sewer Pipeline 1 and 3 wide” in DP1263431 by agreement under the Land Acquisition (Just Terms Compensation) Act 1991 and by authority contained in the Local Government Act 1993, over the following land;
 - 106 Hendy Road, Lot 3 DP803858
 - 108 Hendy Road, Lot 4 DP803858
 - 114-116 Hendy Road, Lot 2 DP816778
 - 118 Hendy Road, Lot 2 DP858624
 - 120 Hendy Road, Lot1 DP858624
 - 122 Hendy Road, Lot 50 DP756946
 - 128 Hendy Road, Lot 167 DP756946
 - 134 Hendy Road, Lot 54 DP756946
 - 136-138 Hendy Road, Lot 74 DP756946
 - 140A Hendy Road, Lot 2 DP1103082
 - 142 Hendy Road, Lot 1 DP803596
 - 144-146 Hendy Road, Lots 1&2 DP848519
 - 148 Hendy Road, Lot 233 DP822003
 - 150 Hendy Road, Lot 234 DP822003

2. That minerals are to be excluded from this acquisition.
3. That these acquisitions are not for the purpose of resale.
4. That compensation be paid to the effected land-owners listed above as per valuation advice and a valuation report obtained from the valuer Heron Todd White.
5. That Council extinguish an existing easement for sewer over the following land, Lot 3 DP803858, Lot 2 DP816778, Lot 1 & 2 DP858624, Lots 1 & 2 DP848519, Lots 233 & 234 DP822003, shown as B, C, F, G and H in DP126343.
6. That the General Manager be authorised to finalise each matter.

Moved Cr. Nunan, Seconded Cr. MacAllister

CARRIED

9.16 PROJECT AND WORKS REPORT UPDATE - SEPTEMBER 2020

File Number: RPT/20/560

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Tarryn Kampman - Administration Officer

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets

Strategy: 3.2 Plan for and develop the right assets and infrastructure

Summary

This report provides a summary of the major works undertaken by the Roads and Engineering Division which have been completed during the month of August 2020.

Recommendation

That Council notes the major works undertaken for August and the proposed works for October 2020.

Council Resolution

That Council notes the major works undertaken for August and the proposed works for October 2020.

Moved Cr. Nunan, Seconded Cr. Elstone

CARRIED

9.17 POONCARIE ROAD PLANNING PROPOSAL

File Number: RPT/20/579

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Michele Bos - Strategic Development Officer

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire

Strategy: 1.2 Encourage and support population growth and resident attraction

Cr Elstone left the Council Chambers at 11:32am as he declared a significant pecuniary interest in Item 9.17.

Summary

Council has been liaising with the Department of Planning, Industry and Environment (DPIE) with regard to the extension to the Gateway Determination timeframe for the Pooncarie Road Planning Proposal.

A final extension to the Gateway is required to ensure that the planning proposal process can continue. The extension is required to be brought to Council due to the necessity to obtain evidence of Council's continued support for the proposed development, to advise of the increase in land area subject to the planning proposal based on the outcome of the Advisian Flood Risk Assessment and to advise of any inherent risk to Council.

Council Resolution

That Council admits for consideration the supplementary late report from the Director of Health Planning as the matter is deemed urgent and requires a resolution before the next ordinary meeting of council.

Moved Cr.Nunan, Seconded Cr. MacAllister

CARRIED

Recommendation

That Council resolve to:

1. Continue to support the Pooncarie Road Planning Proposal, and
2. Formally advise the Department of Planning, Industry and Environment of an amendment to the area to be rezoned from RU1 Primary Production to R5 Large Lot Residential zone, and
3. Request the Department of Planning, Industry and Environment to approve a final twelve month extension to the Gateway Determination in accordance with S3.34(6) of the Environmental Planning and Assessment Act 1979, and
4. Prepare a letter to the Honorable Minister for Planning & Public Spaces advising of the severe constraints of relevant legislation and processes that have caused the lack of progression of the planning proposal and the difficulties that have been encountered to gain approval to proceed.

Council Resolution

That Council resolve to:

1. Continue to support the Pooncarie Road Planning Proposal, and
2. Formally advise the Department of Planning, Industry and Environment of an amendment to the area to be rezoned from RU1 Primary Production to R5 Large Lot Residential zone, and
3. Request the Department of Planning, Industry and Environment to approve a final twelve month extension to the Gateway Determination in accordance with S3.34(6) of the Environmental Planning and Assessment Act 1979, and
4. Prepare a letter to the Honorable Minister for Planning & Public Spaces advising of the severe constraints of relevant legislation and processes that have caused the lack of progression of the planning proposal and the difficulties that have been encountered to gain approval to proceed.

Moved Cr. MacAllister, Seconded Cr. Nunan

CARRIED

In accordance with Section 375A of the Local Government Act the Mayor called for a division.

For the Motion : ***Clr.s Evans, Hederics, Heywood, MacAllister, McKinnon, Nichols, Nunan and Wheeldon.***

Against the Motion: ***Nil.***

Cr Elstone returned to the meeting at 11:34am

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE**10.1 BOMBALA ROAD ENCROACHMENT OF VINES INTO ROAD RESERVE**

Cr Peter Nunan asked that Council investigate the encroachment of vines into the road reserve on Bombala Road, Coomealla.

10.2 CONCRETE DUMPED IN ROAD RESERVE ON RIVER ROAD

Cr Peter Nunan asked that Council investigate the concrete that is dumped in the road reserve on River Road near Duxton Vineyards, Mourquong.

10.3 THE BIG YABBY

Cr Steve Heywood requested a report on Councils position on the Big Yabby becoming a project.

10.4 MURRAY STREET SUBDIVISION REPORT

Cr Susan Nichols requested a report on the Murray Street Subdivision timeframe.

10.5 WENTWORTH ENTRY NEW TREE LINE

Cr Susan Nichols advised that one tree has lost its leaves and one tree has been removed from the new tree line and could the watering system be checked on the other side of the road as the three trees closest to the hospital are looking sick.

10.6 CARAVAN PARK EMPLOYMENT

Cr Susan Nichols requested information on how the caravan Park is functioning and staffing.

10.7 TRAFFIC COUNTERS ON RIVER ROAD BETWEEN DARETON AND BURONGA

Cr Susan Nichols requested that a traffic counter be placed on River Road between Dareton and Buronga.

10.8 RENMARK ROAD

Cr Bill Wheeldon requested that Council write to the SA Premier and the NSW Premier via our local member to request that they declare the Renmark Road a State Highway

10.9 FLIGHT TRAINING ORGANISATIONS

Cr Jane MacAllister asked if Council had entered in to any agreements with any flight training organisations.

The General Manager responded stating that Council has not entered into any agreements with any flight training organisation.

10.10 MILDURA COUNCIL SUPPLEMENTARY AIRSPACE REVIEW

Cr Jane MacAllister asked if Council contributed to the Mildura Council Supplementary Airspace review.

10.11 CCTV

Cr Greg Evans requested a report on CCTV coverage for the Shire area.

11 CONFIDENTIAL BUSINESS – ADJOURNMENT INTO CLOSED SESSION

Despite the right of members of the public to attend meetings of a council, the council may choose to close to the public, parts of the meeting that involve the discussion or receipt of certain matters as prescribed under section 10A(2) of the Local Government Act.

With the exception of matters concerning particular individuals (other than councillors) (10A(2)(a)), matters involving the personal hardship of a resident or ratepayer (10A(2)(b)) or matters that would disclose a trade secret (10A(2)(d)(iii)), council must be satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

The Act requires council to close the meeting for only so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security being protected. (section 10B(1)(a))

Section 10A(4) of the Act provides that a council may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Section 10B(4) of the Act stipulates that for the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:-

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may -
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Recommendation

That Council adjourns into Closed Session, the recording of the meeting be suspended, and members of the press and public be excluded from the Closed Session, and that access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld unless declassified by separate resolution.

This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:-

12.1 Duxsuper Pty Ltd and K Whitworth Investments Pty Ltd 31 Lot Residential Subdivision at Midway Drive, Buronga - Proposed Stormwater Upgrade of Existing Infrastructure. (RPT/20/566)

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. On balance, the public interest in preserving the confidentiality of information about the tender outweighs the public interest in maintaining openness and transparency in council decision-making because disclosure of this information would reveal pricing and confidential information submitted via the tender process which if disclosed would prevent council from achieving its 'value for money' objectives.

Council Resolution**Move into Closed Session**

That Council adjourns into a closed session, that the recording of the meeting be paused, that members of the press and public be excluded from the meeting of the closed session, and that access to the correspondence and reports relating to the items considered during the course of the closed session be with-held unless declassified by separate resolution.

Moved Cr. MacAllister, Seconded Cr. Nunan

CARRIED

The meeting moved into closed session at 11:50am

Council reconvened into open session at 11:53am

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

At the Mayors request the General Manager reported on the following items from the closed session of Council.

12.1 DUXSUPER PTY LTD AND K WHITWORTH INVESTMENTS PTY LTD 31 LOT RESIDENTIAL SUBDIVISION AT MIDWAY DRIVE, BURONGA - PROPOSED STORMWATER UPGRADE OF EXISTING INFRASTRUCTURE

File Number: RPT/20/566

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Taygun Saritoprak - Project Officer
Rachael Withers - Subdivision Officer

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire

Strategy: 1.2 Encourage and support population growth and resident attraction

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. On balance, the public interest in preserving the confidentiality of information about the tender outweighs the public interest in maintaining openness and transparency in council decision-making because disclosure of this information would reveal pricing and confidential information submitted via the tender process which if disclosed would prevent council from achieving its 'value for money' objectives.

The General Manager advised that during the closed session of the Council meeting it was resolved that Council enters into a Construction Agreement with the Developer to undertake construction works for the Midway Drive Stormwater Upgrade in the 2020/21 financial year and that Council authorises the Mayor and General Manager to execute the Construction Agreement and affix the seal.

13 CONCLUSION OF THE MEETING

The Mayor closed the meeting at 11:55am

NEXT MEETING

21 October 2020

.....
CHAIR

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/20/660

Responsible Officer: Ken Ross - General Manager
 Responsible Division: Office of the General Manager
 Reporting Officer: Gayle Marsden - Executive Assistant

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

The Outstanding Matters report provides details of activities raised at previous Council meetings that remain outstanding.

Officer Recommendation

That Council notes the list of outstanding matters as at 9 October 2020.

Additional Information

Nil

Attachments

1. Outstanding Actions report as at 13 October 2020 [↓](#)

<p>Outstanding</p> <p>Division: Ordinary Council</p> <p>Committee:</p> <p>Officer:</p> <p>Outstanding Action Items Report</p>				<p>Date From:</p> <p>Date To:</p> <p>Printed: Tuesday, 13 October 2020 5:50:09 PM</p>
Ordinary Council 16/09/2020	10.7	Traffic Counters on River Road between Dareton and Buronga	Cr Susan Nichols requested that a traffic counter be placed on River Road between Dareton and Buronga.	around the trees to help break down clay. Action Completed. 13 Oct 2020 - 5:28 PM - Gayle Marsden Traffic Counters were installed Thursday 8 October. - Action Complete
Ordinary Council 16/09/2020	10.8	Renmark Road	Cr Bill Wheeldon requested that Council write to the SA Premier and the NSW Premier via our local member to request that they declare the Renmark Road a State Highway	13 Oct 2020 - 9:43 AM - Gayle Marsden Letter sent Action complete
Ordinary Council 16/09/2020	10.10	Mildura Council Supplementary Airspace review	Cr Jane MacAllister asked if Council contributed to the Mildura Council Supplementary Airspace review.	13 Oct 2020 - 5:31 PM - Gayle Marsden WSC Trevor Willcock and Simon Pradhan met with Mildura Council representatives in July 2017 and Trevor Willcock and Geoff Gunn met them again in 2020 to discuss the Supplementary Airspace Review. - Action Complete

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/20/583

Summary

The purpose of this report is to advise Council of meetings, conferences and appointments undertaken by the Mayor for the period 7 September 2020 – 9 October 2020.

Recommendation

That Council notes the information contained in the Mayoral report.

Report

The following table lists the meetings attended by the Mayor for the period 7 September 2020 – 9 October 2020.

Date	Meeting	Location
8 Sept 2020	Cross Border Commissioner	Video Conference
8 Sept 2020	Mayoral Meeting	Buronga
10 Sept 2020	Cross Border Commissioner	Video Conference
10 Sept 2020	Far West Joint Organisation Extraordinary Board Meeting	Video Conference
15 Sept 2020	Cross Border Commissioner	Video Conference
15 Sept 2020	Mayoral Meeting	Buronga
16 Sept 2020	Council Pre-Meeting Briefing	Buronga
16 Sept 2020	Ordinary Council Meeting	Buronga
17 Sept 2020	Cross Border Commissioner	Video Conference
22 Sept 2020	Cross Border Commissioner	Video Conference
22 Sept 2020	Mayoral Meeting	Wentworth
23 Sept 2020	Southern Border Recovery Committee	Video Conference
23 Sept 2020	Far West Joint Organisation Briefing	Video Conference
24 Sept 2020	Cross Border Commissioner	Video Conference
25 Sept 2020	Meeting with Sussan Ley MP	Wentworth
29 Sept 2020	Cross Border Commissioner	Video Conference
29 Sept 2020	Mayoral Meeting	Wentworth
1 Oct 2020	Cross Border Commissioner	Video Conference
2 Oct 2020	Meeting with Helen Dalton MP	Wentworth
2 Oct 2020	Community Recognition of Service Awards Presentation	Wentworth
7 Oct 2020	Southern Border Recovery Committee	Video Conference
8 Oct 2020	Interview with ABC	Video Conference

8 Oct 2020	Cross Border Commissioner	Video Conference
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Attachments

Nil

7.2 RESCISSION MOTION

File Number: RPT/20/674

Summary

In accordance with clause 3.10 of the Wentworth Shire Council Code of Meeting Practice Council has received a rescission motion signed by three Councillors in relation to Item 9.12 Ordinary Council Meeting 16 September 2020 which was Lost (as attached).

Recommendation

In accordance with clause 3.10 of the Wentworth Shire Council Code of Meeting Practice, we the three undersigned duly elected Councillors of Wentworth Shire Council move this notice of motion being a rescission motion of the lost recommendation (Item 9.12) as resolved at the ordinary meeting of Council held on 16 September 2020.

Background

At the 16 September 2020 Ordinary Council Meeting the following motion was lost.

Council Resolution

- 1) *That Council, having considered the content of this report and attached documentation, resolves to issue modification approval for S4.55/2020/025 being a farm stay accommodation located at 83 Williamsville Road, Lot 3 DP 540613 Curlwaa.*
- 2) *That a division be called in accordance with s375A of the Local Government Act 1993 (NSW).*

Attachments

1. Rescission Motion [↓](#)

RESCISSION NOTICE OF MOTION

In accordance with clause 3.10 of the Wentworth Shire Council Code of Meeting Practice, we the three undersigned duly elected Councillors of Wentworth Shire Council move this notice of motion being a rescission motion of the lost recommendation (Item 9.12) as resolved at the ordinary meeting of Council held on 16 September 2020.

Three handwritten signatures of Councillors are written on dotted lines. The first signature is on the left, the second in the middle, and the third on the right.

7.3 ACTIVITY REPORT - COUNCILLOR JANE MACALLISTER

File Number: RPT/20/659

Summary

The purpose of this report is to advise Council of meetings, conferences and appointments undertaken by Councillor Jane MacAllister for the period 1 July 2020 – 30 September 2020.

Recommendation

That Council notes the information contained in Councillor Jane MacAllister's report.

Report

The following table lists the meetings attended by Councillor Jane MacAllister for the period 1 July 2020 – 30 September 2020.

Date	Meeting
3 Jul 2020	North West Rail Alliance Committee Meeting
11 Jul 2020	Ozfish / Western Landcare re-snagging site visit
14 Jul 2020	Australian Inland Botanic Gardens Board Meeting
15 Jul 2020	Ordinary Council meeting
18 Jul 2020	Community Meeting at Menindee – SDLAM Water Savings Project
20 Jul 2020	Murray Darling Association Board Meeting
21 Jul 2020	Lower Darling Critical Water Advisory Panel
28 Jul 2020	Internal Audit and Risk Management Committee Meeting
28 Jul 2020	Bottlebend Reserve Land Manager Committee Annual General Meeting
29-30 Jul 2020	Willandra Lakes World Heritage Region Advisory Committee Meeting
6 Aug 2020	Floodplain Harvesting Brief
11 Aug 2020	Australian Inland Botanic Gardens Board Meeting
12 Aug 2020	Lower Darling environmental watering Community briefing
15 Aug 2020	Menindee Water Savings SDL Project Stakeholders informal meeting
17 Aug 2020	Murray Darling Association Board Meeting
19 Aug 2020	Ordinary Council meeting
28 Aug 2020	North West Rail Alliance Committee Meeting
31 Aug 2020	Far West Primary Health Network Community Advisory Committee inaugural Mental Health subcommittee meeting
2 Sept 2020	Lower Darling environmental watering Community briefing
8 Sept 2020	Murray Darling Association Region 4 ordinary meeting and AGM
8 Sept 2020	Australian Inland Botanic Gardens Board Meeting
10-11 Sept 2020	Willandra Lakes World Heritage Region Advisory Committee Meeting
14-15 Sept 2020	Murray Darling Association Annual Conference
17 Sept 2020	Willandra Lakes World Heritage Region AAG support
18-19 Sept 2020	Executive Certificate for Elected Members – Professional Development
28 Sept 2020	Far West Primary Health Network Community Advisory Committee Mental Health subcommittee meeting

Attachments

Nil

8 REPORTS FROM COMMITTEES

8.1 INTERNAL AUDIT AND RISK MANAGEMENT COMMITTEE

File Number: RPT/20/648

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

A meeting of the Internal Audit and Risk Management Committee was held on 6 October 2020. The Minutes of the meeting are attached to this report for the information of Councillors.

The Committee has requested that the Reporting Officer seeks a number of resolutions of Council on the following:

- Statutory requirements in relation to Draft 2019/2020 Annual Financial Statements.

Officer Recommendation

That Council certifies:

- That the Annual Financial Statements have been prepared in accordance with:
 - The *Local Government Act 1993* (NSW) (as amended) and the Regulations made there under.
 - The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board.
 - The Local Government Code of Accounting Practice and Financial Reporting.
- To the best of our knowledge and belief, these statements
 - present fairly the Council's operating result and financial position for the 2019/2020 financial year
 - accord with Council's accounting and other records.
- That Council is not aware of any matter that would render these Statements false or misleading in any way.

That Council:

- Adopt the Councillors/Management Statement and resolves that it be signed by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer and that it is attached to the financial statements.
- Delegates to the General Manager the authority to "finalise the date" at which the auditor's report and financial statements are to be presented to the public.
- Delegates to the General Manager the authority to authorise the year end accounts for issue immediately upon receipt of the auditors' reports.

The Council:

- Refers the Draft 2019/2020 Annual Financial Statements to audit.

Additional Information

Nil

Attachments

1. Internal Audit and Risk Management Committee Meeting Minutes [↓](#)



WENTWORTH SHIRE COUNCIL

INTERNAL AUDIT & RISK MANAGEMENT COMMITTEE MEETING MINUTES

6 OCTOBER 2020

**INTERNAL AUDIT & RISK MANAGEMENT COMMITTEE MEETING MINUTES
OCTOBER 2020**

6

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INTERNAL AUDIT & RISK MANAGEMENT COMMITTEE MEETING MINUTES 6 OCTOBER 2020

1 OPENING OF MEETING

The Deputy Mayor opened the meeting at 10.02am.

2 PRESENT**COUNCILLORS**

Councillor Tim Elstone (Deputy Mayor)
Councillor Jane MacAllister
Councillor Susan Nichols
Councillor Peter Nunan
Councillor Greg Evans

STAFF (non- voting members)

Ken Ross (General Manager)
Simon Rule (Director Finance and Policy)
Hodi Beauliv (Manager Finance)
Gayle Marsden (Executive Assistant General Manager)
Chloe Horne (Business Support Officer)

3 APOLOGIES

Cr Hederics is an apology for this meeting.

Committee Resolution

That Council notes the apology from Cr Hederics for this meeting.

Moved Cr. MacAllister, Seconded Cr. Nichols

CARRIED

4 DECLARATIONS OF PECUNIARY INTEREST AND CONFLICTS OF INTEREST

Nil

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**Recommendation**

That the Minutes of the Internal Audit & Risk Management Committee Meeting held 28 July 2020 be confirmed as circulated.

Committee Resolution

That the Minutes of the Internal Audit & Risk Management Committee Meeting held 28 July 2020 be confirmed as circulated.

Moved Cr. Evans, Seconded Cr. Nichols

CARRIED

**INTERNAL AUDIT & RISK MANAGEMENT COMMITTEE MEETING MINUTES
OCTOBER 2020**

6

6 REPORTS**6.1 DRAFT 2019/2020 ANNUAL FINANCIAL STATEMENTS - REFER TO AUDIT**

File Number: RPT/20/585

Responsible Officer: Simon Rule - Director Finance and Policy
Responsible Division: Finance and Policy
Report Author: Simon Rule - Director Finance and Policy

Summary

Section 413 of the *Local Government Act 1993* (NSW) (the Act) requires Council to prepare its year end Annual Financial Statements as soon as practicable after year end and to refer those statements to audit.

The audit of the 2019/2020 Annual Financial Statements is being conducted by Nexia Australia on behalf of the NSW Audit Office.

The Act requires Council to comply with a number of obligations in relation to the preparation, audit and presentation of the annual financial report and the auditor's report. A number of delegated authorities are also required to expedite the year end process.

Recommendation

The Committee recommends that Council certifies:

- That the Annual Financial Statements have been prepared in accordance with:
 - The *Local Government Act 1993* (NSW) (as amended) and the Regulations made there under.
 - The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board.
 - The Local Government Code of Accounting Practice and Financial Reporting.
- To the best of our knowledge and belief, these statements
 - present fairly the Council's operating result and financial position for the 2019/2020 financial year
 - accord with Council's accounting and other records.
- That Council is not aware of any matter that would render these Statements false or misleading in any way.

The Committee recommends that Council:

- Adopt the Councillors/Management Statement and resolves that it be signed by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer and that it is attached to the financial statements.
- Delegates to the General Manager the authority to "finalise the date" at which the auditor's report and financial statements are to be presented to the public.
- Delegates to the General Manager the authority to authorise the year end accounts for issue immediately upon receipt of the auditors' reports.

The Committee recommends that Council:

- Refers the Draft 2019/2020 Annual Financial Statements to audit.

**INTERNAL AUDIT & RISK MANAGEMENT COMMITTEE MEETING MINUTES
OCTOBER 2020**

6

Committee Resolution

The Committee recommends that Council certifies:

- That the Annual Financial Statements have been prepared in accordance with:
 - The *Local Government Act 1993* (NSW) (as amended) and the Regulations made there under.
 - The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board.
 - The Local Government Code of Accounting Practice and Financial Reporting.
- To the best of our knowledge and belief, these statements
 - present fairly the Council's operating result and financial position for the 2019/2020 financial year
 - accord with Council's accounting and other records.
- That Council is not aware of any matter that would render these Statements false or misleading in any way.

The Committee recommends that Council:

- Adopt the Councillors/Management Statement and resolves that it be signed by the Mayor, Deputy Mayor, the General Manager and the Responsible Accounting Officer and that it is attached to the financial statements.
- Delegates to the General Manager the authority to "finalise the date" at which the auditor's report and financial statements are to be presented to the public.
- Delegates to the General Manager the authority to authorise the year end accounts for issue immediately upon receipt of the auditors' reports.

The Committee recommends that Council:

- Refers the Draft 2019/2020 Annual Financial Statements to audit.

Moved Cr. MacAllister, Seconded Cr. Evans

CARRIED

INTERNAL AUDIT & RISK MANAGEMENT COMMITTEE MEETING MINUTES 6 OCTOBER 2020

7 NEXT MEETING

27 October 2020

8 CLOSURE

The meeting was declared closed at 10.47 am.

8.2 WENTWORTH SHOWGROUNDS USER GROUP MEETING

File Number: RPT/20/616

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Barbara George - Administration Officer, Roads and Engineering

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.6 Collaborate with others to achieve desired outcomes for the local community

Summary

The Wentworth Showgrounds User Group Meeting was held on Thursday 10 September 2020 with the Minutes of the meeting attached to this report for the information of Councillors.

Recommendation

That Council notes the minutes of the Wentworth Showgrounds User Group Meeting.

Additional Information

A meeting of the Wentworth Showgrounds User Group was held on Thursday 10 September 2020 in the Council Community Meeting Room in order to abide by guidelines of COVID19 social distancing.

An update of the progress of the new multipurpose building project was presented. Future use of the building was discussed.

The Buffon Family have donated "kiln bricks" to build a new bar. The Racing Club have commenced sourcing funds. Collaboration with the Show Society will occur.

An audit conducted by Aurecon on behalf of Crown Lands has resulted in the condemnation of the racing tower and members shade structure. Council's Director of Infrastructure is to investigate the implications further.

Discussions were had regarding the Rifle Club's charge for use of an area for parking.

A request has been received from the Mildura Motor Bike Club to use the Showgrounds facility for a "Long Track" event.

Maintenance issues were tabled.

Attachments

1. Wentworth Showgrounds User Group Meeting held Thursday 10 September 2020 [📎](#)

 <p>Wentworth Shire Council 26- 28 Adelaide Street PO Box 81 WENTWORTH NSW 2648 Tel: 03 5027 5027 council@wentworth.nsw.gov.au</p>	<p>USER GROUP MEETING MINUTES</p>
---	--

<p>Date: Thursday 10 September 20</p> <p>Subject: Wentworth Showgrounds User Group Meeting</p> <p>Location: Wentworth Council Community Meeting Room, Short Street Wentworth.</p>	<p>Time: 4:00pm</p>
--	----------------------------

1. OPENING OF MEETING

The meeting was opened at: 1600 by Geoff Gunn.

2. PRESENT

Councillors:	CLR Nichols CLR Heywood
User Group Members:	Annette Fraser – Racing Club Jeff Robinson – Racing Club Marcus Moore – Show Society Geoff Heutzenroeder – Show Society
Council Staff:	Geoff Gunn – Director Roads and Engineering Barb George – Administration Officer – Minute Taker
Visitors:	Ivan McKenzie – Project Officer – Showgrounds Pavilion

3. APOLOGIES

Thel O'Shea - Show Society

4. CONTRACT LIST UPDATE:

The Contact List was updated by members in attendance.

5. MATTERS UNDER CONSIDERATION

- **Update of the Showgrounds Multipurpose Building Project:**
Ivan McKenzie presented an update on the progress of the new Showgrounds Multipurpose Building Project -
 - New completion date – Friday 16 October 2020
 - Excellent project communication between Wentworth Show Society's representative Marcus Moore and Council's Project Officer Ivan McKenzie, has continued. Marcus delegated his responsibilities to Marg Jackson during his recent absence.
 - CPM has made good progress in recent weeks and will continue until the project completion date. The building is looking very good.
 - The Show Society representatives have decided upon final colour choices.

- During construction, the irrigation infrastructure was damaged and rectification works have been undertaken. Mapping of the irrigation in place at the site was not used as the irrigation had to be redirected around the building with the new water supply.
- It was agreed that three small Bottle Brush bushes in front of the building can be removed as they are under existing trees and the new building will provide greater shelter.
- A new Fire Service and tanks are in place and can service the wider community
- The building will be secured in the interim, with keys provided by the builder. Council system can be installed at a later date. (Geoff Gunn informed the meeting that Council is investigating rationalisation of its keys system across all Council properties.)

- **Replacement of the existing members area shelter:**

The shelter is situated in front of the new Multipurpose building.

- Wentworth Racing Club representative at the meeting advised that the Club do not wish the shelter to remain as it is unsightly.
A requirement of Racing NSW is that it is necessary to have a private area set aside for members that gives access to the track and access to the betting ring.

The Racing Club requested an “on-site” meeting with Council to discuss Options. The options discussed at the meeting were

- Use of a “wall less” marquee
- Look at “Kit” type structure.
Would require DA. The shelter has been identified by a safety audit conducted by Aurecon for Crown Lands NSW late in 2019 as one of 3 (three) areas of concern relating to safety at the within the Showgrounds facility. The others are:
 - Racing Tower
 - Remove items draped over the fire extinguisher for easy access.

Councillor Nichols asked if Council were aware of the audit. At the time of the meeting no further information was available to the meeting regarding the audit. (Council Administration Officer to research Council records and report to next User Group Meeting).

- **Offer by the Buffon family to donate “kiln bricks” to build a new bar:**

The bar at the Showgrounds has been deemed too small for purpose by the Racing Club.

- The Buffon family have kindly donated enough “kiln bricks” to rebuild the bar on a larger scale. The family will clean the bricks and stack them onto pallets which will be stored in the RTA yard until such time as they can be utilised.
- The new bar could be constructed on basically the same footprint, but extending it by a meter and half. There would need to be a fenced area in place for use when the Show is being held.

6. OTHER BUSINESS

- **Future use of the new Multipurpose building:**

It was suggested that the Wentworth Public School may be given permission to use the new multipurpose building for their Annual School Concert. Everyone present was in favour, with CLR Nichols suggesting that the school may be able to have access to the portable stage owned by the Bowling Club.

It was pointed out that for events such as the concert, access to the outside toilets would be required as the hall only had 2 toilets, both of which were suitable for disabled access.

- Safety concern with new kitchen cupboards in the Secretaries Office:**
 Since installation of the new kitchen in the Secretaries Office, it has been noted that the cupboards on the west wall are mounted at an unsafe height. They need to be lowered by at least 24" to avoid head contact, or relocated to underneath the bench. (Administration Officer to advise Building Maintenance Officer).
- Members request information on the Rifle Club Tenure:**
 Discussion re the Rifle Club charge for use of the area for parking. (Administration Officer to ask Property and Land Tenure Officer for information to be presented at next User Group Meeting).
- Request by Mildura Motor Bike Club to use Showgrounds for an event:**
 A request has been received from the Mildura Motor Bike Club for information should they wish to use the Showgrounds facility for a series of long track activities. They would require use of the area inside the trotting track, and would supply all fencing and safety needs. Clubs such as the Bike Club are required to comply with strict safety standards.
 Some concerns were tabled by the Racing Club relating to damage which may be caused to the track.
 A proposal from the Motor Bike Club would outline all aspects, including reparation works.
 Estimated number of attendees – 1000-1500 people, the benefit of which would flow over into the township and accommodation facilities.
 The Racing Club and the Show Society will take the request to their respective meetings for discussion at the next User Group Meeting.

ACTIONS:

Action	Action by:	Desired Outcome
Safety Audit conducted by Crown Lands	Admin. Officer	Find information of Audit and outcome. (Council Land Tenure Officer)
Re-locate overhead cupboards in Secretaries Office.	Building Maintenance	Relocate cupboard 24" lower or place under bench. (CR/20/1580)
Tenure Information re Rifle Club	Admin. Officer	Get information from Council Land Tenure Officer. (CR/20/1581)
Arrange a meeting – re Shelter	Admin. Officer	Discussion to action needed.

MEETING CLOSURE: Meeting closed at 1710.

7. NEXT MEETING - TBA

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGER'S REPORT

File Number: RPT/20/584

Responsible Officer: Ken Ross - General Manager
 Responsible Division: Office of the General Manager
 Reporting Officer: Chloe Horne - Business Support Officer

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

The General Manager's report details information pertaining to meetings attended and general information which are of public interest, and which have not been reported elsewhere in this agenda. Items of note in this report are:

1. OLG Circulars
Circulars 20-34 to 20-37
2. Meetings
As listed
3. Upcoming meetings or events
As listed
4. Other items of note
Nil

Recommendation

That Council notes the information contained within the report from the General Manager.

Detailed Report

1. OLG Circulars
 - 1.1 OLG Circular 20-34
 - Joint Organisations should use the Joint Organisations Calendar of Compliance and Reporting Requirements 2020-21 to assist in planning strategic and operational tasks throughout the year.
 - 1.2 OLG Circular 20-35
 - Councils who have contracted out the completion or partial completion of the Survey to an animal holding facility service should ensure the contractor is aware of the changes.
 - Councils are encouraged to ensure the required data in relation to the seizures of cats and dogs for the 2019-20 financial year is collated and prepared in readiness for the release of the Survey functionality in the Register.
 - Councils can download the updated Calendar of Compliance and Reporting Requirements 2020-21 from the Office of Local Government website.
 - 1.3 OLG Circular 20-36

- Councils and Joint Organisations need to review the attached end of year financial reporting information and apply it when completing the Financial Statements and Financial Data Return (FDR).

1.4 OLG Circular 20-37

- The Regulation extends the “prescribed period” for the purpose of sections 747A and 747AB of the Act to the end of **25 March 2021**.
- Section 747A provides that during the prescribed period, a requirement for Councillors or others to attend a meeting is satisfied if the meeting is held in whole or in part remotely using audio visual links.
- Section 747AB limits the ability of Councils to commence proceedings to recover unpaid rates and charges during the prescribed period unless certain steps have been taken to identify and address financial hardship.
- The measures prescribed on 17 April 2020 under section 747B of the Act in response to the COVID-19 pandemic notified in circular 20-12, automatically expire on 18 October 2020.
- The amendments made to the Regulation on 17 April 2020 removing requirements for newspaper advertising also notified in circular 20-12 are ongoing and will continue to apply after the COVID-19 pandemic passes.

2. Meetings

Following is a list of meetings or events attended by the General Manager for the period 7 September 2020 – 9 October 2020.

Date	Meeting	Location
7 Sept 2020	NSW Fire Service - Upcoming Fire Season	Video Conference
7 Sept 2020	Buronga Landfill Operations Discussion	Video Conference
8 Sept 2020	Mayoral Meeting	Buronga
8 Sept 2020	Murray Darling Association Region 4 Meeting	Buronga
10 Sept 2020	Far West Joint Organisation Extraordinary Board Meeting	Video Conference
15 Sept 2020	Mayoral Meeting	Buronga
16 Sept 2020	Council Pre-Meeting Briefing	Buronga
16 Sept 2020	Ordinary Council Meeting	Buronga
17 Sept 2020	T Corp Meeting	Wentworth
17 Sept 2020	Ordinary Council Meeting Debrief	Wentworth
22 Sept 2020	Mayoral Meeting	Wentworth
23 Sept 2020	Far West Joint Organisation Briefing	Video Conference
25 Sept 2020	Meeting with Sussan Ley MP	Wentworth
29 Sept 2020	Mayoral Meeting	Wentworth
30 Sept 2020	Murray Waste Group Meeting	Buronga
2 Oct 2020	Helen Dalton MP meeting	Wentworth
2 Oct 2020	Community Recognition of Service Awards	Wentworth

	Presentation	
6 Oct 2020	Internal Audit & Risk Management Committee Meeting	Buronga
6 Oct 2020	Mayoral Meeting	Buronga
8 Oct 2020	Meeting with CEO Western NSW PHN	Wentworth

3. Events

Following is a list of upcoming events, conferences or committee meetings, including out of region meetings where the Shire has been requested to attend in an official capacity.

Date	Meeting	Proposed Attendees	Location
23 Oct 2020	Meeting CEO Murray Darling Association	General Manager & Cr MacAllister	Wentworth
27 Oct 2020	Internal Audit & Risk Management Committee Meeting	Mayor, Cr Evans, Cr Nichols, Cr Nunan, Cr MacAllister, General Manager, Director Finance and Policy & Manager Finance	Buronga & Video Conference
30 Oct 2020	Far West Joint Organisation Board Meeting	Mayor & General Manager	Video Conference
4 Nov 2020	Southern Border Recovery Committee	Mayor	Video Conference
11 Nov 2020	Local Emergency Management Committee Meeting	General Manager	Buronga
16 Nov 2020	Roads & Transport Congress	Cr Heywood, Director Roads & Engineering and Road Safety Officer	Wagga Wagga
17 Nov 2020	Wentworth Shire Health Interagency Group Meeting	Cr MacAllister	Buronga
23 Nov 2020	LGNSW Annual Conference	Mayor	Video Conference

4. Other items of note

Nil

Attachments

1. OLG Circular 20-34[📄](#)
2. OLG Circular 20-35[📄](#)
3. OLG Circular 20-36[📄](#)
4. OLG Circular 20-37[📄](#)



Office of
Local Government

Circular to Councils

Circular Details	20-34 / 21 August 2020 / A706590
Previous Circular	19-03
Who should read this	Councillors / General Managers / Joint Executive Officer
Contact	Performance Team / (02) 4428 4100 / olg@olg.nsw.gov.au
Action required	Information / Joint Organisation to Implement

Joint Organisation Calendar of Compliance and Reporting Requirements 2020-21

What's new or changing

The Joint Organisation Calendar of Compliance and Reporting Requirements has been updated for the 2020-21 financial year.

What this will mean for your council

Joint Organisations should use the Joint Organisations Calendar of Compliance and Reporting Requirements 2020-21 to assist in planning strategic and operational tasks throughout the year.

Key points

- The Joint Organisations Calendar of Compliance and Reporting Requirements 2020-21 includes key statutory and other reporting deadlines for Joint Organisations (including temporary deadline changes introduced in response to the COVID-19 pandemic).
- Joint Organisations' statutory and other reporting deadlines are not limited to those included in the Joint Organisations Calendar of Compliance and Reporting Requirements 2020-21.
- The online Calendar of Compliance and Reporting, developed by the Office of Local Government (OLG), will be updated to reflect the Joint Organisation Calendar of Compliance and Reporting Requirements 2020-21.

Where to go for further information

- The Joint Organisation Calendar of Compliance and Reporting Requirements 2020-21 is available on the OLG website at www.olg.nsw.gov.au
- A Calendar of Compliance and Reporting Requirements 2020-21 for councils has been prepared (Circular 20-33) and can be located at: <https://www.olg.nsw.gov.au/circulars/>

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Office of
Local Government

Circular to Councils

Circular Details	20-35 / 7 September 2020 / A717788
Previous Circular	N/A
Who should read this	General Managers / Companion Animal Teams/ Ranger Services
Contact	Performance Team & Program Delivery Team / (02) 4428 4100 / olg@olg.nsw.gov.au
Action required	Information

2019-20 Survey of Seizures of Cats and Dogs – Extension of Due Date

What's new or changing

- The NSW Companion Animals Register (Register) was temporarily shut down on 19 June 2020 to allow urgent maintenance and upgrading work to accommodate the introduction of annual permits for non-desexed cats and dangerous and restricted dogs from 1 July 2020. These works included necessary security upgrades to protect the system and the data it holds.
- The first release of functionality on the Register was made available to all users from 3 August 2020. The first-stage release prioritised functions that would enable councils to resume their usual day-to-day companion animals management practices and work through their data entry backlog.
- The Survey of Seizures of Cats and Dogs (Survey) functionality is currently unavailable to councils. This functionality will be released as soon as possible over the coming weeks.
- To ensure councils have adequate time to accurately record and submit their 2019-20 Surveys, councils have been provided with a temporary extension to 13 November 2020 to submit their Surveys in the Register, in accordance with section 67A of the *Companion Animals Act 1998*.
- The Calendar of Compliance and Reporting Requirements 2020-21 has been updated to reflect this change.

What this will mean for your council

- Councils who have contracted out the completion or partial completion of the Survey to an animal holding facility service should ensure the contractor is aware of the changes.
- Councils are encouraged to ensure the required data in relation to the seizures of cats and dogs for the 2019-20 financial year is collated and prepared in readiness for the release of the Survey functionality in the Register.
- Councils can download the updated Calendar of Compliance and Reporting Requirements 2020-21 from the Office of Local Government website.

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Key points

- Some councils contract out or share their animal holding facility services. Where a contractor provides the animal holding facility, councils should ensure that they can access or receive adequate information from the contractor to complete the appropriate sections of the Survey.
- Alternative arrangements may be made by a council for the contractor to partially or wholly complete the Survey.
- A council may also delegate authority to complete its Survey to another council where services are shared or contracted.
- Whichever alternative is used, and whether or not council shares or contracts out animal care services, the responsibility for submitting the completed Survey in the Register by the due date rests with each council.

Where to go for further information

- Information regarding the Register can be found on the Office of Local Government website at www.olg.nsw.gov.au/councils/responsible-pet-ownership/nsw-pet-registry/the-cat-and-dog-register/
- For any further information in relation to the Register, please contact the Program Delivery Team on 02 4428 4100 or by email at pets@olg.nsw.gov.au
- For any further information in relation to the Survey, please contact the Performance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au



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Office of
Local Government

Circular to Councils

Circular Details	Circular 20-36 / 7 September 2020 / A711271
Previous Circular	19-15 End of Year Financial Reporting 2018-19
Who should read this	General Managers / Finance & Rating Staff / JO Executive
Contact	Performance Team / 02 4428 4100 / finance@olg.nsw.gov.au
Action required	Councils and Joint Organisations to apply the 2018-19 end of year financial reporting arrangements.
Attachments	Annexure 1 – For councils Annexure 2 – For JOs

End of Year Financial Reporting 2019-20

What's new or changing

- End of year financial reporting information for 2019-20.

What this will mean for your council

- Councils and Joint Organisations need to review the attached end of year financial reporting information and apply it when completing the Financial Statements and Financial Data Return (FDR).

Key points

- Annexure 1 provides information to assist councils prepare 2019-20 Financial Statements.
- Annexure 2 provides information to assist joint organisations (JO) prepare 2019-20 Financial Statements.
- The Financial Data Return (FDR) will be sent under separate cover with an explanatory email and is available on the Council Portal of OLG's website.
- The Financial Statements and FDR are to be sent electronically to OLG by 30 November 2020. Detailed instructions on how and where to email these are included in the Annexures.
- GST certificates should be emailed to olg@olg.nsw.gov.au (see Circular 05-26 & 11-23).

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Where to go for further information

- The Code of Accounting Practice and Financial Reporting (Code) - Update No. 28 is available on OLG's website at <https://www.olg.nsw.gov.au/councils/council-finances/financial-reporting/local-government-code-of-accounting-practice-and-financial-reporting/>
- Code of Accounting Practice and Financial Reporting Circular 20-11, issued 30 March 2020 at <https://www.olg.nsw.gov.au/council-circulars/20-11-final-code-of-accounting-practice-and-financial-reporting-update-28-including-joint-organisations-supplement/>



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Office of
Local Government

Circular to Councils

Circular Details	20-37 / 22 September 2020 / A723972
Previous Circulars	<p>20-09 <i>Compliance with social distancing requirements to limit the spread of the COVID-19 virus at council and committee meetings</i></p> <p>20-12 <i>Modification of statutory requirements in response to the COVID-19 pandemic</i></p> <p>20-28 <i>Rules on attendance at council and committee meetings during the COVID-19 pandemic as of 1 July 2020</i></p>
Who should read this	Councillors / General Managers / All council staff
Contact	Council Governance / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information / Response to OLG / Council to Implement

Status of special COVID-19 measures

What's new or changing

- Amendments have been made to the *Local Government (General) Regulation 2005* (the Regulation) to:
 - extend the period during which the special COVID-19 pandemic provisions of the *Local Government Act 1993* (the Act) apply, and
 - postpone the repeal of the COVID-19 pandemic regulation-making power in the Act.
- The regulations made under the COVID-19 pandemic regulation-making power on 17 April 2020 prescribing the measures notified in [circular 20-12](#) expire on 18 October 2020.

What this will mean for your council

- The Regulation extends the "prescribed period" for the purposes of sections 747A and 747AB of the Act to the end of **25 March 2021**.
- Section 747A provides that during the prescribed period, a requirement for councillors or others to attend a meeting is satisfied if the meeting is held in whole or in part remotely using audio visual links.
- Section 747AB limits the ability of councils to commence proceedings to recover unpaid rates and charges during the prescribed period unless certain steps have been taken to identify and address financial hardship.
- The measures prescribed on 17 April 2020 under section 747B of the Act in response to the COVID-19 pandemic notified in circular 20-12, automatically expire on 18 October 2020.
- The amendments made to the Regulation on 17 April 2020 removing requirements for newspaper advertising also notified in [circular 20-12](#) are ongoing and will continue to apply after the COVID-19 pandemic passes.

Key points

- Councillors and council staff may attend council and committee meetings in person. However, councils must continue to allow councillors and staff to attend and participate in meetings by audio visual links where it is reasonably practicable to do so.

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- Members of the public are permitted to attend meetings. However, councils must not allow persons to attend a meeting if the size of the meeting venue is insufficient to ensure there is 4 square metres of space for each person attending the meeting.
- Councillors and council staff are not to be counted when calculating the space available for each person at the meeting venue and the number of persons who are attending a meeting.
- Where councils exclude members of the public from meetings, they must livestream their meetings using audio-visual links to satisfy the requirement under section 10 of the Act for members of the public to be permitted to “attend” meetings.

Where to go for further information

- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.



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9.2 WESTERN REGIONAL PLANNING PANEL DELEGATES

File Number: RPT/20/598

Responsible Officer: Ken Ross - General Manager
 Responsible Division: Office of the General Manager
 Reporting Officer: Chloe Horne - Business Support Officer

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future
 Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

At the Ordinary Meeting of Council 16 September 2020, a resolution was carried nominating Councillor Nunan as the preferred delegate, and Councillor Nichols and Councillor Wheeldon as alternate delegates to represent the Wentworth Shire Council on the Western Regional Planning Panel.

With further discussion with Planning Panels NSW, it was established that the Western Regional Planning Panel requires two preferred delegates and one alternate delegate with expertise in one or more of the following areas; planning, architecture, heritage, the environment, urban design, land economics, traffic and transport, law, engineering and/or tourism.

Councillor Nunan formally advised Council on 29 September 2020 that he would like to relinquish his position on this panel, and Council is therefore asked to consider nominating a replacement preferred delegate, an additional preferred delegate and one alternate delegate.

Recommendation

That Council considers nominating two preferred delegates and one alternate delegate as representatives for the Western Joint Regional Planning Panel.

Detailed Report

Purpose

The purpose of this report is for Council to consider nominating one preferred delegate to replace Councillor Nunan who has relinquished his position, an additional preferred delegate and one alternate delegate on the Western Regional Planning Panel.

Background

Councillor Nunan formally advised Council on 29 September 2020 that he wishes to relinquish his position on this panel. Councillor Nichols and Councillor Wheeldon were nominated as Councils alternate delegates at the 16 September 2020 Ordinary Meeting of Council.

Report Detail

The Western Regional Planning Panel is made up of several Government agencies who plan, monitor and action planning activities. Representation on this panel allows Council to have input into regionally significant development applications, act as the Planning Proposal Authority, undertake rezoning reviews, provide advice on other planning and development matters, and determine site compatibility certificates under the State Environmental Planning Policy.

Conclusion

With Councillor Nunan relinquishing his position on this panel, Council is required to decide whether to nominate another delegate to replace Councillor Nunan.

As Planning Panels NSW have advised, the Western Regional Planning Panel require two preferred delegates and one alternate delegate. Council is required to decide whether to nominate an additional preferred delegate and one alternate delegate.

Attachments

Nil

9.3 RECREATIONAL AND COMMUNITY ALLOCATION OF WATER FROM THE ENVIRONMENTAL HOLDINGS OF THE COMMONWEALTH ENVIRONMENTAL WATER HOLDER

File Number: RPT/20/619

Responsible Officer: Ken Ross - General Manager
 Responsible Division: Office of the General Manager
 Reporting Officer: Chloe Horne - Business Support Officer

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets
 Strategy: 3.1 Promote the efficient delivery of water supply, sewer and drainage services for the long term interests of future generations

Summary

Swan Hill Rural City Council wrote to Council on 17 September 2020 requesting that support letters be sent to the Prime Minister, Deputy Prime Minister and our local Federal member for the urgent establishment of recreational and community allocation of water from the Environmental Water Holdings of the Commonwealth Environmental Water Holder (CEWH) to support the social fabric of rural communities.

Recommendation

That Council support Swan Hill Rural City Council and write to the Prime Minister, Deputy Prime Minister and our local Federal member calling for the urgent establishment of recreational and community allocation of water from the Environmental Water Holdings of the Commonwealth Environmental Water Holder (CEWH) to support the social fabric of rural communities.

Detailed Report

Purpose

The purpose of this report is to provide Council the opportunity to support or not support Swan Hill Rural City Council's request to write to the Prime Minister, Deputy Prime Minister and our local Federal member calling for the urgent establishment of recreational and community allocation of water from the Environmental Water Holdings of the Commonwealth Environmental Water Holder (CEWH) to support the social fabric of rural communities.

Background

The CEWH has carried over 320,000 ML of water again for the fifth year, whilst regional communities and recreational clubs struggle to buy water.

Report Detail

Wentworth Shire Council applied to transfer 200ML of water from our current allocations for both the Wentworth Golf Course and the Coomealla Golf Course. These transfers have been approved. Investigation reveals Council has not had to purchase extra water, however some other Councils are not in the same position.

Conclusion

Council support Swan Hill Rural City Council and write to the relevant parties.

Attachments

1. Letter from Swan Hill Rural City Council [↗](#)
2. Swan Hill Rural City Council Minutes of Council Meeting [↗](#)

3. Letter to Dr Anne Webster from Swan Hill Rural City Council [↓](#)

REF: 2743/20/
JM/SKL

17 September 2020

Cr Melisa Hederics
Wentworth Shire Council
PO Box 81
WENTWORTH NSW 2648



Dear Cr Hederics

REQUEST FOR SUPPORT LETTERS FOR THE ALLOCATION OF
RECREATIONAL WATER IN THE MURRAY RIVER SYSTEM

The Swan Hill Rural City Council at its meeting of 15 September 2020, resolved to write to our local Federal Member Dr Anne Webster calling for the urgent establishment of recreational and community allocation of water from the Environmental Water Holdings of the Commonwealth Environmental Water Holder to support the social fabric of rural communities.

Council also resolved to lobby the Prime Minister and Deputy Prime Minister to support this case and to also call upon all rural and regional Victorian councils and border councils in New South Wales to add strength to this case.

I write to you requesting your support in this urgent cause and ask that your Council write to your local Federal Member to lobby the Prime Minister and the Deputy Prime Minister supporting our regional communities with a small percentage of water allocation.

I've enclosed a copy of the minutes of the Council Meeting held on 15 September 2020 and the letter to our local Federal Member Dr Anne Webster, for your information. I thank you for your consideration of this matter.

Yours sincerely

Cr Bill Moar
Mayor

Swan Hill Rural City Council
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15 September 2020

**D.20.10 RECREATIONAL AND COMMUNITY ALLOCATION OF WATER
FROM THE ENVIRONMENTAL HOLDINGS OF THE
COMMONWEALTH ENVIRONMENTAL WATER HOLDER (CEWH)**

Having given due notice, **Councillor Jade Benham MOVED that:**
Council

- 1. Write to our local Federal member, Dr Anne Webster MP calling for the urgent establishment of recreational and community allocation of water from the environmental holdings of the Commonwealth Environmental Water Holder (CEWH) to support the social fabric of rural communities;**
- 2. Send copies of our correspondence to the Prime Minister and the Deputy Prime Minister calling on them to support the case for recreational and community allocation for water to be made available for rural communities.**
- 3. Write to all rural and regional Councils and border Councils in NSW asking that they write to their local Federal members, the Prime Minister and the Deputy Prime Minister supporting the case for recreational and community allocation for water to be made available for rural communities.**

Preamble

The Commonwealth Environmental Water Holder has carried over 320,000 ML of water again this year, (and has carried over the past four years) whilst regional Victorian football clubs, golf clubs, cricket & tennis clubs and any other club or association that waters their turf will struggle to buy water this year given their revenue streams have been cut off once again due to disproportionate Stage 3 restrictions in our areas.

Thus far, even though the Goulburn and the Hume dams are at 60%, Lake Victoria is full and Dartmouth is also over half full, allocations are still only at 36% for the coming year putting everyone under stress.

A lot of clubs, such as Robinvale Golf Club own a certain amount of water, and yet always have to buy some to get through the summer, which is normally no problem given they have very good cash flow. However, given that cash flow has halted, I'm proposing that the CEWH release just some of the water and allocate to regional community clubs, regardless of status so they can water their fairways, pitches, courts etc. Surely this also has a benefit for the environment and it certainly will for rural and regional communities.

I would like to motion that we write to all regional councils in Victoria and in border communities to advocate to the Morrison Government that a plan be swiftly put in place to action this and ease yet another stress that has been put on regional Victorian communities and the people that make them great.

Swan Hill Rural City Council
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15 September 2020

MOVED Cr Benham

That Council:

- 1. Write to our local Federal member, Dr Anne Webster MP calling for the urgent establishment of recreational and community allocation of water from the environmental holdings of the Commonwealth Environmental Water Holder (CEWH) to support the social fabric of rural communities;**
- 2. Send copies of our correspondence to the Prime Minister and the Deputy Prime Minister calling on them to support the case for recreational and community allocation for water to be made available for rural communities.**
- 3. Write to all rural and regional Victorian Councils and border Councils in NSW asking that they write to their local Federal members, the Commonwealth Environmental Water Holder (CEWH), the Prime Minister and the Deputy Prime Minister supporting the case for recreational and community allocation for water to be made available for rural communities.**

SECONDED Cr McPhee

Cr McKay moved an AMENDMENT to the motion

That: Council

- 1. Write to our local Federal member, Dr Anne Webster MP calling for the urgent establishment of recreational and community allocation of water from the environmental holdings of the Commonwealth Environmental Water Holder (CEWH) to support the social fabric of rural communities;**
- 2. Send copies of our correspondence to the Prime Minister and the Deputy Prime Minister calling on them to support the case for recreational and community allocation for water to be made available for rural communities.**
- 3. Write to all rural and regional Victorian Councils and border Councils in NSW asking that they write to their local Federal members, the Commonwealth Environmental Water Holder (CEWH), the Prime Minister and the Deputy Prime Minister supporting the case for recreational and community allocation for water to be made available for rural communities.**
- 4. Write letter to LMW, Grampians Wimmera Mallee Water and Goulburn Murray Water for concessions on their fees when they have had difficulties in maintaining their usual income**
- 5. Assist any sporting club in the municipality to access any available COVOD-19 grants to assist to irrigate their grounds.**

The amendment LAPSED due to the want of a SECONDER

Swan Hill Rural City Council
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15 September 2020

79/20

MOVED Cr Benham

That Council

- 1. Write to our local Federal member, Dr Anne Webster MP calling for the urgent establishment of recreational and community allocation of water from the environmental holdings of the Commonwealth Environmental Water Holder (CEWH) to support the social fabric of rural communities;**
- 2. Send copies of our correspondence to the Prime Minister and the Deputy Prime Minister calling on them to support the case for recreational and community allocation for water to be made available for rural communities.**
- 3. Write to all rural and regional Victorian Councils and border Councils in NSW asking that they write to their local Federal members, the Commonwealth Environmental Water Holder (CEWH), the Prime Minister and the Deputy Prime Minister, supporting the case for recreational and community allocation for water to be made available for rural communities.**

SECONDED Cr McPhee

The Motion was put and CARRIED

REF: 2742/20/
JM/SKL

17 September 2020

COPY



Dr Anne Webster
Federal Member for Mallee
PO Box 1133
MILDURA VIC 3502
anne.webster.mp@aph.gov.au

Dear Anne

ALLOCATION OF RECREATIONAL WATER IN THE MURRAY RIVER SYSTEM

The Swan Hill Rural City has concerns about the viability of a number of our high quality sporting venues that are providing excellent recreational opportunities for our community, with a financial model underpinned by revenues gained from patrons in their clubs, bistros and gaming venues.

The restrictions brought about by our community's response to COVID-19 has meant that many of these venues have been starved of necessary revenue and have been required to close their doors to patrons for a number of months. These venues often owned only a proportion of the irrigation water necessary to sustain their playing surfaces and relied on the revenues generated from the patrons to purchase water on an annual basis. Without these revenues, some of these venues will see a decline in their playing surfaces and recreational facilities through lack of water.

Council is aware that the Commonwealth Environmental Water Holder carries over significant volumes of water on an annual basis. Council believes that a case can be made for releasing a very small proportion of this water to be provided for recreational purposes to support communities along the Murray Valley. Such an initiative would provide great support to the social fabric of our rural communities.

Council at its meeting of 15 September 2020, resolved to write to you calling for the urgent establishment of recreational and community allocation of water from the Environmental Water Holdings of the Commonwealth Environmental Water Holder to support the social fabric of rural communities.

Council also resolved to lobby the Prime Minister and Deputy Prime Minister to support this case and to also call upon all rural and regional Victorian councils and border councils in New South Wales to add strength to this case.

I've enclosed a copy of the minutes of the Council Meeting, for your information and I look forward to any support that you can bring to this urgent cause.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. L. Moar'.

Cr Bill Moar
Mayor

9.4 MONTHLY FINANCE REPORT

File Number: RPT/20/618

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Vanessa Lock - Finance Officer

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

Rates and Charges collections for the month of September 2020 were \$502,904.23. After allowing for pensioner subsidies, the total levies collected are now 39.18%. For comparison purposes 40.49% of the levy had been collected at the end of September 2019. Council currently has \$30,394,465.51 in cash and investments.

Recommendation

1. That Council notes the monthly finance report.

Detailed Report

The purpose of this report is to indicate to Council the position in relation to the rate of collections and the balance of cash books.

Reconciliation and Balance of Funds held as at 30 September 2020

The reconciliation has been carried out between the Cash Book of each fund and the Bank Pass Sheet as at 30 September 2020.

	Combined Bank Account
Cash Balance as at 1 September 2020	\$ 3,329,093.85
Add: Receipts for the Period Ending 30 September 2020	\$ 3,301,728.09
Rates, Debtors, Miscellaneous	
Less: Payments for the Period Ending 30 September 2020	
Cash Book entries for this Month	\$ 4,236,356.43
Cash Balance at at 30 September 2020	\$ 2,394,465.51
Investments	
Total Investments as at 30 September 2020	\$ 28,000,000.00
TOTAL	\$ 30,394,465.51

Collection of Rates and Charges

Rates and Charges collections for the month of September 2020 were \$502,904.23. After allowing for pensioner subsidies, the total levies collected are now 39.18%. A summary of the Rates and Charges situation as at 30 September 2020 is as follows:

	Rates and Charges	
Levies		
Balance Outstanding at 30 June 2020 - Rates / Water	1,206,927.30	
Rates and Charges Levied 22 July 2020	9,193,808.18	\$ 10,400,735.48
+ Additional Water Charges	476,845.70	
+ Supplementary Rates and Charges	57,728.32	
+ Additional Charges	4,005.00	
- Credit Adjustments	11,982.93	
- Abandonments	2,197.71	\$ 10,925,133.86
Deductions		
- Payments	4,097,672.24	
- Less Refunds of Payments	0.00	\$ 4,097,672.24
		\$ 6,827,461.62
- Pensioner Subsidy		
Government Subsidy	100,644.53	
Council Subsidy	82,339.38	\$ 182,983.91
Total Rates/Water Charges Outstanding		\$ 6,644,477.71

Note: For comparison purposes 40.49% of the levy had been collected at the end of September 2019.

Council Loans Report

Name	Institution	Purpose	Interest Rate	Loan Amount	Amount Outstanding	Due Date
Loan 201	National Australia Bank	Buronga Landfill	4.550% Fixed	\$ 920,000.00	\$ 454,841.43	30/01/2025
Loan 202	ANZ Bank	Civic Centre	3.470% Fixed	\$ 850,000.00	\$ 701,609.73	21/10/2026
Loan 203	National Australia Bank	Midway Centre	3.586% Fixed	\$ 1,900,000.00	\$ 1,727,845.75	28/04/2023
Loan 204	Bendigo Bank	Buronga Landfill	5.290% Fixed	\$ 1,500,000.00	\$ 1,343,850.41	12/05/2037
				TOTAL	\$ 4,228,147.32	

Rates/Water write offs and adjustments

Rates and charges that have been written off under the delegated authority of the General Manager for the month of September 2020.

Account	Date	Amount	Comment
2099-01	10/09/2020	349.19	Cancelled Lease 198947 - Terminated 7/9/2019
1073-1	10/09/2020	168.08	Cancelled rate assessment- amalgamated Licence with Rate Asses 1073/2
713-0012	22/09/2020	130.85	Reduction of rates due to reduction of valuation
713-0013	22/09/2020	130.85	Reduction of rates due to reduction of valuation
713-0014	22/09/2020	130.85	Reduction of rates due to reduction of valuation
713-00016	22/09/2020	130.85	Reduction of rates due to reduction of valuation

Overtime and Travelling

Month: September		Pay Periods	6 & 7	
Overtime				
	Time and a Half		Double Time	
Department	Hours	Amount	Hours	Amount
Administration	6.50	\$ 548.07	6.00	\$ 674.54
Animal Services	2.00	\$ 91.93	4.50	\$ 275.78
Civil Works			4.00	\$ 236.56
Parks & Gardens	12.00	\$ 551.64	20.00	\$ 1,250.58
Roads - Council	190.50	\$ 8,525.21	116.00	\$ 7,185.84
Roads - RMS	6.00	\$ 258.35	9.50	\$ 592.63
Road & Eng - Indoor	3.00	\$ 210.09	13.00	\$ 1,205.44
Waste Management	2.00	\$ 165.03	4.00	\$ 330.06
Water & Waste Water	41.00	\$ 2,000.26	84.50	\$ 5,719.53
Total	263.00	\$ 12,350.58	261.50	\$ 17,470.96
Travel Allowance				
Department	Kms	Amount		
Health & Planning	720.00	\$ 561.60		
Total	720.00	\$ 561.60		

Conclusion

The report indicates to Council that its finances are in a favourable position.

Attachments

Nil

9.5 MONTHLY INVESTMENT REPORT

File Number: RPT/20/649

Responsible Officer: Simon Rule - Director Finance and Policy
Responsible Division: Finance and Policy
Reporting Officer: Hodi Beauliv - Manager Finance

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future
Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

Summary

As at 30 September 2020 Council had \$25,000,000.00 invested in term deposits and \$3 million in other cash investments. Council received \$24,844.39 from its investments for the month of September 2020.

In September 2020 Council investments averaged a rate of return of 0.95% and it currently has \$8,466,832.09 of internal restrictions and \$14,490,314.04 of external restrictions.

Recommendation

That Council notes the monthly investment report.

Detailed Report

Purpose

The purpose of this report is to update Council on the current status of its investments.

Matters under consideration

As at 30 September 2020 Council had \$30,394,465.51 invested with seven financial institutions.

Breakdown of Total Funds Available

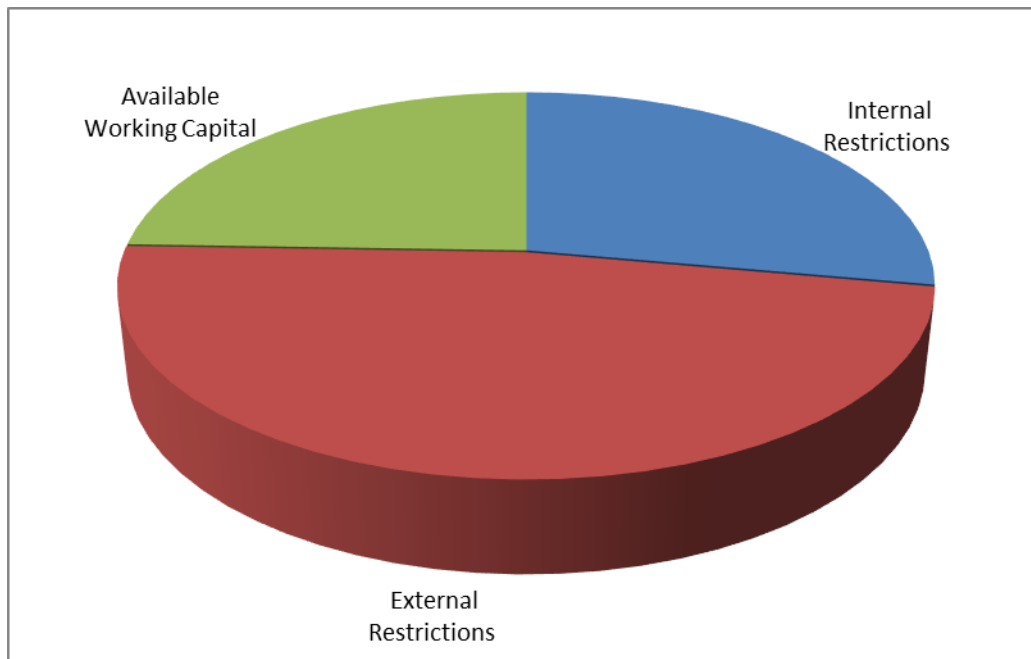
Financial Institution	Amount	Percentage of Available Funds
AMP	\$ 6,000,000.00	19.74%
Bank of Queensland	\$ 4,000,000.00	13.16%
Bendigo Bank	\$ 6,394,465.51	21.04%
IMB Bank	\$ 1,000,000.00	3.29%
Macquarie Bank	\$ 3,000,000.00	9.87%
Members Equity Bank	\$ 5,000,000.00	16.45%
National Australia Bank	\$ 5,000,000.00	16.45%
	\$30,394,465.51	100.00%

Investments on Hand as at 30 September

Investee	Date Invested	Date of Maturity	Effective Interest Rate	Investment Type	Amount Invested
AMP (10)	9/04/2020	7/01/2021	1.85%	Term Deposit	\$ 1,000,000.00
AMP (11)	22/09/2020	Ongoing	1.05%	Notice Account	\$ 1,000,000.00
AMP (2)	7/05/2020	5/11/2020	1.65%	Term Deposit	\$ 1,000,000.00
AMP (6)	14/04/2020	13/10/2020	1.85%	Term Deposit	\$ 1,000,000.00
AMP (7)	25/05/2020	23/11/2020	1.65%	Term Deposit	\$ 1,000,000.00
AMP (9)	13/05/2020	9/12/2020	1.65%	Term Deposit	\$ 1,000,000.00
Bank of Queensland (6)	23/04/2020	22/10/2020	1.50%	Term Deposit	\$ 1,000,000.00
Bank of Queensland (7)	13/08/2020	11/02/2021	0.75%	Term Deposit	\$ 1,000,000.00
Bank of Queensland (8)	2/09/2020	3/03/2021	0.70%	Term Deposit	\$ 1,000,000.00
Bank of Queensland (9)	26/08/2020	24/02/2021	0.70%	Term Deposit	\$ 1,000,000.00
Bendigo Bank (1)	24/08/2020	20/05/2021	0.65%	Term Deposit	\$ 1,000,000.00
Bendigo Bank (10)	31/07/2020	29/01/2021	0.65%	Term Deposit	\$ 1,000,000.00
Bendigo Bank (7)	29/09/2020	29/03/2021	0.50%	Term Deposit	\$ 1,000,000.00
Bendigo Bank (9)	19/08/2020	18/01/2021	0.60%	Term Deposit	\$ 1,000,000.00
IMB Bank	9/09/2020	9/12/2020	1.04%	Term Deposit	\$ 1,000,000.00
Macquarie Bank	10/06/2020	8/10/2020	0.85%	Term Deposit	\$ 1,000,000.00
Macquarie Bank (2)	2/07/2020	3/12/2020	0.85%	Term Deposit	\$ 1,000,000.00
Macquarie Bank (3)	16/07/2020	15/10/2020	0.80%	Term Deposit	\$ 1,000,000.00
Members Equity Bank	24/08/2020	22/12/2020	0.65%	Term Deposit	\$ 1,000,000.00
Members Equity Bank - Ongoing (4)	31/07/2020	Ongoing	0.65%	Cash at Call A/c	\$ 2,000,000.00
Members Equity Bank (10)	16/06/2020	15/12/2020	0.85%	Term Deposit	\$ 1,000,000.00
Members Equity Bank (2)	16/09/2020	14/01/2021	0.60%	Term Deposit	\$ 1,000,000.00
National Australia Bank (2)	13/08/2020	9/02/2021	0.73%	Term Deposit	\$ 1,000,000.00
National Australia Bank (3)	30/06/2020	28/10/2020	0.85%	Term Deposit	\$ 1,000,000.00
National Australia Bank (4)	31/08/2020	28/05/2021	0.75%	Term Deposit	\$ 1,000,000.00
National Australia Bank (6)	28/07/2020	25/11/2020	0.75%	Term Deposit	\$ 1,000,000.00
National Australia Bank (7)	28/09/2020	29/03/2021	0.60%	Term Deposit	\$ 1,000,000.00
Total					\$ 28,000,000.00
Operating Account					\$ 2,394,465.51
Total Funds Available					\$ 30,394,465.51
Representing:					
- Internal Restrictions					
- Employee Entitlements				\$ 2,376,437.00	
- Doubtful Debts				\$ 48,595.00	
- Tip Remediation				\$ 1,372,493.54	
- Future Development Reserve				\$ 1,113,213.94	
- Trust Account				\$ 356,092.61	
- Capital Projects				\$ 1,000,000.00	
- Plant Replacement Reserve				\$ 2,200,000.00	\$ 8,466,832.09
- External Restrictions					
- Water Fund				\$ 9,676,207.81	
- Sewer Fund				\$ 2,574,803.22	
- Developer Contributions Reserve				\$ 619,065.20	
- Domestic Waste Management Reserve				\$ 104,796.78	
- Unexpended Grants				\$ 660,792.47	
- Crown Reserves Reserve				\$ 333,116.80	
- Loan Guarantee Reserve				\$ 10,774.04	
- Prepayments Cemeteries				\$ 510,757.72	\$ 14,490,314.04
- Day to Day Liquidity					\$ 7,437,319.38
Total Funds Available					\$ 30,394,465.51

Note: Ratings provided are from Moody's and Standard & Poors Rating Agencies

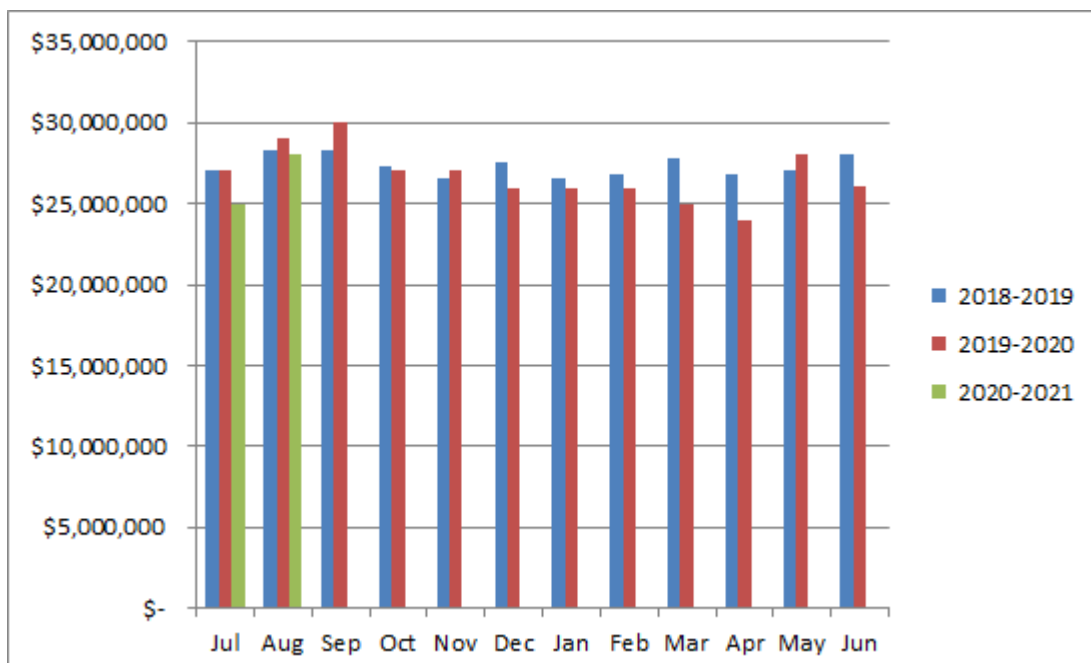
Breakdown



Summary – Unexpended Grants as at 30 September 2020

Grant	Amount
Pooncarie Weir	\$ 77,746.00
RFS R & M Grant 2011-2018	\$ 64,723.00
State Library Infrastructure Grant	\$500,000.00
Wentworth Riverfront BBQ's - SCCF	\$43,753.55
Total	\$ 686,222.55

Total funds invested

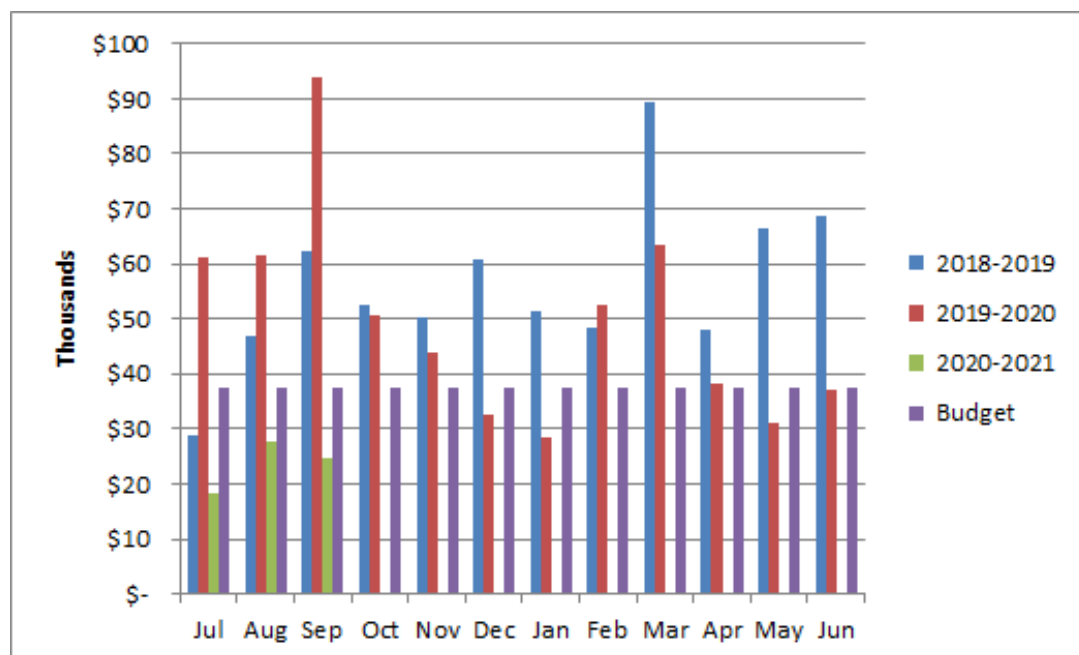


Six term deposits matured in September earning Council \$24,844.39 in interest. The budget for September was \$37,500. Year to date Council has received \$70,689.29 in interest. The year to date budget is \$112,500.

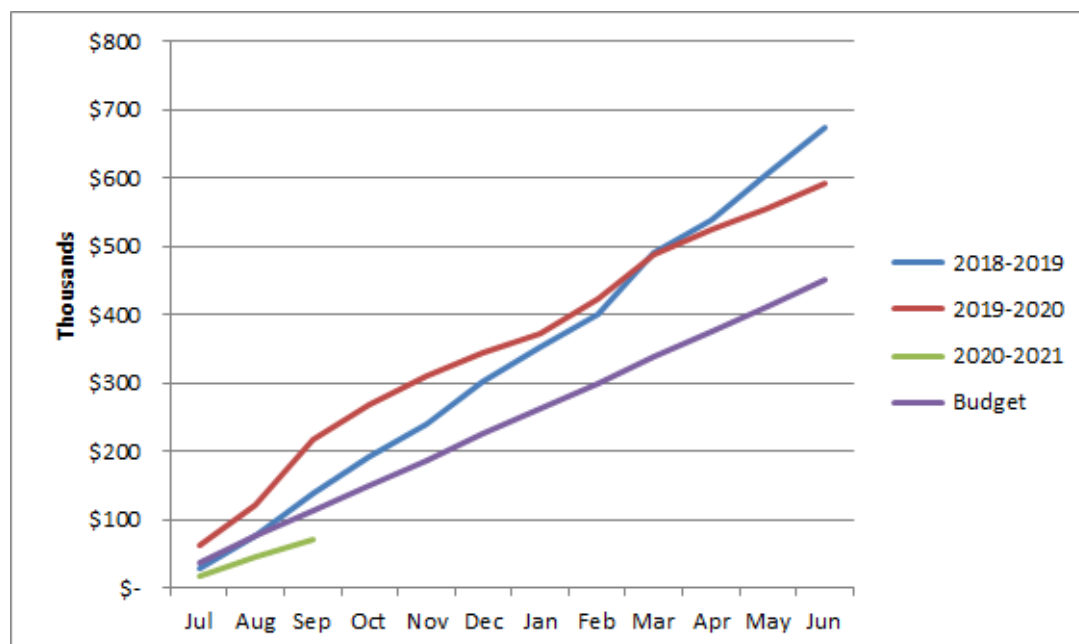
Investments maturing in September 2020

Investee	Date Invested	Date of Maturity	Effective Interest Rate	Investment Type	Amount Invested	Interest Earned
AMP (5)	24/03/2020	22/09/2020	1.80%	Term Deposit	\$ 1,000,000.00	\$ 8,975.34
Bank of Queensland (8)	3/06/2020	2/09/2020	0.85%	Term Deposit	\$ 1,000,000.00	\$ 2,119.18
Bendigo Bank (7)	29/04/2020	29/09/2020	0.95%	Term Deposit	\$ 1,000,000.00	\$ 3,982.19
IMB Bank	9/06/2020	9/09/2020	1.05%	Term Deposit	\$ 1,000,000.00	\$ 2,646.58
Members Equity Bank (2)	20/05/2020	16/09/2020	1.20%	Term Deposit	\$ 1,000,000.00	\$3,912.33
National Australia Bank (7)	29/05/2020	28/09/2020	0.96%	Term Deposit	\$ 1,000,000.00	\$ 3,208.77
Total						\$ 24,844.39

Interest received September 2020

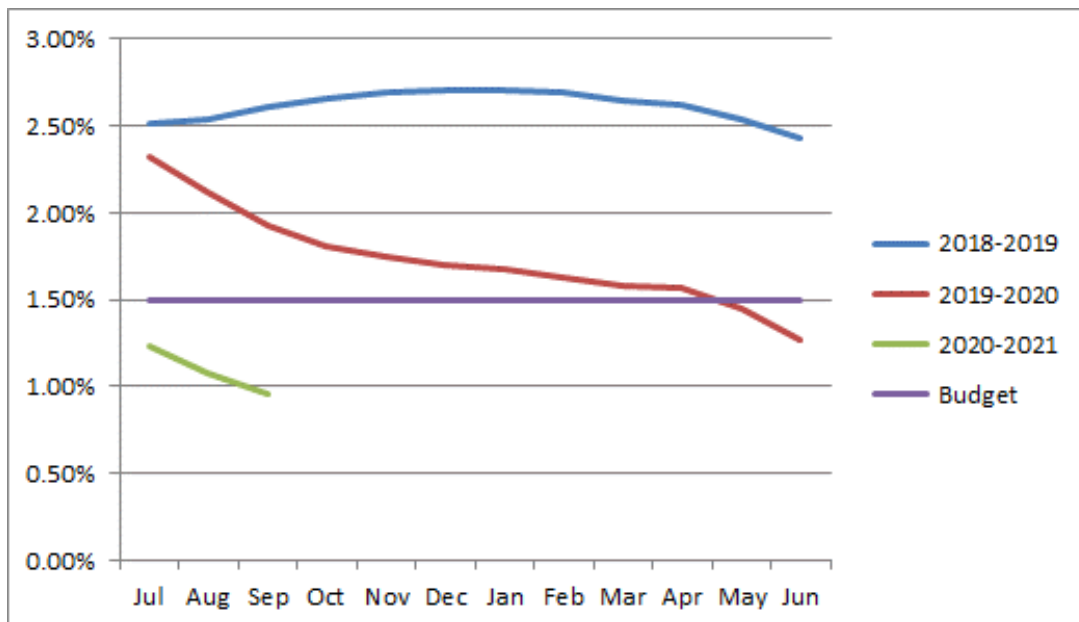


Total Interest received July 2020 – June 2021



For September 2020 Council's investments returned an effective average rate of 0.95%. Year to date the effective average rate has been 1.09%. The budget for 2020-2021 is 1.50%.

Effective average Interest Rate



Conclusion

The Director Finance and Policy certifies that all investments have been made in accordance with the Local Government Act 1993 (NSW), Local Government (General) Regulations 2005 and Council's investment policy.

Council is investing its funds prudently to optimise returns and reduce exposure to risk in accordance with legislation and its own investment policy.

Attachments

Nil

9.6 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 – PLANNING PROPOSAL – REZONE LOTS 216 AND 217 DP 756946 AND LOTS A AND B DP 402812, 26 GOL GOL NORTH ROAD, GOL GOL FROM RU1 PRIMARY PRODUCTION ZONE TO RU5 VILLAGE ZONE AND REMOVE THE MINIMUM LOT SIZE PROVISIONS

File Number: RPT/20/588

Responsible Officer: Matthew Carlin - Director Health and Planning
Responsible Division: Health and Planning
Reporting Officer: Paul Amoateng - Development Services Officer

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire
Strategy: 1.2 Encourage and support population growth and resident attraction

Summary

Wentworth Shire Council at its Ordinary Meeting held 6 March 2019 resolved to submit a Planning Proposal to amend the Wentworth Local Environmental Plan 2011, by rezoning Lots 216 and 217 DP 756946 and Lots A and B DP 402812, 26 Gol Gol North Road, Gol Gol from RU1 Primary Production Zone to RU5 Village Zone and removing the minimum lot size provisions, to the Department of Planning, Industry and Environment for consideration of a Gateway Determination in accordance with Section 3.34 of the Environmental Planning and Assessment Act 1979.

A Gateway Determination to proceed was received from the Department dated 30 July 2020. The Gateway to proceed was subject to conditions, all of which have been satisfied.

This report seeks Council's endorsement to submit the Planning Proposal to Parliamentary Counsel for opinion and then to the Minister for the Department of Planning and Public Spaces to finalise and notify the amendment on the legislative website.

Recommendation

- a) That Council submits the Planning Proposal to amend the Wentworth Local Environmental Plan 2011 by rezoning the subject land from RU1 Primary Production to RU5 Village and removing the minimum lot size provisions to Parliamentary Counsel for opinion, and
- b) That Council submits the Planning Proposal to the Minister for Planning and Public Spaces for finalisation and notification of the amendment to the Wentworth Local Environmental Plan 2011, in accordance with Section 3.36 of the Environmental Planning and Assessment Act 1979, and
- c) That a division be called in accordance with S375A of the Local Government Act 1993 (NSW).

Detailed Report

Purpose

The purpose of this report is to seek Council's endorsement to progress to the final stage of the amendment process by submitting the Planning Proposal to Parliamentary Counsel for opinion and then to the Minister for Planning and Public Spaces, for finalisation of the amendment to the Wentworth Local Environmental Plan 2011 and notification of the amendment on the legislative website.

Background

The subject land of this planning proposal is located on the corner of Gol Gol North Road and Kingfisher Drive, Gol Gol and has a total area of approximately 3.16 hectares. The subject land is zoned RU1 Primary Production with a minimum lot size of 10 hectares.

Council resolved to submit a Gateway Determination request to the Department at its Ordinary Meeting held Ordinary Meeting 6 March 2019. The Gateway Determination to proceed was granted by the Department on 30 July 2020.

Refer to Attachment 1 - Gateway Determination dated 30 July 2020.

Matters under consideration

The Gateway Determination to proceed issued by the Department included four conditions, of which all have been satisfied.

Public exhibition was conducted from 21 August 2020 to 21 September 2020. The public exhibition included:

- a) publishing the planning proposal documents on Council website;
- b) two regular advertisements in the Sunraysia Daily and Mildura Weekly; and
- c) Letter mail-outs to adjoining landowners.

At the close of the exhibition period, Council had not received any public submissions to the planning proposal.

The Gateway Determination did not require consultation with any state agencies.

Following completion of the public exhibition, the planning proposal has been finalised for submission to Parliamentary Counsel for opinion and then to the Minister for Planning and Public Spaces to finalise and notify the amendment to the Wentworth Local Environmental Plan 2011.

Refer Attachment 2 – Planning Proposal.

Options

Based on the information contained in this report, the options available to address this matter are to:

- Submit the planning proposal to Parliamentary Counsel for opinion, and
- Submit the planning proposal to the Minister for Planning and Public Spaces for finalisation and notification of the amendment

Legal, strategic, financial or policy implications

The resolution of Council as recommended by this report will facilitate development of the subject land for residential purposes consistent with the Buronga Gol Gol Structure Plan 2020.

There are no financial implications for Council.

Conclusion

It is concluded that the appropriate course of action is to resolve to submit this planning proposal to the Parliamentary Counsel for opinion and then to Minister for Planning and Public Spaces for finalisation and notification of the plan.

Attachments

1. Gateway Determination[↓](#)
2. Planning Proposal[↓](#)



Planning,
Industry &
Environment

PP_2019_WENTW_001_00
IRF20/3499

Mr Ken Ross
General Manager
Wentworth Shire Council
PO Box 81
WENTWORTH NSW 2648

Dear Mr Ross

Planning proposal [PP_2019_WENTW_001_00] to amend Wentworth Local Environmental Plan 2011

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) and additional information received on 16/07/2020 in respect of the planning proposal to rezone land at North Road, Gol Gol to RU5 Village Zone.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistency with section 9.1 Direction 1.2 Rural Zones is justified in accordance with the terms of the Direction. No further approval is required in relation to this Direction.

I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Ms Meredith McIntyre, Senior Planning Officer, from the Department of Planning, Industry and Environment, Western Region office, to assist you. Ms McIntyre can be contacted on 6229 7912.

Yours sincerely



30.7.20

Damien Pfeiffer
Director, Regions Western
Planning and Assessment Division

Encl: Gateway determination
Authorised plan-making reporting template



Planning,
Industry &
Environment

Gateway Determination

Planning proposal (Department Ref: PP_2019_WENTW_001_00): to rezone land at North Road, Gol Gol to RU5 Village Zone.

I, the Regional Director, Western Region at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Wentworth Local Environmental Plan (LEP) 2011 to rezone land at North Road, Gol Gol to RU5 Village Zone should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal and letter in response to the Department (dated 16 July 2020) must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).

No consultation is required with public authorities/organisation under section 3.34(2)(d) of the Act
2. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
3. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
 - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
 - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
 - (c) there are no outstanding written objections from public authorities.

4. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 30th day of July 2020.



Damien Pfeiffer
Director, Regions Western
Planning and Assessment Division
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces

PP_2019_WENTW_001_00 (IRF19/1771)

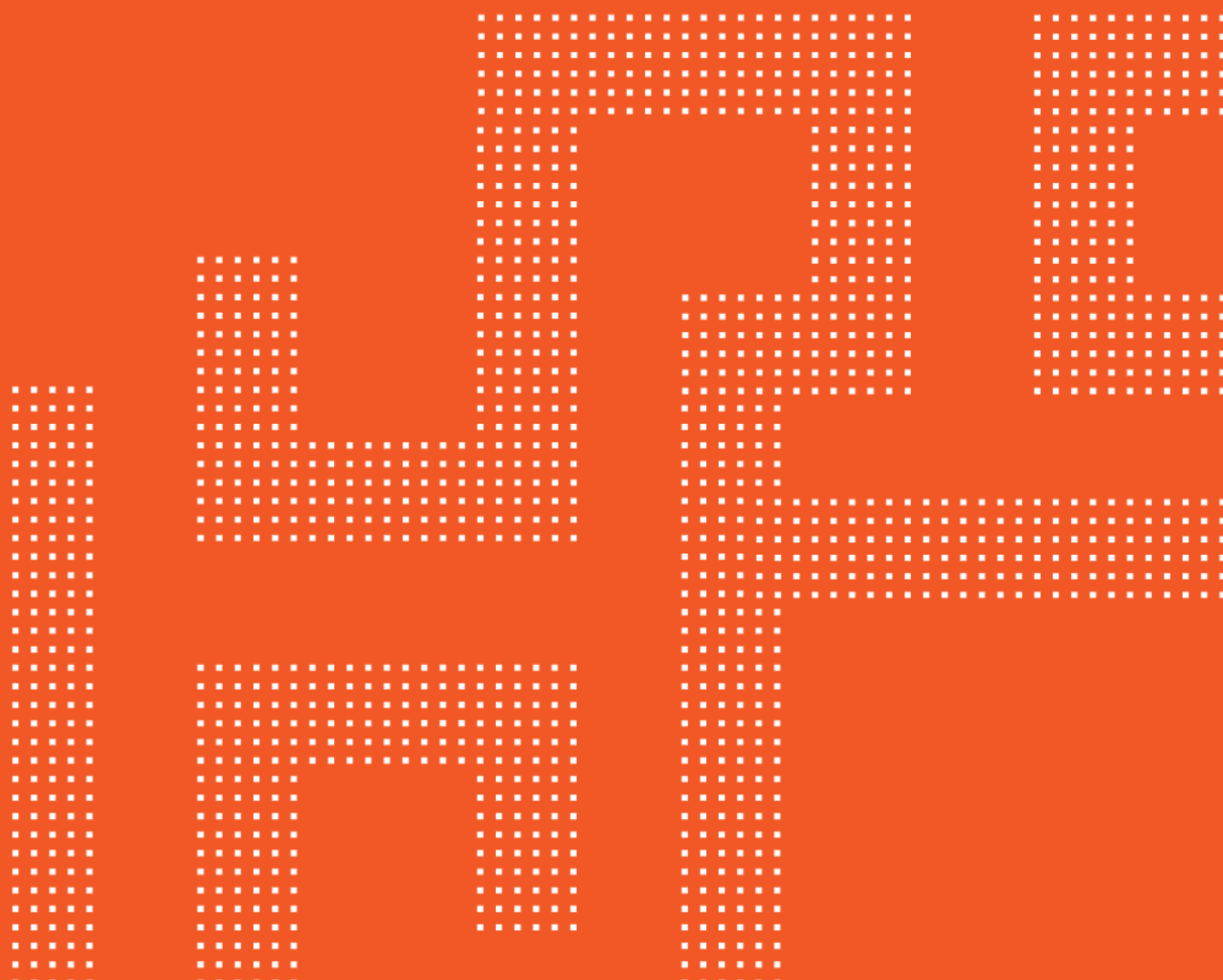
habitat planning

Planning Proposal

26 Gol Gol North Road, Gol Gol

Rezone land from RU1 to RU5

March 2020



TOWN PLANNING + URBAN DESIGN CONSULTANTS

**Prepared for**

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Document Control

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A	24/07/18	Draft for client review	WH
B	19/09/18	Final for lodgement	WH
C	07/01/19	Revised final	WH
D	06/03/20	Revised to exclude packing shed	WH
E	19/03/20	Revised to remove packing shed	WH
F	26/03/20	Revised for subdivision plan	WH



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Institute
Australia

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Attachments

- A. Consistency with State Environmental Planning Policies
- B. Consistency with Ministerial Directions
- C. Consistency with the *Far West Regional Plan 2036*
- D. Consistency with planning principles in *Murray Regional Environmental Plan No 2 – Riverine Land*
- E. Environmental Site Assessment

Introduction

This is a Planning Proposal seeking an amendment to the *Wentworth Local Environmental Plan 2011* (WLEP) to rezone land in Gol Gol to RU5 Village with no minimum lot size. The proposal represents an extension of the zone and minimum lot size applied to land adjoining to the west.

The 3.16 hectares of land is described as Lots 216 and 217 in DP756946, and Lot A and B in DP402812 ("the subject land"). It is located on the south east corner of Gol Gol North and Kingfisher Roads and situated on the north eastern fringe of the Gol Gol township. The context of the subject land is shown in Figures 1 and 2.

The Planning Proposal has been structured and prepared in accordance with the Department of Planning and Environment's (DPE) *A guide to preparing planning proposals* ("the Guide").

PART 1. Intended outcomes

The intended outcome of the Planning Proposal is to allow the subject land to be developed for residential purposes at a density similar to that on adjoining land (see Figure 2).

The existing packing shed will be removed from the subject land prior to development being undertaken and the site remediated in accordance with the recommendations of the Environmental Site Assessment (see Attachment 'E').

PART 2. Explanation of the provisions

The intended outcomes of the Planning Proposal will be achieved by:

- amending the Land Zoning Map Sheet LZN_004G in the WLEP to show the subject land zoned as RU5 Village (see Figure 3); and
- amending the Minimum Lot Size Map Sheet LSZ_004G in the WLEP to show the subject land having no minimum lot size for subdivision (see Figure 4).

PART 3. Justification

This section of the Planning Proposal sets out the justification for the intended outcomes and provisions, and the process for their implementation. The questions to which responses have been provided are taken from the Guide.

Section A. Need for the planning proposal

Q1. *Is the planning proposal a result of any strategic study or report?*

No.

Q2. *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

The subdivision of the land for residential purposes cannot be achieved under the current planning regime because it would be inconsistent with the objectives of the RU1 Primary Production zone and the 10 hectare minimum lot size for subdivision is too large. Consequently the intended outcome can only be achieved through an amendment to the WLEP via a planning proposal.

Section B. Relationship to strategic planning framework

Q3. *Is the planning proposal consistent with the objectives and actions of the applicable regional, sub-regional or district plan or strategy (including any exhibited draft plans or strategies)?*

The *Far West Regional Plan 2036* (RMRP) was adopted by the NSW government in 2017. The Minister's foreword to the document states that the RMRP "*encompasses a vision, goals and actions geared towards delivering greater prosperity in the years ahead for those who live, work and visit this important region.*"

An assessment against the goals and directions of the RMRP is undertaken in Attachment 'C'. This assessment concludes a consistency with those matters relevant to the proposal with the exception of that for protecting agricultural land. This inconsistency is justified on the basis of the circumstances of the subject land being located abutting the township of Gol Gol and the land use conflicts this creates, particularly for intensive plant agriculture.

Q4. *Is the planning proposal consistent with a council's local strategy or other local strategic plan?*

Council's *Community Strategic Plan 2017-2027* identified the following issues relevant to the proposal:

- *Create a place where people want to come and live.*
- *Encourage more housing development.*
- *Flexibility of zoning and development.*

The proposal is an appropriate response to these issues by rezoning land to facilitate urban residential development.

Q5. *Is the planning proposal consistent with applicable State Environmental Planning Policies?*

Attachment 'A' provides an assessment of the Planning Proposal against all State Environmental Planning Policies (SEPP's). In summary, many of the SEPP's are not applicable to the Wentworth local government area and even less are applicable to the circumstances of the Planning Proposal.

The assessment concludes that the Planning Proposal is not inconsistent with any of the relevant SEPP's.

Q6. *Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?*

Section 117 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides for the Minister for Planning to give directions to Councils regarding the principles, aims, objectives or policies to be achieved or given effect to in the preparation of LEP's. A Planning Proposal needs to be consistent with the requirements of the Direction but in some instances can be inconsistent if justified using the criteria stipulated such as a Local Environmental Study or the proposal is of "minor significance".

An assessment of all S117 Directions is undertaken in Attachment 'B'. In summary, the Planning Proposal is either consistent or has some minor inconsistencies with the relevant Directions. Where there is an inconsistency, it has been justified utilising the provisions within each of the Directions.

Section C. Environmental, social & economic impact

Q7. *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?*

The Planning Proposal relates to a small parcel of land located adjoining the town boundary of Gol Gol. The land currently exists in a highly modified natural environment having been used for intensive agriculture and is devoid of remnant vegetation. Consequently, there are no threatened species or their habitat that can be affected by the proposal.

Q8. *Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?*

The subject land adjoins the Gol Gol Creek and consequently any future development has the potential to impact on this environment. The creek (between the banks) is mapped as 'watercourse' on the Natural Resources – Watercourse Map.

The existing packing shed on the subject land is to be removed prior to subdivision to remove any land use conflicts.

Figure 5 shows an indicative lot layout for the future subdivision of the subject land with lots adjoining the creek fronting an internal cul-de-sac. Stormwater from these lots would be directed to drainage infrastructure in the cul-de-sac and then conveyed to a point of pre-treatment for discharge. This controlled drainage will result in a net benefit to the creek environment as stormwater is currently uncontrolled on land used for intensive agriculture. It is expected this will be a requirement of Council when determining a development application for the subdivision. The objectives of clause 7.7 in the WLEP relating to land mapped as 'watercourse' are therefore met by the proposal.

Q9. Has the planning proposal adequately addressed any social and economic effects?

There will be a positive social and economic effect for the Gol Gol community stemming the Planning Proposal through the development of the land for residential purposes and the resulting increase in population.

Section D. State & Commonwealth interests

Q10. Is there adequate public infrastructure for the planning proposal?

Being located adjacent to serviced urban residential development, the subject land has access to all urban infrastructure (including reticulated sewerage). There is capacity within this infrastructure to accommodate the demands created by the future development of the subject land.

Q11. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

No public authorities have been consulted prior to submitting the Planning Proposal to Council for support and subsequent request for a Gateway Determination.

PART 4. Mapping

The following maps and figures are provided in support of the Planning Proposal.



FIGURE 1: Location of subject land within the context of the Gol Gol township (Source: SIX Maps)



FIGURE 2: The subject land within the context of its immediate surrounds (Source: nearmap)

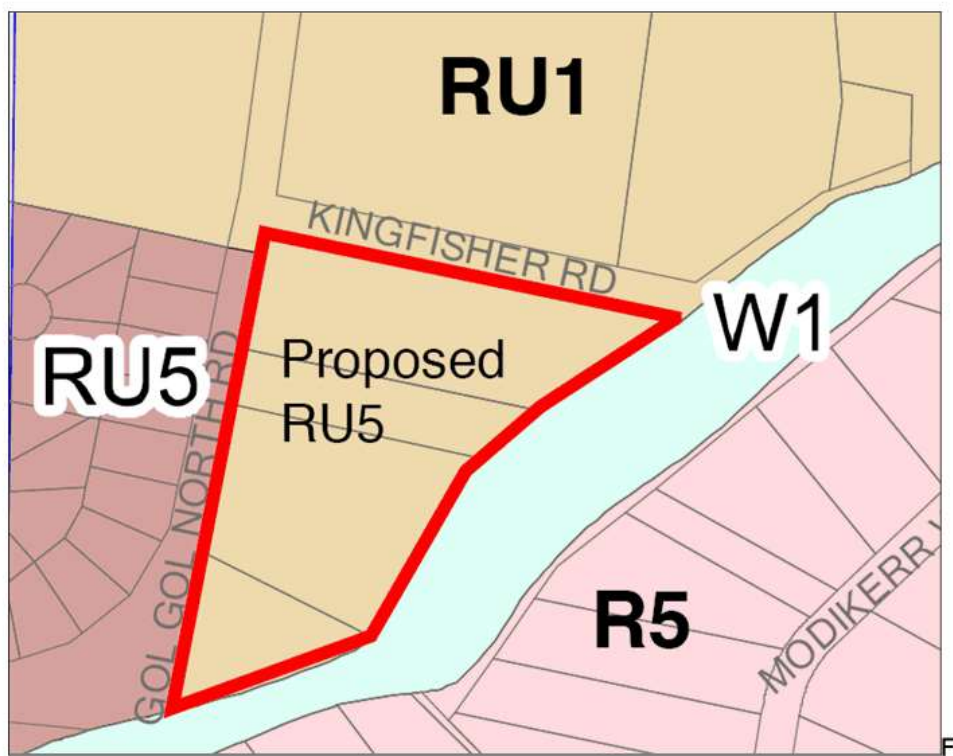


FIGURE 3: Existing and proposed land use zones (Source: WLEP)

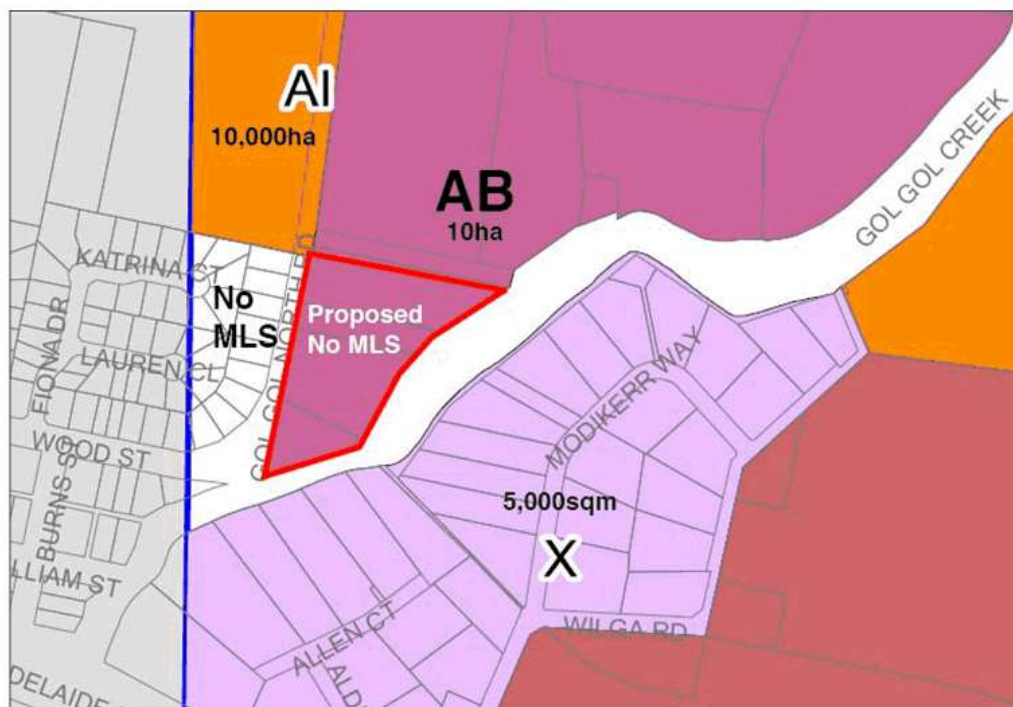


FIGURE 4: Existing and proposed Minimum Lot Sizes (Source: WLEP)



FIGURE 5: Concept plan for future subdivision of the subject land

Dear Sir or Madam:

AHIMS Web Service search for the following area at Lot: 216, DP:DP756946 with a Buffer of 50 meters, conducted by Jarrod Roberts on 12 September 2018.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

FIGURE 6: Results of AHIMS search (Source: OEH)

PART 5. Community consultation

The Planning Proposal will be subject to public exhibition following the Gateway process. The Gateway determination will specify the community consultation that must be undertaken for the Planning Proposal, if any. As such, the exact consultation requirements are not known at this stage.

This Planning Proposal will be exhibited for a period of 28 days in accordance with the requirements of Part 1 Division 1 Clause 4 of Schedule 1 of the EP&A Act and the Guide. At a minimum, the future consultation process is expected to include:

- written notification to landowners adjoining the subject land;
- consultation with relevant Government Departments and agencies, service providers and other key stakeholders, as determined in the Gateway determination;
- public notices to be provided in local media, including in a local newspaper and on Councils' website;
- static displays of the Planning Proposal and supporting material in Council public buildings; and
- electronic copies of all documentation being made available to the community free of charge (preferably via downloads from Council's website).

At the conclusion of the public exhibition period Council staff will consider submissions made with respect to the Planning Proposal and prepare a report to Council.

PART 6. Project timeline

The project timeline for the Planning Proposal is outlined in Table 1. There are many factors that can influence adherence with the timeframe including the cycle of Council meetings, consequences of agency consultation (if required) and outcomes from public exhibition. Consequently the timeframe should be regarded as indicative only.

TABLE 1: – Project timeline

Milestone	Date/timeframe
Anticipated commencement date (date of Gateway determination)	4 weeks following Council resolution to request Gateway determination.
Anticipated timeframe for the completion of required studies	No required studies are anticipated.
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	6 weeks from Gateway determination.
Commencement and completion dates for public exhibition period	6 weeks from Gateway determination.
Dates for public hearing (if required)	At some point within the public exhibition period (if required).
Timeframe for consideration of submissions	2 weeks following completion of exhibition.
Timeframe for the consideration of a proposal post exhibition	4 weeks following completion of exhibition.
Anticipated date RPA will make the plan (if delegated)	To be determined by Gateway determination.
Anticipated date RPA will forward to the department for notification (if delegated).	To be confirmed.

Conclusion

The Planning Proposal is to rezone a small parcel of land on the fringe of the Gol Gol township to facilitate urban residential development. An amendment to the WLEP is necessary to achieve this outcome as the land is currently zoned for rural purposes.

In summary, the Planning Proposal is considered to have merit because:

- the land immediately adjoins developed urban residential land in Gol Gol;
- the land is currently wedged between urban residential and rural residential development;
- the ongoing use rural use of the land for intensive agriculture is now compromised by the proximity of residential development;
- the existing packing shed is to be removed to avoid any potential land use conflicts;
- having regard for the current circumstances, urban residential is now regarded as the highest and best use of the land;
- there is demand for residential lots in Gol Gol evidenced by other subdivisions currently under construction;
- the land can be provided with all urban infrastructure;
- there will be a net social benefit for the Gol Gol community through additional population growth;
- there are no environmental impacts from future development that can't be mitigated; and
- it is generally consistent with the broader strategic planning framework for the Region, Shire and Gol Gol.

Attachment 'A'

Consistency with State Environmental Planning
Policies

No.	Title	Consistency
1	Development Standards	Not applicable since gazettal of WLEP.
14	Coastal Wetlands	Not applicable to the local government area of Wentworth.
19	Bushland in Urban Areas	Not applicable to the local government area of Wentworth.
21	Caravan Parks	The Planning Proposal does not conflict with the aims, development consent requirements, number of sites being used for long term or short term residents, permissibility of moveable dwellings where caravan parks or camping grounds are also permitted, and subdivision of caravan parks for lease purposes as provided in the SEPP.
26	Littoral Rainforests	Not applicable to the local government area of Wentworth.
30	Intensive Agriculture	Not relevant as cattle feedlots and piggeries are prohibited in the RU5 zone.
33	Hazardous & Offensive Development	Whilst the general nature of the RU5 Township zone provides for industry with consent and therefore the possibility of hazardous and offensive development, the purpose of the proposal is for residential development. It is unlikely an application for a hazardous and offensive development would succeed on the subject land due to the size of the parcel and the proximity of existing residential development.
36	Manufactured Home Estate	The Planning Proposal does not conflict with the aims, strategies, development consent, assessment and location provisions as provided in the SEPP.
44	Koala Habitat Protection	Regardless of the zone, this SEPP would apply to any future development of the land for which consent is required as Wentworth is nominated as one of the LGA's to which it applies and the subject land has an area in excess of one hectare.
47	Moore Park Showground	Not applicable to the local government area of Wentworth.
50	Canal Estate Development	The Planning Proposal does not conflict with the aims and canal estate development prohibitions as provided in the SEPP.
52	Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable as the subject land is not within any of the nominated irrigation areas or districts.
55	Remediation of Land	As the Planning Proposal will create the opportunity for residential development, Clause 6 of this SEPP requires Council to consider whether the subject land is potentially contaminated. An Environmental Site Assessment (ESA) has been prepared as part of the Planning Proposal and identified a number of small locations containing contaminants. The ESA concludes that none of these were outside of the packing shed perimeter. Lot B DP402812 was not included in the ESA but Council can be confident this land is not potentially contaminated because it is already in residential use.
62	Sustainable Aquaculture	Not relevant as 'aquaculture' (as a subset of 'agriculture') is prohibited within the RU5 zone.
64	Advertising & Signage	The Planning Proposal does not conflict with the aims, development consent requirements and assessment criteria for advertising and signage as provided in the SEPP.

No.	Title	Consistency
65	Design Quality of Residential Flat Development	The Planning Proposal does not conflict with the aims, development consent, assessment, information and notification requirements as provided in the SEPP.
70	Affordable Housing (Revised Schemes)	Not applicable to the local government area of Wentworth.
71	Coastal Protection	Not applicable to the local government area of Wentworth.
	Affordable Rental Housing 2009	The Planning Proposal does not conflict with the aims and functions of this SEPP as changes do not discriminate against the provision of affordable housing (and consequently affordable rental housing). The WLEP cannot influence the provision of rental housing.
	Building Sustainability Index (BASIX) 2004	The Planning Proposal does not conflict with the aims and development consent requirements relating to BASIX affected building(s) that seeks to reduce water consumption, greenhouse gas emissions and improve thermal performance as provided in the SEPP.
	Coastal Management 2018	Not applicable to the local government area of Wentworth.
	Educational Establishments & Child Care Facilities 2017	The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to educational establishments and child care facilities as provided in the SEPP.
	Exempt & Complying Development Codes 2008	The Planning Proposal does not conflict with the aims and functions of this SEPP with respect to exempt and complying development provisions.
	Housing for Seniors & People with a Disability 2004	The Planning Proposal does not conflict with the aims, development consent, location, design, development standards, service, assessment, and information requirements as provided in the SEPP.
	Infrastructure 2007	The Planning Proposal does not conflict with the aims, permissibility, development consent, assessment and consultation requirements, capacity to undertake additional uses, adjacent, exempt and complying development provisions as provided in the SEPP.
	Integration & Appeals 2016	Not applicable to the proposal.
	Kosciuszko National Park – Alpine Resorts 2007	Not applicable to the local government area of Wentworth.
	Kurnell Peninsula 1989	Not applicable to the local government area of Wentworth.
	Mining, Petroleum Production & Extractive Industries 2007	The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to mining, petroleum production and extractive industries as provided in the SEPP.
	Miscellaneous Consent Provisions 2007	The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to temporary structures as provided in the SEPP.

No.	Title	Consistency
	Murray Regional Environmental Plan No. 2 – Riverine Land	<p>The subject land is within the area to which this SEPP applies. The Planning Proposal does not contradict the general planning principles of MREP2 as it will have little to no impact on the riverine environment. An assessment against the specific planning principles within MREP2 is undertaken in Attachment 'D'.</p> <p>As the subject land is located more than 700 metres from the top of the river bank at the closest point, most of the specific planning principles in Part 2 of MREP2 don't require consideration.</p>
	Penrith Lakes Scheme 1989	Not applicable to the local government area of Wentworth.
	Rural Lands 2008	<p>This SEPP is relevant because the subject land is currently zoned RU1. Clause 10 requires Council to consider the following matters relating to subdivision and dwellings.</p> <ul style="list-style-type: none"> <i>a) the existing uses and approved uses of land in the vicinity of the development,</i> <i>b) whether or not the development is likely to have a significant impact on land uses that, in the opinion of the consent authority, are likely to be preferred and the predominant land uses in the vicinity of the development,</i> <i>c) whether or not the development is likely to be incompatible with a use referred to in paragraph (a) or (b),</i> <i>d) if the land is not situated within a rural residential zone, whether or not the development is likely to be incompatible with a use on land within an adjoining rural residential zone,</i> <i>e) any measures proposed by the applicant to avoid or minimise any incompatibility referred to in paragraph (c) or (d).</i> <p>The Planning Proposal is generally consistent with these matters because:</p> <ul style="list-style-type: none"> a) The land uses in the immediate vicinity of the subject land are a mix of agriculture, residential and rural residential. The development of the land for residential purposes is generally compatible with these surroundings. b) Whilst there is no land use strategy for Gol Gol indicating the preferred future use of land (beyond land use zones), the subject land exists as a small parcel wedged between a fully developed residential estate and a creek. The northern boundary is opposite rural land in use for agriculture but is separated by a 20 metre wide road reserve providing a buffer between the two. c) Residential development will be generally compatible with all the surrounding land uses. A road reserve provides a buffer to agricultural land to the north. d) There is no land zoned for rural residential adjoining the subject land. Land on the opposite side of the Gol Gol Creek is developed for rural residential purposes but is approximately 70 metres from the subject land. e) No measures are proposed.
	State & Regional Development 2011	Not applicable as the Planning Proposal is not for State significant development.
	State Significant Precincts	Not applicable as the subject land is not within a State significant precinct.

No.	Title	Consistency
	Sydney Drinking Water Catchment 2011	Not applicable to the local government area of Wentworth.
	Sydney Region Growth Centres 2006	Not applicable to the local government area of Wentworth.
	Four Ports 2013	Not applicable to the local government area of Wentworth.
	Urban Renewal 2010	Not applicable as the subject land is not within a nominated urban renewal precinct.
	Vegetation in Non-Rural Areas 2017	This SEPP is relevant because it involves land proposed for the RU5 zone. However the subject land is devoid of vegetation hence the SEPP will have no influence over its future development.
	Western Sydney Employment Area 2009	Not applicable to the local government area of Wentworth.
	Western Sydney Parklands 2009	Not applicable to the local government area of Wentworth.

Attachment 'B'

Consistency with Ministerial Directions

No.	Title	Consistency
1.	Employment and Resources	
1.1	Business & Industrial Zones	Not applicable as the Planning Proposal does not involve business or industrial zones.
1.2	Rural Zones	<p>This direction requires consideration because it applies to all Councils and the Planning Proposal affects land within an existing rural zone.</p> <p>The Planning Proposal is inconsistent with this direction because it advocates the rezoning of rural land to residential and reduces the minimum lot size for subdivision.</p> <p>However, the inconsistency is justified on the basis that at around 3ha the area to which the Planning Proposal applies is of 'minor significance'.</p>
1.3	Mining, Petroleum Production & Extractive Industries	Not applicable as the Planning Proposal does not impact on mining.
1.4	Oyster Aquaculture	Not applicable as the subject land is not within a Priority Oyster Aquaculture Area.

<p>1.5 Rural Lands</p>	<p>This direction is relevant because the planning proposal affects land within a rural zone and advocates a minimum lot size for subdivision less than that permitted in the RU1 zone.</p> <p>The direction requires that the planning proposal must be consistent with the following Rural Planning Principles expressed in the SEPP (Rural Lands).</p> <ul style="list-style-type: none"> <i>a) the promotion and protection of opportunities for current and potential productive and sustainable economic activities in rural areas,</i> <i>b) recognition of the importance of rural lands and agriculture and the changing nature of agriculture and of trends, demands and issues in agriculture in the area, region or State,</i> <i>c) recognition of the significance of rural land uses to the State and rural communities, including the social and economic benefits of rural land use and development,</i> <i>d) in planning for rural lands, to balance the social, economic and environmental interests of the community,</i> <i>e) the identification and protection of natural resources, having regard to maintaining biodiversity, the protection of native vegetation, the importance of water resources and avoiding constrained land,</i> <i>f) the provision of opportunities for rural lifestyle, settlement and housing that contribute to the social and economic welfare of rural communities,</i> <i>g) the consideration of impacts on services and infrastructure and appropriate location when providing for rural housing,</i> <i>h) ensuring consistency with any applicable regional strategy of the Department of Planning or any applicable local strategy endorsed by the Director-General.</i> <p>The planning proposal can be considered consistent with these principles for the following reasons:</p> <ul style="list-style-type: none"> a) The land is located within the township of Gol Gol and as such is appropriate for future residential development. Consequently, it can be considered as having no economic future in a rural context. b) As for a) above. c) The loss of approximately 3ha of rural land through its rezoning and development will have no impact on the local community. d) The use of the land for residential purposes as part of Gol Gol's continued growth is more in the community's interest than rural use. e) The subject land is devoid of environmental features. It is also unaffected by natural hazards such as bushfire and flooding in a 1 in 100-year event. f) The rezoning will create opportunities for housing that will benefit rather than impact on the local community. g) The proposed residential development will be fully serviced to minimise impacts. h) See an assessment of the proposal against the <i>Far West Regional Plan 2036</i> at Attachment 'C'.
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	<p>The direction also requires that the planning proposal must be consistent with the following Rural Subdivision Principles expressed in the SEPP (Rural Lands).</p> <ul style="list-style-type: none"> <i>a) the minimisation of rural land fragmentation,</i> <i>b) the minimisation of rural land use conflicts, particularly between residential land uses and other rural land uses,</i> <i>c) the consideration of the nature of existing agricultural holdings and the existing and planned future supply of rural residential land when considering lot sizes for rural lands,</i> <i>d) the consideration of the natural and physical constraints and opportunities of land,</i> <i>e) ensuring that planning for dwelling opportunities takes account of those constraints.</i> <p>The planning proposal can be considered consistent with these principles for the following reasons:</p> <ul style="list-style-type: none"> a) The Planning Proposal will not result in the fragmentation of rural land because the subject land is immediately joining the Gol Gol township (i.e. it is not a parcel of land within an area of RU1 zoned land). b) There is potential for conflict between the proposed residential use of the subject land and the use of land to the north. However, a 20-metre-wide road reserve will separate the uses and act as a buffer. c) There are no agricultural holdings and the proposed development is not for 'rural residential'. d) The subject land is above the 1 in 100-year flood level and can be provided with all urban infrastructure. Having two road frontages and access to all urban services presents as an opportunity for the land to be developed for urban residential purposes. e) The future residential development will be subject to consent from Council and there will be an opportunity at that point ensure any constraints are accounted for.
2. Environment and Heritage	
2.1 Environment Protection Zones	<p>This direction is relevant because it applies to all Planning Proposals.</p> <p>The Planning Proposal is consistent with this direction because it does not involve land identified as environmentally sensitive.</p>
2.2 Coastal Protection	Not applicable as the subject land is not within a coastal zone.
2.3 Heritage Conservation	<p>This direction is relevant because it applies to all Planning Proposals.</p> <p>The Planning Proposal is consistent with this direction because it does not affect existing provisions within the WLEP relating to the protection of known European and Aboriginal heritage.</p>
2.4 Recreation Vehicle Areas	<p>This direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal is consistent with the direction because it does not advocate the designation of the subject land as a recreation vehicle area pursuant to an order in force under section 11 (1) of the <i>Recreation Vehicles Act 1983</i>.</p>

2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs.	Not applicable.
3. Housing Infrastructure and Urban Development		
3.1	Residential Zones	<p>This direction is relevant because the Planning Proposal is advocating a zone within which residential development will be permitted.</p> <p>The Planning Proposal is consistent with this direction because it will provide the opportunity for a greater choice and supply of housing in Gol Gol and make use of existing urban infrastructure</p>
3.2	Caravan Parks & Manufactured Home Estates	<p>This direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal is consistent with this direction because it does not reduce the opportunities for caravan parks and manufactured homes estates on the subject land.</p>
3.3	Home Occupations	<p>This direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal will not prevent future dwellings being used for 'home occupations' and hence is consistent with this direction.</p>
3.4	Integrating Land Use and Transport	<p>This direction is relevant because the Planning Proposal is advocating a zone permitting urban development.</p> <p>The Planning Proposal will facilitate residential development at an urban scale within Gol Gol. Recreational facilities are available in close proximity. Having regard for these circumstances, the Planning Proposal is considered consistent with this direction.</p>
3.5	Development Near Licensed Aerodromes	Not applicable as none of the lots are in the vicinity of a licensed aerodrome.
3.6	Shooting Ranges	Not applicable as none of the lots are in the vicinity of a shooting range.
4. Hazard and Risk		
4.1	Acid Sulphate Soils	Not applicable as none of the lots contain acid sulphate soils.
4.2	Mine Subsidence & Unstable Land	Not applicable as none of the lots are within Mine Subsistence District.
4.3	Flood Prone Land	Not applicable as the subject land is not mapped as flood prone.
4.4	Planning for Bushfire Protection	Not applicable as the subject land is not mapped as bushfire prone.
5. Regional Planning		
5.1	Implementation of Regional Strategies	Revoked in 2017.
5.2	Sydney Drinking Water Catchment	Not applicable as the lots are not within the Sydney Drinking Water Catchment.
5.3	Farmland of State & Regional Significance on the NSW Far North Coast	Not applicable as the lots are not within one of the local government areas nominated in this direction.

5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable as none of the lots are near the Pacific Highway.
5.5	Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Revoked in 2010.
5.6	Sydney to Canberra Corridor	Revoked in 2008.
5.7	Central Coast	Revoked in 2008.
5.8	Second Sydney Airport: Badgerys Creek	Not applicable as none of the lots are near the site for a second Sydney airport.
5.9	North West Rail Link Corridor Strategy	Not applicable as none of the lots are near this corridor.
5.10	Implementation of Regional Plans	<p>This direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal complies with this direction because it is consistent with the <i>Far West Regional Plan 2036</i> (see Attachment 'C').</p>
6. Local Plan Making		
6.1	Approval and Referral Requirements	<p>This direction requires consideration because it applies to all Planning Proposals.</p> <p>The Planning Proposal is consistent with this direction because it does not propose any referral requirements or nominate any development as 'designated development'.</p>
6.2	Reserving Land for Public Purposes	<p>This direction is relevant because it applies to all Planning Proposals.</p> <p>The Planning Proposal is consistent with this direction because it does not remove or propose any public land.</p>
6.3	Site Specific Provisions	Not applicable as the proposal does not propose any site-specific provisions.
7. Metropolitan Planning		
7.1	Implementation of A Plan for Growing Sydney	Not applicable as the lots are not within one of the local government areas nominated in this direction.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable as the lots are not within one of the local government areas nominated in this direction.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable as the lots are not within one of the local government areas nominated in this direction.
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable as the lots are not within the North West Priority Growth Area.

7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable as the lots are not within the Greater Parramatta Priority Growth Area.
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable as the lots are not within the Wollondilly Shire Council.

Attachment 'C'

Consistency with the Far West Regional Plan 2036

Goal, Direction & Action Title	Relevance to the Planning Proposal	Compatibility
Goal 1 – A diverse economy with efficient transport and infrastructure networks.		
Direction 1 – Grow the agribusiness sector, value-added manufacturing opportunities and supply chains	Not relevant, as the proposal does not relate to value-added manufacturing	N/A
Direction 2 – Protect productive agricultural land and plan for greater land use compatibility.	Relevant because the land is currently zoned and used for agriculture.	The proposal conflicts with this Direction as the rezoning will result in the loss of productive agricultural land. It is however a small area and situated adjoining urban residential development and a watercourse. It is therefore considered unsuitable for intensive plant agriculture being the most recent use of the land.
Direction 3 – Sustainably manage mineral resources.	Not relevant, as the subject land is not known to contain any significant mineral resources.	N/A
Direction 4 – Diversify energy supply through renewable energy generation.	Not relevant as the proposal does not relate to energy supplies.	N/A
Direction 5 – Promote tourism opportunities.	Not relevant, as the proposal does not relate to tourism.	N/A
Direction 6 – Unlock economic potential through improved freight transport infrastructure.	Not relevant, as the proposal does not relate to transport.	N/A
Direction 7 – Improve regional air connections.	Not relevant as the proposal does not relate to air transport.	N/A
Direction 8 – Enhance access to telecommunications	Not relevant as then proposal does not relate to telecommunications.	N/A
Direction 9 – Sustainably manage water resources for economic opportunities.	Not relevant as the proposal does not relate to water resources.	N/A

Direction 10 – Enhance the economic self-determination of Aboriginal communities	Not relevant, as the proposal does not relate to the management of Aboriginal communities.	N/A
Direction 11 – Support new planning and land management arrangements	Not relevant as the proposal is not on unincorporated land.	N/A
Direction 12 – Enhance the productivity of employment lands.	Not relevant as the proposal does not relate to employment	N/A
Goal 2 – Exceptional semi-arid rangelands traversed by the Barwon-Darling River.		
Direction 13 – Protect and manage environmental assets	Not relevant, as the subject land is not an "environmental asset".	N/A
Direction 14 – Manage and conserve water resources for the environment	Not relevant as the proposal will have no impact on water resources.	N/A
Direction 15 – Manage land uses along key river corridors	Not relevant as the subject land is not located adjoining the Murray, Darling or Barwon Rivers.	N/A
Direction 16 – Increase resilience to climate change	Not relevant as the proposal will have no impact on climate change.	N/A
Direction 17 - Manage natural hazard risks	Not relevant as the subject land is not mapped as bush fire or flood prone.	The proposal is consistent with Action 17.1 to "locate developments, including new urban release areas, away from areas of known high biodiversity value, high bushfire and flooding hazards, and designated waterways to reduce the community's exposure to natural hazards."
Direction 18 – Respect and protect Aboriginal cultural historic assets.	Relevant, as the <i>Wentworth Shire Development Control Plan 2011</i> has a map at Appendix A showing a strip of land along the Gol Gol Creek as an area "likely to contain archaeological sites".	Whilst noting the actual parameters of this strip are difficult to determine from the map, it is appropriate to consider the <i>Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales</i> to ascertain the potential for items of Aboriginal cultural heritage being present (see below).

Due diligence steps		Response
Direction 19 – Conserve and adaptively re-use European heritage assets	1. Will the activity disturb the ground surface or any culturally modified trees?	Yes, there will be ground disturbance through the construction of the future subdivision. There are no trees on the subject land.
	2. Are there any: a) relevant confirmed site records or other associated landscape feature information on AHIMS? and/or b) any other sources of information of which a person is already aware? and/or c) landscape features that are likely to indicate presence of Aboriginal objects?	There are no Aboriginal sites or places recorded for the subject land on AHIMS (see Figure 6). There are no other sources available such as a specific site investigation for Aboriginal sites or places. The landscape of the subject land is highly modified (including soil conditions) through its use for many years as intensive agriculture. Consequently, there are no remaining features indicating a presence of Aboriginal objects.
	3. Can harm to Aboriginal objects listed on AHIMS or identified by other sources of information and/or can the carrying out of the activity at the relevant landscape features be avoided?	Not applicable having regard for the response to Step 2.
	4. Does a desktop assessment and visual inspection confirm that there are Aboriginal objects or that they are likely?	No.
	5. Further investigation and impact assessment	Not required having regard for the response to Step 2.
Direction 19 – Conserve and adaptively re-use European heritage assets	Not relevant as the subject land contains no European heritage.	N/A
Goal 3 – Strong and connected communities.		
Direction 20 – Manage change in settlements.	Relevant as the proposal affects Gol township.	The Planning Proposal will benefit the Gol community through an increase in population.

Direction 21 – Strengthen communities of interest and cross-regional relationships	Relevant because while Gol Gol is not directly opposite the regional city of Mildura on the Murray River, it is in proximity.	The proposal will offer more choice in residential location and an alternative to a larger regional city for future residents.
Direction 22 – Collaborate and partner with Aboriginal communities.	Not relevant because the proposal does not relate to Aboriginal communities.	N/A
Direction 23 – Improve access to local health services, aged care and seniors' housing.	Not relevant as the proposal will have no impact on access to such services and will not be providing housing for this sector.	N/A
Direction 24 – Enhance access to education and training.	Not relevant as the proposal does not relate to education and training.	N/A
Direction 25 – Improve public and community transport services.	Not relevant, as the proposal does not relate to public transport.	N/A
Direction 26 – Manage and conserve water resources for communities.	Not relevant as the proposal will have no impact on water resources.	N/A
Direction 27 - Provide greater housing choice.	Relevant as the proposal is intended to provide for residential development.	The proposal will provide an additional location for future residential development in Gol Gol and therefore choice for future residents.
Direction 28 - Deliver greater opportunities for affordable housing.	Relevant as the proposal will result in residential development.	From a policy perspective, the proposal is inconsistent with this Direction because in the absence of any incentives either at the State or Local level for the private sector to provide for 'affordable housing', it is unlikely to be provided for in the future development of the subject land.
Direction 29 - Manage rural residential development.	Not relevant, as the proposal does not relate to rural residential development.	N/A
Direction 30 - Create healthy built environments.	Relevant as the proposal will result in new residential development.	The actions espoused for this Direction will be achieved through Council's assessment of the development application for future residential subdivision.

Attachment 'D'

Consideration of principles in Murray Regional
Environmental Plan No 2 – Riverine Land

Principles to be taken into account	Consistency
General (a) the aims, objectives and planning principles of this plan. (b) any relevant River Management Plan (c) any likely effect of the proposed plan or development on adjacent and downstream local government areas. (d) the cumulative impact of the proposed development on the River Murray.	<p>Satisfaction against the general objectives can be determined by the assessment against the specific principles below.</p> <p>There are no known river management plans relevant to the proposal.</p> <p>Polluted stormwater is the only consequence of the development that potentially could have a detrimental downstream impact. The subject land is more than 700 metres from the river itself and stormwater from any future subdivision will be treated prior to discharge. Done properly, this should result in no downstream impacts.</p> <p>None.</p>
Access The waterway and much of the foreshore of the River Murray is a public resource. Alienation or obstruction of this resource by or for private purposes should not be supported. Development along the main channel of the River Murray should be for public purposes. Moorings in the main channel should be for the purposes of short stay occupation only. Human and stock access to the River Murray should be managed to minimise the adverse impacts of uncontrolled access on the stability of the bank and vegetation growth.	<p>The proposal does not prevent access to the river.</p> <p>Not applicable.</p> <p>The subject land does not have frontage to the river.</p>
Bank disturbance Disturbance to the shape of the bank and riparian vegetation should be kept to a minimum in any development of riverfront land.	<p>The development is not on riverfront land.</p>

<p>Flooding</p> <p>Where land is subject to inundation by floodwater:</p> <ul style="list-style-type: none"> a) the benefits to riverine ecosystems of periodic flooding, b) the hazard risks involved in developing that land, c) the redistributive effect of the proposed development on floodwater, d) the availability of other suitable land in the locality not liable to flooding, e) the availability of flood free access for essential facilities and services, f) the pollution threat represented by any development in the event of a flood, g) the cumulative effect of the proposed development on the behaviour of floodwater, and h) the cost of providing emergency services and replacing infrastructure in the event of a flood. <p>Flood mitigation works constructed to protect new urban development should be designed and maintained to meet the technical specifications of the Department of Water Resources</p>	<p>The Flood Planning Area Map in the WLEP does not encroach on the subject land indicating it is not flood prone.</p> <p>Not applicable.</p>
<p>Land degradation</p> <p>Development should seek to avoid land degradation processes such as erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salination and soil acidity, and adverse effects on the quality of terrestrial and aquatic habitats.</p>	<p>The only land disturbance arising from future development will be through subdivision works and site preparation for residential development. These works will be controlled via a Soil and Water Management Plan.</p>
<p>Landscape</p> <p>Measures should be taken to protect and enhance the riverine landscape by maintaining native vegetation along the riverbank and adjacent land, rehabilitating degraded sites and stabilising and revegetating riverbanks with appropriate species.</p>	<p>Notwithstanding that the subject land does not have river frontage, it is highly modified from its natural riverine environment. There remain some trees along the Gol Gol Creek but this is not in the subject land.</p>

<p>River related uses</p> <p>Only development which has a demonstrated, essential relationship with the river Murray should be located in or on land adjacent to the River Murray. Other development should be set well back from the bank of the River Murray</p> <p>Development which would intensify the use of riverside land should provide public access to the foreshore.</p>	<p>The subject land is not 'on' or adjacent to the river.</p> <p>The subject land is not 'riverside' land.</p>
<p>Settlement</p> <p>New or expanding settlements (including rural-residential subdivision, tourism and recreational development) should be located:</p> <ul style="list-style-type: none"> (a) on flood free land, (b) close to existing services and facilities, and (c) on land that does not compromise the potential of prime crop and pasture land to produce food or fibre. 	<p>The proposal is considered to be infill rather than 'greenfield' development. Notwithstanding that, the subject land is not flood prone and located within a short distance of central Gol Gol.</p> <p>All urban services are available to service the future development of the subject land.</p> <p>The rezoning will result in the loss to agriculture of a small area of land. However, the land abuts the urban area of the town and is considered strategically suitable to accommodate some of the future growth of Gol Gol.</p>
<p>Water quality</p> <p>All decisions affecting the use or management of riverine land should seek to reduce pollution caused by salts and nutrients entering the River Murray and otherwise improve the quality of water in the River Murray.</p>	<p>It is possible that development of the land for urban residential purposes will result in an improvement of water quality in the river because existing run-off from the agricultural activity is unconstrained and potentially more polluted.</p>

Wetlands Wetlands are a natural resource which have ecological, recreational, economic, flood storage and nutrient and pollutant filtering values. Land use and management decisions affecting wetlands should: (a) provide for a hydrological regime appropriate for the maintenance or restoration of the productive capacity of the wetland, (b) consider the potential impact of surrounding land uses and incorporate measures such as a vegetated buffer which mitigate against any adverse effects, (c) control human and animal access, and (d) conserve native plants and animals	The subject land does not contain a wetland.
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Attachment 'E'

Environmental Site Assessment



Mark Hooper Designs

Environmental Site Assessment

**26 Gol Gol North
Road, Gol Gol, NSW**

18 June 2018



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Document Status

	Issue Date	Purpose of Document
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	Name	Position	Date
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Environmental Site Assessment

**26 Gol Gol North
Road, Gol Gol, NSW**

Prepared by

Sunraysia Environmental Pty Ltd

for

Mark Hooper Designs

Project Manager: Troy Muster

Consultant: Nathan Floramo

Report No: #63/1 Date: 18/06/2018



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Executive Summary

Mark Hooper Designs engaged Sunraysia Environmental to undertake a Preliminary Environmental Site Assessment (ESA) for a property that is proposed to be developed into a residential subdivision.

The site is currently an agricultural property, and a development application to subdivide and rezone the land for residential use has been submitted to the Wentworth Shire Council.

As a planning authority, the Wentworth Shire Council will need to consider the potential for land to be contaminated under the *State Environmental Planning Policy, Remediation of Land SEPP*.

A Preliminary ESA will ascertain if there is any potential for contamination issues with the land or infrastructure at the site, in accordance with the *National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013) (NEPM)*.

This principal aim of this assessment was to identify:

- potential sources of contamination and determine potential contaminants of concern
- areas of potential contamination
- potential human and ecological receptors
- potentially affected media (soil, sediment, groundwater, surface water, indoor and ambient air).

The property is being used as a market garden, and has a house that is now rented to employees. Much of the property also featured a vineyard that has been cleared in stages. A large shed was constructed about 10 years ago to be used as a warehouse for a small business distributing packaging supplies for fruit and vegetables.

The analysis results show that there was no detectable level of herbicides or pesticides in soil samples collected during the site assessment.

The analysis results show that levels of hydrocarbon contamination were present in small quantities of stained soil. The TRH results for S1 and S3 exceeded the recommended investigation levels, particularly in the C10-C16 (F2) and C16-C34 (F3) fractions.

The soil was stained by oil leaking from tractors and other farming implements in the maintenance shed (S1) were contaminated by hydrocarbons as was expected. Also, the soil stained by minor spillage of diesel at the diesel tank (S3) was also contaminated by hydrocarbons. Only low levels of hydrocarbons were detected at S5, where small patches of soil were stained by oil leaking from a parked tractor.

Due to the fact the areas contaminated by hydrocarbons were very small, no immediate action is required from a regulatory or operational point of view, as there are no plausible pathways for the contaminated soil to be a threat to the environment or human health. However, as best practice, remediation and proper disposal of the contaminated soil should be considered. Such remediation or disposal should comply with National Environment Protection Measure (NEPM) guidelines.

Onsite remediation of soil would require the preparation of a Remedial Action Plan (RAP). Under NSW planning legislation consent may be required from the Wentworth Shire Council for remediation.

Off site disposal of will require the excavated soil to be classified as required by NSW EPA's waste classification guidelines. The classification of the soil hazard will determine the appropriate management and disposal facility for the contaminated soil.

Any suspected asbestos containing materials that may be present in the existing buildings will need to be managed in accordance with the NSW *Work Health and Safety Regulation 2011*. A qualified building inspector should be consulted prior to planning any renovations or demolition of existing buildings to identify materials suspected of containing asbestos and to provide guidance on correct handling and disposal of those materials.

If the small quantities of stained soil are remediated or removed as waste, the site would then be suitable for residential use.

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Appendices

Appendix 1: Location Map

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1.0 Introduction

Mark Hooper Designs engaged Sunraysia Environmental to undertake a Preliminary Environmental Site Assessment (ESA) for a property that is proposed to be developed as a residential subdivision.

The site is currently an agricultural property, and a development application to subdivide and rezone the land for residential use has been submitted to the Wentworth Shire Council.

As a planning authority, the Wentworth Shire Council will need to consider the potential for land to be contaminated under the State Environmental Planning Policy, *Remediation of Land SEPP*.

A Preliminary ESA will ascertain if there is any potential for contamination issues with the land or infrastructure at the site, in accordance with the *National Environmental Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013) (NEPM)*.

This principal aim of this assessment was to identify:

- potential sources of contamination and determine potential contaminants of concern
- areas of potential contamination
- potential human and ecological receptors
- potentially affected media (soil, sediment, groundwater, surface water, indoor and ambient air).

1.1 Site Identification

The property is located at Gol Gol, NSW, on the corner of Gol Gol North Road and Kingfisher Road on the northern outskirts of the township. A location map is provided in Appendix 1. Gol Gol Creek is located adjacent to the eastern boundary of the property.

The property is comprised of three parcels:

- Lot A DP402812
- Lot 216 DP756946
- Lot 217 DP756946

According to SIX Maps (an online mapping tool for NSW), the property address is 26 Gol Gol North Road, Gol Gol.

1.2 Current and Proposed Use

The site is currently used for agriculture and distribution of packaging for fruit and vegetables. There are eight glasshouses for growing vegetables, a residential dwelling, a large shed for the storage and distribution of bins for the packing of fruit and vegetables, a workshop and a several smaller sheds used for housing agricultural equipment. The remainder of the site is used for growing vegetables.

The proposed use is residential, with the property proposed to be subdivided into small lots.

1.3 Zoning and Planning Overlays

The property is located within the Wentworth Shire Council, and is subject to the rural use zone (RU1 – Primary Production) as defined under the Wentworth Local Environmental Plan 2011.

2.0 Site Description

2.1 Geology, Soils and Topography

Gently undulating topography dominates the landforms of the region. The property is situated close to the centre of the Murray Basin, which is a depression that has filled with tertiary marine and non-marine sediments. This sequence has subsequently been overlain by Quaternary aged aeolian, fluvial and lacustrine sediments.

The property is located on the edge of the Murray River floodplain, with the eastern boundary running alongside Gol Gol Creek (also known as Moontongue Creek).

Gol Gol Creek flows in a north easterly direction to Gol Gol Swamp and ultimately Lake Gol Gol. The creek is a distributary of the Murray River, with the junction situated 1 km south west of the property.

Above the floodplain, the soils are formed from Quaternary aged, aeolian deposits known as the Woorinen formation. Soils formed from this material are characterised by horizons of concentrated calcium carbonate (finely divided lime or calcrete rubble). These soils are commonly sandy at the surface, with the clay content increasing down the profile.

The Murray River floodplain consists of Quaternary fine-textured alluvial deposits which are prevalent adjacent the property in Gol Gol Creek.

The topography of the property and surrounding land is relatively flat. The property is elevated about 3 - 5m above the normal water level in Gol Gol Creek. There is a gentle slope across the property which falls to the south east towards the creek. The eastern boundary of the property is aligned with the top of the creek bank.

2.2 Vegetation

The property was cleared of native vegetation to enable use for agriculture.

The vegetation prior to clearing would have been a mix of Semi-arid Woodland and Inland Floodplain Woodlands, as the property lies on the transition zone from floodplain to higher ground. A mix of Black Box open woodland with native pine and Black Oak - Western Rosewood open woodland would have been expected. There is remnant riverine vegetation present alongside Gol Gol Creek with a mix of River Red Gum and Black Box woodlands.

2.3 Groundwater

There are no groundwater bores shown within 500m of the property according to the NSW Office of Water online groundwater database. There is one bore located about 900m to the east (GW087069). Monitoring data since 1972, when the bore was installed show that the depth of groundwater varies between 4 – 5m below the surface. The location is shown on the inset map in Appendix 1.

2.4 Sources of Information

Information for this preliminary assessment has been obtained from the following sources:

- Mr Marco Ceilo – current property owner
- Wentworth Shire Council – site history and general site information
- NSW Land & Property Information – Spatial Information Exchange (SIX Maps)

- NSW Land & Property Information – Historical Lands Records Viewer (HLRV)
- InfoTrack Pty Limited – Historic title information
- Department of Primary Industries - geology, groundwater bore data and surface water, vegetation
- NSW Office of Water - geology, soils, vegetation
- NSW EPA – online search of the public register under *Section 308 of the Protection of the Environment Operations Act 1997 (the POEO Act)*
- Satellite imagery
- Aerial photography
- Site layout plans
- Trove – National Library of Australia archives
- A site inspection conducted on 30 April 2018.

2.5 Previous and Current Land Use

On 17 March 1836, the surveyor Thomas Livingston Mitchell set out on an expedition from central NSW near Orange, with 25 men, two boats, a train of bullock carts and a herd of at least 100 cattle, which were to be used for food when wild animals were scarce.

On his arrival at the site of the future village the local Aboriginals informed Mitchell that the area next to the Murray River was called Gol Gol (meaning meeting place). Mitchell generally used Aboriginal names when marking his maps as he felt that a map was more useful if settlers could ask the local inhabitants for help. When Mitchell returned to his base camp on the 4 June 1836 he passed on the name of Gol Gol to his superiors.

Dr Dugald Fletcher was one of the first settlers in the area, and took possession of Tapio Station in 1846. Tapio Station in 1870 was 600,000 acres and occupied the area east of the Darling River, north of the Murray River and Mallee Cliffs Station, south of Burtundy Station, and east of Arumpo Station. Dr Dugald Fletcher's family managed Tapio Station after his death in 1869. The portion of Tapio east of the Darling River was sold to a partnership known as Service, Brooke and Ormand in 1871.

In 1865 a survey was undertaken by the NSW government to determine the site of the proposed Gol Gol township alongside the Murray River, which was notified in the government Gazette of 1866.

In 1871 sales began of allotments at Gol Gol but it took a decade for many of them to be occupied.

Gol Gol, in the early 1880's was a small village. The mostly underdeveloped town site was recorded as having one hotel, one store, one stone building residence, a cemetery with three graves and one log hut. It was also an important stop along the old coach road used by travellers.

Ben Chaffey purchases Tapio in 1905 and divided it into smaller parcels, then Eli Barnfield purchased a downsized section of Tapio in 1906. The remainder was purchased by Sylvester Byrnes and referred to as Wamberra Station. Both families still own their portions.

The Gol Gol township continued to increase in size as a result of irrigated horticulture being established in the surrounding area. Market gardens were developed by local families alongside the township at this time.

The land now occupied by the existing property was Crown land occupied under Western Lands Lease (WLL). The land under WLL surrounding the township was used for grazing and irrigated horticulture.

In 1943, George Herbert Eastwell was granted a portion of WLL2818 as freehold land, then referred to as Allotment 58. Allotment 58 was the southern portion of the property now referred to as Lots A and B DP402812.

Aerial imagery captured in 1945 indicated that the site was being used for horticulture, with a structure visible, assumed to be the existing house on what is now referred to as Lot 216 DP756946.

In 1952, Allotment 58 was subdivided into two lots, A and B DP402812. George Herbert Eastwell retained Lot B, which is not subject to this ESA. James Joseph King, a local market gardener, purchased Lot A. The following year, in 1958, Giovanni Macri, also a market gardener, purchased Lot A. Although not part of this ESA, Lot B was also owned by the current owner of the site, who built a house in late 2010 on what was a part of a patch of vines that extended over Lot A.

In 1960, Licinio Cielo, a market gardener, purchased Lot A. He also purchased Lots 216 and 217 (located north of Lot A and south of Kingfisher Road). It is at that time that lots 216 and 217 were transferred from WLL (WLL2722 and WLL2818 respectively). Richard White was listed as the lessee of WLL2818 and S.R.A. Hancock was listed as lessee of WLL2722 in 1977 on the Western Lands Commission's *Town of Gol Gol and Environs* map.

Aerial imagery captured in 1972 showed the property was used for irrigated horticulture.

In 1984, Marco Cielo, Licinio's son, and Janet Mary Cielo took over possession of Lots A and B (DP402812) and Lots 216 and 217 (DP756946).

Marco Cielo is listed as the current proprietor of the property.

Table 1: Previous and current land owners

Land parcel	Volume-Folio	Proprietor	Date purchased	Comment
Tapio		Dr Dugald Fletcher	1846	Station used for grazing
Tapio		Service, Brooke and Ormand	1870's	Station used for grazing
Tapio		Gol Gol township surveyed	1865	
Tapio		Gol Gol township established	1880's	
Gol Gol township commons		Western Lands Lease	1901	Portions of land surrounding
Tapio		Ben Chaffey	1905	Station used for grazing
Tapio		Eli Barnfield	1906	Station used for grazing
Allotment 58	6445/18	George Herbert Eastwell	22/1/1943	Woodcutter and general labourer, Allotment 58 is created from a portion of WLL2818

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Land parcel	Volume-Folio	Proprietor	Date purchased	Comment
Lot A DP402812	7432/152	James Joseph King	21/1/1952	Market gardener, Allotment 58 is subdivided into Lots A & B (G Eastwell retains Lot B)
Lot A DP402812	7524/60	Giovanni Macri	9/10/1985	Market gardener
Lot A DP402812		Licinio Cielo	19/9/1960	Market gardener
Lot A DP402812		Marco Cielo	1/8/1985	Market gardener/Current owner
WLL2722		S.R.A. Hancock	Unknown	Western lands lease
216 DP756946	15290/171	Licinio Cielo	18/12/1984	Market gardener, Lot 216 created after WLL is converted to freehold
216 DP756946		Marco Cielo	1/8/1985	Market gardener/Current owner
WLL2818		Richard White	Unknown	Western lands lease
217 DP756946	15290/214	Licinio Cielo	18/12/1984	Market gardener, Lot 217 created after WLL is converted to freehold
217 DP756946		Marco Cielo	1/8/1985	Market gardener/Current owner

2.6 Previous & Present Buildings & Structures

A review of historic aerial imagery and parish maps did not reveal the presence of any features of concern for agricultural properties such as shearing sheds, or sheep dips. A house appeared in aerial imagery captured in 1945 in the same position as the one that existed at the time of this assessment. The house is also visible in imagery captured in 1972, and was evident that at that time the property is being used for irrigated horticulture.

The buildings at the time of this assessment included the farmhouse (Figure 1), and a shed used for packing fruit and vegetables, an office and a maintenance/storage area (Figures 2 - 6). The house was estimated to be more that 50-60 years old and it is possible that it may contain asbestos containing materials. These materials were not identified as part of this assessment.

A large shed used by MC Bin Supplies as a warehouse to store fruit and vegetable packaging was located alongside Kingfisher Road (Figure 7). The shed was constructed about 10 years ago.

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Figure 1: Farmhouse



Figure 2: Packing shed

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Figure 3: Packing shed (left) and maintenance shed (right)



Figure 4: Packing shed

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Figure 5: Packing shed and office



Figure 6: Maintenance and storage shed



Figure 7: Packaging supplies storage shed, Kingfisher Road is visible on the left

There are 8 glasshouses located at the north western part of the property for growing vegetables (Figure 8).



Figure 8: Glasshouses

At the north eastern part of the property near the edge of the escarpment to Gol Gol Creek were two small older sheds, the smaller one (Figure 9) was being used for storage and the larger one (Figure 10) was used for storage, but was also a workshop or maintenance shed in the past. Neither of these sheds was being used on a regular basis, and appear to have been used when the property incorporated a vineyard more than 10 years ago.



Figure 9: Old storage shed



Figure 10: Old storage and maintenance shed

A pump shed is located further south on the bank of Gol Gol Creek, (Figure 11). The pump motors are electric.



Figure 11: Pump shed on Gol Gol Creek

2.7 Wastes Produced & Disposal Locations

Rubbish and waste generated during activities on the property were collected in domestic and industrial bins and disposed of at the municipal landfill by contractors.

2.8 Discharges to Land & Water

According to the current owner, there have been no known discharges to land and water at the property that would cause concern for contamination. A search of the NSW EPA's database for penalty notices in the Wentworth Shire Council areas did not reveal any records. The property was not on the list of contaminated sites notified to the EPA as of 8 June 2018.

2.9 Product Spills, Losses, Incidents & Accidents

There were no formal recording systems identified for incidents or accidents by farm managers. No incidents or accidents that caused significant contamination were recalled by the current owner.

2.10 Spill Control Systems

There was no spill control system for the three aboveground fuel tanks, aside from regular checking of volumes of fuel products.

2.11 Chemical Storage & Transfer Areas

At the time of the site inspection, agricultural chemicals were stored in a secured facility in the maintenance shed with an impervious floor of concrete (Figure 12). There was no evidence of discharges or spillages from that area. There was a small quantity of fertilizers located nearby (Figure 13).



Figure 12: Chemical storage in the maintenance shed



Figure 13: Fertilizer storage area

There were three small aboveground fuel tanks located at the southern end of the packing shed. They appeared to be in good condition with only minor staining evident on the soil beneath them. Two of the tanks have been used for storing diesel, and the other for petrol.



Figure 14: Fuel storage area at the southern end of the packing shed



Figure 15: Fuel storage area at the southern end of the packing shed

2.12 Motive Power

Contamination issues relating to motive power was limited to vehicles and machinery for farming operations.

2.13 Sewer & Underground Services

The existing farmhouse was serviced by a septic sewerage system.

Other underground services to the property included telecommunication cables, water pipes as well as electricity in the vicinity of the farmhouse, sheds and pump sites.

The underground services are not expected to provide a conduit for any potential contaminants.

2.14 History of Adjacent Land Uses

Until recently, the land surrounding the property was all used for irrigated horticulture until the land on the opposite side of Gol Gol North Road was redeveloped for residential use more than 15 years ago. A fruit packing company, Simfresh, was established about 15 years ago on the opposite side of the intersection of Gol Gol North Road and Kingfisher Road.

No land use or activity in the vicinity of the property is suspected of posing a contamination risk.

3.0 Site Inspection

A site inspection was conducted on 30 April 2018 to gather information about the status of the property and observe any environmental concerns or potential issues.

The following features are an example of the types of evidence that were sought during the site inspection:

- Current uses of the site and surrounding uses
- Disturbed, coloured or stained soil
- Bare soil patches
- Disturbed or distressed vegetation
- Presence of chemical containers, holding tanks, mixing areas and tank fill points
- Unusual odours
- Quality of any surface water present
- Site topography and surface water drainage features
- Condition of buildings, concrete and bitumen, floors, tracks and roads
- Presence of fill, containment areas, sumps, drains and landfill sites – exposed or buried
- Underground structures that may be associated with sub-surface contamination
- Condition of materials storage and handling facilities and any solid or liquid waste disposal areas
- Any evidence of off-site migration, on-site spillage of dangerous goods, abnormal colouration of ground or surface waters or sheens on water surfaces
- Fuel storage and refuelling areas
- Sheep dips.

No areas were identified on the property that would indicate on-site or off-site contamination issues, aside from minor staining of soil from oil and diesel. The property did not have any unusual bare patches or signs of distressed or dying vegetation. No other types of evidence listed above were identified in the site history or site inspection. Figures 16 – 21 show the six locations suspected of having contaminants present which were identified during the site inspection. These locations are also shown on the map (Appendix 1).

Soil from the maintenance shed's earthen floor was observed to be stained from oil leakage where tractors and farm equipment were parked (Figure 16). A composite sample (S1) was taken from four locations in the patch of stained soil.

Discoloured soil from beneath a spray cart (Figure 17) was sampled (S2) by taking soil from three locations.

Soil stained by minor spillage during refuelling of plant and equipment was apparent at the base of two of the ASTs located at the southern end of the packing shed (Figure 19). A composite sample (S3) was taken from three of the patches of stained soil.

Bare soil was observed in the spaces between the glasshouses (Figure 19). The bare soil could indicate the use of herbicides. A composite sample was obtained using soil from 4 locations (Appendix 1) to ascertain if the soil contained excessive amounts of herbicides.

Stained soil observed beneath a parked tractor (Figure 20) was also selected for sample S5. It was a composite sample taken from three locations within a stained patch of soil.

Soil from the earthen floor of the older shed used for maintenance and storage (Figure 21) was also sampled (S6). There were four locations selected from the floor for the composite sample.



Figure 16: S1 – stained soil beneath parked tractor



Figure 17: S2 – stained soil beneath spray cart



Figure 18: S3 – stained soil beneath fuel tanks



Figure 19: S4 – bare soil between glasshouses



Figure 20: S5 – stained soil beneath parked tractor



Figure 21: S6 – soil forming the floor of older shed

4.0 Sample Collection & Analysis

4.1 Site Selection and Sampling

Based on the site history and the contaminants of concern, the sampling plan chosen was a *systematic judgemental* sampling pattern. Soil sampling locations were based on probable distribution of the contaminants as determined by the location evidence of potential contamination.

As described in Section 3.0, the sampling locations were selected by observing stained patches of soil, or bare patches of soil (Figures 16 – 21). Samples were taken from just below the soil surface. A map of the site showing the location of each sample point is appended (Appendix 1).

A total of six soil samples were collected and their details are presented in Table 2. The analysis results are provided in Appendix 2.

Table 2: Samples Taken for Laboratory Analysis

Sample	Sample Description	Smell Detected	Visual Staining
S1	Soil stained by oil on shed floor beneath parked tractors in maintenance shed. Composite sample taken from four locations.	Yes	Yes
S2	Soil beneath sprayer and next to chemical storage area. Composite sample taken from three locations.	No	Yes
S3	Soil featuring minor staining beneath aboveground fuel tanks. Composite sample taken from three locations.	Yes	Yes
S4	Bare soil between glasshouses. Composite sample taken from four locations.	No	No
S5	Oil stained soil beneath parked tractor with fork lift. Composite sample taken from 3 locations.	Yes	Yes
S6	Soil in older shed shed near creek. Composite sample taken from four locations.	No	No

The soil sampling was conducted using a stainless steel trowel. The samples at sampling sites were made up of the soil just below the surface (25-100 mm). The soil samples were placed into solvent-washed screw top glass jars supplied by the testing laboratory. Samples were despatched chilled in a portable cooler to the testing laboratory under chain of custody procedures.

The laboratory used for the soil testing was Envirolab. The laboratory is approved by the *National Association of Testing Authorities* (NATA), and the analyses conducted were within the NATA registration of the laboratory.

Sample analysis reflected the contaminants known to potentially occur at the site:

- Benzene, Toluene, Ethyl-benzene, Xylene and Naphthalene (BTEXN)
- Total Recoverable Hydrocarbons (TRH)
- Polycyclic Aromatic Hydrocarbons (PAH)
- Organochlorine and Organophosphorous Pesticides (OCP/OPP)
- Phenoxo Acid Herbicides.

Quality Assurance and Control (QA/QC) measures undertaken for this Stage included:

- Sampling tools cleaned between each sampling event
- Appropriate sample labelling, preservation, storage and transport under chain of custody procedures
- Laboratory analyses conducted within appropriate holding times
- Use of laboratories that hold NATA accreditation for the analyses undertaken
- Analysis of laboratory QA/QC samples including duplicates, blanks, matrix spikes, matrix spike duplicates and surrogates.

4.2 Analytical Techniques

The analytical techniques used by the testing laboratory (Envirolab) for the analysis of soil samples listed in Table 3.

Table 3: Soil Analysis Methods

Analysis	Method Reference
BTEX	Org-016
TRH C6 – C9	Org-016
TRH C10 – C36	Org-003
PAH	Org-012
OCP/OPP	Org-012
Herbicides	Org-031

5.0 Laboratory Analysis Results

5.1 Analysis Results & Interpretation

Relevant extracts are presented and discussed below in relation to soil criteria that are used to interpret the potential risks to human health and ecosystems from contaminants found on the site.

This interpretation uses the following levels from the *National Environmental Protection Measure (NEPM) Guidelines on Investigation Levels for Soil and Groundwater, Schedule B1 (1999)* as appropriate:

- Ecological investigation levels (EILs)
- Ecological screening levels (ESLs)
- Groundwater investigation level (GIL)
- Health investigation levels (HILs)
- Health screening levels (HSLs)
- Management limits (ML)

As described in Section 4, samples S1, S2 and S5 were analysed for hydrocarbon contamination (BTEXN, TRH and PAH), while samples S2, S4 and S6 were analysed for herbicides, organochlorine and organophosphorous pesticides (OCP/OPP).

5.2 Benzene, Toluene, Ethyl Benzene, Xylene and Naphthalene

There were no detectable levels of Benzene, Toluene, Ethyl Benzene, Xylene or Naphthalene (BTEXN) in any of the soil samples analysed (Table 4).

Table 4: BTEXN Concentrations in Soil Samples

Sample ID	BTEX				
	Benzene mg/kg	Toluene mg/kg	Ethyl Benzene mg/kg	Xylene (Total) mg/kg	Naphthalene mg/kg
S1	<0.2	<0.5	<1	<1	<1
S3	<0.2	<0.5	<1	<1	<1
S5	<0.2	<0.5	<1	<1	<1
Level 1	10	10	1.5	10	10
Level 2	50	85	70	105	170
Level 3	75	135	165	180	370

Note: BTEX – Benzene, Toluene, Ethyl Benzene & Xylene
 Ecological Screening Levels for coarse textured soils (NEPM Schedule B1, Table 1B(6))
 Level 1 – Areas of ecological significance
 Level 2 – Urban residential and public open space
 Level 3 – Commercial and industrial

5.3 Total Recoverable Hydrocarbons (TRH)

There were levels of TRH detected in soil samples S1, S3 and S5, particularly for the C16-C34 fractions (Table 5). The detectable levels in the higher fractions (F2-F3) are typically indicative of the presence of diesel fuel. The highest fractions (F3-F4) are typically indicative of the presence of lubricating oil. Samples S1 and S5 were both stained by oil so it was expected that hydrocarbons were detectable in the F3 and F4 fractions. Sample S3 was from soil that was stained by diesel, so it was expected that hydrocarbons were detectable in the F2 and F3 fractions. Sample S1 had detectable levels in F3 that exceeded Levels 1 to 5. Sample S3 had detectable levels in F2 that exceeded Levels 1 to 3, and levels

in F3 that exceeded Levels 2 – 4. Sample S5 only had very low levels of hydrocarbons detectable in F3.

The management limits are used to consider the formation of light non aqueous phase liquids, fire and explosion risks and damage to buried infrastructure. These values assist with evaluation of human health and ecological risks and risks to groundwater resources and apply to all soil depths based on site-specific considerations. Levels 1, 2, 3, 4 and 5 relate to the typically coarse texture of the soil surface that was sampled.

Table 5: Total Recoverable Hydrocarbon Concentrations in Soil Samples

Sample ID	Total Recoverable Hydrocarbons			
	C6-C10 (F1) mg/kg	C10-C16 (F2) mg/kg	C16-C34 (F3) mg/kg	C34-C40 (F4) mg/kg
S1	<25	62	5,800	2,100
S3	<25	840	3,400	<100
S5	<25	<50	110	<100
Level 1	125	25	-	-
Level 2	180	120	300	2800
Level 3	215	170	1700	3300
Level 4	700	1000	2500	10000
Level 5	700	1000	3500	10000

Note: Ecological Screening Levels for coarse textured soil (NEPM Schedule B1, Table 1B(6))

Level 1 – Areas of ecological significance

Level 2 – Urban residential and public open space

Level 3 – Commercial and industrial

Management Limits for TPH fractions F1-F4 in coarse textured soil (NEPM Schedule B1, Table 1B(7))

Level 4 - Residential, parkland and public open space

Level 5 - Commercial and industrial

5.4 Polycyclic Aromatic Hydrocarbons

The list of Polycyclic Aromatic Hydrocarbons (PAH) that were analysed is shown in the appended laboratory analysis report (Appendix 2). The total amount of PAHs found in each sample is shown in Table 6, along with the specific PAH chemicals that were detected. Only a very low amount of Pyrene was detected in sample S3. It did not exceed Levels 1 to 5. No other PAHs were detectable.

Table 6: Polycyclic Aromatic Hydrocarbons in Soil

Sample Id	PAH detected (mg/kg)	Total PAH (mg/kg)
S1	Nil	<0.1
S3	Pyrene (0.8)	0.8
S5	Nil	<0.1
Level 1		300
Level 2		4000
Level 3		10
Level 4		170
Level 5		370

Note: Health investigation levels for direct contact with soil (NEPM Schedule B1, Table 1A(1):

Level 1 – Recreational (HIL C);

Level 2 – Commercial/Industrial (HIL D);

Ecological Investigation Levels for soil (NEPM Schedule B1, Table 1B(5)):

Level 3 – Areas of ecological significance (Naphthalene);

Level 4 – Urban residential and public open space (Naphthalene);

Level 5 – Commercial and industrial (Naphthalene)

5.5 Organochlorine and Organophosphorous Pesticides

The list of organochlorine and organophosphorous pesticides (OCP/OPP) that were analysed is shown in the appended laboratory analysis report (Appendix 2). The total amount of pesticides found in each sample is shown in Table 7, along with any specific pesticides that were detected. No OCPs or OPPs were detectable in samples S2, S4 or S6.

Table 7: Organochlorine and Organophosphorous Pesticides in Soil

Sample Id	OCP/OPPs detected (mg/kg)	Total OCP/OPP (mg/kg)
S2	Nil	<0.1
S4	Nil	<0.1
S6	Nil	<0.1

Note: Health investigation levels for direct contact with soil for selected OCPs and OPPs are provided in NEPM Schedule B1, Table 1A(1).

5.6 Phenoxy Acid Herbicides

The full list of Phenoxy Acid Herbicides that were analysed are shown in the laboratory analysis report (Appendix 2). The total amount of herbicides found in each sample is shown in Table 8, along with any specific herbicides that were detected. No herbicides were detectable in samples S2, S4 or S6.

Table 8: Phenoxy Acid Herbicides in Soil

Sample Id	Herbicides detected (mg/kg)	Total Herbicides (mg/kg)
S2	Nil	<1
S4	Nil	<1
S6	Nil	<1

Note: Health investigation levels for direct contact with soil for selected herbicides are provided in NEPM Schedule B1, Table 1A(1).

6.0 Conclusion and Recommendations

The analysis results show that there were no detectable levels of herbicides or pesticides in soil samples S2, S4 or S6.

The analysis results show that levels of hydrocarbon contamination were present in small quantities of stained soil. The TRH results for S1 and S3 exceeded the recommended investigation levels, particularly in the C10-C16 (F2) and C16-C34 (F3) fractions.

The soil stained by oil leaking from tractors and other farming implements in the maintenance shed (S1) was contaminated by hydrocarbons, as was expected. Also, the soil stained by spillage of diesel at the diesel tank (S3) was also contaminated by hydrocarbons. Only low levels of hydrocarbons were detected at S5, where small patches of soil were stained by oil leaking from a parked tractor.

Due to the fact the areas contaminated by hydrocarbons were very small, no immediate action is required from a regulatory or operational point of view, as there are no plausible pathways for the contaminated soil to be a threat to the environment or human health. However, as best practice, remediation and proper disposal of the contaminated soil should be considered. Such remediation or disposal should comply with *National Environment Protection Measure (NEPM) guidelines*.

Onsite remediation of soil would require the preparation of a *Remedial Action Plan (RAP)*. Consultation with regulatory authorities and nearby owners and occupiers potentially affected by the land farming activities should occur early in the planning process. NSW planning legislation may require approvals from the Wentworth Shire Council.

Off site disposal will require the excavated soil to be classified as required by NSW EPA's waste classification guidelines. The classification of the soil hazard will determine the appropriate management and disposal facility for the contaminated soil.

Any suspected asbestos containing materials that may be present in the existing buildings will need to be managed in accordance with the NSW *Work Health and Safety Regulation 2011*. A qualified building inspector should be consulted prior to planning any renovations or demolition of existing buildings to identify materials suspected of containing asbestos and to provide guidance on correct handling and disposal of those materials.

If the small quantities of stained soil are remediated or removed as waste, the site would then be suitable for residential use.

6.1 Limitations

This report was prepared with the usual site history and file searches undertaken for a preliminary site investigation of this nature. The site history and sampling were carried out in accordance with the *Australian Standard 4482.1 – 2005* and the *National Environment Protection (Assessment of Site Contamination) Measure (NEPM)*. A systematic judgemental sampling design was used, based on the known land uses, and the known activities at the site. However, the sampling undertaken cannot rule out the presence of contamination at localised points.

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Appendix 1:

Location Map



Appendix 2:

Laboratory Analysis Report



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CERTIFICATE OF ANALYSIS 13655

Client Details

Client	Sunraysia Environmental
Attention	Nathan Floramo
Address	84 Lemon Avenue, VIC, 3500

Sample Details

Your Reference	#63
Number of Samples	6 Soil
Date samples received	02/05/2018
Date completed instructions received	02/05/2018

Analysis Details

Please refer to the following pages for results, methodology summary and quality control data.
 Samples were analysed as received from the client. Results relate specifically to the samples as received.
 Results are reported on a dry weight basis for solids and on an as received basis for other matrices.
Please refer to the last page of this report for any comments relating to the results.

Report Details

Date results requested by	09/05/2018
Date of Issue	09/05/2018
NATA Accreditation Number 2901. This document shall not be reproduced except in full.	
Accredited for compliance with ISO/IEC 17025 - Testing. Tests not covered by NATA are denoted with *	

Results Approved By

Chris De Luca, Senior Chemist

Authorised By

P. Adams.

Pamela Adams, Laboratory Manager

Envirolab Reference: 13655
 Revision No: R00



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Client Reference: #63

VTRH(C6-C10)/BTEXN in Soil				
Our Reference		13655-1	13655-3	13655-5
Your Reference	UNITS	S1	S3	S5
Date Sampled		30/04/2018	30/04/2018	30/04/2018
Type of sample		Soil	Soil	Soil
Date extracted	-	04/05/2018	04/05/2018	04/05/2018
Date analysed	-	04/05/2018	05/05/2018	05/05/2018
VTRH C ₆ - C ₉	mg/kg	<25	<25	<25
VTRH C ₆ - C ₁₀	mg/kg	<25	<25	<25
TRH C ₆ - C ₁₀ less BTEX (F1)	mg/kg	<25	<25	<25
Benzene	mg/kg	<0.2	<0.2	<0.2
Toluene	mg/kg	<0.5	<0.5	<0.5
Ethylbenzene	mg/kg	<1	<1	<1
m+p-xylene	mg/kg	<2	<2	<2
o-Xylene	mg/kg	<1	<1	<1
Naphthalene	mg/kg	<1	<1	<1
Total +ve Xylenes	mg/kg	<1	<1	<1
Surrogate aaa-Trifluorotoluene	%	86	83	90

Client Reference: #63

TRH Soil C10-C40 NEPM				
Our Reference		13655-1	13655-3	13655-5
Your Reference	UNITS	S1	S3	S5
Date Sampled		30/04/2018	30/04/2018	30/04/2018
Type of sample		Soil	Soil	Soil
Date extracted	-	04/05/2018	04/05/2018	04/05/2018
Date analysed	-	05/05/2018	07/05/2018	07/05/2018
TRH C ₁₀ - C ₁₄	mg/kg	<50	140	<50
TRH C ₁₅ - C ₂₈	mg/kg	3,300	4,100	<100
TRH C ₂₉ - C ₃₆	mg/kg	3,500	<100	<100
Total +ve TRH (C ₁₀ -C ₃₆)	mg/kg	6,800	4,200	<50
TRH >C ₁₀ -C ₁₆	mg/kg	62	840	<50
TRH >C ₁₀ - C ₁₆ less Naphthalene (F2)	mg/kg	62	840	<50
TRH >C ₁₆ -C ₃₄	mg/kg	5,800	3,400	110
TRH >C ₃₄ -C ₄₀	mg/kg	2,100	<100	<100
Total +ve TRH (>C ₁₀ -C ₄₀)	mg/kg	8,000	4,300	110
Surrogate o-Terphenyl	%	72	#	87

Client Reference: #63

PAHs in Soil				
Our Reference		13655-1	13655-3	13655-5
Your Reference	UNITS	S1	S3	S5
Date Sampled		30/04/2018	30/04/2018	30/04/2018
Type of sample		Soil	Soil	Soil
Date extracted	-	04/05/2018	04/05/2018	04/05/2018
Date analysed	-	05/05/2018	05/05/2018	05/05/2018
Naphthalene	mg/kg	<1	<0.1	<0.1
Acenaphthylene	mg/kg	<1	<0.1	<0.1
Acenaphthene	mg/kg	<1	<0.1	<0.1
Fluorene	mg/kg	<1	<0.1	<0.1
Phenanthrene	mg/kg	<1	<0.1	<0.1
Anthracene	mg/kg	<1	<0.1	<0.1
Fluoranthene	mg/kg	<1	<0.1	<0.1
Pyrene	mg/kg	<1	0.8	<0.1
Benzo(a)anthracene	mg/kg	<1	<0.2	<0.1
Chrysene	mg/kg	<1	<0.2	<0.1
Benzo(b,j&k)fluoranthene	mg/kg	<2	<0.2	<0.2
Benzo(a)pyrene	mg/kg	<0.5	<0.05	<0.05
Indeno(1,2,3-c,d)pyrene	mg/kg	<1	<0.1	<0.1
Dibenzo(a,h)anthracene	mg/kg	<1	<0.1	<0.1
Benzo(g,h,i)perylene	mg/kg	<1	<0.1	<0.1
Total +ve PAH's	mg/kg	<0.05	0.79	<0.05
Benzo(a)pyrene TEQ calc (Zero)	mg/kg	<0.5	<0.5	<0.5
Benzo(a)pyrene TEQ calc (Half)	mg/kg	<0.5	<0.5	<0.5
Benzo(a)pyrene TEQ calc (PQL)	mg/kg	<0.5	<0.5	<0.5
Surrogate p-Terphenyl-d ₁₄	%	110	94	88

Client Reference: #63

OCP in Soil				
Our Reference		13655-2	13655-4	13655-6
Your Reference	UNITS	S2	S4	S6
Date Sampled		30/04/2018	30/04/2018	30/04/2018
Type of sample		Soil	Soil	Soil
Date extracted	-	04/05/2018	04/05/2018	04/05/2018
Date analysed	-	05/05/2018	05/05/2018	05/05/2018
alpha-BHC	mg/kg	<0.1	<0.1	<0.1
Hexachlorobenzene	mg/kg	<0.1	<0.1	<0.1
beta-BHC	mg/kg	<0.1	<0.1	<0.1
gamma-BHC	mg/kg	<0.1	<0.1	<0.1
Heptachlor	mg/kg	<0.1	<0.1	<0.1
delta-BHC	mg/kg	<0.1	<0.1	<0.1
Aldrin	mg/kg	<0.1	<0.1	<0.1
Heptachlor Epoxide	mg/kg	<0.1	<0.1	<0.1
gamma-Chlordane	mg/kg	<0.1	<0.1	<0.1
alpha-chlordane	mg/kg	<0.1	<0.1	<0.1
Endosulfan I	mg/kg	<0.1	<0.1	<0.1
pp-DDE	mg/kg	<0.1	<0.1	<0.1
Dieldrin	mg/kg	<0.1	<0.1	<0.1
Endrin	mg/kg	<0.1	<0.1	<0.1
Endosulfan II	mg/kg	<0.1	<0.1	<0.1
pp-DDD	mg/kg	<0.1	<0.1	<0.1
Endrin Aldehyde	mg/kg	<0.1	<0.1	<0.1
pp-DDT	mg/kg	<0.1	<0.1	<0.1
Endosulfan Sulphate	mg/kg	<0.1	<0.1	<0.1
Methoxychlor	mg/kg	<0.1	<0.1	<0.1
Total +ve reported DDT+DDD+DDE	mg/kg	<0.1	<0.1	<0.1
Surrogate p-Terphenyl-d ₁₄	%	98	112	104

Client Reference: #63

OP in Soil				
Our Reference		13655-2	13655-4	13655-6
Your Reference	UNITS	S2	S4	S6
Date Sampled		30/04/2018	30/04/2018	30/04/2018
Type of sample		Soil	Soil	Soil
Date extracted	-	04/05/2018	04/05/2018	04/05/2018
Date analysed	-	05/05/2018	05/05/2018	05/05/2018
Azinphos-methyl	mg/kg	<0.1	<0.1	<0.1
Bromophos-ethyl	mg/kg	<0.1	<0.1	<0.1
Chlorpyrifos	mg/kg	<0.1	<0.1	<0.1
Chlorpyrifos-methyl	mg/kg	<0.1	<0.1	<0.1
Diazinon	mg/kg	<0.1	<0.1	<0.1
Dichlorovos	mg/kg	<0.1	<0.1	<0.1
Dimethoate	mg/kg	<0.1	<0.1	<0.1
Ethion	mg/kg	<0.1	<0.1	<0.1
Fenitrothion	mg/kg	<0.1	<0.1	<0.1
Malathion	mg/kg	13	<0.1	0.15
Parathion	mg/kg	<0.1	<0.1	<0.1
Ronnel	mg/kg	<0.1	<0.1	<0.1
Surrogate p-Terphenyl-d ₁₄	%	98	112	104

Client Reference: #63

Phenoxy Acid Herbicides in Soil				
Our Reference		13655-2	13655-4	13655-6
Your Reference	UNITS	S2	S4	S6
Date Sampled		30/04/2018	30/04/2018	30/04/2018
Type of sample		Soil	Soil	Soil
Date Extracted	-	07/05/2018	07/05/2018	07/05/2018
Date analysed	-	07/05/2018	07/05/2018	07/05/2018
Clpyralid	mg/kg	<0.5	<0.5	<0.5
3,5-Dichlorobenzoic acid	mg/kg	<0.5	<0.5	<0.5
o-Chlorophenoxy acetic acid	mg/kg	<0.5	<0.5	<0.5
4-CPA	mg/kg	<0.5	<0.5	<0.5
Dicamba	mg/kg	<0.5	<0.5	<0.5
Mecoprop	mg/kg	<0.5	<0.5	<0.5
MCPA	mg/kg	<0.5	<0.5	<0.5
Dichloroprop	mg/kg	<0.5	<0.5	<0.5
2,4-D	mg/kg	<0.5	<0.5	<0.5
Bromoxynil	mg/kg	<0.5	<0.5	<0.5
Triclopyr	mg/kg	<0.5	<0.5	<0.5
2,4,5-TP (Silvex)	mg/kg	<0.5	<0.5	<0.5
2,4,5-T	mg/kg	<0.5	<0.5	<0.5
MCPB	mg/kg	<0.5	<0.5	<0.5
2,4-DB	mg/kg	<0.5	<1	<1
Dinoseb	mg/kg	<1	<0.5	<0.5
Ioxynil	mg/kg	<1	<1	<1
Picloram	mg/kg	<0.5	<0.5	<0.5
DCPA (Chlorthal) Diacid	mg/kg	<0.5	<0.5	<0.5
Acifluorfen	mg/kg	<2	<2	<2
2,4,6-T	mg/kg	<0.5	<0.5	<0.5
2,6-D	mg/kg	<0.5	<0.5	<0.5
Surrogate: 2,4-DCPA	%	100	99	100

Client Reference: #63

Moisture						
Our Reference		13655-1	13655-2	13655-3	13655-4	13655-5
Your Reference	UNITS	S1	S2	S3	S4	S5
Date Sampled		30/04/2018	30/04/2018	30/04/2018	30/04/2018	30/04/2018
Type of sample		Soil	Soil	Soil	Soil	Soil
Date prepared	-	04/05/2018	04/05/2018	04/05/2018	04/05/2018	04/05/2018
Date analysed	-	07/05/2018	07/05/2018	07/05/2018	07/05/2018	07/05/2018
Moisture	%	0.9	0.6	2.7	1.0	1.8

Moisture		
Our Reference		13655-6
Your Reference	UNITS	S6
Date Sampled		30/04/2018
Type of sample		Soil
Date prepared	-	04/05/2018
Date analysed	-	07/05/2018
Moisture	%	2.5

Client Reference: #63

Method ID	Methodology Summary
Inorg-008	Moisture content determined by heating at 105 deg C for a minimum of 12 hours.
Org-003	Soil samples are extracted with Dichloromethane/Acetone and waters with Dichloromethane and analysed by GC-FID. F2 = (>C10-C16)-Naphthalene as per NEPM B1 Guideline on Investigation Levels for Soil and Groundwater (HSLs Tables 1A (3, 4)). Note Naphthalene is determined from the VOC analysis. Note, the Total +ve TRH PQL is reflective of the lowest individual PQL and is therefore "Total +ve TRH" is simply a sum of the positive individual TRH fractions (>C10-C40).
Org-012	Soil samples are extracted with Dichloromethane/Acetone and waters with Dichloromethane and analysed by GC-MS. Note, For OCs the Total +ve reported DDD+DDE+DDT PQL is reflective of the lowest individual PQL and is therefore simply a sum of the positive individually report DDD+DDE+DDT.
Org-012	Soil samples are extracted with Dichloromethane/Acetone and waters with Dichloromethane and analysed by GC-MS. Benzo(a)pyrene TEQ as per NEPM B1 Guideline on Investigation Levels for Soil and Groundwater - 2013. For soil results:- 1. 'EQ PQL' values are assuming all contributing PAHs reported as <PQL are actually at the PQL. This is the most conservative approach and can give false positive TEQs given that PAHs that contribute to the TEQ calculation may not be present. 2. 'EQ zero' values are assuming all contributing PAHs reported as <PQL are zero. This is the least conservative approach and is more susceptible to false negative TEQs when PAHs that contribute to the TEQ calculation are present but below PQL. 3. 'EQ half PQL' values are assuming all contributing PAHs reported as <PQL are half the stipulated PQL. Hence a mid-point between the most and least conservative approaches above. Note, the Total +ve PAHs PQL is reflective of the lowest individual PQL and is therefore "Total +ve PAHs" is simply a sum of the positive individual PAHs.
Org-012	Soil samples are extracted with Dichloromethane/Acetone and waters with Dichloromethane and analysed by GC-MS.
Org-014	Soil samples are extracted with methanol and spiked into water prior to analysing by purge and trap GC-MS.
Org-016	Soil samples are extracted with methanol and spiked into water prior to analysing by purge and trap GC-MS. Water samples are analysed directly by purge and trap GC-MS. F1 = (C6-C10)-BTX as per NEPM B1 Guideline on Investigation Levels for Soil and Groundwater. Note, the Total +ve Xylene PQL is reflective of the lowest individual PQL and is therefore "Total +ve Xylenes" is simply a sum of the positive individual Xylenes.

Client Reference: #63

Method ID	Methodology Summary
ORG-031	Acid herbicides and speciated phenols in soil by DCM:Acetone extraction with derivatisation and determination by GC-MS. Haloacetic acids in waters are derivatised and analysed by GC-ECD. Acid herbicides, speciated phenols, carbamates and ureas in water by DCM extraction with derivatisation and determination by GC-MS. Analysed by MPL, NATA accreditation 2901.

Client Reference: #63

QUALITY CONTROL: vTRH(C6-C10)/BTEXN in Soil					Duplicate				Spike Recovery %	
Test Description	Units	PQL	Method	Blank	#	Base	Dup.	RPD	LCS-1	[NT]
Date extracted	-			04/05/2018	[NT]	[NT]	[NT]	[NT]	04/05/2018	[NT]
Date analysed	-			04/05/2018	[NT]	[NT]	[NT]	[NT]	04/05/2018	[NT]
vTRH C ₆ - C ₉	mg/kg	25	Org-016	<25	[NT]	[NT]	[NT]	[NT]	84	[NT]
vTRH C ₆ - C ₁₀	mg/kg	25	Org-016	<25	[NT]	[NT]	[NT]	[NT]	84	[NT]
Benzene	mg/kg	0.2	Org-016	<0.2	[NT]	[NT]	[NT]	[NT]	82	[NT]
Toluene	mg/kg	0.5	Org-016	<0.5	[NT]	[NT]	[NT]	[NT]	90	[NT]
Ethylbenzene	mg/kg	1	Org-016	<1	[NT]	[NT]	[NT]	[NT]	82	[NT]
m+p-xylene	mg/kg	2	Org-016	<2	[NT]	[NT]	[NT]	[NT]	84	[NT]
o-Xylene	mg/kg	1	Org-016	<1	[NT]	[NT]	[NT]	[NT]	84	[NT]
Naphthalene	mg/kg	1	Org-014	<1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Surrogate aaa-Trifluorotoluene	%		Org-016	87	[NT]	[NT]	[NT]	[NT]	88	[NT]

Client Reference: #63

QUALITY CONTROL: TRH Soil C10-C40 NEPM					Duplicate				Spike Recovery %	
Test Description	Units	PQL	Method	Blank	#	Base	Dup.	RPD	LCS-1	[NT]
Date extracted	-			04/05/2018	[NT]	[NT]	[NT]	[NT]	04/05/2018	[NT]
Date analysed	-			04/05/2018	[NT]	[NT]	[NT]	[NT]	04/05/2018	[NT]
TRH C ₁₀ - C ₁₄	mg/kg	50	Org-003	<50	[NT]	[NT]	[NT]	[NT]	75	[NT]
TRH C ₁₅ - C ₂₈	mg/kg	100	Org-003	<100	[NT]	[NT]	[NT]	[NT]	75	[NT]
TRH C ₂₉ - C ₃₅	mg/kg	100	Org-003	<100	[NT]	[NT]	[NT]	[NT]	80	[NT]
TRH >C ₁₀ -C ₁₆	mg/kg	50	Org-003	<50	[NT]	[NT]	[NT]	[NT]	75	[NT]
TRH >C ₁₆ -C ₃₄	mg/kg	100	Org-003	<100	[NT]	[NT]	[NT]	[NT]	75	[NT]
TRH >C ₃₄ -C ₄₀	mg/kg	100	Org-003	<100	[NT]	[NT]	[NT]	[NT]	80	[NT]
Surrogate o-Terphenyl	%		Org-003	82	[NT]	[NT]	[NT]	[NT]	76	[NT]

Client Reference: #63

QUALITY CONTROL: PAHs in Soil					Duplicate				Spike Recovery %	
Test Description	Units	PQL	Method	Blank	#	Base	Dup.	RPD	LCS-1	[NT]
Date extracted	-			04/05/2018	[NT]	[NT]	[NT]	[NT]	04/05/2018	[NT]
Date analysed	-			05/05/2018	[NT]	[NT]	[NT]	[NT]	05/05/2018	[NT]
Naphthalene	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	92	[NT]
Acenaphthylene	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	92	[NT]
Acenaphthene	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Fluorene	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	88	[NT]
Phenanthrene	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	96	[NT]
Anthracene	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Fluoranthene	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	92	[NT]
Pyrene	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	96	[NT]
Benzo(a)anthracene	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Chrysene	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	88	[NT]
Benzo(b,j&k)fluoranthene	mg/kg	0.2	Org-012	<0.2	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Benzo(a)pyrene	mg/kg	0.05	Org-012	<0.05	[NT]	[NT]	[NT]	[NT]	68	[NT]
Indeno(1,2,3-c,d)pyrene	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Dibenzo(a,h)anthracene	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Benzo(g,h,i)perylene	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Surrogate p-Terphenyl-d ₁₄	%		Org-012	106	[NT]	[NT]	[NT]	[NT]	104	[NT]

Client Reference: #63

QUALITY CONTROL: OCP in Soil					Duplicate				Spike Recovery %	
Test Description	Units	PQL	Method	Blank	#	Base	Dup.	RPD	LCS-1	[NT]
Date extracted	-			04/05/2018	[NT]	[NT]	[NT]	[NT]	04/05/2018	[NT]
Date analysed	-			05/05/2018	[NT]	[NT]	[NT]	[NT]	05/05/2018	[NT]
alpha-BHC	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	88	[NT]
Hexachlorobenzene	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
beta-BHC	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	80	[NT]
gamma-BHC	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Heptachlor	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	80	[NT]
delta-BHC	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Aldrin	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	92	[NT]
Heptachlor Epoxide	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	80	[NT]
gamma-Chlordane	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	84	[NT]
alpha-chlordane	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Endosulfan I	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
pp-DDE	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	84	[NT]
Dieldrin	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	80	[NT]
Endrin	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	60	[NT]
Endosulfan II	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
pp-DDD	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	124	[NT]
Endrin Aldehyde	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
pp-DDT	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Endosulfan Sulphate	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	68	[NT]
Methoxychlor	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Surrogate p-Terphenyl-d ₁₄	%		Org-012	106	[NT]	[NT]	[NT]	[NT]	104	[NT]

Client Reference: #63

QUALITY CONTROL: OP in Soil					Duplicate				Spike Recovery %	
Test Description	Units	PQL	Method	Blank	#	Base	Dup.	RPD	LCS-1	[NT]
Date extracted	-			04/05/2018	[NT]	[NT]	[NT]	[NT]	04/05/2018	[NT]
Date analysed	-			05/05/2018	[NT]	[NT]	[NT]	[NT]	05/05/2018	[NT]
Azinphos-methyl	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Bromophos-ethyl	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Chlorpyrifos	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	84	[NT]
Chlorpyrifos-methyl	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Diazinon	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Dichlorovos	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Dimethoate	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Ethion	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	92	[NT]
Fenitrothion	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	76	[NT]
Malathion	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Parathion	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Ronnel	mg/kg	0.1	Org-012	<0.1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Surrogate <i>p</i> -Terphenyl-d ₁₄	%		Org-012	106	[NT]	[NT]	[NT]	[NT]	104	[NT]

Client Reference: #63

QUALITY CONTROL: Phenoxy Acid Herbicides in Soil					Duplicate				Spike Recovery %	
Test Description	Units	PQL	Method	Blank	#	Base	Dup.	RPD	LCS-1	[NT]
Clopyralid	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
3,5-Dichlorobenzoic acid	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
o-Chlorophenoxy acetic acid	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
4-CPA	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Dicamba	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	88	[NT]
Mecoprop	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	89	[NT]
MCPA	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	92	[NT]
Dichloroprop	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
2,4-D	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	85	[NT]
Bromoxynil	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Triclopyr	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
2,4,5-TP (Silvex)	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
2,4,5-T	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	82	[NT]
MCPB	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
2,4-DB	mg/kg	0.5	ORG-031	<1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Dinoseb	mg/kg	1	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Ioxynil	mg/kg	1	ORG-031	<1	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Picloram	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
DCPA (Chlorthal) Diacid	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Acifluorfen	mg/kg	2	ORG-031	<2	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
2,4,6-T	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
2,6-D	mg/kg	0.5	ORG-031	<0.5	[NT]	[NT]	[NT]	[NT]	[NT]	[NT]
Surrogate: 2,4-DCPA	%		ORG-031	98	[NT]	[NT]	[NT]	[NT]	99	[NT]

Client Reference: #63

Result Definitions

NT	Not tested
NA	Test not required
INS	Insufficient sample for this test
PQL	Practical Quantitation Limit
<	Less than
>	Greater than
RPD	Relative Percent Difference
LCS	Laboratory Control Sample
NS	Not specified
NEPM	National Environmental Protection Measure
NR	Not Reported

Quality Control Definitions

Blank	This is the component of the analytical signal which is not derived from the sample but from reagents, glassware etc, can be determined by processing solvents and reagents in exactly the same manner as for samples.
Duplicate	This is the complete duplicate analysis of a sample from the process batch. If possible, the sample selected should be one where the analyte concentration is easily measurable.
Matrix Spike	A portion of the sample is spiked with a known concentration of target analyte. The purpose of the matrix spike is to monitor the performance of the analytical method used and to determine whether matrix interferences exist.
LCS (Laboratory Control Sample)	This comprises either a standard reference material or a control matrix (such as a blank sand or water) fortified with analytes representative of the analyte class. It is simply a check sample.
Surrogate Spike	Surrogates are known additions to each sample, blank, matrix spike and LCS in a batch, of compounds which are similar to the analyte of interest, however are not expected to be found in real samples.
Australian Drinking Water Guidelines recommend that Thermotolerant Coliform, Faecal Enterococci, & E.Coli levels are less than 1cfu/100mL. The recommended maximums are taken from "Australian Drinking Water Guidelines", published by NHMRC & ARMC 2011.	

Client Reference: #63

Laboratory Acceptance Criteria

Duplicate sample and matrix spike recoveries may not be reported on smaller jobs, however, were analysed at a frequency to meet or exceed NEPM requirements. All samples are tested in batches of 20. The duplicate sample RPD and matrix spike recoveries for the batch were within the laboratory acceptance criteria.

Filters, swabs, wipes, tubes and badges will not have duplicate data as the whole sample is generally extracted during sample extraction.

Spikes for Physical and Aggregate Tests are not applicable.

For VOCs in water samples, three vials are required for duplicate or spike analysis.

Duplicates: <5xPQL - any RPD is acceptable; >5xPQL - 0-50% RPD is acceptable.

Matrix Spikes, LCS and Surrogate recoveries: Generally 70-130% for inorganics/metals; 60-140% for organics (+/-50% surrogates) and 10-140% for labile SVOCs (including labile surrogates), ultra trace organics and speciated phenols is acceptable.

In circumstances where no duplicate and/or sample spike has been reported at 1 in 10 and/or 1 in 20 samples respectively, the sample volume submitted was insufficient in order to satisfy laboratory QA/QC protocols.

When samples are received where certain analytes are outside of recommended technical holding times (THTs), the analysis has proceeded. Where analytes are on the verge of breaching THTs, every effort will be made to analyse within the THT or as soon as practicable.

Where sampling dates are not provided, Envirolab are not in a position to comment on the validity of the analysis where recommended technical holding times may have been breached.

Measurement Uncertainty estimates are available for most tests upon request.

Client Reference: #63

Report Comments

TRH: # Percent recovery is not possible to report as the high concentration of analytes in the sample/s have caused interference.



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9.7 INITIAL CATEGORISATION OF COUNCIL CONTROLLED COMMUNITY LAND

File Number: RPT/20/631

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Kathy Collinson - Reserves and Acquisitions Officer

Objective: 2.0 Wentworth is a desirable Shire to visit, live, work and invest

Strategy: 2.5 Maintain/create desirable open spaces and recreation facilities

Summary

The Crown Land Management Act 2016 was enacted on 1 July 2018.

This Act authorises Council as the Public Land Manager to manage Crown Land as if it were public land under the *Local Government Act 1993*.

Under the *Crown Land Management Act 2016* Council as manager of the land must assign one or more categories of Community Land referred to in *Section 36 of the Local Government Act 1993*.

Council staff have identified the category or categories which they consider to be the most closely related to the purpose for which the land is dedicated or reserved and will now seek Ministerial approval for the categories chosen.

Recommendation

That Council requests approval from the Minister Administering the *Crown Lands Management Act 2016* to categorise the land according to the list contained in Attachment: Categories Council Managed Crown Land.

Detailed Report

Purpose

The purpose of this report is to at a minimum assign an initial category to each Crown Reserve.

In accordance with *Section 3.23 (3) of the Crown Land Management Act 2016*, the assigned category or categories must be those that are most closely related to the purposes for which the land is dedicated or reserved.

Council may assign multiple categories to the land where there is a multiple reservation or dedication purpose. Additional notes have been added in order to explain which areas of the reserve have multiple categories.

Background

Council as Crown Land Manager must assign an initial category to each Crown Reserve.

In assigning each initial category Council staff have considered the historical and current use of the land by Council, the *Local Government Act* provisions that govern the management and use of each Community Land category, the guidelines for the categorisation of Community Land prescribed by the *Local Government Act (General) Regulation 2005* and the Department of Industry – Crown Lands suggested category and guidelines for categorisation of Crown Land. Maps designating the final categories will be attached to the Plan of Management.

Where Council staff have considered that particular Crown Land does not fall into any category of Community Land, or that a valid use of the land would not be able to continue if the land was categorised as Community Land Council has requested ministerial consent to

manage the land as if it were Operational Land under the *Local Government Act 1993*. Such approval was received 11 November 2019.

Matters under consideration

After Council has assigned an initial categorisation to the Crown Land under its management, it must provide written notice to the Minister. This must be done as soon as practicable in the prescribed form.

The Minister will consider the category or categories initially assigned by Council.

If the Department of Industry - Crown Lands determines that the categorisation presented is appropriate, it will issue an acknowledgement notification to Council.

If the Department of Industry - Crown Lands determines that the category does not meet the criteria it will issue a direction to Council requiring Council to alter the assigned category in accordance with *Section 3.23 (5) of the Crown Land Management Act 2016*.

The Minister or the Department of Industry - Crown Lands may direct Council to alter the category if it is considered that the category is not the most closely related to the purpose for which the land is dedicated or reserved or the management of the land by Council with reference to the initial assigned category is likely to materially harm the use of the land for the purpose for which it was dedicated or reserved.

A direction to alter the assigned categorisation must be adhered to by Council as the Crown Land Manager.

Once Council is notified that the department acknowledges an assigned categorisation they proceed to develop and adopt a Plan of Management for the land. All Plans of Management must be in place and approved by the Department of Industry - Crown Lands prior to 30 June 2021.

It is noted that inclusion of multiple categories triggers the requirement for a public hearing, however it does increase flexibility in how the land can be used.

Options

Based on the information contained in this report, the options available to address this matter are to:

Acknowledge that the reserve purpose of the land cannot be changed as part of this process. Councillors do however have the opportunity to consider the categories recommended by staff, in accordance with the provisions of *Section 3.23 of the Crown Lands Management Act 2016*.

Legal, strategic, financial or policy implications

This report will comply with the previously mentioned sections of the relevant Acts.

Conclusion

Categorisation is required in order to complete the strategic element of the proposed Plan of Management.

Attachments

1. Section 36 Local Government Act [↓](#)
2. Categories Council Managed Crown Land [↓](#)

36 Preparation of draft plans of management for community land

- (1) A council must prepare a draft plan of management for community land.
- (2) A draft plan of management may apply to one or more areas of community land, except as provided by this Division.
- (3) A plan of management for community land must identify the following—
 - (a) the category of the land,
 - (b) the objectives and performance targets of the plan with respect to the land,
 - (c) the means by which the council proposes to achieve the plan's objectives and performance targets,
 - (d) the manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets,

and may require the prior approval of the council to the carrying out of any specified activity on the land.

- (3A) A plan of management that applies to just one area of community land—
 - (a) must include a description of—
 - (i) the condition of the land, and of any buildings or other improvements on the land, as at the date of adoption of the plan of management, and
 - (ii) the use of the land and any such buildings or improvements as at that date, and
 - (b) must—
 - (i) specify the purposes for which the land, and any such buildings or improvements, will be permitted to be used, and
 - (ii) specify the purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise, and
 - (iii) describe the scale and intensity of any such permitted use or development.
- (4) For the purposes of this section, land is to be categorised as one or more of the following—
 - (a) a natural area,
 - (b) a sportsground,
 - (c) a park,
 - (d) an area of cultural significance,
 - (e) general community use.
- (5) Land that is categorised as a natural area is to be further categorised as one or more of the following—
 - (a) bushland,
 - (b) wetland,

10/6/2020

Local Government Act 1993 No 30 - NSW Legislation

- (c) escarpment,
 - (d) watercourse,
 - (e) foreshore,
 - (f) a category prescribed by the regulations.
- (6) The regulations may make provision for or with respect to the categorisation of community land under this section, including—
- (a) defining any expression used in subsection (4) or (5), and
 - (b) prescribing guidelines for the categorisation of community land and the effect of any guidelines so prescribed.

Reserve Number	Name/Description	Crown Land Position	Comments for Crown Lands – categories
6	The Pooncarie Sporting Reserve (Racecourse and Gun Club)	Not listed	Sportsground Natural Area – bushland
32017	Willow Bend Caravan Park	Park	General Community Use
35698	Pooncarie Cemetery	General Community Use	General Community Use
55602	The Great Murray Darling Junction Reserve	Not listed	Park – car parks boat ramp lawn. General Community use – upgrades to accommodate school groups etc – environmental site – Shaded areas + new toilets. Natural Area Watercourse – water under the bridge. Natural Area – Bushland – the island.
61503	George Gordon Oval	Park	Sportsground Note Second oval covered in Council owned land
63988	Buronga Caravan Park	Not listed	General Community Use – multiple occupations – Caravan Park – Buronga Boatman – Rowing Clubs storage.
64544	Part Buronga Caravan Park	Park	Park – not part of the main reserve
65654	Dareton Basketball Courts	Park	Park
67891	Wentworth Showground	General Community Use	General Community Use
72718	Pooncarie Oval	Park	Sportsground – refer to R230081 – which contains part of the oval. Balance of R72718 General Community Use
73211	Curlwaa Oval	Park	Sportsground General Community use for RFS + site of new Curlwaa Hall. Old hall site Curlwaa Hall R630011 will also be General Community Use
73260	James King Park	Park	Park
73351	Wentworth Showground	General Community Use	General Community Use
74478	Evans Flat R	Park	Park
74593	Alcheringa Tennis Courts	Park	Sportsground
75014	Wentworth Showground	General Community Use	General Community Use
76144	Wentworth Tennis Courts	Park	General Community Use
76798	Part Buronga Caravan Park	Park	Park – not part of the main reserve
77215	Dareton Children's Playground	Park	Park

Reserve Number	Name/Description	Crown Land Position	Comments for Crown Lands – categories
77413	Pioneer Memorial Park	Not listed	Park Cross reference to R98109 – advise Crown Lands of inconsistencies
77930	Wentworth Rowing Club	Park	General Community Use
78438	Ramon Deed Retreat	Not listed	General Community Use
78698	McLeod Oval	Park	Sportsground
78909	Thegoa Lagoon	Not listed	Park – boat ramps primitive camping Natural Area- Watercourse - lagoon Natural Area - Bushland
81010	O'Donnell Park	Park	Park
81398	McLeod Oval	Park	Sportsground
81861	Rotary Playground	Park	Park
82971	Buronga Children's Playground	Park	Park
83026	U Can Do It Boxing Gym	Park	General Community Use Cross reference to R89255 and proposed storage precinct
83919	Wentworth Sporting Complex	Park	Sportsground General Community use – due to Council's intention to establish a Recreational Vehicles (RV) friendly area in a disused car park within the Reserve.
84700	Wentworth Wharf	Park	General Community Use
84989	Anabranh Hall and Tennis Courts	Park	General Community Use
85020	Pitman Avenue Recreation	Park	Park
85320	Pt Wentworth Golf Course	Park	Park
85419	Wilkinson Park	Park	Park
85470	Gol Gol Public Recreation	Park	Park
85572	Old Wentworth Gaol	Area of Cultural Significance	General Community Use
85636	Dareton Pre School	General Community Use	General Community Use .
85733	Strother Park	Park	Park
85836	Dareton Swimming Pool	Park	General Community Use – to cater for proposed Men In A Shed building.
87037	Pooncarie Public Reserve	Park	Park

Reserve Number	Name/Description	Crown Land Position	Comments for Crown Lands – categories
87379	Fotherby Park	Park	Park General Community Use (Ruby) in line with core objectives of the Local Government Act. Natural Area - Bushland
88251	Coomealla Golf Course	Not listed	Sportsground
89255	Buronga Community Arts	General Community Use	General Community use with comment - same general area as R83026 proposed storage precinct
89637	Alcheringa Pre-School	General Community Use	General Community use
89749	Junction Park	Not listed	Request forwarded to Crown Lands for Council to become Crown Land Manager (DOC/20/21000) categories identified on the basis that the request will be accepted. Park Natural area bushland – subject to flood
89757	Apex Park	Park	Park
89864	Dareton Community Activity Centre	General Community Use	General community use
91386	Carramar Drive Sporting Complex	Park	Sportsground
96592	Tuckers Creek	General Community Use/Park	Park
97997	Perry Sandhills	Park	Park for Sandhills Balance of the area: Natural Area – bushland Natural Area – Watercourse.
98030	Ellerslie Golf Course	Not listed	General Community Use
98109	Darling Street	Park	Park There are issues with the spread of land parcels for this reserve in Pooncarie. Letter to be forwarded to Crown Lands with suggestions for rectification. R98109 – suggest the riverfront reserves be identified separately - cross reference back to R77413 Lot 7307 DP1180919 appears in both reserves – in the Crown Land Portal – Council records do not show any record for R77413 in mapping system but there is a gazette for appointment as trustee 1964 (notified 1955)
150038	Coomealla Pioneer Park	General Community Use	General Community Use
150040	Sturt Park	Park/General Community Use	Park

Reserve Number	Name/Description	Crown Land Position	Comments for Crown Lands – categories
150041	Tapio Park	Park	Park
230004	Part Thegoa Lagoon	Park	Park – North of the Wentworth Golf Course
230030	Wentworth Pre School	General Community Use	General Community Use
230044	Pooncarie Public Recreation Reserve	Not listed	Park
230081	Pooncarie Multi-Purpose Park & Golf Course	Park	General Community Use – boat ramp and caravan parking area – ground levelled + shade trees rubbish bins. Natural Area Bushland
230096	Pooncarie Outback & Beyond	General Community Use	General Community Use
630001	Wentworth Showground	General Community Use	General Community Use
630005	Pomona Hall	General Community Use	General Community Use
630006	Dareton Town Square	General Community Use	General Community Use
630011	Curlwaa Memorial Hall	General Community Use	General Community Use
630036	Wentworth War Memorial	Area of Cultural Significance	General Community Use
1002827	Pooncarie Hall	General Community Use	General Community Use
1003148	Coomealla Memorial Gardens	General Community Use	General Community Use
1005288	Gol Gol Cemetery	General Community Use	General Community Use
1011728	Dareton Lions Park	Park	Park
1036648	Wentworth Town Hall	General Community Use	General Community Use

9.8 CLASSIFICATION OF COMMUNITY LAND

File Number: RPT/20/577

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Kathy Collinson - Reserves and Acquisitions Officer

Objective: 2.0 Wentworth is a desirable Shire to visit, live, work and invest

Strategy: 2.5 Maintain/create desirable open spaces and recreation facilities

Summary

Further to the proposed development of a Draft Plan of Management which will include Crown Land managed by Councils under the *Crown Land Management Act 2016* (CLMA), confirmation of Council owned and managed land classified as Community Land is requested.

Recommendation

That Council confirms the classification of the list of Council owned or controlled land parcels as being Community Land. The list of subject lands is attached to this report.

Detailed Report

Purpose

The purpose of this report is to confirm Council's intention to classify the attached list of land parcels as Community Land.

Background

Further to the introduction of the *CLMA*, the Trustee status was revoked and replaced with Crown Land Manager status. This action transferred the responsibility for Crown Reserves to the Council to be managed under the Local Government Act. A transitional period was provided to enable Councils to prepare a Plan of Management for the Crown Land under their care and control which should be classified as Community Land. The transitional period expires 30 June 2021.

Since the introduction of the *CLMA* Council's number of community land parcels has increased to 151 which includes 5 Council owned land parcels and 146 Crown Land parcels.

Classification of land as Operational Land occurred at the Ordinary Council Meeting held 13 May 2020. Minister for Crown Land's consent was obtained for the Crown Reserves that were not to be classified as Community Land.

Legal, strategic, financial or policy implications

It is a requirement of the Local Government Act under Division 1 Classification and reclassification of public land clause 25 All public land must be classified.

Conclusion

This resolution is essential for categorization to occur for the purpose of the Plan of Management.

Attachments

1. Community Land Register [↓](#)

Community Land Locality	Description	Reserve Number /WSC Ref	Owner	Address	Lot	Sect	DP
Anabranh							
Anabranh	Anabranh Hall and Tennis Court	R84989	Crown	3324 Anabranh Mail Road Anabranh South NSW	5		DP756191
					2591		DP764619
Buronga							
Buronga	Buronga Caravan Park	R63988	Crown	71A Caravan Park Road Buronga NSW 2739	1		DP1032974
					2		
					3		DP1032974
					Pt 4		DP1032974
					1159		DP725383
					980		DP 756961
					429		
Buronga	Prt Buronga Caravan Park - Reserve - Thin parcels behind Park	R64544	Crown	Lots Buronga Caravan Park Reserves	430		DP756961
					431		
Buronga	Prt Buronga Caravan Park	R85950	Crown	West Road / Sturt Highway Buronga NSW 2739	648		DP756961
Buronga	Evans Flat Reserve	R74478	Crown	Pitman Ave West Buronga NSW 2739	1174		DP820132
					686		DP756961
Buronga	Prt Buronga Caravan Park - thin parcel behind park	R76798	Crown	Lots Buronga Caravan Park Reserves	427		DP756961
					428		
Buronga	Buronga Children's Playground	R82971	Crown	Chapman Avenue Buronga NSW 2739	7009		DP1124517
					7010		DP1124614
Buronga	U Can Do It Boxing Gym - Buronga Public Recreation Reserve	R83026	Crown	Cnr Pitman Ave & Silver City Highway Buronga NSW	444		DP756961

Buronga	Pitman Ave Recreation Reserve - Freil Street Bruonga	R85020	Crown	Silver City Highway Buronga NSW 2739	891		
					898		
					899		DP756961
					900		
Buronga	Buronga Community Arts Reserve	R89255	Crown	19 Silver City Highway Buronga NSW 2739	594		DP756961
Buronga	Midway Centre Car Park	BGA10a	WSC Owner	Carpark	1		DP873390
	Midway Centre	BGA10b	WSC Owner	Building / Car parks	2		DP873390
Coomealla							
Coomealla	Coomealla Golf Course	R88251	Crown	188 Golf Course Road Dareton NSW 2717	1136		DP725640
Coomealla	Coomealla Memorial Gardens	R1003148	Crown	1478 Silver City Highway Coomealla NSW 2717	1		DP1121904
					2		
Dareton	Ramon Deed / Dareton Horse Complex			Cnr Silver City Highway & Gunya Road Dareton NSW 2713	713		DP756961
	Namatjira Water Tower			Cnr Silver City Highway & Scout Road Dareton NSW 1			DP 803205
	Dareton Horse Complex			Cnr Silver City Highway & Scout Road Dareton NSW 2			DP 853243
	WENTWORTH & COOMEALLA DISTRICT SUB BRANCH - Vietnam Veterans Retreat	R78438	Crown		3		DP 853243
Curlwaa				63 Scout Road Coomealla			
Curlwaa							
	Curlwaa Hall	R630001	Crown	40 Memorial Road Curlwaa	18		DP725678
Curlwaa	Curlwaa Oval	R73211	Crown	Memorial Road Curlwaa NSW 2648	19		DP725678
Curlwaa	O'Donnell Park (Curlwaa Recreation Reserve)	R81010	Crown	Silver City Highway Curlwaa NSW 2648 (O'Donnell Park)	1		DP117894
					2		
Dareton							
Dareton	George Gordon Oval	R61503	Crown	Mitchell Avenue Dareton NSW 2717	7011		DP1101609
					7012		DP1101611

Dareton	George Gordon Second Oval			DTN10	WSC Owner	Oleander Drive Dareton NSW 2717	1		DP1158152
							2		DP1239025
Dareton	Dareton Basketball Courts			R65654	Crown	Matong Street Dareton NSW 2717	701		DP1126803
Dareton	Dareton Childrens Playground (Tennis Courts)			R77215	Crown	2 Belar Street Dareton NSW 2717	1	15	DP758338
							3		
Dareton	Dareton Pre School			R85636	Crown	64-66 Sturt Place Dareton NSW 2717	4	8	DP758338
Dareton	Dareton Swimming pool			R85836	Crown	Matong Street Dareton NSW 2717	16	18	DP758338
Dareton	Dareton Community Activity Centre			R89864	Crown	11 Mitchell Street Dareton NSW 2717	16	5	DP758338
Dareton	Coomealla Pioneer Park (Dareton Library)			R150038	Crown	Millie Street Dareton NSW 2717	701		DP1126798
Dareton	Sturt Park Reserve Trust			R150040	Crown	Sturt Place Dareton NSW 2717	7300		DP1121297
							7301		
							702		DP1126798
Dareton	Tapio Park Reserve			R150041	Crown	Tapio Street Dareton NSW 2717	21	19	DP758338
Dareton	Dareton Lions Park			R1011728	Crown	1-3 Riverview Drive Dareton NSW 2717			
Dareton	Dareton Town Square			R630006	Crown	41 Tapio Avenue Dareton NSW 2717	1	3	DP758338
							2	3	DP758338
Ellerslie									
Ellerslie	Ellerslie Public Recreation - Sporting Complex			R98030	Crown	22 Ellerslie Road Ellerslie NSW 2717	Pt 5132		DP720112
Gol Gol									
Gol Gol	James King Park			R73620	Crown	Adelaide Street Gol Gol NSW 2738	7300		DP1176238

Gol Gol	Alcheringa Tennis Courts (Pt James Ki	R74593	Crown	29 Adelaide Street Gol Gol NSW 2738	7301	DP1176238
Gol Gol	Wilkinson Park Reserve Trust	R85419	Crown	27-29 William Street Gol Gol NSW 2738	9	DP758456
Gol Gol	Wilkinson Hall	GG01	WSC Owner	15 William Street Gol Gol NSW 2738	4	DP29258
Gol Gol	Gol Gol Public Reserve	R85470	Crown	Sturt Highway Gol Gol NSW 2738	187	DP756946
Gol Gol	Alcheringa Pre School	R89637	Crown	4 Burns Street Gol Gol NSW 2738	211	DP756946
Gol Gol	Carramar Drive (Alcheringa) Oval Reserve	R91386	Crown	141 Carramar Drive Gol Gol NSW 2738	7305 7001 7011	DP1141029 DP1118958 DP1045202
POMONA						
Pomona Hall	Pomona Hall	R630005	Crown	5 Bass Lane Pomona NSW 2648	8	DP 432081
					1	DP 434771
					7300	DP 1141042
POONCARIE						
Pooncarie	Pooncarie Sporting Reserve	R6	Crown	11668 Pooncarie Road Pooncarie NSW 2648	73	DP820498
Pooncarie	Pooncarie Cemetery	R35698	Crown	12 Cemetery Road Pooncarie NSW 2648	7300	DP1156360
Pooncarie	Pooncarie Oval	R72718	Crown	Tarcoola Street Pooncarie NSW 2648	1430	DP763147
Pooncarie	Pooncarie Hall	R1002827	Crown	Tarcoola Street Pooncarie NSW 2648	7302	DP1182431
Pooncarie	Pooncarie land between Hall & playground	R77413	Crown	McKinlay Street Pooncarie NSW 2648	10	DP758851
Pooncarie	Pioneer Memorial Park	R77413	Crown	McKinlay Street Pooncarie NSW 2648	7013	DP1124723
Pooncarie	Pioneer Memorial Park - Easement bet				7307	DP 1180919
Pooncarie	Pooncarie Park - (bottom of Wills St)	R87037	Crown	2-8 Tarcoola Street Pooncarie NSW 2648	1	
					2	15 DP758851
					3	
					4	

Pooncarie	Wharf Darling River (Pooncarie Playground)	R98109	Crown	23-29 Darling Street Pooncarie NSW 2648	399	DP761064
Pooncarie	Pooncarie Public Recreation Reserve	R230044	Crown	Tarcoola Street Pooncarie NSW 2648	7309	DP1180919
Pooncarie	Pooncarie Multi Purpose Park & Golf Course	R230081	Crown	11 Cemetery Road Pooncarie NSW 2648	7006	DP1113537
Pooncarie	Pooncarie Outback and Beyond Craft Gallery	R230096	Crown	36 Tarcoola Street Pooncarie NSW 2648	2	DP725311
WENTWORTH					6588	DP769379
Wentworth	Willow Bend Caravan Park	R32017	Crown	Darling Street Wentworth NSW 2648	7	DP758851
Wentworth	Two Rivers Ski Reserve / The Great Murray Darling Junction Reserve	R55602	Crown	Ski Reserve Road Wentworth NSW 2648	8	8A
Wentworth	Wentworth Show Grounds	R67891	Crown	1 Old Wentworth Road Wentworth NSW 2648	9	
Wentworth	Wentworth Show Grounds	R73351	Crown	1 Old Wentworth Road Wentworth NSW 2648	1	DP1121941
Wentworth	Wentworth Show Grounds	R75014	Crown	1 Old Wentworth Road Wentworth NSW 2648	2	DP817572
Wentworth	Wentworth Tennis Courts	R76144	Crown	Murray Street Wentworth NSW 2648	7011	DP1125398
Wentworth	Wentworth Rowing Club	R77930	Crown	Darling Street Wentworth NSW 2648	7012	DP1125398
Wentworth	McLeod Oval - Wentworth Golf Course	R78698	Crown	84 Beverley Street Wentworth NSW 2648	2618	DP764646
Wentworth	Thegoa Lagoon	R78909	Crown	Log Bridge Road Wentworth NSW 2648	121	DP756994
					7352	DP1177510
					13	9
					1464	DP759074
					190	DP763434
					1272	DP820470
					7017	DP762867
					7323	DP1126020
						DP 1174216

Wentworth	McLeod Oval (Swimming Pool)	R81398	Crown	40 Beverley Street Wentworth NSW 2648	7322		DP1158106
Wentworth	McLeod Oval - Complex area	R83919	Crown	Beverley Street Wentworth NSW 2648	7320		DP1158106
Wentworth	Junction Park	R87949	Crown	Cadell Street Wentworth NSW 2648	1 to 5	3	DP759074
Wentworth	Adams St and Thegoa Lagoon Reserve	R230004	Crown	Adams Street Wentworth NSW 2648	1 to 10	4	DP759074
Wentworth	PT Wentworth Golf Course	R85320	Crown	84 Beverley Street Wentworth NSW 2648	1 to 8	4A	DP759074
Wentworth	Rotary Playground	R81861	Crown	144 Darling Street Wentworth NSW 2648	7335		DP1173326
Wentworth	Wentworth Wharf	R84700	Crown	Wharf Road Wentworth NSW 2648	7336		DP1173326
Wentworth	Old Wentworth Goal	R85572	Crown	90 Beverley Street Wentworth NSW 2648	7328		DP1174216
Wentworth	Strother Park	R85733	Crown	Arthur Street Wentworth NSW 2648	7313		DP1127027
Wentworth	Fotherby Park	R87379	Crown	Silver City Highway Wentworth NSW 2648	5	34	DP759074
Wentworth	Apex Park	R89757	Crown	68-76 William Street Wentworth NSW 2648	7034	6	DP1126248
Wentworth	Tuckers Creek Reserve	R96592	Crown	Ryder Crescent Wentworth NSW 2648	90		DP756994
					7351		DP1178836
					7337		DP1173879
					9		DP756994
					10		DP756994
					30		DP45055
					7340		DP1176401
					3		DP610639
					4		

Wentworth	Perry Sandhills Reserve	R97997	Crown	Renmark Road Wentworth NSW 2648	5201	DP725295
					5204	
					51	
					58	
					59	DP756964
					60	
					63	
					64	
Wentworth	Perry Sandhills	R97997	Crown	Renmark Road Wentworth NSW 2648	16	DP756964
					7309	DP1183405
Wentworth	Wentworth Pre School	R230030	Crown	36-38 Murray Street Wentworth NSW 2648	14	DP759074
Wentworth	Wentworth Town Hall and Shire Offices	R1036648	Crown	Adelaide Street Wentworth NSW 2649	1	DP 630527
Wentworth	Wentworth Memorial Rooms	P630036	Crown	Darling Street Wentworth NSW 2648	9	DP 756074
Wentworth	Civic Centre 61 Darling Street	WW30	WSC owner	61 Darling Street Wentworth NSW 2648	6	SP 85315

9.9 CATEGORISATION OF COUNCIL OWNED LAND

File Number: RPT/20/642

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Kathy Collinson - Reserves and Acquisitions Officer

Objective: 2.0 Wentworth is a desirable Shire to visit, live, work and invest

Strategy: 2.5 Maintain/create desirable open spaces and recreation facilities

Summary

Section 36 of the Local Government Act 1993 requires that Council owned land be categorised for the purpose of a Plan of Management. As there have been additional lands acquired the following resolution is proposed.

Recommendation

That Council assign the category General Community Use for following Council owned land parcels:

Description	Land Identifiers
Midway Centre additional car park	Lot 1 DP 873390
Midway Centre	Lot 2 DP 873390
Second Oval George Gordon Oval Complex	Lot 2 DP 1239025
Civic Centre	Lot 6 SP 85315
Wilkinson Hall	Lot 4 DP 29252

Detailed Report

Purpose

The purpose of this report is to assign a category for the Council owned land which will be included in the proposed Plan of Management which is currently being developed.

Background

The requirement to develop a Plan of Management for Crown Land Reserves for which Council is Land Manager, provides an opportunity to include Council owned land in the same strategic document.

Matters under consideration

It is timely that a new Plan of Management is developed as per the requirements of the Local Government Act 1993.

Options

Based on the information contained in this report, the options available to address this matter are to:

Either classify all the subject lands as General Community Use – or classify the newly acquired addition to the George Gordon Oval Complex as Sportsground.

Legal, strategic, financial or policy implications

The most appropriate classification for the subject lands is General Community Use – the core objectives of which are:

36I Core objectives for management of community land categorised as general community use

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public

(a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and

(b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

For the Second Oval at George Gordon Oval Complex the alternative category Sportsground has the following core objectives:

36F Core objectives for management of community land categorised as a sportsground

The core objectives for management of community land categorised as a sportsground are:

(a) to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and

(b) to ensure that such activities are managed having regard to any adverse impact on nearby residences.

It is noted that the proposed Plan of Management will have provision for leasing and licensing under the Sportsground Category.

Conclusion

Council Officers suggest that the resolution presented provides maximum flexibility of use of the subject lands.

Attachments

Nil

9.10 DELEGATED AUTHORITY APPROVALS AS AT END OF SEPTEMBER 2020

File Number: RPT/20/626

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Nicky Meredith - Coordinator Health and Planning

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire

Strategy: 1.1 Grow the potential for business and industry to develop and expand

Summary

For the month of September 2020, a total of 15 Development Applications and four S4.55 Modification Applications were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$1,773,434.00. This brings the year to date total to 123 Development Applications and 30 S4.55 Applications approved, with an estimated development value of \$27,455,011.00.

Recommendation

- a) That Council receives and notes the report for the month of September 2020.
- b) That Council publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) That a division be called in accordance with S375A of the *Local Government Act 1993* (NSW).

Detailed Report

Purpose

The purpose of this report is to provide Council with a list of Development Applications as tabled in Attachment 1, determined under delegated authority by the Director Health and Planning for the month of September 2020, hence complying with the requirements under section 3.20 of the Office of Local Government Promoting Better Practice Program.

Conclusion

The total value of determinations was \$1,773,434.00 for the month of September 2020, which was less than the previous month of \$2,917,768.00. The average determination time was 55 days.

Attachments

1. Determination of Development Applications for the Month of September 2020 [1](#)

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF SEPTEMBER 2020

FILE NUMBER	OWNER	LOCATION	DESCRIPTION	VALUE (EX GST)	DETERMINATION DATE	ACTIVE DAYS TO 30/09/2020
DA2020/064	Debralie James	Dawn Avenue Lot 3 DP 1121446 Gol Gol	54 Lot subdivision in 2 Stages	\$0.00	16/09/2020	84
DA2020/070	Kerrie Pitt	62 Hendy Road Lot 1 DP 853492 Buronga	Replace existing retaining wall, steps & floating pontoon	\$40,000.00	10/09/2020	62
DA2020/079	Robert & Alison Rigby	16 Devenport Street Lot 2 DP 871638 Dareton	Two lot subdivision	\$0.00	8/09/2020	54
DA2020/096	SA Water	4166 Rufus River Road DP 762331 Rufus	Office extension & renovation	\$150,000.00	10/09/2020	26
DA2020/097	Dialena Nominees P/L	6-10 Hendy Road 17 (Part) SP 30880 Buronga	Set up Laundromat	\$14,000.00	11/09/2020	26
DA2020/098	Riley Davison & Erica Tarquinio	19 Tuckers Lane Lot 111 & 112 DP 756994 Wentworth	Dwelling & storage shed	\$350,000.00	11/09/2020	26
DA2020/099	Ben O'Shannessey & Belinda Smith	498 River Road Lot 856 DP 756961 Dareton	Storage shed	\$41,605.00	16/09/2020	27
DA2020/100	Christopher Kovac	20 Feyes Lane Lot 2 DP 845486 Gol Gol	Extensions to existing dwelling	\$300,000.00	16/09/2020	27
DA2020/101	Glen & Lisa McErvale	24 Thomas Street Lot 24 DP 1259103 Gol Gol	Dwelling, garage & storage shed	\$350,000.00	22/09/2020	30
DA2020/102	Joshua & Molly Wilson	30 Mitchell Court Lot 21 DP 1229757 Gol Gol	Dwelling, garage & storage shed	\$480,000.00	22/09/2020	26
DA2020/103	Cindy Cashen	River Road Lot 11 DP 9444 Pomona	Mooring site	\$0.00	24/09/2020	28

S4-55/2020/027	Edward Clemcioch & Kathleen Anderson	24 Wood Street Lot 1 DP 1036807 Gol Gol	Modify DA2020/039 Amend storage shed design	\$0.00	23/09/2020	25
DA2020/104	Western Murray Irrigation Limited	84 River Road Lot 2 DP 1004848 Coomella	2 Bay carport	\$20,000.00	23/09/2020	27
S4-55/2020/028	Hayley & Leon Peacock	Wurlong Drive Lot 14 DP 1251134 Gol Gol	Modify DA2020/033 Alter dwelling, outdoor & verandah size	\$0.00	24/09/2020	26
S4-55/2020/029	Lee Hayes	69 Summer Drive Lot 1 DP 1048844 Buronga	Modify DA2020/036 Amend carport height	\$0.00	3/09/2020	9
DA2020/107	Phoebe Bray & Oppong Amofo	12 Thomas Street Lot 18 DP 1259103 Gol Gol	Storage shed	\$27,829.00	25/09/2020	15
S4-55/2020/031	Teighan Lewis	9 Modikerr Way Lot 18 DP 1103697 Gol Gol	Modify DA2020/095 Amend shed setback to boundary	\$0.00	22/09/20	5
DA2019/098	3 Sisters Estate Pty Ltd	Sturt Highway Lot 2 DP 1198291 Gol Gol	39 Lot subdivision	\$0.00	8/09/20	288
DA2018/123	Noel Pound	Sturt Highway Lot 27 DP 1243078 Buronga	57 Lot subdivision - Stage 1	\$0.00	15/09/20	245

9.11 S4-55/2020/025 APPLICATION FOR MODIFICATION - 83 WILLIAMSVILLE ROAD CURLWAA

File Number: RPT/20/634

Responsible Officer: Matthew Carlin - Director Health and Planning
 Responsible Division: Health and Planning
 Reporting Officer: Matthew Carlin - Director Health and Planning

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire
 Strategy: 1.1 Grow the potential for business and industry to develop and expand

Summary

At the Ordinary Meeting of Council in September 2020, Council resolved to hold this matter over to its Ordinary Meeting October 2020 for further consideration.

Recommendation

- 1) That Council resolves to issue modification approval for S4.55/2020/025 conditions as nominated within the conclusion
- 2) That a division is called in pursuant to s375A of the *Local Government Act 1993*

Detailed Report

Purpose

The purpose of this report is to provide Council with the additional information as requested for this meeting and to seek approval for S4.55/2020/025 as it relates to the modification of DA/2018/005 previously approved by Council at the December 2019 meeting.

Background

- 1) A Development Application was lodged with Council on 16 January 2018 seeking retrospective consent for Farm Stay Accommodation on the subject site.
- 2) Council granted development consent for DA2018/005 being a farm stay accommodation at the subject site at the Ordinary Meeting of Council held on 18 December 2019 – See Attachment No.1.
- 3) The applicant installed structures prior to seeking application for a construction certificate from Council or a Private Certifying Authority. To address this matter, the Director Health and Planning followed the legal advice received by Kell Moore Lawyers.
- 4) A Notice of Intention to Serve an Order was issued on 6 April 2020.
- 5) In response to the Notice of Intention to Serve an Order, the applicant engaged Regional Building Consultants to provide a report on the state of the construction of the buildings relating to the Building Code of Australia. This report provided the applicant with a number of options. The Notice of Intention to Serve an Order requested a response to advise Council as to which option the applicant would pursue. The deadline for this was 22 May 2020 while the Notice of Intention to Serve an Order had an expiry of 7 July 2020.

- 6) On 24 April 2020, Council was informed that Roy Costa Planning and Development were acting on behalf of the applicant in this matter and an extension to the timing of the requested response was being sought.
- 7) On the same day, the Director Health and Planning responded to Roy Costa Planning and Development advising that an extension was granted until 22 June 2020.
- 8) On 22 June 2020, the Director Health and Planning and Councils Planning Officer attended a meeting with Roy Costa Planning and Development to discuss how to progress this matter. It was agreed at this meeting that an application to modify DA2018/005 would be required.
- 9) Following the 22 June meeting, Roy Costa Planning and Development provided two letters to Council on 22 and 24 June 2020 respectively. These letters acknowledged the meeting held, and the latter provided draft updated plans of modification for Councils consideration – See Attachment 2.
- 10) Council reviewed the draft modification plans and after some minor amendments were discussed and agreed to, Roy Costa Planning and Development lodged an application on 6 August 2020 to modify DA2018/005 being S4.55/2020/025.
- 11) S4.55/2020/025 was assessed by Councils planning officer. The assessment report recommends the application is approved subject to conditions – See Attachment 3.
- 12) Council's planning officer provided a report to the Ordinary Meeting of Council September 2020, seeking approval for the modification – See Attachment 3.
- 13) Council resolved to hold the matter over until the next Council meeting, being this meeting, and have all previous information brought back to Council including providing Council with their original resolution approving DA2018/005 as Farm Stay Accommodation – see Attachments 4.

This chronological list demonstrates that after receiving the consent from Council the beneficiary of the consent engaged professional personnel to satisfy the requirements of the consent.

This now brings us to the point of achieving compliance the modification has been lodged and accordingly should be processed by way of approval by Council.

Matters under consideration

In determining a modification application that requires consent, the consent authority must take into consideration matters prescribed in Section 4.55 (1), (1A) or (2) of the *Environmental Planning and Assessment Act 1979*. This modification application was lodged for assessment under '(1A): Modifications involving minimal environmental impact'.

Assessment conducted under section 4.55 (1A) of the *Environmental Planning and Assessment Act 1979* concluded that:

- (a) The proposed modifications are of minimal environmental impact
- (b) It was substantially the same development as the development for which the consent was originally granted
- (c) Public notification has been duly conducted
- (d) No submissions were received during the public notification period.

Based on the assessment of the modification application and no submissions received during the notification period, it is determined that the proposed modification development is consistent with the WLEP 2011 and *Environmental Planning and Assessment Act 1979*.

Legal, strategic, financial or policy implications

Should Council refuse to grant consent to the modification application, the applicant has the right to request for review of the determination to Council under Section 8.2 of the *Environmental Planning & Assessment Act 1987*.

The applicant also has the right to appeal the decision made by Council to the Land and Environment Court pursuant to Section 8.9 of the *Environmental Planning & Assessment Act 1987*.

Conclusion

Having consideration to the content of this report it is concluded that the appropriate course of action is to approve modification application S4.55/2020/025 subject to conditions contained below:

SCHEDULE 1

PRESCRIBED CONDITIONS imposed as per Clause 97(A), 98, 98A and 98B of the *Environmental Planning and Assessment Regulation 2000*

1.	The construction of the farm stay accommodation must be carried out in accordance with the requirements of the <i>Building Code of Australia</i> .
2.	A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out: <ul style="list-style-type: none"> (i) Showing the name, address and telephone number of the principal certifying authority for the work, and (ii) Showing the name of principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and (iii) Stating that unauthorized entry to the work site is prohibited.
3.	Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

GENERAL CONDITIONS imposed as per Section 4.17 of the *Environmental Planning and Assessment Act 1979*

4.	<p>AMENDED CONDITION</p> <p>The development hereby authorised shall be carried out strictly in accordance with the conditions of this approval and stamped approved plans listed below:</p> <ul style="list-style-type: none"> • Site Plan by Avers Design; Project No.: 2018-01; Drawing No.: DA02; Revision: B; Date: 29.07.20 • Floor and Elevation Plan (Kitchen building) by Avers Design; Project No.: 2018-01; Drawing No.: DA03; Revision: Final; Date: 26.07.20 • Floor Plan (total area) by Avers Design; Project No.: 2018-01; Drawing No.: DA01; Revision: B; Date: 29.07.20 • Site photos by Avers Design; Drawing Number: DA04; Date: 25/11/2019
5.	Approval is for a farm stay accommodation.

6.	This consent shall lapse and have no force or effect unless the use or development hereby permitted is physically commenced within 5 years of the date of this consent.
7.	<p>(a) An application for a construction certificate is to be made under Section 4.12 of the Environmental Planning and Assessment Act 1979 and construction certificate(s) issued under Sections 6.3, 6.4(a) and 6.7 of the Environmental; Planning and Assessment Act 1979 prior to any work commencing on the building. All work in relation to plans for the construction certificate(s) shall comply with the requirements of the Building Code of Australia, the Environmental Planning & Assessment Act, and regulations, SEPP (Building Sustainability Index) BASIX 2004 and the Local Government Act and Regulations thereunder.</p> <p>(b) Application is to be submitted to Council under the Local Government Act NSW 1993 and approval given by Council under Section 68 of the Local Government Act NSW 1993 prior to any work being carried out to</p> <ul style="list-style-type: none"> i. Carry out water supply work. ii. Carry out any plumbing & drainage work necessary to connect the buildings to a sewer management system. iii. Carry out work to connect to a stormwater drainage system.
8.	<p>Subject to approval to commence works two days before any site works, building or demolition begins, the applicant must:</p> <p>(a) Forward to Council notice of commencement of work and appointment of Principal Certifying Authority.</p> <p>(b) Notify the adjoining owners that work will commence.</p>
9.	<p>(a) Before the work is commenced, the Council must be informed in writing of:</p> <ul style="list-style-type: none"> • The name and contractor licence number of the licensee who has been contracted to do the work; or • The name and permit number of the owner/builder who intends to do the work. <p>(b) The Council is to be immediately informed in writing of similar details required in the above if:</p> <ul style="list-style-type: none"> • A contract is entered into for the work to be undertaken by a different licensee; or • Arrangements for the completion of the work are otherwise changed.
10.	<p>Any normal building work will be restricted to the following hours in accordance with the NSW Interim Construction Noise Guideline:</p> <p>(a) Monday to Friday, 7.00am and 6.00pm</p> <p>(b) Saturdays, 8.00am to 1.00pm</p> <p>(c) No work is to be carried out on Sundays and public holidays.</p>
11.	<p>AMENDED CONDITION</p> <p>A Road Opening Permit is required from the Wentworth Shire Council prior to any works / excavation within the road reserve ie water tapping, sewer, driveway crossings etc. Please contact Councils Roads & Engineering Department on Tel: (03) 5027 5027 to arrange a permit.</p>
12.	Any works undertaken in the subject land including building and filling shall not cause alteration to the previous drainage in the subject land or adjacent land. Any remedies required to discharge drainage water caused to be accumulated by the works associated with this permit shall be the responsibility of the applicant.

13.	<p>AMENDED CONDITION</p> <p>Sewer is not available to the subject site. The wastewater disposal system is to be upgraded to cater for increased number of persons and is to be:</p> <ul style="list-style-type: none"> • An aerated treatment type, approved by NSW Health. Or • If an alternate waste disposal system is proposed the Land Capability Assessment will need to demonstrate the suitability of the alternate system for the site. <p>The applicant will be required to apply for a S68 application for this work.</p>
14.	<p>AMENDED CONDITION</p> <p>The farm stay accommodation must not accommodate more than sixteen (16) guests at any time.</p> <p>The beneficiary of this consent is responsible for ensuring the number of guests in the farm stay accommodation does not exceed that specified above.</p>
15.	<p>AMENDED CONDITION</p> <p>The beneficiary of this consent must ensure that the behaviour of guests of the farm stay accommodation does not detrimentally affect the amenity of the neighbourhood.</p>
16.	<p>AMENDED CONDITION</p> <p>A register must be kept by the beneficiary of this consent to record the guests and period of stay.</p> <p>The register must be made available within 24 hours of a request, when requested by an authorised officer of the Shire of Wentworth.</p>
17.	<p>The premises must adopt a zero tolerance approach to antisocial behaviour at the site. All incidents must be reported to the relevant authority and Wentworth Shire Council must be notified in the event of a serious incident.</p>
18.	<p>AMENDED CONDITION</p> <p>Reports of all complaints must be documented in a register and kept by the beneficiary of this consent/Operators. The beneficiary of this consent/Operators must use reasonable measures to ensure that guests behave in an appropriate manner whilst on the site and do not disturb the neighbourhood, particularly if returning to or leaving the premises late at night.</p>
19.	<p>All roof water, including overflows from rainwater tanks, if any, is to be collected by gutters and downpipes and discharged to a legal point of discharge.</p>
20.	<p>All plumbing and drainage work is to be carried out by a plumber and drainer, or other authorised person, licensed with the New South Wales Department of Fair Trading.</p>
21.	<p>All stormwater discharged from the site shall be conveyed by means of underground drains to a legal point of discharge. Any construction works/drainage works should be carried out in a manner that eliminates water ponding i.e. all run off/stormwater should be diverted away from low lying poor surface drainage areas.</p>
22.	<p>A temporary hoarding or temporary construction site fence must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:</p> <ul style="list-style-type: none"> (a) Could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic, or (b) Could cause damage to adjoining lands by falling objects, or (c) Involve the enclosure of a public place or part of a public place.

23.	Throughout the construction period, from commencement of work, a suitable rubbish containment structure is to be located on site and utilized to ensure the construction site is kept clean and safe at all times.
24.	Toilet facilities are to be provided on or in the vicinity of the building site. The toilet must be connected to a public sewer, or if connection to a public sewer is not practicable, an approved chemical closet. The toilet facility must be installed on-site prior to the commencement of any other work.
25.	No building works are to encroach over any easements.
26.	The building shall not be occupied or used until an Occupation Certificate is issued either by council or by an accredited private certifier.
27.	<p>AMENDED CONDITION</p> <p>Any lighting shall be installed to ensure minimal glare and no light spill onto adjoining properties and roadways. Where applicable light shields are to be applied. Lighting shall comply with AS 4282–1997 <i>Control of the obtrusive effects of outdoor lighting</i>.</p> <p>Note: Where any issues of light pollution from the site occur, Council may take the necessary steps to address the issue.</p>
28.	Any emissions emanating from the subject site must meet the relevant EPA guidelines, <i>Protection of the Environment Operations Act</i> and any other relevant guidelines, <i>Acts and Regulations</i> .
29.	<p>a) Compulsory Inspection Prior To Opening</p> <p>Prior to commencing to operate, an inspection of the premises shall be carried out, by an “authorised officer”, as defined in the Food Act 2003, to ensure that the premises including the construction and installation of all equipment, fixtures and fittings and finish therein comply with Standard 3.2.3 – Food Premises and Equipment, of the Australia New Zealand Food Standards Code, Australian Standard AS 4674-2004 “Design, construction and fit-out of food premises” and Council's local policies.</p> <p>b) Fitout To Comply with Acts & Codes</p> <p>The walls, floors and ceiling construction including finishes and fitout of rooms used for food preparation, storage or display shall comply with the requirements of the Food Regulation 2004 under the Food Act 2003, Standard 3.2.3 – Food Premises and Equipment, of the Australia New Zealand Food Standards Code, Australian Standard AS 4674-2004 “Design, construction and fit-out of food premises”, and Council's local policies.</p> <p>Reason: To ensure compliance with the Food Regulation 2004, under the Food Act 2003, the Local Government Act 1993 and Regulations, Standard 3.2.3 – Food Premises and Equipment, of the Australia New Zealand Food Standards Code, Australian Standard AS 4674-2004 “Design, construction and fit-out of food premises”, and Council's local policies, for the purpose of sanitation, rodent and vermin proofing and to reduce the risk of food borne illness.</p>
30.	<p>If any object having interest due to its age or association with the past is uncovered during the course of the work:</p> <p>(a) All work must stop immediately in that area, and</p> <p>(b) The Office of Environment and Heritage must be advised of the discovery.</p>
31.	<p>If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:</p> <ul style="list-style-type: none"> • Not further harm the object

	<ul style="list-style-type: none"> • Immediately cease all work at the particular location • Secure the area so as to avoid further harm to the Aboriginal object • Notify the Department of Planning, Industry and Environment as soon as practical on 131555, providing any details of the Aboriginal object and its location • Not recommence any work at the particular location unless authorised in writing by the Department of Planning, Industry and Environment. <p>In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and the Department of Planning, Industry and Environment contacted.</p>
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REASONS FOR CONDITIONS

To ensure compliance with the terms of the Environmental Planning and Assessment Act.
 To ensure work is sustainable and that an appropriate level of provision of amenities and services occurs within the Shire and to occupants of lots.
 To minimise environmental impact and impact on public assets, degradation of natural resources and to enhance amenity.
 To provide for a quality environment, safe and efficient movement of people and to ensure public safety and interest.

ADVISORY NOTE

The beneficiary of this consent is advised that the restriction on hours of work on Saturday, Sunday or public holiday does not apply during the prescribed period of the Environmental Planning and Assessment (COVID-19 Development—Construction Work Days) Order 2020 as per Section 10.17 of the Environmental Planning and Assessment Act 1979.

Attachments

1. Resolution of Council Approving DA2018/005 as a Farmstay [↓](#)
2. Draft amended plans for modification (under separate cover) [⇒](#)
3. Planning Officer Assessment Report (under separate cover) [⇒](#)
4. Copy of report from the Ordinary Meeting of Council September 2020 [↓](#)

ORDINARY MEETING MINUTES

18 DECEMBER 2019

9.22 DA2018/005 FARM STAY ACCOMMODATION - 83 WILLIAMSVILLE ROAD, LOT 3 DP 540613, CURLWAA

File Number: RPT/19/1170

Responsible Officer: Ken Ross - General Manager
 Responsible Division: Office of the General Manager
 Reporting Officer: George Kenende - Development Assessment Officer

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire
 Strategy: 1.1 Grow the potential for business and industry to develop and expand

Summary

A Development Application (DA) (DA2018/005) has been received by Council seeking approval for the development and use of a farm stay accommodation facility at 83 Williamsville Road, Lot 3 DP 540613, Curlwaa.

The site falls under the RU1 Primary Production zone and in accordance with the Wentworth Local Environmental Plan 2011 (WLEP 2011) farm stay accommodation is permissible with consent in that zone.

The definition of farm stay accommodation is for a building or place to be used to provide temporary or short-term accommodation to paying guests on a working farm, with the use being a secondary business to primary production.

Recommendation

- 1) That Council grants development consent for DA2018/005 being a farm stay accommodation located at 83 Williamsville, Lot 3 DP 540613 Curlwaa.
- 2) That a division be called in accordance with s375A of the *Local Government Act 1993* (NSW).

Council Resolution

- 1) That Council grants development consent for DA2018/005 being a farm stay accommodation located at 83 Williamsville, Lot 3 DP 540613 Curlwaa.
- 2) That a division be called in accordance with s375A of the *Local Government Act 1993* (NSW).

Moved Cr. Nunan, Seconded Cr. Wheeldon

CARRIED

In accordance with Section 375A of the Local Government Act the Mayor called for a division.

For the Motion : **Clr.s Evans, Hederics, MacAllister, McKinnon, Nichols, Nunan and Wheeldon.**

Against the Motion: **Clr.s Elstone and Heywood.**

AGENDA

9.12 DA2018/005 Farm Stay Accommodation - 83 Williamsville Road, Lot 3 DP 540613, Curlwaa S4.55/2020/025 Application to Modify Consent

File Number: RPT/20/533

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: George Kenende - Development Assessment Officer

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire

Strategy: 1.1 Grow the potential for business and industry to develop and expand

Summary

Council is in receipt of an application (S4.55/2020/025) to modify the approved plans for DA2018/005.

The proposed modifications include:

- Changing the bedroom layout to dorms
- Converting the kitchen into a sundeck
- Erecting a new kitchen/dining/lounge building

The site falls under the RU1 Primary Production zone and in accordance with the Wentworth Local Environmental Plan 2011 (WLEP 2011) farm stay accommodation is permissible with consent in that zone.

The definition of farm stay accommodation is for a building or place to be used to provide temporary or short-term accommodation to paying guests on a working farm, with the use being a secondary business to primary production.

Recommendation

- 1) That Council, having considered the content of this report and attached documentation, resolves to issue modification approval for S4.55/2020/025 being a farm stay accommodation located at 83 Williamsville Road, Lot 3 DP 540613 Curlwaa.
- 2) That a division be called in accordance with s375A of the Local Government Act 1993 (NSW).

Detailed Report**Purpose**

The purpose of this report is to provide sufficient information for Council to determine modification application s4.55/2020/025 for DA2018/005 having consideration to the detail provided both within this report and the modification application.

Background

Back in 2016, Council was apprised that the subject site may be being used as backpackers' accommodation. Subsequent to investigation and consultation with the landowner, it was determined that the use of the site for backpackers' accommodation was prohibited in the RU1 Primary Production zone and the landowner was requested to cease that use.

A Development Application was lodged with Council on 16 January 2018 seeking consent for farm stay accommodation on the subject site which was approved at an Ordinary Meeting of Council held on 18 December 2019.

A modification application was lodged with Council on 6 August 2020 seeking to modify the previously issued consent.

AGENDA

The application was publicly exhibited for 14 days as per Council's Community Participation Plan (CPP). No submissions were received by Council at the 14 end of day public notification period.

This application was been processed and is now being reported to Council for determination due to public interest in the development application being modified.

Refer to Attachment 1 Modification Application s4-55/2020/025.

Matters under consideration

In determining a modification application that requires consent, the consent authority must take into consideration matters prescribed in Section 4.55 (1), (1A) or (2) of the *Environmental Planning and Assessment Act 1979*. This modification application was lodged for assessment under '(1A): Modifications involving minimal environmental impact'.

Assessment conducted under section 4.55 (1A) of the *Environmental Planning and Assessment Act 1979* concluded that:

- (a) The proposed modifications are of minimal environmental impact
- (b) It was substantially the same development as the development for which the consent was originally granted
- (c) Public notification has been duly conducted
- (d) No submissions were received during the public notification period.

Based on the assessment of the modification application and no submissions received during the notification period, it is determined that the proposed modification development is consistent with the WLEP 2011 and *Environmental Planning and Assessment Act 1979*.

Refer to Attachment 2 Assessment Report.

Options

Based on the information contained in this report, the options available to address this matter are to:

Approve Modification Application S4-55/2020/025 subject to conditions

Or

Refuse the modification S4-55/2020/025 subject to specific reasons

Legal, strategic, financial or policy implications

Should Council refuse to grant consent to the modification application, the applicant has the right to request for review of the determination to Council under Section 8.2 of the *Environmental Planning & Assessment Act 1987*.

The applicant also has the right to appeal the decision made by Council to the Land and Environment Court pursuant to Section 8.9 of the *Environmental Planning & Assessment Act 1987*.

Conclusion

Having consideration to the content of this report it is concluded that the appropriate course of action is to approve modification application S4.55/2020/025 subject to conditions contained within the assessment report.

Attachments

1. S4.55/2020/025 Modification Application (Under Separate cover)
2. Section 4.15 Assessment Report (under separate cover)

9.12 REVIEW OF WENTWORTH ALCOHOL FREE ZONE

File Number: RPT/20/668

Responsible Officer: Matthew Carlin - Director Health and Planning
 Responsible Division: Health and Planning
 Reporting Officer: Matthew Carlin - Director Health and Planning

Objective: 2.0 Wentworth is a desirable Shire to visit, live, work and invest
 Strategy: 2.5 Maintain/create desirable open spaces and recreation facilities

Summary

Concern has been raised about an increase in anti-social behavior in and around the Wentworth swimming pool and skate park. The addition of an Alcohol Free Zone applied to this area will provide additional protections for the health and safety of our residents and will provide NSW Police better regulatory control when addressing such matters.

Recommendation

That Council undertakes the level of public consultation identified in the body of this report to determine the community input into the addition of an Alcohol Free Zone at the Wentworth Swimming Pool and Skate Park until 30 June 2022.

Detailed Report

Purpose

The purpose of this report is for Council to establish an Alcohol Free Zone at the Wentworth swimming pool and skate park. As the current Alcohol Free Zones are in place until 30 June 2022, the establishment of this site will retain the 30 June 2022 expiry date.

Background

An alcohol-free zone is an area where drinking alcohol is prohibited, established by a local council. Alcohol-free zones can only include public places such as roads or car parks on public or Crown land. They cannot include car parks that are on private land and not under the control of the council.

Alcohol-free zones enable the safe use of these roads, footpaths and car parks without interference from street drinkers. They should primarily be near outlets supplying alcohol where drinkers congregate.

The irresponsible consumption of alcohol on roads and footpaths and in public carparks can compromise their safe use by members of the public without interference. Each individual zoning is to be considered according to its particular circumstances.

The establishment of Alcohol Free Zones is required in accordance with the Local Government Act 1993.

Matters under consideration

The modification and extension of the Wentworth Alcohol Free Zone:

Council must undertake public consultation in the following form:

- a) By notice published in a newspaper circulating the area that includes the zone, declare the proposal to establish the zone indicating the location of the zone and the proposed period for which it will operate.
- b) Invite representations and objections from persons and groups within the area.
- c) Provide a copy of the proposal to:
 - i. The officer in charge of the police station within or nearest to the zone.

- ii. Each holder of a licence in force under the Liquor Act 2007 for premises that border on, or adjoin or are adjacent to the Alcohol Free Zone.

Options

Based on the information contained in this report, the options available to address this matter are to:

- Proceed with endorsing the establishment of the new Alcohol Free Zones in Wentworth,
- Do not proceed with the establishment of Alcohol Free Zones in Wentworth,

Legal, strategic, financial or policy implications

The establishment of Alcohol Free Zones is an important measure used to curtail irresponsible behavior by individuals on the streets throughout the year thereby promoting the feeling of safety in public places. Removal of these zones can compromise the safe use of these public roads and footpaths for members of the public.

Conclusion

The establishment of the Alcohol Free Zones is permissible under the provisions of the Local Government Act. Prior to the Council resolving to do so, a level of public consultation is required in accordance with that listed in the body of this report.

Attachments

1. Proposed and Alcohol Free Zone Wentworth [↓](#)



9.13 ADOPTION OF CONDITIONS OF USE AND ACCESS - WENTWORTH SHIRE COUNCILS AERODROMES

File Number: RPT/20/654

Responsible Officer: Geoff Gunn - Director Roads and Engineering
 Responsible Division: Roads and Engineering
 Reporting Officer: Trevor Willcock - Team Leader Civil Projects
 Tarryn Kampman - Administration Officer

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets

Strategy: 3.2 Plan for and develop the right assets and infrastructure

Summary

The purpose of this report is to adopt the conditions of use and access for both the Wentworth and Pooncarie Aerodromes.

Recommendation

That Council adopts the proposed Wentworth Shire Council Aerodromes Conditions of Use and Access document for use in relation to the operation of the Wentworth and Pooncarie Aerodromes.

Detailed Report

Purpose

The purpose of this report is to adopt a Conditions of Use and Access document that identifies the terms and conditions under which users access and utilise the infrastructure facilities and services provided by WSC at the Wentworth and Pooncarie Aerodromes.

Background

The Conditions of Use and Access document (Attachment 1) has been developed in accordance with the required Australian compliance regulations and Acts relating to aviation and aerodrome operations. The document provides a summary of the terms and conditions under which users access and use the infrastructure, facilities and services provided by WSC.

The preparation of this document has been undertaken following extensive consultation with numerous rural and regional airport operators across NSW, S.A. and QLD, together with CASA, Mildura Airport, Asset Aviation Consultations and Regional Airport Consulting. This document covers all use and access requirements for both WSC Aerodromes. The Conditions of Use and Access document will also form part of the mandatory Aerodrome Manual requirements required by CASA under the new Manual of Standards (MOS139).

Conclusion

The Conditions of Use and Access document is a comprehensive document developed in consultation with a number of industry leading consultants, airport operators and CASA and clearly defines the use and access rules and requirements associated with both the Wentworth and Pooncarie Aerodromes.

Attachments

1. Attachment 1 - Wentworth Shire Council Aerodromes Conditions of Use and Access [↓](#)

WENTWORTH SHIRE COUNCIL

WORTH THE DRIVE

Wentworth Shire Council Aerodromes Conditions of Use and Access

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1. INTRODUCTION

- 1.1 Wentworth Shire Council (WSC) owns and operates the Wentworth and Pooncarie Aerodromes.
- 1.2 The user is granted limited access and use of WSC's Aerodromes on the terms and conditions contained herein.
- 1.3 These agreed terms of use shall have operation and effect from 1 January 2021. As from that date, WSC's supply of aeronautical services to Aircraft Operators will be on these agreed terms of use in return for which Aircraft Operators will pay to WSC the charges and comply with all other obligations imposed upon the Aircraft Operator by these agreed terms of use.
- 1.4 This document provides a summary of the terms and conditions under which users use the infrastructure, facilities and services provided by WSC.
- 1.5 By using the infrastructure, facilities or services at WSC's Aerodromes, users are deemed to have accepted these terms and conditions.
- 1.6 If you continue to use our Aerodromes, or our facilities and services after being notified of the existence of this document, then such continued use shall constitute acceptance of these terms of use of our Aerodromes as amended from time to time.
- 1.7 The users accept that notification of the existence of this document shall be by means of, newspaper advertisement, word of mouth, posting of document on Council's Website and any form of Aeronautical Information Publication (AIP) available to the user that suggests its existence.
- 1.8 The user acknowledges that the charges are exclusive of air traffic service charges, rescue and firefighting charges, meteorological charges and all or any other charges that may be levied by other parties for services not provided by WSC.

2. DEFINITIONS

In this document, unless the contrary intention appears:

"Access" means entering or coming on to WSC Aerodromes in any manner and by any means whatsoever.

"AD" means Aerodrome.

"Aerodrome/s" means Wentworth and/or Pooncarie.

"Airside" means the area of the Aerodrome enclosed by a security barrier, to which aircraft have access, and to which the general public does not have access.

"ARO" means Aerodrome Reporting Officer.

"BCST" means Broadcast via radio on aerodrome CTAF.

"Charges" are the charges set out in the schedule of charges as published on the WSC website (www.wentworth.nsw.gov.au).

"CASA" means Civil Aviation Safety Authority.

"CTAF" means Common Traffic Advisory Frequency.

"DAMP" means Drug and Alcohol Management Plan.

"ERSA" means En-Route Supplementary Advice.

"EST" means Eastern Standard Time.

"ESST" means Eastern Standard Summer Time.

"FOD" means Foreign Object Debris.

"Fixed Base Operator (FBO)" is an organisation granted the right by an aerodrome to operate at the aerodrome and provide aeronautical services such as fueling, hangaring, aircraft rental, aircraft maintenance, aircraft charters, flight instruction and similar services.

"Landside" means the area accessible to the general public, including those not traveling. Although there may be security measures in place in some landside areas (e.g. car parks, hangars, terminals and office buildings), it is not considered a "secure" area in the same sense as the airside area (i.e. access strictly controlled).

"Legislation" means all Commonwealth and State Acts of parliament, regulations, rules, orders, local laws, ordinances, by-laws and other orders or directions from any government (Commonwealth, State or Local) or statutory bodies relevant to Wentworth and Pooncarie Aerodromes and/or any access or use of the Wentworth and Pooncarie Aerodromes.

"MOS139" means CASA Manual of Standards Part 139 - 2019.

"MTOW" is the maximum take-off weight certified for the aircraft concerned.

"Movement Area" is the part of the aerodrome provided for the surface movement of aircraft, including the apron area, the maneuvering area and any part of the aerodrome set aside for the maintenance of aircraft.

"Maneuvering Area" is the part of the aerodrome designed for the take-off and landing of aircraft as well as the surface movement of aircraft but excludes the apron area and any part of the aerodrome designed for maintenance of aircraft. Typically, the maneuvering area consists of the runways and taxiways.

"NOTAM" means Notice to Airmen.

"OPS" mean operations.

"Schedule of Charges" is the schedule of charges, as described in this document and determined by WSC from time to time, that is published on the WSC website at www.wentworth.nsw.gov.au.

"Tenant" is a person or company that occupies land or property owned and/or controlled by, and rented from WSC (landlord).

"UTC" means Co-ordinated Universal Time.

“WSC” means Wentworth Shire Council.

“YWT0” means Wentworth Aerodrome.

“YPCE” means Pooncarie Aerodrome.

“Use” includes, but is not limited to, by any aircraft, landing, taking-off, training, taxiing or parking and discharging or taking on passengers or cargo.

“User” includes the owner, operator, pilot and any other party with any control over, or ownership of, any aircraft accessing Wentworth or Pooncarie Aerodromes. This includes persons who have access airside (whether or not they own aircraft), their visitors/guests and airside drivers. Also included are tenants who carry out activities on landside areas and within lease areas and persons who have direct access to the aerodrome from private property.

3. INTERPRETATION

3.1 The following rules of interpretation apply in this agreement unless otherwise stated:

- a) a reference to this document or another instrument includes any variation or replacement of any item of them; and
- b) a reference to a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them at any time before or after the date of this document; and
- c) the singular includes the plural and vice versa; and
- d) the word “person” includes a firm, a body corporate, an unincorporated association or an authority; and
- e) a reference to a person includes a reference to the person’s executors, administrators, successors, substitutes (including without limitation, persons taking by novation) and assigns; and
- f) an agreement, representation or warranty in favour of two or more persons is for the benefit of them jointly and severally; and
- g) a reference to a term, word or phrase that is defined in any of the applicable Acts or the regulations made thereunder have the same meaning as is defined in those Acts or any regulations made thereunder; and
- h) a reference to anything (including without limitation, any amount) is a reference to the whole and each part of it and a reference to a group of persons is a reference to all of them collectively, to any two or more of them collectively and to each of them individually; and
- i) a reference to a clause is a reference to a clause in this document.

3.2 If this document prohibits a user from doing an activity:

- a) the user must do everything necessary to ensure that the user’s employees, servants, agents and contractors do not do that activity; and
- b) the user may not allow or cause any person to do that activity.

3.3 Headings are inserted for convenience and do not affect the interpretation of this document.

4. ACCESS AND USE -TERMS AND CONDITIONS

- 4.1 Access to and use of the Wentworth and Pooncarie Aerodromes (airside and landside areas) is subject to compliance by the user with:
- a) local flying restrictions including the requirements of the *Civil Aviation Act 1988*, the Civil Aviation Regulations, the *Air Navigation Act 1920*, the Air Navigation Regulations, and Air Services Australia publications including the En-Route Supplement Australia (ERSA); and
 - b) use of call signs in accordance with Aeronautical Information Package (AIP); and
 - c) directives made by the Department of Home Affairs and/or the Aviation and Maritime Security (AMS) Division, including but not limited to security of aerodromes and aircraft; and
 - d) the requirements of:
 - i. the *Civil Aviation Act 1988*; and
 - ii. the Civil Aviation Safety Regulations 1998; and
 - iii. the Civil Aviation Regulations 1988; and
 - iv. Civil Aviation Orders; and
 - v. Manual of Standards Part 139 - Aerodromes; and
 - vi. the *Aviation Transport Security Act 2004*; and
 - vii. the Aviation Transport Security Regulations 2005; and
 - viii. the Wentworth Shire Council Local Law (Aerodromes); and
 - ix. any other applicable Commonwealth, State or Local Government regulations.
 - e) any current or future written agreements between WSC and the user; and
 - f) the "Fly Neighbourly" principles, as amended from time to time (detailed in Section 11); and
 - g) directives made by the AD OPS Manager and/or duty ARO, both verbal and/or written.
- 4.2 The user or its servants must not do anything when using either Wentworth or Pooncarie Aerodromes that is in breach of any legislation, regulations, rules or procedures.
- 4.3 Any dispute, inconsistency or ambiguity regarding these terms of use, the schedules to these terms of use and any of the requirements referred to in condition shall be resolved by WSC in its reasonable discretion. These terms of use apply equally to Domestic Operations (including RPT Operations), Regional Operations, Charter Operations, Military Operations, General Aviation Operations, and any other operations to which WSC reasonably determines these terms of use will apply.
- 4.4 You acknowledge that we are responsible for all Aviation Infrastructure and Facilities Investment decisions at the Aerodromes. If we decide to make a major Aviation Infrastructure and Facilities Investment, we may increase the Aviation Charges accordingly.
- 4.5 We reserve the right to change these terms of use. The current document can be accessed on Council's website.
- 4.6 No air show, fly -ins, aviation related display or other event shall be held without the written

approval of the AD Manager and where necessary approved by CASA.

- 4.7 Aerobatic operations of any kind are prohibited within five nautical miles of the aerodrome reference point unless conducted as part of an aerial display previously and specifically approved by the AD Manager and if necessary approved by CASA.
- 4.8 Gliding operations are prohibited unless the glider is self-powered and VH registered.
- 4.9 No sign of any nature visible to the public shall under any circumstance be erected or displayed without prior written consent of the AD Manager.
- 4.10 Aircraft Training Operation permitted only with written approval of Aerodrome Manager.
- 4.11 Avgas re-fueling facilities (user operated) available at YWTO only, the user assumes full responsibility for re-fueling operations. Visa or MasterCard only.
- 4.12 We do not provide:
 - a) aircraft, building, motor vehicle or other security services; or
 - b) air traffic control services; or
 - c) rescue and firefighting services; or
 - d) en-route services; or
 - e) meteorological services; or
 - f) hangar facilities except where special arrangements are in place; or
 - g) quarantine waste disposal, customs or immigration services; or
 - h) mechanical repair/maintenance services; or
 - i) ground handling services, re-fueling services and apron services other than allocating aircraft parking bays; or
 - j) environmental clean-up services; or
 - k) non-visual navigation aids services; or
 - l) any other service we elect not to supply or to discontinue supplying from time to time.

5. NOTIFICATION

- 5.1 The users outlined below must ensure that WSC are provided with a current 24-hour name and contact mobile number. These include:
 - a) tenants; and
 - b) Fixed Base Operators; and
 - c) regular visitors to the aerodrome such as:
 - i. Royal Flying Doctor Service (RFDS); and
 - ii. Angel Flight; and
 - iii. Australian Defence Force (ADF); and
 - iv. companies providing air work such as surveying, aerial photography or banner towing; and
 - v. training organisations based at other aerodromes; and
 - vi. freight operators.

6. CHARGES

- 6.1 Charges consist of rental, leasing, training, landing and aircraft parking fees and are determined in accordance with the Schedule of Charges as published on the Wentworth Shire Council website at www.wentworth.nsw.gov.au.
- 6.2 It is a condition of access to and use of WSC's Aerodromes that the user pays the charges.
- 6.3 Charges are payable by the certificate of registration holder for the aircraft as recorded by the CASA Aircraft Register, unless otherwise formally assigned in writing to a third party.
- 6.4 For the purposes of establishing liability for charges, a flight by an aircraft may be identified by and not limited to documentation, which includes information supplied by Air Services Australia, ADS-B transponder data, recordings of messages broadcast to or from the aircraft and visual observations of aircraft activity.
- 6.5 At the discretion of the Aerodrome Manager, user fees and charges may be amended or waived. Circumstances where such discretion may apply include special events such as fly-ins, open days, charity events, aeromedical, military or other activities the Aerodrome Manager considers reasonable.
- 6.6 Exemption for Landing and Parking fees may apply. See Council website – Schedule of Charges.
- 6.7 No exemptions apply to privately registered aircraft operating for hire or reward, as deemed by WSC.
- 6.8 All charges unless otherwise agreed in writing by WSC, are payable to Avdata (managing aerodrome charges on behalf of WSC). Payable within 21 days after which they become overdue for payment.
- 6.9 Rental and leasing charges are payable direct to WSC or Avdata as agreed in rental/leasing agreements.
- 6.10 Pilots using WSC aerodromes must conform to the regulations and rules of the air. Pilots who fail to identify their aircraft call sign may be reported to Civil Aviation Safety Authority (CASA).
- 6.11 All charges are payable in Australian dollars only.

7. INVOICING AND PAYMENT

- 7.1 The user must pay all invoices on or before the due date as stated on the invoice unless otherwise agreed to in writing by WSC.

7.2

8. VARIATION OF CHARGES

- 8.1 WSC reserves the right to vary any of the charges at any time; and
- 8.2 WSC will publish notification 30 days in advance of any variations of charges on the WSC website.

9. NO OFF-SET

- 9.1 The user is not permitted to make any off-set against or deduction from the charges. Should there be a dispute concerning the charges payable to WSC (through Avdata Australia Pty Ltd), the user shall pay all charges in full pending resolution of any such dispute.

10. REFUSAL OF ACCESS

- 10.1 WSC may refuse access to and use of WSC Aerodromes to the user and all/any aircraft of the user where the user has failed to pay to WSC any amount due within 30 days after the due date.
- 10.2 WSC may also refuse access to and use of WSC Aerodromes (except in a declared emergency) to the user and/or any aircraft owner or operator. Where the user and/or the aircraft owner or operator respectively fails to comply on time with all requirements of WSC AD conditions of use and access, orders of authorities and all laws including, without limitation, all relevant environmental protection laws and authorities, and relevant legislations.

11. FLY NEIGHBOURLY/NOISE ABATEMENT

Operators at Wentworth Shire Council Aerodromes will:

- 11.1 comply with noise abatement procedures included in the air navigation regulations, departure and approach procedures and en-route supplement Australia guide; and
- 11.2 ensure that environmental awareness and noise management is included in pilot familiarisation and training; and
- 11.3 compliance with following noise abatement procedures does not affect a pilot's responsibility to operate in accordance with Civil Aviation Regulations and Procedures.

Pilots will:

Ground Operations

- 11.4 Conduct pre-flight engine run-ups in designated areas only. Avoid lengthy engine run-ups. Conduct non-pre-flight and maintenance-related engine runs in locations where the wind or distance helps minimise the carriage of noise off-aerodrome. Note – maintenance engine runs are not permitted in lease areas.

Departure

- 11.5 Use sufficient runway length and best rates of climb to maximise height over populated areas. High performance and twin-engine aircraft are to conduct full length take-offs where possible.
- 11.6 Minimise noise after take-off by reducing engine revs as much as possible.
- 11.7 Consider the impact of early-morning departures of unusually loud aircraft (e.g. some warbirds, jets and older single-engine aircraft) on nearby residents and businesses (e.g. motels). It is requested that, where practicable, such aircraft delay departure until at least 0800.

In Flight

- 11.8 Where applicable, maintain the published tracks after take-off.
- 11.9 Maintain required altitudes, particularly over residential housing. As much as possible, avoid flying over residential areas, hospitals, schools, nursing homes and maximise the use of flight paths over less densely populated areas such as bushland, farmland and highways.

Training

- 11.10 Only conduct Training Operations including "Touch & Go" circuit training as per aerodrome published information, ERSA. Users are advised that any published NOTAM will take precedents.
- 11.11 No training OPS permitted at YWTO or YPCE with prior approval.
- 11.12 Avoid flying circuits and conducting turns that impact on residential areas.
- 11.13 ACFT in Training Shall suspended OPS to allow RWY safety inspections to be carried out by duty ARO when intent to do so is BCST.
- 11.14 AD training curfew applies. AD AVBL for training OPS 0700-2100 on Monday to Saturday and 0900-1700 on Sunday and public holidays.
- 11.15 Noise sensitive area S of AD (Wentworth/Pooncarie township). Pilots are requested to avoid the area if possible, no CCTS please and transit not BLW 1500FT AMSL.
- 11.16 ACFT DEP YWTO and YPCE are requested to climb to 1500FT AMSL at best rate of climb.
- 11.17 No simulated engine failure training over Wentworth or Pooncarie township.
- 11.18 No run-ups permitted on apron/tie down areas.

Simulated Engine Failure

- 11.19 No simulated engine failure training permitted over populated areas. Where practicable, fixed wing aircraft will conduct simulated engine failures over the runway with recovery initiated within the aerodrome perimeter or within locally designated training area.

Training Area

- 11.20 When operating to/from and within the training area, (see ERSA) avoid populated areas where possible.

Helicopters

- 11.21 Use the correct take-off and landing areas to minimise effects of rotor wash.
- 11.22 When hover/air-taxiing, departing or arriving, consider foreign object debris (FOD) such as dust, dirt and/or debris impacts on hangars (particularly when hangar doors are open).
- 11.23 Where possible, minimise tight maneuvers and turns, avoid hovering and operating over populated areas.
- 11.24 Minimise rotor blade slap noise and utilise descent profiles with low-power and low-noise operations.

12. USE OF AIRSIDE

- 12.1 Any user of WSC Aerodromes requiring vehicle access to airside-controlled areas, are required to complete the WSC Aerodromes Airside Vehicle Control Induction. The training booklet is available from the AD OPS Manager during business hours, by phone 03 5027 5027 or by email council@wentworth.nsw.gov.au. The induction is self-administered and generally takes about 20 minutes. A signed declaration at the end of the booklet completes the induction. There is no charge for this service.
- 12.2 The driving of vehicles within the airside of the aerodrome must comply with WSC "Airside Vehicle Control" and any directions from AD OPS manager or duty ARO as required.
- 12.3 Authorised vehicles must display an amber flashing or rotating beacon while airside, emergency vehicle warning devices accepted.
- 12.4 Drivers must carry/display an "Authority to Drive Airside" (ADA) licence renewable annually (expiring December 31) and available from the AD OPS Manager on completion of Airside Vehicle Control Induction. There is no charge for this service.
- 12.5 High visibility (hi viz) vests or clothing must be worn when walking within aircraft movement areas (leased apron areas excluded). Passengers requiring access to an aircraft must be escorted by user crew that are wearing hi viz.
- 12.6 YWTO and YPCE are regulated aerodromes under CASA MOS 139, as such a secure airside/landside boundary must be maintained at all times. Users are to ensure compliance to this order.
- 12.7 Animals are only permitted airside when they are enclosed in an approved animal cage/carrier (assistance animals excluded).
- 12.8 No private refueling or refueling equipment permitted on WSC Aerodromes without prior approval of AD OPS Manager. User to ensure compliance with Clause 19 of WSC conditions of access and use, CASA Act and Regulation, NSW EPA and Worksafe NSW and all relevant legislation, relating to transport, storage and handling of hazardous materials. User to supply proof of compliance to AD OPS Manager prior to any approval.

13. PARKING OF AIRCRAFT

- 13.1 A user is not permitted and shall not leave or park an aircraft at any location at YWTO or YPCE that is not dedicated by WSC for that purpose. Unless WSC AD OPS Manager has consented to the user leaving or parking such aircraft at such location and the user paying such fees as are applicable to the leaving or parking of aircraft.
- 13.2 An aircraft is considered to be parked if it has been left unattended.
- 13.3 The daily parking fees apply per calendar day, no pro-rata (i.e. an aircraft parked for any portion of a calendar day will incur the full daily parking fee) and is charged for any aircraft sighted in an area which is not a leased apron.
- 13.4 At all times, aircraft parked at WSC Aerodromes shall be parked behind parking clearance lines, within leased apron areas, within coned or gabled designated tie-down areas, and clear of taxiways. Taxiway minimum clearances are:
 - a) Code A: 15.5m from taxiway centreline; and
 - b) Code B: 20m from taxiway centreline.

- 13.5 Leased areas are marked with a green line where sealed areas exist, or there are green corner disc markers where the lease is located on a grassed area.
- 13.6 Parking surveys are conducted by the AD OPS manager and/or duty ARO at random times.
- 13.7 An aircraft parked in any designated or non-designated parking area (excluding leased areas described in 13.5 above) may be recorded and charged the appropriate parking fee.
- 13.8 Parking fees may be waived for aerodrome tenants wishing to park an aircraft outside a leased area for short period to conduct activities such as hangar cleaning, aircraft washing, minor maintenance or the like. Please contact AD manager during business hours on 03 5027 5027 to make arrangements.
- 13.9 In the event that a user wishes to leave an aircraft parked in an area leased to another party then the user can only leave the aircraft parked at such a location provided the lessee consents to that parking of the aircraft by the user and that the lessee is in compliance of his/her lease conditions.
- 13.10 All aircraft parking areas, including leased areas, must be kept in good order, free from obstructions to the movement of persons, vehicles and aircraft, and in a clean, tidy, serviceable condition to the satisfaction of WSC. Users must comply with any request by WSC staff to remove items considered by WSC to be an obstruction, or potential obstruction, to persons, vehicles or aircraft.
- 13.11 Parking fees may be waived where tenant businesses such as aircraft maintenance organisations wish to park client aircraft outside leased areas. Contact AD manager during business hours on 03 5027 5027 to make arrangements.

14. MOVEMENT OF PARKED AIRCRAFT

- 14.1 WSC may at any time order the user or the aircraft owner or operator respectively to either move a parked aircraft to another position, or remove it from a WSC Aerodrome. Failure to remove the aircraft as instructed may prompt additional fees and charges.
- 14.2 In addition to the rights set out above, WSC may remove or have removed any aircraft parked at WSC Aerodromes either:
 - a) to another location within Aerodrome; or
 - b) from the aerodrome to any location WSC deems appropriate.
- 14.3 Should an aircraft be moved the user shall indemnify and keep indemnified WSC and its servants, agents and contractors from any damage caused to or by the aircraft in any manner whatsoever.
- 14.4 In the event that the user fails to comply with any order to move an aircraft within the specified period, the user will be liable for all costs, damages and expenses as a result of the failure to comply with the order to move the aircraft of whatsoever nature.

15. DISABLED AIRCRAFT REMOVAL

- 15.1 The user is responsible for the removal of an aircraft that becomes disabled within the aerodrome.
- 15.2 Where possible, aircraft operators should have engineers and aircraft removal equipment available. If the user does not have the resources to remove the disabled aircraft, cannot proceed with the removal in a timely manner, or refuses to remove the aircraft in a timely manner as directed by WSC Staff, WSC will arrange for the removal of the aircraft at the user's expense.

16. PRE-FLIGHT AND ENGINE GROUND RUNS

- 16.1 Pre-flight engine runs must be conducted in designated areas only.
- 16.2 Avoid lengthy engine run-ups.
- 16.3 Conduct non-pre-flight and maintenance-related engine runs in locations where the wind or distance helps minimise the carriage of noise off-aerodrome.
- 16.4 Maintenance engine runs are not permitted in lease areas.

17. AIRCRAFT DETENTION

- 17.1 Should any aircraft, its parts and/or accessories of the user be at any WSC Aerodrome, WSC shall have the right to detain the aircraft while any charges due to WSC remain unpaid. The right of detention applies to either:
 - a) the aircraft, its parts or accessories in respect of which the charges were incurred (whether or not they were incurred by the person who is the owner or operator at the time when the right of detention is exercised); or
 - b) any other aircraft, its parts and accessories of which the person in default is the owner or operator at the time when the detention begins.
- 17.2 If the charges are not paid within 30 days of the date when the detention begins, WSC may, in any way it thinks fit, sell, remove or otherwise dispose of the aircraft and any of its parts and accessories in order to satisfy the charges.
- 17.3 The right of detention is not lost because the aircraft has departed from any WSC Aerodrome. The right of detention conferred by this document continues and is exercisable by WSC at any time when the aircraft is at WSC Aerodromes. The exercise by WSC of this right of detention is not to be taken to be, and shall not be deemed, to be a refusal to give access to WSC Aerodromes.

18. COMPLY WITH LEGISLATION

- 18.1 The user must comply with all applicable WSC policies, requirements and orders of authorities and all laws including, without limitation, all relevant environmental protection laws and authorities, and the legislation.

19. EXCLUSION OF LIABILITY AND INDEMNITY – INSURANCE

- 19.1 Neither WSC nor its servants, agents or contractors shall be in any way liable for loss of or damage to any aircraft, its parts or accessories or any property contained in the aircraft:
- a) occurring while the aircraft is at WSC Aerodromes or is in the course of training, landing at or taking off from WSC Aerodromes, being refueled or being removed or dealt with elsewhere; and/or
 - b) arising or resulting directly or indirectly from any act, omission, neglect or default on the part of WSC and/or its servants, agents or contractors; unless done with the intent to cause damage or recklessly and with knowledge that damage would probably result.
- 19.2 In addition to the above, the user agrees to indemnify and keep indemnified WSC, its servants, agents and contractors, from and against all claims, actions, liabilities and losses arising from, and any costs, charges and expenses incurred in connection with:
- a) loss of or damage to any property; or
 - b) injury or death to any person, caused by:
 - i. an act, negligence or default of the user or of their customers, servants, agents or contractors; or
 - ii. some danger created by the user or its customers, servants, agents or contractors (whether or not the existence of that danger was or ought to have been known to the user or its customers, servants, agents or contractors); or
 - iii. the operation of any equipment, machinery or thing by any person (other than the negligent operation of any equipment, machinery or thing by an employee or agent of WSC); or
 - iv. any other act or thing other than the negligence or default of WSC which may arise from or in relation to the access and or use of WSC Aerodromes by the user or of its customers, servants, agents or contractors.
- 19.3 The user must effect and maintain with an insurance company in respect of the user's aircraft, its business and its access to and use of WSC Aerodromes, adequate public liability insurance in the names of Wentworth Shire Council and the user for their respective rights and interests for the time being and from time to time in an amount not less than \$20 million in respect of any one claim.

20. RELEASE

- 20.1 The user or its customers, servants, agents or contractors hereby releases and forever discharges WSC, its servants, agents and contractors from and against all claims, actions, liabilities and losses arising from, and any costs, charges and expenses incurred in connection with:
- a) loss or damage or property; or
 - b) injury or death to any person, which the user or its customers, servants, agents, contractors or any person claiming through the user or its customers, servants, agents, contractors or under statute or otherwise now has or at any time hereafter and at all times but for the application and/or execution of this document might have

had against WSC, its servants, agents and contractors, caused by:

- i. an act, negligence or default of the user or its customers, servants, agents or contractors; or
- ii. some danger created by the user or its customers, servants, agents or contractors (whether or not the existence of that danger was or ought to have been known to the user or its customers, servants, agents or contractors); or
- iii. the operation of any equipment, machinery or thing by any person (other than the negligent operation of any equipment, machinery or thing by an employee or agent of WSC); or
- iv. any other act or thing other than the negligence or default of WSC which may arise from or in relation to the access and/or use of WSC Aerodromes by the user or its customers, servants, agents or contractors.

21. RELEASE OF WARRANTY

21.1 To the fullest extent allowed by law, WSC excludes all warranties or representations in connection with the access and use of Wentworth and/or Pooncarie Aerodrome. If WSC has any liability for breach of any non-excludable condition or warranty implied under any legislation in connection with any goods or services provided by it then, to the fullest extent allowed by law, WSC liability is limited to:

- a) in the case of goods, any one or more of the following:
 - i. the replacement of the goods or the supply of equivalent goods; or
 - ii. the repairs of the goods; or
 - iii. the payment of the cost of replacing the goods, or of acquiring equivalent goods; or
 - iv. the payment of the cost of having the goods repaired.
- b) in the case of services:
 - i. the supplying of the services again; or
 - ii. the payment of the cost of having the services supplied again.

22. AERODROME UNAVAILABILITY

- 22.1 WSC shall not be liable for any loss suffered by the user as a result of the closure of YWTO or YPCE for whatever reason and for whatever period or any part thereof.
- 22.2 WSC shall not be liable to the user or any other party claiming under, through or for the user for any delays in the movement or scheduling of aircraft for any reason whatsoever.
- 22.3 WSC will use its best endeavors to minimise any closures of YWTO or YPCE or the unavailability of any service or facility at YWTO or YPCE and, where possible, will notify the user of any closure by NOTAM.

23. PRIVACY AND DATA PROTECTION

- 23.1 WSC will comply with the *Right to Information Act 2009* in respect of all personal data collected under these conditions of access and use.
- 23.2 The collection of personal data includes the recording of aircraft radio transmissions.

24. DISPUTE RESOLUTION**24.1 PROCEDURE**

- a) If a party considers that a dispute has arisen in connection with these terms of use, or use effecting WCS aerodromes, then the parties must follow the procedure set out in these terms of use to resolve the issue.

24.2 NOTICE OF AN ISSUE

- a) If a party considers there is an issue, that party must give the other party notice of that issue. The parties must then attempt to resolve the issue in an open and respectful manner.
- b) WSC authorized officers in their reasonable discretion shall resolve all Issues relating to aerodrome regulatory compliance, operational, maintenance, safety and aerodrome access.

24.3 AUTHORISED OFFICERS

- a) WSC Authorised officers shall be, Aerodrome Accountable Manager and Manager for Operations, Maintenance and Safety as described in WSC aerodromes manual as approved by CASA.

24.4 FAILURE TO AGREE

- a) If the issue remains unresolved, WSC Authorised officers have the power to enforce its rights as the aerodrome operator/certificate holder on any decision in its favor to ensure continued operational compliance and safety of the aerodrome/s.

24.5 LEGAL PROCEEDINGS

- a) Nothing in these terms of use prevents either party from commencing legal proceedings for urgent interlocutory or temporary relief.

25. VARIATIONS

- 25.1 WSC reserves the right, at any time to amend, vary or waive any of the terms and conditions of this document without notification or consultation.

9.14 WENTWORTH AERODROME - ADOPTION OF FEES AND CHARGES FOR THE WENTWORTH SHIRE COUNCIL AERODROMES

File Number: RPT/20/418

Responsible Officer: Geoff Gunn - Director Roads and Engineering
 Responsible Division: Roads and Engineering
 Reporting Officer: Trevor Willcock - Team Leader Civil Projects
 Tarryn Kampman - Administration Officer

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets

Strategy: 3.2 Plan for and develop the right assets and infrastructure

Summary

The purpose of this report is to adopt a Fees and Charges schedule for the Wentworth Shire Council Aerodromes.

The proposed Fees and Charges will help to contribute towards the ongoing maintenance and operational costs, at Wentworth Shire Council Aerodromes.

Council has sought the input and guidance from a number of sources including operators of similar aerodromes and industry experts.

Recommendation

That Council endorses for public exhibition the proposed Fees and Charges for the Wentworth Shire Council Aerodromes for the 2020/21 financial year, as required under the *Local Government Act 1993*.

Detailed Report

Purpose

The purpose of this report is to comply with the requirements of *Local Government Act 1993* by Council giving notice of its intention to adopt a Fees and Charges schedule to include the following fees and charges (see attachment 1) for the newly upgraded Wentworth Aerodrome and the Pooncarie Aerodrome for the 2020/2021 financial year.

Background

In May 2019 Council were successful in securing \$8,420,000 in Restart funding through the Regional Growth: Economic Activation Fund – Growing Local Economies Program. Council also contributed \$700,000 (8%) taking the overall budget for the project to \$9,120,000.

The Project involves upgrading Wentworth Aerodrome to provide an all-weather, 24-hour access facility with the capacity for Code 2B Aircraft. The upgrade includes sealing the main runway (runway 08/26), improving the taxi-way and apron, providing a plane parking area and installing Aeronautical Ground Lighting (AGL), Apron Floodlighting and communication systems.

As part of the Australian regulations for aerodrome operations there is now increased compliance requirements for aerodrome operators under the new Manual of Standards for Aerodromes (MOS139) and Civil Aviation Safety Authority (CASA) regulations. These requirements impact on areas including; scheduled inspection and reporting activities, contribution to periodic maintenance requirements including refreshing linemarking, replacement of indicators and surface resealing. The proposed Fees and Charges will help to contribute towards the ongoing maintenance and operational costs, at Wentworth Shire Council Aerodromes.

The proposed Fees & Charges have been developed following significant consultation with other rural and regional aerodromes / airports including Mildura, Broken Hill, Renmark, Orange and Toowoomba. Input and guidance were also received from Regional Airport Consulting and Avdata, industry leading experts specialising data collection and billing services to over 160 aerodromes Australia wide, including Mildura, Broken Hill and Renmark.

The fees & charges reflect the best overall standard comparison, consistent with the current up to date charges used across similar airports and aerodromes across NSW, S.A. Vic & Qld.

Conclusion

That Council endorses for public exhibition the Proposed Fees and Charges for Wentworth Shire Council Aerodromes.

Attachments

1. Attachment 1 - Wentworth Shire Council Aerodrome Charges [↓](#)

WENTWORTH SHIRE COUNCIL AERODROME CHARGES

These charges apply at Wentworth Shire Council Aerodromes as from 1 January 2021.
These charges, as varied from time to time, apply for the use of our facilities and services and are exclusive of GST.

1. AERODROME LANDING CHARGES (ALC)

This charge applies to all aircraft regardless of category or weight. See notes 1 and 2.

2. AIRCRAFT PARKING CHARGES (APC)

This charge applies to all aircraft regardless of category or weight.

Aircraft left unattended are deemed as parked, APC will apply. See notes 1 and 2.

3. TRAINING & AERODROME CIRCUITS (TAC)

All aircraft involved in flight training or aerodrome circuits will be charged the TAC calculated in hourly increments and part thereof in full hours to the next hour, ALC will also apply. Day and night usage charges apply. TAC day rate applies 7am to 7pm, night rate applies 7pm to 7am. All year round. See notes 1 and 2.

Note 1 - This charge does not apply to aircraft less than 1700kg MTOW and privately registered, RFDS, Aero Medical or RFS bush firefighting operations.

Note 2 - No exemptions apply for Privately Registered aircraft operating for Hire or Reward.

4. AIRSIDE SUPERVISION CHARGE (ASC)

This charge applies to:

- all vehicles, persons or private contractors operating on the airport requiring supervision and / or escort services including all visitors to airport requiring airside access; and
- airside safety inductions and training.

5. AIRSIDE ENVIRONMENTAL CHARGES (AEC)

Where aircraft operators are responsible and do not complete their own clean up to WSC satisfaction, WSC will clean up any fuel and oil spills or FOD and charge the operator for the time and materials used.

Fuel drains shall not be dropped on tarmac but disposed of in an approved manner / procedure for the product.

Charge rate for clean-up will be at actual cost including plant and materials used and disposal of waste charges. Minimum charge applies.

6. AIRCRAFT HANGER CHARGE (AHC)

This charge applies to all WSC owned or operated hangers and payable by the lessee in advance. Fee to be determined (TBD) by WSC based on industry acceptable rates and Council's cost recovery. Hangar parking shall be by arrangement with WSC. Unauthorised use of hangars owned by WSC is prohibited.

7. ANNUAL LOCALIZED USE FEE (ALF)

Applicable to aircraft under 800kg MTOW only.

Annual fee agreement for local aircraft owners only, who must provide statutory declaration that the aircraft is privately registered, hangared and / or resident at Wentworth or Pooncarie Aerodromes and / or supplying flight training service directly to the Wentworth based Aero Club. Declaration to include aircraft registration number and certified maximum takeoff weight of aircraft.

Confidential agreement between Council and the user are renewable annually.

On payment of ALF, landing, circuit and parking charge exemption applies for 12 months from date of agreement.

$ALC \times MTOW \times \text{agreed days of operation} \times \text{agreed daily use} = \text{amount payable plus GST.}$

e.g. $15.00 \times 8 = \$12.00 \times 104 \text{ (2 days weeks)} \times 2 \text{ (landings per day)} = \2496.00
 10% GST = \$2745.60

8. VEHICLE PARKING CHARGE (VPC)

This charge applies to all vehicles left parked / stored at the Wentworth or Pooncarie Aerodrome. Parking by users of the aerodrome who wish to park / store a vehicle for their convince / use when at Wentworth or Pooncarie Aerodrome. Vehicle parking by prior arrangement only. No vehicle parking available airside.

9. SPECIAL EVENT AIRSIDE (SEA)

This charge applies to special events requiring access airside. Establishment of and set out of event zones, airside, landside, site establishment, demobilisation inspections and supervision. Daily airside safety inspections and safety inductions to event staff and organisers charged at actual cost.

10. CALL OUT FEE (COF)

Applies when call out is direct responsibility of an individual / operator and not WSC employee.

Call out fee will not be charged for emergency. This fee will apply at the discussion of WSC. (e.g. gate being left open, aircraft parked incorrectly, etc.)

11. AMENDMENT OF FEES AND CHARGES

At the discretion of the Aerodrome Manager, user fees and charges may be amended or waived. Circumstances where such discretion may apply include special events such as fly-ins, open days, charity events, aero medical, military, change of lessee, eviction by Council or other activities the Aerodrome Manager considers reasonable.

FEE DESCRIPTION	FEE (EX GST)	BASIS AND DURATION
Airport Landing Charge (ALC)	\$15.00	Per tonne per landing. Based on the certified maximum take-off weight of the relevant aircraft. Maybe rounded up to the nearest 100kg.
Aircraft Parking Charge (APC)	\$10.00	Per day or part day. All sealed parking areas.
Aircraft Parking Charge (APC)	\$220.00	Long term parking (per month) no pro rata. Subject to parking availability. Approval by prior arrangement.
Aircraft Parking Charge (APC)	\$6.00	Non-Lease / Non-Apron / Non-Tie down areas (i.e. on Council property, but not necessarily recognised as a regular aircraft parking area) – per day or part day.
Training Aerodrome Circuits (TAC)	\$36.00	Day rate – per hour – calculated in hourly increments and part thereof in full hours to the next hour. ALC will be charged on full stop.
Training Aerodrome Circuits (TAC)	\$54.00	Night rate – per hour – calculated in hourly increments and part thereof in full hours to the next hour. ALC will be charged on full stop.
Airside Supervision (ASC)	\$110.00 per ARO	Supervision / Escort duties – calculated in hourly increments and part thereof in full hours to the next hour (business hours).
Airside Supervision (ASC)	\$160.00 per ARO	Supervision / Escort duties – calculated in hourly increments and part thereof in full hours to the next hour (after hours).
Vehicle Parking Charge (VPC)	\$3.00	Per day or part day – vehicle parking by prior arrangement only. Subject to availability.
Airside Environmental Charge (AEC)	\$220.00 Minimum charge	Charge rate for clean-up will be at actual cost including plant and materials used and disposal of waste charges. Minimum charge applies.
Aircraft Hanger Charge (AHC)	TBD	By prior arrangement. New hangers-per year (no pro-rata).
Aircraft Hanger Charge (AHC)	\$1460.00	By prior arrangement. Kevin J Thomas hanger-per year (no pro-rata).
Call Out Fee (COF)	\$110.00 per Hour	Call out fee (minimum of 2 hours) , plus additional hourly cost thereafter. Applies when call out is direct responsibility of an individual / operator and not WSC or employee. Call Out Fee will not be charged for emergency. This fee will apply at the discretion of WSC.

9.15 REDEVELOPMENT OF THE WENTWORTH CIVIC CENTRE PROJECT UPDATE

File Number: RPT/20/628

Responsible Officer: Ken Ross - General Manager
 Responsible Division: Office of the General Manager
 Reporting Officer: Rachael Withers - Subdivision Officer

Objective: 1.0 Wentworth is a vibrant, growing and thriving Shire
 Strategy: 1.1 Grow the potential for business and industry to develop and expand

Summary

As part of the Office of Local Government (OLG) Capital Expenditure Review, quarterly project update reports are to be provided to Council.

The report includes overall progress of the project, identifies any budget variances that may impact on the project, and also identifies any issues that may have an adverse impact on the works.

Council allocated funding within the 2020-21 Operational Plan for the upgrade of the Wentworth Civic Centre. The upgrade was identified as a significant capital project.

Council on 26 June 2019, accepted a tender from GSD Architects to undertake Project Management of the Civic Centre Redevelopment. Accordingly, GSD Architects were engaged to manage various phases of the redevelopment including planning, design, procurement, construction, commissioning and handover. A Council officer has been appointed to collaboratively work with GSD Architects.

The State Library of New South Wales confirmed on 5 June 2020, that Council had been successful in securing \$500,000.00 in funding by way of the 2019/20 Public Library Infrastructure Grant.

Council recently submitted a Funding Application for relocation of the Wentworth Visitor Information Centre to the Civic Centre as part of Round 7 of the Resources for Regions Program, and are awaiting a response. It is anticipated that notification of successful projects will be issued from mid-November 2020.

Recommendation

That Council notes the information contained within this report.

Detailed Report

Background

To date the following works have been completed:

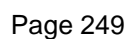
- The Concept Design has been finalised for the ground and first floors of the Civic Centre to ensure functionality, serviceability and the inclusion of all required facilities to promote a space that employees, the local community and visitors successfully utilise.
- GSD Architects have prepared a 3D model design of the Civic Centre building.
- GSD Architects, with the assistance of Council's officer, are in the process of preparing tender documentation for the construction and fit out of the building including "For Tender Issue" Drawings and Specifications.

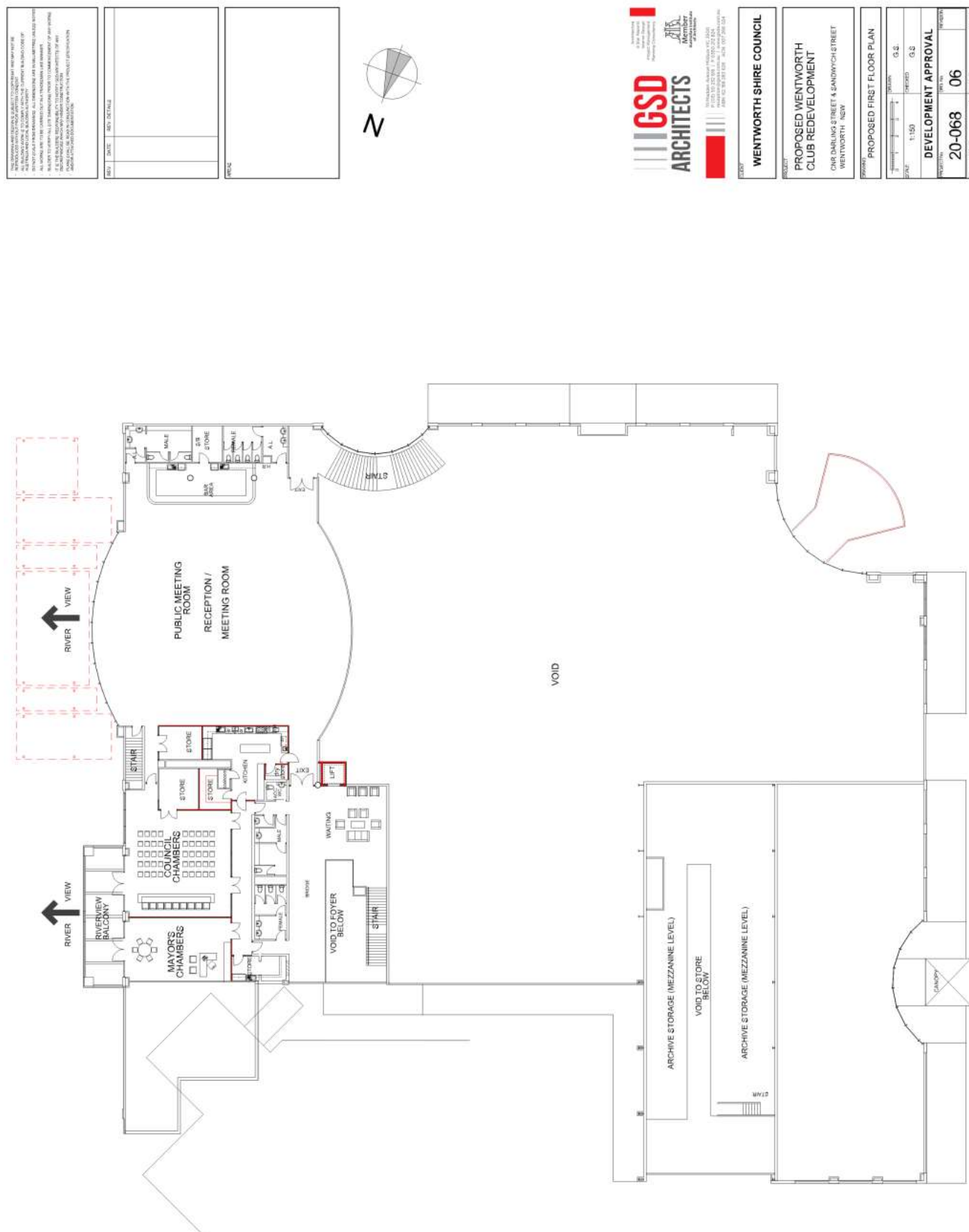
- A Preliminary BCA (Building Code of Australia) Assessment has been completed by Regional Building Consultants identifying areas of non-compliance within the Civic Centre.
- Brandi Projects, a consultancy firm of designers, project managers and production staff based in Brisbane, were engaged by GSD Architects to complete a Concept Design for the relocation of the Wentworth Visitor Information Centre into the Civic Centre building. Interpretive themes and indicative project costings are to be included within the Concept Design.
- Brandi Projects were provided a guided tour of the Civic Centre and local attractions within the Wentworth area, in an effort to obtain conceptual ideas on how to showcase our extraordinary region within the new Visitor Information Centre of the redeveloped building.
- A Development Application for alterations to the existing building and change of building use, was lodged with the Wentworth Shire Council on 22 September 2020, reference DA2020/125.
- BRT Consulting Pty Ltd have been engaged by GSD Architects to complete concept and option planning of mechanical and electrical services throughout the building.
- Council staff are compiling specifications for information and communications technology, infrastructure and systems required within the redeveloped building.
- GSD has engaged a quantity survey to conduct an assessment based on current detail prior to going out to tender.

Based on the outstanding work required to complete the specification detail it is anticipated that tender advertising for works associated to the construction and fit out of the Civic Centre will proceed mid-January 2021. This timeline takes into consideration the Christmas and New Year holiday period.

Attachments

1. Civic Centre Ground and First Floor Plans [↓](#)





9.16 PROJECT AND WORKS REPORT UPGRADE - OCTOBER 2020

File Number: RPT/20/647

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Tarryn Kampman - Administration Officer

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets

Strategy: 3.2 Plan for and develop the right assets and infrastructure

Summary

This report provides a summary of the major works undertaken by the Roads and Engineering Division which have been completed during the month of September 2020.

Recommendation

That Council notes the major works undertaken for September and the proposed works for October 2020.

Detailed Report

Refer to attachments for update of works completed in September and planned activities scheduled for October 2020.

Attachments

1. Attachment 1 - Projects and Works Report [↓](#)
2. Attachment 2 - Works and Projects Photos [↓](#)
3. Attachment 3 - Wentworth Riverfront Plans [↓](#)

Project update for September 2020**Roads**

- Works program commenced Monday 7 September with the Roads to Recovery funded projects, reshaping of 8 km of unsealed sections of the Ivanhoe Road between the North East Shire boundary and Overnewton Station's South grid.
- Traffic control for TfNSW asphalt works at the IGA Buronga recommenced 14 September, however required a redesigned for both centre and barrier kerb. Final island kerb scheduled to be poured 8 October with the infill to be constructed 9 October.
- Gol Gol School Crossing Upgrade commenced Monday 29 September with the concrete kerb and infill component completed Friday 2 October.
- Due to the opening up of the South Australian / New South Wales border late September, Council work crews have undertaken spot re-sheeting works to various locations on the unsealed sections together with a full-length maintenance grade of the Wentworth – Renmark Road.

Maintenance Grading

- Roads and Engineering completed maintenance grading to remove known hazards and improve the conditions on; Ivanhoe, Pooncarie-Menindee, Arumpo and Top Hut roads.

Road Safety Works Update

- Dareton, Matong Street Aged Precinct islands have been installed in front of the RSL Flats to improve safe pedestrian access for older road users.
- Millie Street, Dareton Speed Hump Trial has been installed and residents have been consulted on the terms of the trial. Council have received one letter of support and no complaints on the trial.
- Gol Gol School Crossing has been reshaped to reduce the number of lanes from 3 to 2 for students to cross. This will allow for the new School Crossing Supervisor to supervise children in the remaining 2 lanes of traffic safely.

Projects**Wentworth Aerodrome Upgrade**

- An additional 4,200 tonne of material has been delivered to site for the extra code B parking area which comes under the items listed in the provisional contract.
- All surface areas have been prepared for the sealing and asphaltting. The surfacing contractor has now received a critical service exemption to travel to the region to complete critical works which are now planned for November 2020 following the delivery of aggregate materials.
- Materials have been delivered to site ready for the commencement of the electrical works.
- Contractor has started on the installation works of the new toilet block.
- The Aerodrome user's manual and fees & charges have been finalised and included in the October Council meeting for consideration.

Dareton Sewer Upgrade

- Repair works for Lagoon 2 including Bentonite stabilisation completed.
- Final shaping of Lagoon 1 in preparation for Geofabric Clay Liner (GCL) completed, with liner installation planned for the first week November 2020.
- New concrete inlet structure of Lagoon No 1 completed.
- Council are currently undertaking planning for decommissioning of the Dareton Sewerage Treatment Plant along Kookaburra Drive, Dareton.

This includes the development approval for the demolition of the existing plant at the Dareton site.

Wentworth Sewer Upgrade

- Continuation of electrical upgrades and SCADA works to Sewerage Pumping Stations 1 and 2.
- Construction of under road bore, Silver City Highway completed.
- Installation of communication pits completed.
- Pressure testing of installed pipelines completed.
- Reinstatement and bitumen sealing of all road openings delayed due to wet weather.
- Transfer of wastewater between Lagoons commenced to allow for final completion of last GCL liner.

Gol Gol Water Treatment Plant Electrical and Process upgrade

- Dosing pipework replacement completed.
- Valve replacement at flocculation tank outlet completed.
- Installation of Balance tank telemetry mast delayed due to COVID19 delivery issues.
- Balance tank new overflow system installation completed.
- Completion of backwash pump installations with new manifold system
- Council have made the decision to ensure the plant continues to function as part of Council's essential services / critical infrastructure. The project team and contractor conducted a series of meetings to work through the best outcomes, and proceed to a slightly changed schedule even with the current environment, economy and the uncertainty. WSC and the contractor have been able to continue on with project requirements at a slower rate than previously scheduled.

Wentworth Riverfront

- Playground / Nature Play Area equipment supply and installation, as well as the electrical works have been awarded.
- The houseboat and rowing moorings design has been completed.
- Tender documentation for the houseboat and rowing moorings will be advertised middle of October.

Buronga EDS

- Pile buffers installed.
- The Pontoon pile bracket installation has been completed.

- **Buronga Riverfront**

- Buronga Riverfront Landscaping & Nature Play Area works tender advertised, with tenders closing 19 October 2020.

Toilet Upgrades

- Darling Street toilet block works have been completed, lighting and electrical appliances are not operational until the power is connected to the building. Power will be installed as part of Wentworth Riverfront electrical works, these works are scheduled for later in the year. Toilet block is opened to the public.

Dareton Pool Works – painting & tiling

- All works on the three pools have been completed, with pools filled by WSC staff.

Willow Bend Caravan Park Upgrade

- Essential Energy shut down booked in for end of October.

Gol Gol skip bin CCTV – James King Park

- Following the installation of a CCTV camera at James King Park, Council has seen a significant reduction in the amount of illegal dumping.

Midway Centre – Bendigo bank agency

- Request for quote closes Friday 2 October, with the successful contractor to have works completed end November 2020.

Stronger Country Communities Grant Funded Projects**Barrett Pavilion**

- Carpentry and cabinet works installed and completed.
- Paint colours confirmed by Wentworth Show Society and internal painting commenced.
- Kitchen benches onsite, installation to commence October.
- All windows and flashings have been installed and finished.
- Building at lock up stage.

George Gordon Netball Courts

- Awaiting additional fencing quote.
- The tree adjacent to the court area has now been removed with the area now ready for the installation of playground equipment (works to be undertaken by Wentworth Football Club).
- Synthetic turf to court surrounds was installed the middle of September.

Wentworth Sporting Complex

- Marker peg installation completed.

Pitman Avenue and Wood Street Shared Paths

- Proposed plans for the path alignment prepared.
- Works advertised for tender.

Wilga Road Stormwater

- Additional asset collection undertaken.
- Conceptual plans and modelling completed.

Works scheduled for October 2020**Roads**

- Reconstruction and seal of 900m of Golf Course Road Dareton and Adelaide Lane Gol Gol are programmed to commence mid-October and mid-November respectively.
- The next 4km section of Arumpo Road reconstruction to commence 26 October, funded by Regional Roads Repair Program.
- Commencement of Council's Roads to Recovery resealing program yet to be confirmed due to Covid19 travel restrictions currently affecting Councils sealing contractor, who is based in Victoria.
- Gol Gol school crossing- The Southern pedestrian fence scheduled to be constructed late October and the thermoplastic line marking to be confirmed due to Covid19 restrictions.

Maintenance grading

- Due to the significant increase in traffic on both Renmark and Arumpo Roads scheduled maintenance grading will focus on these two roads.

Projects**Wentworth Aerodrome Upgrade**

- The installation of the runway and apron area lighting and electrical upgrades to commence middle of October with anticipated completion end November.
- Works to commence on construction of extra code B parking area under items listed in provisional contract works.
- Delivery of sealing aggregate for surfacing works planned for November 2020.

Dareton Sewer Upgrade

- Commence installation of Lagoon No.1 GCL Liner
- Final decommissioning plans to be finalised for Dareton Sewerage Treatment Plant.

Wentworth Sewer Upgrade

- Complete reinstatement of all road openings
- Commence final Lagoon GCL Liner.
- Continuation of pump station electrical upgrades & SCADA works.

Gol Gol Water Treatment Plant Electrical and Process upgrade

- Installation of access stairs and platform on filter structure.
- Installation of telemetry masts at Pump Station and Balance Tank.
- Continuation of Electrical system change over process.

Wentworth Riverfront

- Request for Quote for the Landscaping, earthworks, and BBQ area to be advertised and awarded end of October.
- Retaining wall works tender to be advertised mid-October.

Buronga EDS

- Pontoon pile brackets and pontoon scheduled to be installed.
- Earthworks to commence end of October.

Buronga Riverfront

- Buronga Riverfront contract to be evaluated and report prepared for Council.

Willow Bend Caravan Park Upgrade

- Essential Energy (EE) shut down scheduled for end of October. Stage 1 works involve removal of EE's existing infrastructure and installation of new infrastructure to begin.
- Stage 3 works to be undertaken following week post Stage 1 works (First week of November).

Pooncarie and Anabranck Hall Painting

- Request for quote sent out, with submissions due 14 October. The successful contractor is to complete the works by 18 December 2020.

Pitman Avenue and Wood Street Shared Paths

- Evaluate tenders, prepare report and advise impacted residents of footpath works in each location.

Wilga Road Stormwater

- Detailed design progressed.
- Tender documents to be prepared for November.

Stronger Country Communities Grant Funded Projects**Barrett Pavilion**

- Painting scheduled to be completed.
- Kitchen fitout to be completed.
- Flooring to be laid and sealed.
- Security fencing to be removed from site.

George Gordon Netball Courts

- Shade structure to be installed late October.
- Fencing quotes to be assessed.
- Lux testing for flood lights pending travel restrictions.
- Court repairs scheduled to commence, pending travel restrictions.

Wentworth Sporting Complex

- Practical completion to be provided October.
- Contractor to address edging issues around green perimeter to prevent sand washing away.



Image 1 & 2 – Darling Street Public Toilets



Images 3 & 4 – Repainting and tiling works completed at the Dareton Pool



Image 5 – Works on IGA Midway



Images 6, 7 & 8 – Works underway on the new Gol Gol crossing



Image 9 & 10 – Painting underway in the new Showgrounds Building



Image 11 – Buronga EDS



Image 12 – George Gordon Netball Courts – synthetic turf installation



Image 13 – Repair works being undertaken at pond #2 Dareton



Image 14 – Millie Street speed hump trail

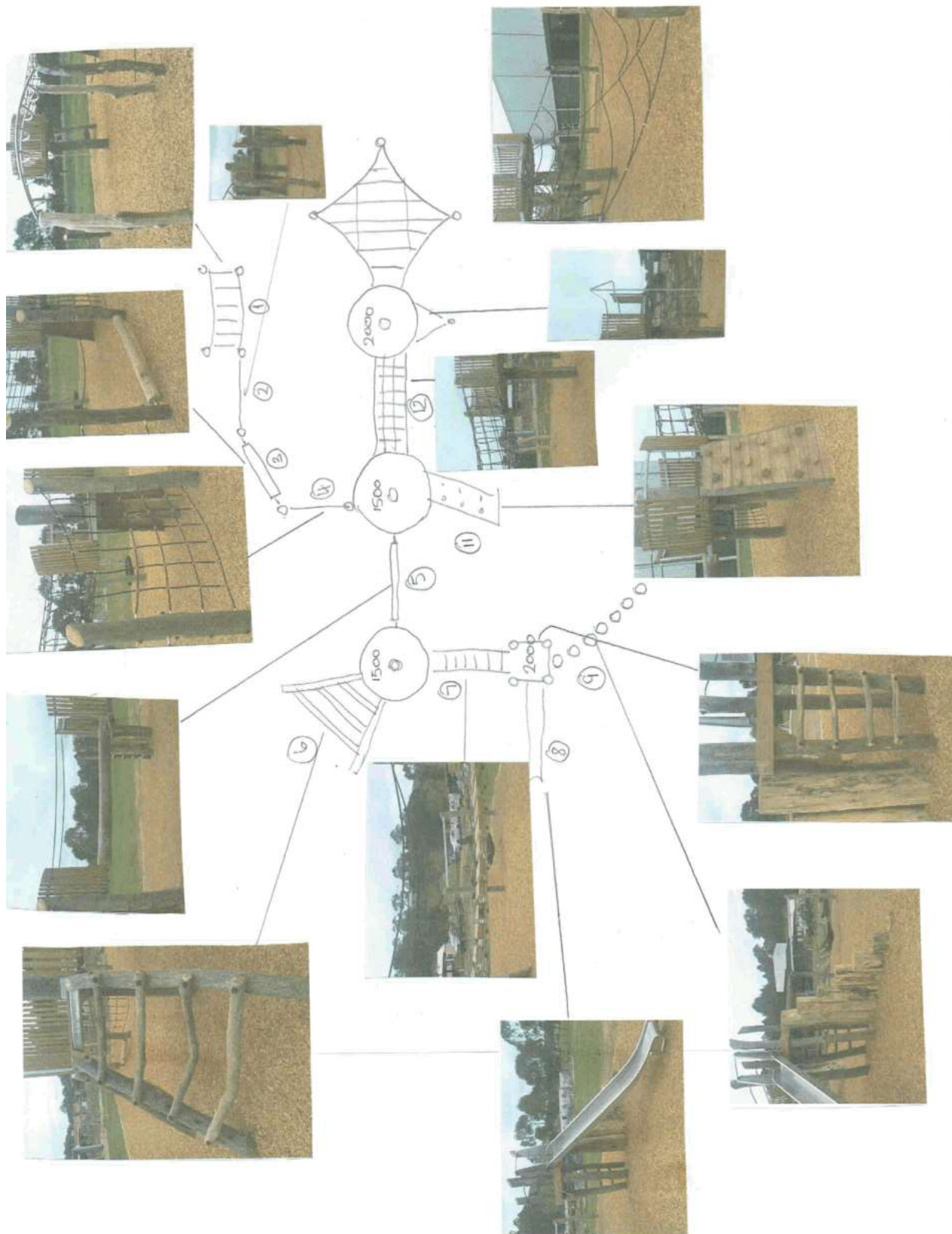


Image 15 – Matong Street Aged Precinct Island

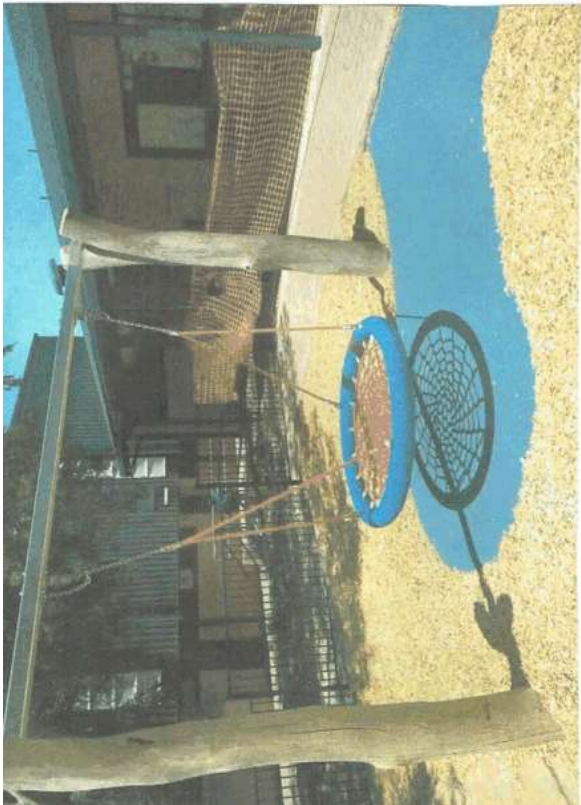


LEGEND

- ① CURVED MONKEY BAR STAINLESS STEEL
- ② ROPE TRAVERSE
- ③ LOG ROLL
- ④ VERTICAL NET
- ⑤ LOG BRIDGE
- ⑥ LOG CLIMBER
- ⑦ SWAY BRIDGE
- ⑧ STAINLESS STEEL SLIDE 2m
- ⑨ LOG WALL
- ⑩ VERTICAL LADDER
- ⑪ SCALING WALL
- ⑫ INCLINED NET BRIDGE
- ⑬ FIREPOLE
- ⑭ TWISTED INCLINED TOUGH CLIMB



ACTIVE DECK RECREATION SOLUTIONS 8/09/2020
WENTWORTH MAIN PLAY CONCEPT
AND SITE PLAN



↑ FOREST RANGE TWO LEG NEST SWING



↑ TIMBER LEG FLYING FOX 25 m.



↓ FOREST RANGE SEE SAW



↓ FOREST RANGE TWO LEG DOUBLE SWING STRAP SEAT AND INFANT SEAT

BELT SWING SEAT: SPECIAL - FABRICATED CHAIN CONNECTORS, NO SHACKLE NEEDED, NO FINGER ENTRAPMENT

STANDARD INFANT SEAT: S HOOK REQUIRE



10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

Nil

11 **CONFIDENTIAL BUSINESS – ADJOURNMENT INTO CLOSED SESSION**

Despite the right of members of the public to attend meetings of a council, the council may choose to close to the public, parts of the meeting that involve the discussion or receipt of certain matters as prescribed under section 10A(2) of the Local Government Act.

With the exception of matters concerning particular individuals (other than councillors) (10A(2)(a)), matters involving the personal hardship of a resident or ratepayer (10A(2)(b)) or matters that would disclose a trade secret (10A(2)(d)(iii)), council must be satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

The Act requires council to close the meeting for only so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security being protected. (section 10B(1)(a))

Section 10A(4) of the Act provides that a council may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Section 10B(4) of the Act stipulates that for the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:-

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may -
 - (i) cause embarrassment to the council or committee concerned, or to councillors or to employees of the council, or
 - (ii) cause a loss of confidence in the council or committee.

Recommendation

That Council adjourns into Closed Session, the recording of the meeting be suspended, and members of the press and public be excluded from the Closed Session, and that access to the correspondence and reports relating to the items considered during the course of the Closed Session be withheld unless declassified by separate resolution.

This action is taken in accordance with Section 10A(2) of the Local Government Act, 1993 as the items listed come within the following provisions:-

12.1 Plant Replacement - Approval of Tenders for Replacement of Plant 670 - Ford Everest. (RPT/20/617)

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. On balance, the public interest in preserving the confidentiality of information about the tender outweighs the public interest in maintaining openness and transparency in council decision-making because disclosure of this information would reveal pricing and confidential information submitted via the tender process which if disclosed would prevent council from achieving its 'value for money' objectives.

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

12.1 PLANT REPLACEMENT - APPROVAL OF TENDERS FOR REPLACEMENT OF PLANT 670 - FORD EVEREST

File Number: RPT/20/617

Responsible Officer: Geoff Gunn - Director Roads and Engineering
 Responsible Division: Roads and Engineering
 Reporting Officer: Allan Eastmond - Manager Works

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets

Strategy: 3.2 Plan for and develop the right assets and infrastructure

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. On balance, the public interest in preserving the confidentiality of information about the tender outweighs the public interest in maintaining openness and transparency in council decision-making because disclosure of this information would reveal pricing and confidential information submitted via the tender process which if disclosed would prevent council from achieving its 'value for money' objectives.

13 CONCLUSION OF THE MEETING

NEXT MEETING

18 November 2020