



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 **COUNCIL CHAMBERS, WENTWORTH 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

14 APRIL 2021

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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 AND ACKNOWLEDGEMENT OF COUNTRY

3 APOLOGIES AND APPLICATIONS FOR ATTENDANCE BY AUDIO VISUAL-LINK AND APPLICATIONS FOR LEAVE OF ABSENCE

Councillor Don McKinnon has made an application to the General Manager to attend this meeting remotely by audio-visual link stating personal and health related matters preventing his attendance in person.

4 DISCLOSURES OF INTERESTS

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 17 March 2021 be confirmed as circulated.



WENTWORTH SHIRE COUNCIL

ORDINARY MEETING MINUTES

17 MARCH 2021

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1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 10:07AM

2 PRAYER AND ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

COUNCILLORS: Councillor Susan Nichols (Mayor)
Councillor Tim Elstone (Deputy Mayor)
Councillor Greg Evans
Councillor Steve Heywood
Councillor Don McKinnon (via Video Conference)
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)
Sam Wall (Administration Officer Roads & Engineering)

3 APOLOGIES AND LEAVE OF ABSENCE

Councillor Jane MacAllister requested a Leave of Absence for this meeting.

Council Resolution

That Council notes the Leave of Absence Request from Councillor Jane MacAllister for this meeting.

Moved Cr. Elstone, Seconded Cr. Wheeldon

CARRIED

4 DISCLOSURES OF INTERESTS

Nil

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 17 February 2021 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 17 February 2021 be confirmed as circulated.

Moved Cr. Nunan, Seconded Cr. Heywood

CARRIED

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/21/152

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 March 2021.

Council Resolution

That Council notes the list of outstanding matters as at 9 March 2021.

Moved Cr. Heywood, Seconded Cr. Nunan

CARRIED

6.2 WILLOWBEND CARAVAN PARK UPDATE

File Number: RPT/21/134

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

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

This report responds to an action raised from the Ordinary Council Meeting held on 17 February 2021, item 10.7.

At that meeting Councillor Steve Heywood requested an update on the Willowbend Caravan Park project.

Recommendation

That Council notes the report.

Council Resolution

That Council notes the report.

Moved Cr. Heywood, Seconded Cr. Evans

CARRIED

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/20/857

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. Elstone, Seconded Cr. Nunan

CARRIED

Mayoral Minute

That Council request the Electoral Commission to provide costing for the provision of a polling venue in Pooncarie for further consideration by Council.

Moved Cr Nichols

CARRIED

8 REPORTS FROM COMMITTEES

Nil

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGER'S REPORT

File Number: RPT/20/849

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
Circular 21-01
2. Meetings
As listed
3. Upcoming meetings or events
As listed
4. Other items of note

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. Heywood

CARRIED

9.2 ATTENDANCE AND MOTIONS AT THE MURRAY DARLING ASSOCIATION 77TH NATIONAL CONFERENCE AND ANNUAL GENERAL MEETING

File Number: RPT/21/128

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

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

The Murray Darling Association's 77th National Conference and Annual General Meeting is being held from the 16–19 May 2021 in Wentworth. The focus of the Conference is, 'Connectivity: Connecting Council and Catchments'. Traditionally Council nominates its Murray Darling Association representatives to attend the Conference and submits relevant motions for consideration.

Recommendation

That Council:

- (a) Determines attendees to the Murray Darling Association's 77th National Conference and Annual General Meeting from 16–19 May 2021; and
- (b) Determines motions to be submitted at the Annual General Meeting by 12 April 2021.

Council Resolution

That Council:

- (a) Nominates Cr Elstone, Cr MacAllister, Cr Heywood Murray Darling Association delegates and the Mayor and General Manager to attend the Murray Darling Association's 77th National Conference and Annual General Meeting from 16–19 May 2021; and
- (b) Determines motions to be submitted at the Annual General Meeting by 12 April 2021.

Moved Cr. Wheeldon, Seconded Cr. Nunan

CARRIED

9.3 SLATTERY & JOHNSON REPORT

File Number: RPT/21/129

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

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 19 August 2020 Ordinary Meeting of Council, it was resolved to support a Floodplain Harvesting Project proposal from Slattery & Johnson. Council is now in receipt of the final report.

Recommendation

That Council notes the Slattery & Johnson report.

Council Resolution

That Council notes the Slattery & Johnson report.

Moved Cr. McKinnon, Seconded Cr. Nunan

CARRIED

9.4 REQUEST TO AMEND THE DATE OF APRIL ORDINARY COUNCIL MEETING

File Number: RPT/21/132

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

Objective: 2.0 Wentworth is a desirable Shire to visit, live, work and invest
Strategy: 2.1 Grow visitation to the Shire by developing a quality visitor experience and promoting our destination

Summary

Six of the eight Councillors have been nominated to attend the Western Division of Councils Conference in Broken Hill from 19-21 April 2021.

The Ordinary Council Meeting is also scheduled for 21 April 2021.

It is proposed that Council consider amending the date of the Ordinary Council Meeting from 21 April 2021 to 14 April 2021 to allow Councillors to attend the Western Division of Councils Conference that is scheduled to be held in Broken Hill on 19-21 April 2021.

Recommendation

That Council amend the date of the Ordinary Council Meeting from 21 April 2021 to 14 April 2021.

Council Resolution

That Council amend the date of the Ordinary Council Meeting from 21 April 2021 to 14 April 2021.

Moved Cr. Wheeldon, Seconded Cr. Evans

CARRIED

9.5 MONTHLY FINANCE REPORT

File Number: RPT/21/135

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 February 2021 were \$1,212,864.96. After allowing for pensioner subsidies, the total levies collected are now 68.62%. For comparison purposes 67.32% of the levy had been collected at the end of February 2020. Council currently has \$29,400,150.73 in cash and investments.

Recommendation

That Council notes the monthly finance report.

Council Resolution

That Council notes the monthly finance report.

Moved Cr. McKinnon, Seconded Cr. Heywood

CARRIED

9.6 MONTHLY INVESTMENT REPORT

File Number: RPT/21/144

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 28 February 2021 Council had \$18 million invested in term deposits and \$11,408,917.95 in other cash investments. Council received \$18,917.83 from its investments for the month of February 2021.

In February 2021 Council investments averaged a rate of return of 0.51% and it currently has \$6,681,129.01 of internal restrictions and \$15,926,320.72 of external restrictions.

Recommendation

That Council notes the monthly investment report.

Council Resolution

That Council notes the monthly investment report.

Moved Cr. Evans, Seconded Cr. Heywood

CARRIED

9.7 A34 EAST WENTWORTH SEWERAGE WORKS & EASEMENT ACQUISITION

File Number: RPT/21/136

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

Subsequent to a Council resolution passed in January 2018, a new Council report is required to continue the acquisition of the East Wentworth Sewerage Works and easement due to additional land being acquired and a new registered plan of acquisition.

The area of acquisition is Part of Lot 7349 DP1177510, Part of Lot 1 DP762875, Easement for Access 5m wide and Easement for Sewer 5m wide over Lot 7348 DP1177510, being Crown land and by the Compulsory Acquisition Process.

Recommendation

1. That Council proceed to acquire Lots 341 and 342 DP1269863, easement for sewer and easement for access shown as A and B in DP1269863, Lots 341 and 342 being part of Lot 7349 Deposited Plan 1177510 and part of Lot 1 Deposited Plan 762875, and the easements affecting Lot 7348 Deposited Plan 1177510.
2. That Lots 341 and 342 DP1269863 and easements A and B in DP1269863 are to be acquired by the compulsory process under the terms of the Land Acquisition (Just Terms Compensation) Act 1991 by authority contained in the Local Government Act 1993, for the purposes of the upgrade of the East Wentworth Sewer Pump Station.
3. That minerals are to be excluded from this acquisition.
4. That the acquisition is not for the purpose of resale.
5. That the necessary applications be made via the Office of Local Government to the Minister for Local Government and the Governor for approval to the compulsory acquisition.
6. That the General Manager be provided with authority to finalise the acquisitions including signing any necessary documentation.
7. That upon acquisition the acquired land becomes classified as Operational land.
8. That the Valuer General be engaged to determine the compensation payable to the owner and interested parties.

Council Resolution

1. That Council proceed to acquire Lots 341 and 342 DP1269863, easement for sewer and easement for access shown as A and B in DP1269863, Lots 341 and 342 being part of Lot 7349 Deposited Plan 1177510 and part of Lot 1 Deposited Plan 762875, and the easements affecting Lot 7348 Deposited Plan 1177510.
2. That Lots 341 and 342 DP1269863 and easements A and B in DP1269863 are to be

acquired by the compulsory process under the terms of the Land Acquisition (Just Terms Compensation) Act 1991 by authority contained in the Local Government Act 1993, for the purposes of the upgrade of the East Wentworth Sewer Pump Station.

3. That minerals are to be excluded from this acquisition.
4. That the acquisition is not for the purpose of resale.
5. That the necessary applications be made via the Office of Local Government to the Minister for Local Government and the Governor for approval to the compulsory acquisition.
6. That the General Manager be provided with authority to finalise the acquisitions including signing any necessary documentation.
7. That upon acquisition the acquired land becomes classified as Operational land.
8. That the Valuer General be engaged to determine the compensation payable to the owner and interested parties.

Moved Cr. Elstone, Seconded Cr. Nunan

CARRIED

9.8 CANCELLATION OF THE WENTWORTH DISTRICT ROWING CLUB EASTER REGATTA

File Number: RPT/21/137

Responsible Officer: Matthew Carlin - Director Health and Planning
Responsible Division: Health and Planning
Reporting Officer: Deborah Zorzi - Administration Officer, 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

At the ordinary Council meeting of 16 December 2020 Council resolved to suspend the operation of the alcohol-free zone in the area of Wentworth District Rowing Club and immediate lawn area for this year's event of the Wentworth District Rowing Club Annual Easter Regatta.

Following consultation with Wentworth District Rowing Club and Mildura Rowing Club, Rowing Victoria has moved the location of this year's Easter Regatta from Wentworth to Mildura.

Recommendation

That Council note that having regard to the change of location of this year's Easter Regatta, the suspension of the alcohol-free zone in the area of Wentworth District Rowing Club and immediate lawn area is no longer required.

Council Resolution

That Council note that having regard to the change of location of this year's Easter Regatta, the suspension of the alcohol-free zone in the area of Wentworth District Rowing Club and immediate lawn area is no longer required.

Moved Cr. Evans, Seconded Cr. Heywood

CARRIED

9.9 NEW PROCESS FOR LODGING DEVELOPMENT APPLICATIONS THROUGH THE PLANNING PORTAL

File Number: RPT/21/138

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: 1.2 Encourage and support population growth and resident attraction

Summary

In September 2019, a Secretary order was released by the NSW Government requiring that all concurrence and referrals as part of a development application from Wentworth Shire Council to other agencies must be done through the Planning Portal. This was the first part of a process by the NSW State Government to move all Development Applications onto the portal.

On 1 January 2021, Wentworth Shire Council was activated to allow applicants to lodge Development Applications through the portal. Council can still lodge Development Applications received through other mediums (e-mail or hardcopy files over the counter).

From 1 July 2021, all Development Applications including Section 4.55 Modification Applications must be lodged with Wentworth Shire Council through the planning portal. Council will be unable to accept a Development Application lodged through other mediums (e-mail or hardcopy files over the counter).

Recommendation

That Council notes the changes that will occur from 1 July 2021 for the lodgement of all Development Applications and Section 4.55 Modification Applications.

Council Resolution

That Council notes the changes that will occur from 1 July 2021 for the lodgement of all Development Applications and Section 4.55 Modification Applications.

Moved Cr. McKinnon, Seconded Cr. Nunan

CARRIED

9.10 DELEGATED AUTHORITY APPROVALS AS AT END OF FEBRUARY 2021

File Number: RPT/21/141

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Kerrie Copley - Administration 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

For the month of February 2021, a total of eight 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 \$1,201,370.00. This brings the year to date total to nine Development Applications and five S4.55 Applications approved, with an estimated development value of \$1,212,370.00.

Recommendation

That Council:

- a) Receives and notes the report for the month of February 2021; and
- b) 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.

That a division be called in accordance with S375A of the *Local Government Act 1993* (NSW).

Council Resolution

That Council:

- a) Receives and notes the report for the month of February 2021; and
- b) 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.

That a division be called in accordance with S375A of the *Local Government Act 1993* (NSW).

Moved Cr. Nunan, Seconded Cr. Evans

CARRIED

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

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

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

9.11 PROJECTS AND WORKS REPORT UPDATE - MARCH 2021

File Number: RPT/21/140

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Tarryn Kampman - Coordinator Roads & Engineering

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 projects and major works undertaken by the Roads and Engineering Department which have been completed during the month of February 2021.

Recommendation

That Council notes the major works undertaken for February and the scheduled works for March 2021.

Council Resolution

That Council notes the major works undertaken for February and the scheduled works for March 2021.

Moved Cr. McKinnon, Seconded Cr. Nunan

CARRIED

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE**10.1 CALIFORNIA PUNCTURE WEED**

Councillor Steve Heywood advised that there is a large amount of California Puncture Weed in the Shire, in particular at the George Gordon Oval Netball Courts. He requested that the weed be removed.

10.2 AMENITIES AT THE LANDFILLS

Councillor Bill Wheeldon questioned why portable amenities are still regularly being transported to the Landfills.

The General Manager advised that Council has transportable buildings that are being converted to permanent amenities that will be installed at the Landfills in the near future.

10.3 TRAFFIC COUNTERS ON RENMARK ROAD

Councillor Bill Wheeldon requested that two traffic counters be set up on Renmark Road, one before the Aerodrome entrance and the other west of Fort Courage.

10.4 SUBSIDISED WASTE REPORT

Councillor Peter Nunan requested a report detailing which companies receive a waste subsidy, statistics in terms of how many tonnes the Landfill has received at a subsidised rate, how much Council has subsidised these companies, and the history of the decision to allow companies to discard of their waste at a subsidised fee.

10.5 TRAFFIC COUNTERS ON RIVER ROAD

Councillor Susan Nichols requested that the traffic counter data that was captured on River Road over the last few months be shared with Councillors.

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 Construction of Houseboat and Rowing Boat Mooring area, Wentworth Riverfront - PT2021/05. (RPT/20/714)

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.

12.2 Plant Replacement - Approval of Tenders for Replacement of Plant 65 - Road Sweeper. (RPT/20/795)

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.

12.3 Wentworth Sporting Complex Cool Room - Approval of Tenders for Disposal. (RPT/21/130)

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.

12.4 Wentworth Aerodrome Upgrade - Stage 2 - Bitumen, Asphalt and Line Marking Works PT2021/06. (RPT/21/131)

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

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.

Moved Cr. Nunan, Seconded Cr. Elstone

CARRIED

Council moved into closed session at 10:54AM

Council resumed into open session at 10:57AM

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

12.1 CONSTRUCTION OF HOUSEBOAT AND ROWING BOAT MOORING AREA, WENTWORTH RIVERFRONT - PT2021/05

File Number: RPT/20/714

Responsible Officer: Geoff Gunn - Director Roads and Engineering
Responsible Division: Roads and Engineering
Reporting Officer: Ivan McKenzie - Infrastructure Projects 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

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 Council accepts the tender from FWG Contracting (Vic) Pty Ltd to carry out the specified works for Contract PT2021/05 in the amount of \$545,545.00 including GST and authorises the Mayor and General Manager to sign the contract documentation and affix the Council Seal.

12.2 PLANT REPLACEMENT - APPROVAL OF TENDERS FOR REPLACEMENT OF PLANT 65 - ROAD SWEEPER

File Number: RPT/20/795

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.

The General Manager advised that Council accepts the tender from Rosmech – Option 2 for the supply of a Hino R6 / FG 1628 – Regenerative Air Sweeper for the total sum of \$373,316.90 inc GST and accepts the trade price of \$44,000.00 inc GST for the Council owned 2014 Schwarze Road Sweeper, plant item 65, with a total changeover price of \$329,316.90.

12.3 WENTWORTH SPORTING COMPLEX COOL ROOM - APPROVAL OF TENDERS FOR DISPOSAL

File Number: RPT/21/130

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

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

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.

The General Manager advised that Council accepts the tender from Steven Begg for the total sum of \$2,530.00 inc GST.

12.4 WENTWORTH AERODROME UPGRADE - STAGE 2 - BITUMEN, ASPHALT AND LINE MARKING WORKS PT2021/06

File Number: RPT/21/131

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Tarryn Kampman - Coordinator Roads & Engineering

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.

The General Manager advised that Council accepts the tender from Primal Surfacing Pty Ltd to carry out the supply, delivery and placement of bitumen, asphalt and line marking for contract PT2021/06, in the amount of \$782,333.53 including GST and authorises the Mayor and General Manager to sign the contract documentation and affix the Council Seal.

13 CONCLUSION OF THE MEETING

The Mayor closed the meeting at 10:59AM

NEXT MEETING

21 April 2021

.....
CHAIR

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/21/175

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 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 April 2021.

Additional Information

Nil

Attachments

1. Outstanding Actions as at 8 April 2021 [↓](#)

<div> <div> Outstanding </div> <div> <div>Division:</div> <div>Committee:</div> <div>Officer:</div> </div> <div> <div>Ordinary Council</div> </div> </div> <div> <div>Date From:</div> <div>Date To:</div> <div>Printed: Thursday, 8 April 2021 12:54:01 PM</div> </div>				Outstanding Action Items Report	
Ordinary Council 17/02/2021	10.6	Update on Curlwaa Backpackers	Councillor Steve Heywood requested an update on the Curlwaa Backpackers, specifically whether it is operational and if they are abiding by the conditions of the Development Application.	roaming in the area. Council's Companion Animals Officers have also seized a number of roaming dogs as well. We will continue to patrol the area and work with the community in this regard.	7 Apr 2021 - 12:44 PM - Matthew Carlin The Curlwaa Farmstay is currently operating within the conditions of development consent. The accommodation buildings are not in use and are pending certification.
Ordinary Council 17/02/2021	10.5	Update on Curlwaa Boat Ramp	Councillor Steve Heywood requested an update on the Curlwaa Boat Ramp repairs.		8 Apr 2021 - 12:24 PM - Tarryn Kampman Works scheduled for completion end of April.
Ordinary Council 17/02/2021	10.8	Update on the Wentworth Bowling Green	Councillor Steve Heywood requested an update on the Wentworth Bowling Green repairs.		8 Apr 2021 - 12:30 PM - Tarryn Kampman Contractor to commence 19 April 2021.
Ordinary Council 17/03/2021	6.1	Outstanding Matters from Previous Meetings	Director Roads & Engineering to advise a completion date for the Riverfront works.		8 Apr 2021 - 12:24 PM - Tarryn Kampman Buronga Riverfront - soft scape 30 May 2021 and hard scape 30 July 2021. Wentworth Riverfront - playground, barbeque area and plantings 30 June 2021.
Ordinary Council 17/03/2021	7.1	Mayoral Report	Director Finance & Policy to investigate polling venue costing for Pooncarie.		1 Apr 2021 - 11:39 AM - Simon Rule Electoral Commission have been notified of Council resolution and are in the process of providing a cost to Council. If that arrives prior to the Council meeting a verbal update will be provided at the meeting.

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/20/858

Summary

The purpose of this report is to advise Council of meetings, conferences and appointments undertaken by Mayor Nichols for the period of 8 March 2021 – 1 April 2021.

Recommendation

That Council notes the information contained in the Mayoral report.

Report

The following table lists the meetings attended by Mayor Nichols for the period of 8 March 2021 – 1 April 2021.

Date	Meeting	Location
9 March 2021	Mayoral Meeting	Wentworth
10 March 2021	Meeting with NSW Crown Land Commissioner, Professor Richard Bush & Director Projects and Engagement, Dr Brendan Logan	Wentworth
11 March 2021	Collaborative Care Briefing with Federal Minister for Regional Health, The Hon Mark Coulton MP & National Rural Health Commissioner, Professor Ruth Stewart	Wentworth
11 March 2021	George Gordon Oval User Group Meeting	Wentworth
16 March 2021	Mayoral Meeting	Wentworth
17 March 2021	Pre-Meeting Ordinary Council Meeting	Buronga
17 March 2021	Ordinary Council Meeting	Buronga
17 March 2021	Council Tour of Project Sites	Gol Gol
19 March 2021	Western Weirs Briefing Aboriginal Consultation	Dareton
23 March 2021	Mayoral Meeting	Wentworth
23 March 2021	Councillor Lunch with Sunraysia Citrus Growers	Mildura
24 March 2021	'When the River Runs Dry' Movie Screening	Mildura
30 March 2021	Mayoral Meeting	Wentworth
1 April 2021	Open Magenta Artists Art Exhibition	Mourquong

Attachments

Nil

8 REPORTS FROM COMMITTEES

8.1 BOTTLEBEND RESERVE SCIENTIFIC REPORT

File Number: RPT/21/192

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

During 2013 to 2016, three environmental watering events were conducted on site at Bottlebend Reserve. The peer-reviewed, published scientific report provides local information about the interplay of watering regimes with floodplain recovery, especially as expressed through tangled lignum.

The information provided in this report helped inform the most recent environmental watering of 2020, which has resulted in a result described by many as the best the Reserve has looked in memory.

Officer Recommendation

That Council notes the Bottlebend Reserve Lignum Paper.

Additional Information

At the Annual General Meeting of the Bottlebend Reserve Land Manager, Councillor Jane MacAllister was re-elected Chair, Paul Heley re-elected Secretary and Peter Kelly re-elected Treasurer. The many changes and all the hard work of several has resulted in a much-improved experience, greater protection of sensitive areas and saw a great number of tourists over the Easter holiday.

Councillor Jane MacAllister commends Bottlebend Reserve to Councillors and staff for a visit, and this scientific report as a basis to continue the quantum of knowledge about our local riverine ecology, cultural history and the benefits of environmental watering on floodplain areas.

Attachments

1. Bottlebend Reserve Scientific Report [↓](#)

CSIRO PUBLISHING

Marine and Freshwater Research

<https://doi.org/10.1071/MF20303>

The more the merrier: using environmental flows to improve floodplain vegetation condition

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^DCentre for Conservation Ecology and Genetics, Institute for Applied Ecology, Faculty of Science and Technology, University of Canberra, ACT 2601, Australia.

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Abstract. Environmental flows are increasingly being used to restore degraded floodplain vegetation; however, the type of flow regime required for recovery to healthy condition can vary depending on the extent of degradation before restoration. Regulation of the River Murray has affected floodplain ecosystems at many locations, including Bottle Bend Reserve, in south-western New South Wales, Australia. Within Bottle Bend Reserve, tangled lignum (*Duma florulenta*) dominates sections of the higher floodplain elevations. Lignum is an important and widely distributed Australian shrub occurring in arid and semiarid river systems within the Murray–Darling and Lake Eyre Basins. In an effort to restore floodplain vegetation, three environmental flows were delivered to Bottle Bend Reserve between 2013 and 2016. Flows varied in magnitude, leading to a mosaic of different regimes across the area. Condition surveys were undertaken over 1 year, namely, before, during and after delivery of the September 2016 environmental flow. This study found that the greatest response occurred in lignum plants with no recent environmental water, although lignum plants with one or two recent environmental flows still responded relative to the control. Lignum was in a better condition at sites that received more environmental flows, demonstrating the value of increased frequency of flows in recovering vegetation health.

Keywords: environmental flow, *Muehlenbeckia florulenta*, restoration, state-and-transition models, water management.

Received 12 October 2020, accepted 27 January 2021, published online 16 March 2021

Introduction

Flow regime modification, especially the construction of dams and reductions in flood frequency, has contributed to the widespread decline in the condition of freshwater systems, including riverine floodplains (Arthington and Pusey 2003; Leblanc *et al.* 2012; Reid *et al.* 2019). The restoration of degraded floodplains is, therefore, now a priority in a growing number of regions globally (Poff and Zimmerman 2010; Pahl-Wostl *et al.* 2013; Acreman *et al.* 2014). Floodplain vegetation is both reliant on and tolerant of flooding (Brock and Casanova 1997; Rogers and Ralph 2011). Floodplains, particularly in arid regions, are extremely dynamic because flooding patterns are highly variable over space and time (Puckridge *et al.* 1998; Higginson *et al.* 2020b). The health of long-lived floodplain vegetation, such as trees and shrubs, is strongly influenced by soil moisture and highly dependent on flooding (Ballinger and Mac Nally 2006; Roberts and Marston 2011; Rogers and Ralph 2011). Floodplain trees and shrubs must possess traits that enable them to cope with

variable wetting and drying regimes (Capon *et al.* 2016). However, changes in wetting and drying cycles, and, in particular, extended dry periods, can severely affect the health of floodplain trees and shrubs as well as long-term population sustainability (Rood *et al.* 2005; Mac Nally *et al.* 2011).

Environmental flows are increasingly being used to restore degraded floodplain vegetation (Poff and Zimmerman 2010; Acreman *et al.* 2014; Bond *et al.* 2014). However, the type of flow regime required for recovery to healthy condition can vary depending on the level of stress incurred before restoration and the endpoint of interest (Souter *et al.* 2010; Bond *et al.* 2018). For example, recovery from major stress may require long-lived vegetation to rebuild organs and structural tissue (Overton *et al.* 2014). Therefore, recovery may take time and require favourable environmental conditions over an extended period (Souter *et al.* 2010; Bond *et al.* 2018; Wallace *et al.* 2020).

Recommended parameters of flow regimes, such as flow frequency and the interval between flows, will differ depending

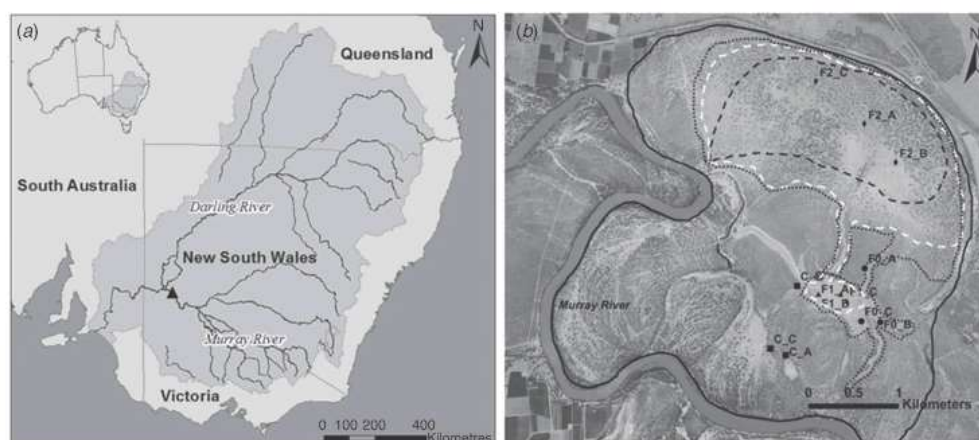


Fig. 1. (a) The study area is located on the River Murray floodplain (inset) at Bottle Bend Reserve (indicated by the black triangle), in New South Wales. (b) Twelve sites were established across four different environmental flow regimes grouped by recent environmental flow treatment (inset; $n = 12$ sites): control, control sites (C_A, C_B, C_C); Flow 0, sites that received no environmental flows before October 2016 (F0_A, F0_B, F0_C); Flow 1, sites that received one previous environmental flow in 2014 (F1_A, F1_B, F1_C); Flow 2, sites that received two previous environmental flows in 2013 and 2014 (F2_A, F2_B, F2_C). Estimated inundation extents are shown for the 2013 (black dashed line), 2014 (white dashed line) and 2016 (black dotted line) environmental flows as well as the extent of the flooding in 2016 (solid black line).

on whether the management objective is recovery or maintenance of floodplain vegetation (Bond *et al.* 2018). Maintenance flow regimes aim to maintain the starting condition of floodplain vegetation (e.g. for vegetation in good condition, a maintenance flow regime would aim to sustain good condition). However, recovery flows are applied with the aim of improving vegetation condition from a poor state to a better one (Bond *et al.* 2018). Recovery flow regimes should have more frequent flows (e.g. reduced inter-flood dry period) than maintenance flow regimes, with flows being ideally delivered in consecutive years (Bond *et al.* 2018). Scenarios modelled by Bond *et al.* (2018), assessing flow regimes under water-resource development, illustrate the increased prevalence of single isolated flood events compared with scenarios without development and highlight the likely inadequacy of isolated events in improving vegetation condition. Environmental flows can play a role in terms of supplementing small events between larger isolated floods. Where floodplain vegetation is severely degraded, it should first be managed for recovery to improve condition, followed by a flow regime that maintains or further improves vegetation condition.

For floodplain vegetation, managed flow regimes in Australia are typically expressed using flow frequencies required to maintain good condition or vigorous growth (Roberts and Marston 2011; Rogers and Ralph 2011), although, in practice, they can be applied according to maximum critical intervals (i.e. the predicted maximum inter-flood dry period a species can survive; see Rogers and Ralph 2011). For this study, we applied the concept of recovery flows to the delivery of environmental water aimed at restoring the condition of the floodplain shrub *Duma florulenta* (Meisn.) T.M.Schust (tangled lignum; formerly known as *Muehlenbeckia florulenta* Meisn. and hereafter referred to as lignum), at Bottle Bend Reserve (BBR). The aims of this study were to (1) determine the ability of lignum plants to

respond to a single environmental flow in September 2016, (2) assess whether increased frequency of recent environmental flows resulted in higher lignum condition scores and (3) to compare observed condition to that predicted by lignum state-and-transition models (Bond *et al.* 2018).

Materials and methods

Study area

Surveys were undertaken on the River Murray floodplain at BBR in New South Wales (NSW), Australia. Bottle Bend Reserve covers an area of 1627 ha and stretches along 10 km of the River Murray in NSW (Erlandsen 2014; Fig. 1). The climate is semi-arid, with maximum summer temperatures often exceeding 40°C. The long-term average annual rainfall is 272 mm (076015 Irymple Station, Bureau of Meteorology Climate Data online, http://www.bom.gov.au/jsp/ncc/cdio/weatherData/av?p_nccObsCode=139&p_display_type=dataFile&p_startYear=&p_c=&p_stn_num=076015, accessed March 2021), which occurs variably throughout the year. Bottle Bend Reserve comprises a network of mostly temporary wetlands, lignum shrublands and river red gum (*Eucalyptus camaldulensis*) and black box (*Eucalyptus largiflorens*) woodlands, that become inundated when the River Murray overflows its banks (Erlandsen 2014). The floodplain within BBR is characterised by predominantly grey clay, alluvial soils (Erlandsen 2014). This study focussed on lignum shrubland communities, which are typically located at higher elevations of the floodplain.

Study species

Lignum is a structurally dominant species that occurs widely in semi-arid and arid floodplains of Australia (Roberts and Marston 2011). Following flooding, lignum can triple in size through

Environmental flows to improve lignum condition

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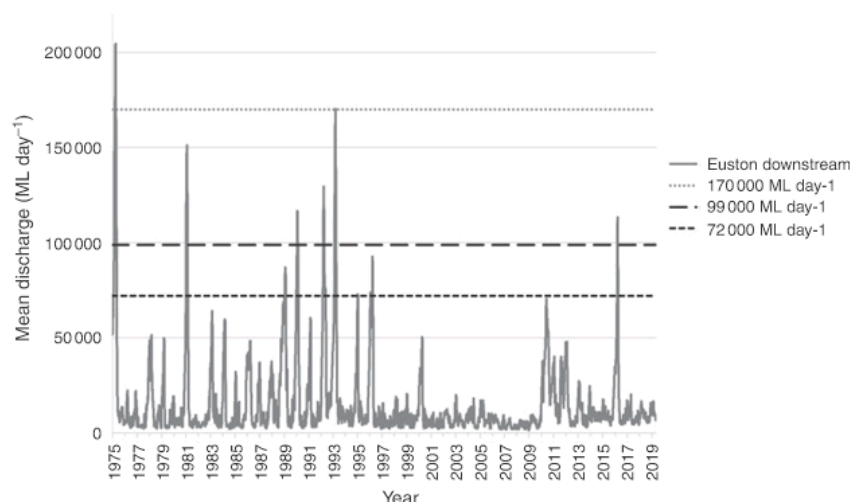


Fig. 2. Mean River Murray discharge downstream of Euston Weir, the nearest gauge upstream of Bottle Bend Reserve, from August 1975 to January 2020. Commence-to-flow into lignum shrubland at Bottle Bend is modelled to occur between 72 000 ML day⁻¹ and 170 000 ML day⁻¹. On-ground observations noted inundation of field sites when flows reached ~99 000 ML day⁻¹. Flow data are from the River Murray system live river data (MDBA 2020) and modelled commence-to-flow levels are from the River Murray Flood Inundation Model (RiM-FIM; Overton *et al.* 2006).

stem elongation, forming dense thickets (Sainty and Jacobs 1981) and providing primary habitat for birds, reptiles and mammals. Lignum is quick to respond to moisture; flowers and leaves are produced quickly following flooding and sometimes rainfall; however, the response can be short-lived (Capon *et al.* 2009; Roberts and Marston 2011).

Like other floodplain plants, lignum is believed to be dependent on flooding, particularly because it occurs in regions where rainfall is scarce (Craig *et al.* 1991; Freestone *et al.* 2017). The rootstock is at least 2–3 m deep (Craig *et al.* 1991), making access to groundwater in many locations feasible. However, information about lignum rootstock is very limited and the use of groundwater by lignum remains a knowledge gap. Rogers and Ralph (2011) suggested the flooding frequency for lignum is 3–10 years; however, one flow in every 3–5 years is required to maintain condition and vigorous growth (Roberts and Marston 2011). The species generally occupies habitats that have flood frequencies ranging from once per year to once every 10 years (Roberts and Marston 2011).

Hydrology

From the mid-1990s to 2009, the south-east of Australia experienced the most severe hydrological drought since records began in the late 19th century (Leblanc *et al.* 2012). Prior to this study, BBR was last extensively inundated in 1993–94 (flow peak of 170 130 ML day⁻¹, in November 1993) and 1996–97 (flow peak of 92 581 ML day⁻¹), resulting in large areas of the floodplain excluded from overbank flows for 17 to 20 years (Fig. 2, data from downstream of Euston Weir, the nearest upstream gauge to BBR, accessed from River Murray live river data (MDBA 2020)). While there was regional flooding in 2000–01 (flow peak of

50 430 ML day⁻¹), 2010–11 (flow peak of 70 463 ML day⁻¹) and 2012–13 (flow peak of 47 949 ML day⁻¹); these floods were insufficient to inundate areas of lignum at BBR (Fig. 2). The commence-to-flow modelled by the River Murray Flood Inundation Model (RiM-FIM; Overton *et al.* 2006) ranges from 72 000 to 170 000 at Euston Weir to inundate lignum assessed as part of this study, and is confirmed by Water Observations from Space (WOFS; GEOSCIENCE AUSTRALIA 2018). Very extensive flooding is evident in 1992 and 1993, with substantial flooding also occurring in 1996 (Supplementary material Fig. S1 available at the journal's website). The floodplain was dry from 1997 until 2010 and 2011 where minimal, small-scale inundation is evident (Fig. S1). The floodplain is not modelled to connect at the peak flows received during the 2010–11 flood (70 463 ML day⁻¹) and it is highly likely that the inundation observed from WOFS is a result of heavy rainfall and localised ponding of water, including +40 mm on two occasions in late 2010 and ~190 mm over 2 days in early 2011 (which is more than the annual rainfall in several years; Bureau of Meteorology Climate Data online, http://www.bom.gov.au/jsp/ncc/cdio/weatherData/av?p_nccObsCode=139&p_display_type=dataFile&p_startYear=&p_c=&p_stn_num=076015, accessed March 2021).

To restore floodplain vegetation communities in this area, the following three environmental flows were delivered: (1) winter 2013 (1665 ML, ~450 ha); (2) winter 2014 (2000 ML, ~500 ha); and (3) winter–spring 2016 (2133 ML, ~600 ha; Fig. 1). These environmental flows were delivered with the use of temporary infrastructure such as pumps and containment bunds. Shortly after delivery of the third environmental flow in early September 2016 and before the water had receded, a natural flood exceeded the banks of the River Murray and

overtopped the environmental flows, pushing water further onto the floodplain. During this flood, study sites were further inundated (or became inundated) when flows from the River Murray reached $\sim 99\,000\text{ ML day}^{-1}$ downstream of the nearest gauge (Euston weir) on 9 November 2016, peaking at $113\,302\text{ ML day}^{-1}$ on 14 November (MDBA 2020; Fig. 2). So, while modelling indicates that the lower-lying lignum sites may inundate at flows above $72\,000\text{ ML/day}$, our field observations during the 2016 flood and satellite imagery (WOFS; GEOSCIENCEAUSTRALIA 2018) indicated that this is more likely to be closer to $90\,000\text{ ML/day}$. We are confident that before the delivery of environmental water in winter 2013, all monitored lignum sites had not been inundated since at least November 1996 (almost 17 years), or November 1993 (almost 20 years) for some sites.

Because of the way in which environmental flows were delivered, the volume of water was not directly comparable to River Murray discharge data. Instead, the extent of inundation, on the basis of on-ground field observations, was mapped for these flows for comparison (Fig. 1). Note that there is some variation between the inundation extent mapped in Fig. 1 and the extent of inundation mapped by WOFS for corresponding years, particularly 2013 (see Fig. S1). Inundation from pumped environmental water, particularly during the smaller flow in 2013, was shallow and under vegetation, which can make detection by WOFS difficult.

Study design

This study used a before–after–control–impact (BACI) design, measuring the before–after response of lignum to a single environmental flow in early September 2016 at sites that differed in their recent environmental flow frequency, and control sites that received no environmental flows. Three permanent monitoring sites were established at locations subject to each of four different flow regimes (12 sites in total; Fig. 1). The three control sites were not inundated for ≥ 20 years and received no environmental flows in early September 2016 (Sites C_A, C_B and C_C). The remaining nine sites all received an environmental flow in early September 2016, but differed in the frequency of past environmental flows; three sites had no previous environmental flows (Flow 0; Sites F0_A, F0_B and F0_C); three sites had one previous environmental flow in 2014 (Flow 1; Sites F1_A, F1_B and F1_C); and three sites had two previous environmental flows in 2013 and 2014 (Flow 2; Sites F2_A, F2_B and F2_C).

Sites were selected by generating three random waypoints within areas of the floodplain subject to each of the four flow regimes. The flow-regime areas were identified from aerial imagery, River Murray Floodplain Inundation Model (RiM-FIM) estimates of commence-to-flow (Overton *et al.* 2006) and site-based expertise, such as knowledge of the positioning of pumps and containment bunds and the extent of environmental flows delivered in 2013 and 2014. Areas defining the Flow 2 and Flow 1 flood inundation extents were estimated from on-ground field observations during the 2013 and 2014 environmental flow events. The area defining the Flow 0 flood inundation extent was estimated from the expected delivery volume, position of pumps and containment bunds, and site knowledge. Control sites were selected on the basis of the extent of the 2013 and 2014

environmental flow events with reference to commence-to-flow levels estimated via RiM-FIM; control = $72\,000\text{--}170\,000\text{ ML day}^{-1}$, Flow 0 and Flow 1 = $95\,000\text{--}170\,000\text{ ML day}^{-1}$, Flow 2 = $85\,000\text{ ML day}^{-1}$ (Overton *et al.* 2006). Although the condition of lignum before the environmental flows in 2013 and 2014 was not surveyed, observational evidence, watering history and time-since-last flood all suggest that lignum was in poor condition before the delivery of flows. State-and-transition modelling (Overton *et al.* 2014) would predict lignum, in the absence of flooding for at least 17 years, to be in critical condition or dead (Overton *et al.* 2014).

With the exception of F2_C, sites were established in June–July 2016 and surveyed on five occasions, namely, before (1 survey), during (1 survey) and after (3 surveys) delivery of the third environmental flow (early September 2016). All sites were dry when established and surveyed for the first time. Surveys occurred in June–July and October in 2016 and January, February and March in 2017. Site F2_C was originally located just outside the inundation zone. A replacement site was established during the second survey in October 2016 within the Flow 2 zone and was sampled in subsequent surveys.

The environmental flow was delivered in early September 2016 to the flow sites (Flow 0, Flow 1 and Flow 2), whereas the control sites remained dry. Each of the flow sites was inundated to a depth of $< 1\text{ m}$. However, in November 2016, all sites, including the control sites, were inundated to depths between 1 and 3 m as a result of overbank flooding from the main river channel. Following overbank flooding, water receded quickly from the floodplain such that all sites were dry for the final two surveys (February 2017 and March 2017), with the exception of one control site; Site C_A retained water for a prolonged period and appeared to be located on the edge of a slow-draining clay pan (see Fig. S2). Inundation status and approximate depth of inundation at the time of each survey, for each site, is available in Table S1 of the Supplementary material. Table S1 also includes an estimate of the duration of inundation at each site from both environmental watering and overbank flooding.

Lignum condition index

A permanent $20 \times 20\text{-m}$ quadrat was established at each site. Within each quadrat, the condition of every lignum plant was assessed using two rating scales, namely, viability and colour. Viability scores were based on the percentage of aboveground biomass that was alive/viable (based on a visual assessment; see Table S2). Viable stems retain some flexibility, whereas dead stems are brittle (Roberts and Marston 2011), and this was used to estimate the proportion of aboveground biomass that was alive. Colour scores were based on the observed colour of the viable (live) biomass (Table S2). Viability and colour scores were then summed to produce a lignum condition index (LCI) that took values from 0 (no viable aboveground biomass) to 11 (more than 95% green viable aboveground biomass; Scholz *et al.* 2007; Table S3).

Data analysis

Aim 1: lignum response to the 2016 environmental flow

On the basis of the distribution of LCI scores (Fig. 3), we used a binary classification for each plant in our analysis; plants were

Environmental flows to improve lignum condition

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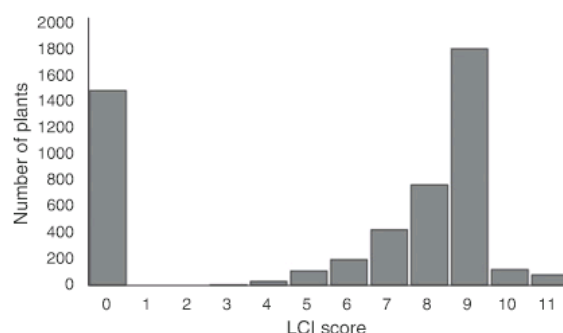


Fig. 3. The distribution of lignum condition index (LCI) scores from all sites and all survey times ($n = 5026$ plants).

classified as being in either critical condition (LCI category zero with no viable aboveground biomass) or alive (LCI category greater than zero, with most plants in moderate–good condition; Fig. 3). We then analysed the proportion of live plants as a function of the environmental flows. The number of individual plants recorded each survey time at each site is available in Table S4.

We had a before–after–control–impact design and so classified each site according to its flow treatment (control sites and environmental flow sites that received none, one or two recent environmental flows) and classified each survey according to whether it occurred before (Survey 1 in June 2016) or after (Surveys 2–5) delivery of the environmental flow in early September 2016.

We modelled the proportion of plants that were alive at each site during each survey as a function of flow treatment, whether the survey was before or after the 2016 environmental flow, and the interaction between these two factors. The interaction tested whether the response of lignum to the 2016 environmental flow (the difference in lignum condition before and after the flow) was different at sites that received the flow relative to the control sites. If the environmental flow was effective, we expected plants at sites that received the environmental flow to show an improvement in condition after the event, relative to plants at the control sites. To do this, we fitted a logistic regression model with the number of live plants and the total number of plants at each site during each survey as a binomial response variable, and variables classifying each site by flow treatment and each survey as before or after the environmental flow, plus the interaction between these two factors, as fixed effects in the model. We set the control treatment before the environmental flow as the reference class in the model, meaning we estimated changes in lignum condition relative to this. To account for non-independence in the data owing to the sites being repeat-measured, we included variables coding for both site and survey as random effects in the model. The inclusion of these random effects accounted for the fact that sites might differ consistently from each other because of unmeasured site-specific factors that influence lignum condition, such as differences in soil properties, whereas average lignum condition might vary over time (between surveys) owing to factors unrelated to the presence or absence of the environmental flow, such as changes in the

amount of rainfall. A key factor that is likely to have influenced lignum condition at all sites was the major inundation event owing to overbank flows in November 2016. The overbank flood occurred after the environmental flow and could have obscured any effect of the flow treatment on lignum condition, given that all sites, including the controls, were inundated. Despite this, our analysis still allows us to test for a difference caused by the environmental flow treatment.

We fitted the model using the lme4 (Bates *et al.* 2015) package in R (R: A Language and Environment for Statistical Computing, <https://www.R-project.org/>). In addition to random effects for site and survey, we included a term that allowed for overdispersion in the binomial response, by including a random effect with a different value for each observation.

Aim 2: effect of different recent environmental flow frequencies on lignum response

The effect of different recent environmental flow frequencies on lignum condition was assessed by reference to the analysis outputs for both Aim 1 (logistic regression modelling; Figs 4, 5) and Aim 3 (boxplots of the average LCI score) for each flow category and survey time (Fig. 6). This assessment draws heavily on the hydrological history of BBR (as described above) and the assumption of wide-spread poor condition owing to a lack of overbank inundation for 17–20 years before the first delivery of environmental flows in 2013.

Aim 3: comparison of LCI scores to state-and-transition model predictions

To compare observed condition (LCI scores) with condition states as predicted by lignum state-and-transition models (Bond *et al.* 2018), we calculated the distribution of average LCI scores for each flow category and survey time using boxplots. We aligned the numeric LCI scores with our interpretation of the descriptive condition states for lignum described in Overton *et al.* (2014; see Table S3). Using the historical hydrology and recent environmental watering at BBR (as described above), we compared the predicted decline and recovery trajectories with observed categories of condition.

Results

Aim 1: lignum response to the 2016 environmental flow and differences between flow treatments

In total, we surveyed 5026 lignum plants of which 1488 (30%) had a LCI score of zero and 3197 (64%) had a LCI score of seven or greater (Fig. 3). Hence, most plants (94%) had either no viable aboveground biomass or were in moderate–good condition and, therefore, a binary classification was used in the data analysis (critical condition or alive). For the binary classification, any lignum plant with a LCI score of greater than zero was included in the alive category and any plant with a LCI score of zero was included in the critical-condition category. The number of individual plants recorded each survey time at each site (Table S4) and the distribution of LCI scores in recent environmental flow categories (Fig. S3).

On average, the proportion of live plants declined in the control category after October 2016 (when the environmental

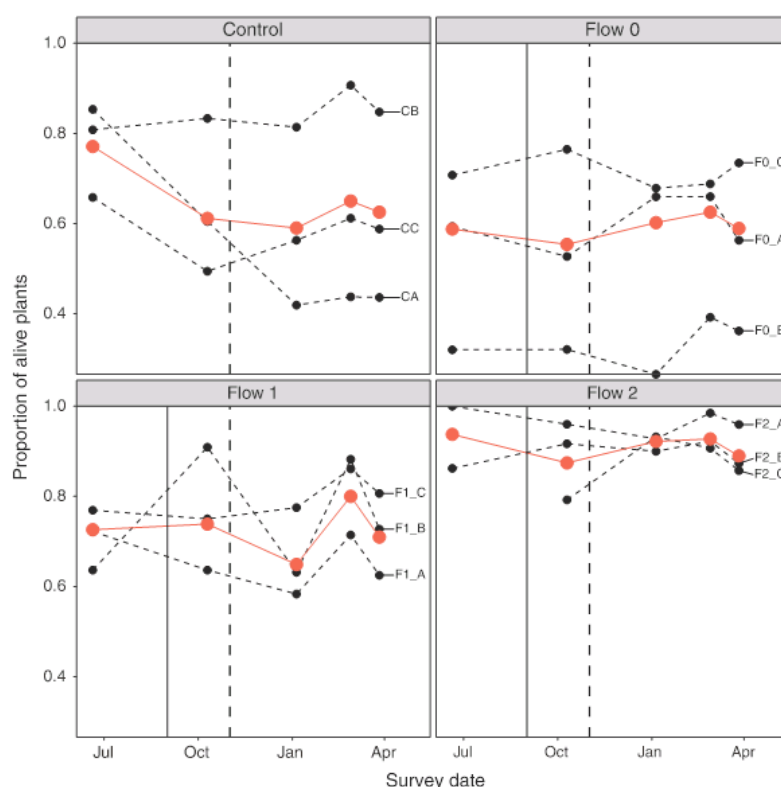


Fig. 4. The proportion of live plants at each site during each survey, with sites grouped by recent environmental flow treatment (control, control sites; Flow 0, sites that received no environmental flows before September 2016; Flow 1, sites that received one previous environmental flow in 2014; Flow 2, sites that received two previous environmental flows in 2013 and 2014). Black circles are the data for each site, red circles are the average across sites at each survey for each treatment. The black vertical line shows the timing of the 2016 environmental flow that was applied to the flow sites. The dashed vertical line shows the timing of the overbank inundation that affected all sites. The surveys ran from June 2016 to April 2017.

flow was applied at the flow sites; [Figs 4, 5](#)). Across all three flow categories, the proportion of live lignum plants increased after the 2016 environmental flow relative to the change that occurred within the control category (which declined in condition; [Fig. 5](#)). Overall, the average proportion of live plants in all three flow categories remained at a similar level before and after the 2016 environmental flow, whereas the proportion of live plants in the control category declined ([Fig. 4](#)). There was considerable variation in the proportion of live plants in sites within flow categories, particularly in the control and Flow 0 categories ([Fig. 4](#)). There was also considerable variation in the proportion of live plants at individual sites across survey times ([Fig. 4](#)). Only one of the flow categories (Flow 0) showed a statistically significant difference from the control in response to the 2016 environmental flow ([Fig. 5](#) as judged by 95% confidence intervals not including zero; see Table S5 and [Fig. S4](#) for additional details regarding the model fit), but the response at all three flow categories is similar, albeit with less certainty of a positive effect at Flow 1 and Flow 2.

Aim 2: effect of different recent environmental flow frequencies on lignum response

Sites differed in condition before delivery of the environmental flow in 2016 ([Figs 4–6](#)). The sites exhibiting better condition, in terms of both a greater proportion of live plants ([Figs 4, 5](#)) and average LCI score ([Fig. 6](#)), were those that had received two previous environmental flows (Flow 2) and the sites in lesser condition were those that received no previous flows (Flow 0). Sites that received one previous flow (Flow 1) were intermediate, but so too were the control sites that received no previous flows.

Aim 3: comparison of LCI scores to state-and-transition model predictions

[Figure 6](#) shows the distribution of average LCI scores for each recent environmental flow category for each survey time. This figure reiterates the differences in condition before the application of the environmental flow in September 2016 and aligns average LCI scores with the [Overton *et al.* \(2014\)](#) definitions of condition from critical to good (see also Table S3). Average LCI

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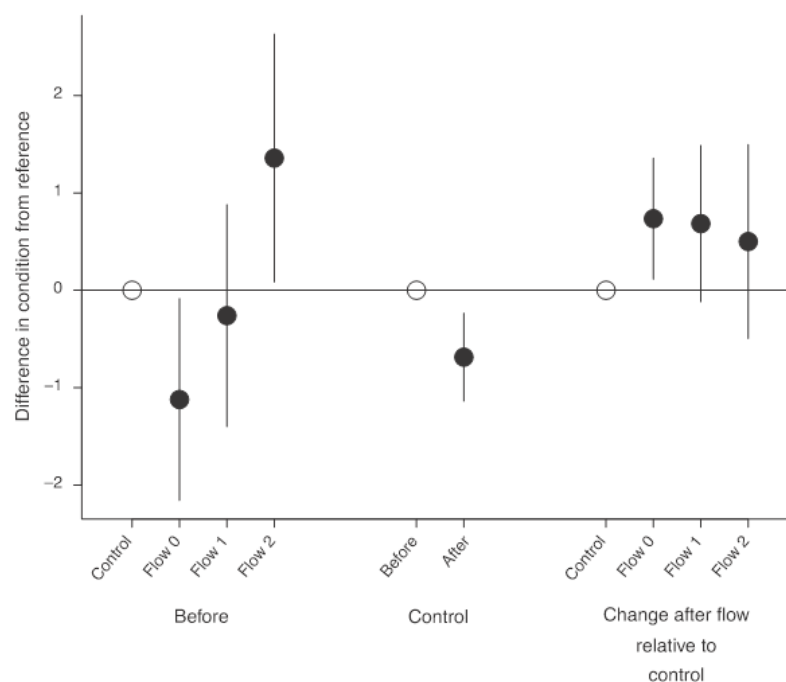


Fig. 5. Results from a logistic regression model analysing the effect of two variables, flow treatment (control, Flow 0, Flow 1 or Flow 2; see descriptions in Fig. 4) and whether a survey occurred before or after the 2016 environmental flow, plus the interaction between these two variables, on the proportion of live lignum plants. Filled circles show the estimated effects and vertical lines the 95% confidence intervals. All effects are estimated relative to control sites before the 2016 environmental flow (shown as open circles). 'Before' shows the estimated difference in the proportion of live lignum plants (on the logit scale) at flow sites relative to control sites before the 2016 environmental flow. 'Control' shows the estimated difference in the proportion of live lignum plants at the control sites after the environmental flow (applied to the flow sites only) relative to before the environmental flow. 'Change after flow relative to control' shows the estimated difference in the proportion of live lignum plants at the flow sites after they received the 2016 environmental flow relative to the control sites that received no flow.

scores from almost all flow categories and survey times are in the medium condition category. The only exception is Flow 2 during the two surveys immediately after the environmental flow and overbank flooding (January 2017 and February 2017), which were in good condition (Fig. 6), although by March 2017, average LCI scores had returned to the medium category.

Discussion

Aim 1: lignum response to the 2016 environmental flow

All three flow treatments were observed to show similar improvements in condition throughout the study, relative to the control. This result demonstrated the ability of lignum plants to not only respond with improved condition to the first flow following an extended dry period (e.g. Flow 0), but to continue to improve or maintain condition even after two or three environmental flows in 4 years. Although lignum plants may be able to persist with average flooding frequencies of one flow in every 7–10 years (Roberts and Marston 2011), more frequent inundation is required to maintain vigorous growth (Roberts and

Marston 2011), to incrementally improve condition (Bond *et al.* 2018) or prevent further decline. Relative to the control, lignum plants in the Flow 0 category showed a slightly greater response to the 2016 environmental flow than did lignum plants in Flow 1 and Flow 2 categories. This was not unexpected, given that the average starting condition of lignum plants in Flow 0 was poor compared with both Flow 1 and Flow 2. Even though the Flow 0 category displayed a slightly greater magnitude of response in comparison to the control than did Flow 1 or Flow 2, the average condition of lignum plants in both Flow 1 and Flow 2 categories was greater than of plants in Flow 0. This is likely to be of ecological relevance in terms of the functions supported or the resilience to withstand disturbance such as floods or droughts. There is also less variability in the distribution of average LCI scores in both Flow 1 and Flow 2, suggesting greater consistency in the condition of individual plants.

In contrast to the flow categories, the average proportion of live plants in the control declined over the monitoring period. It is unclear why the control category demonstrated a significant decline over the survey times.

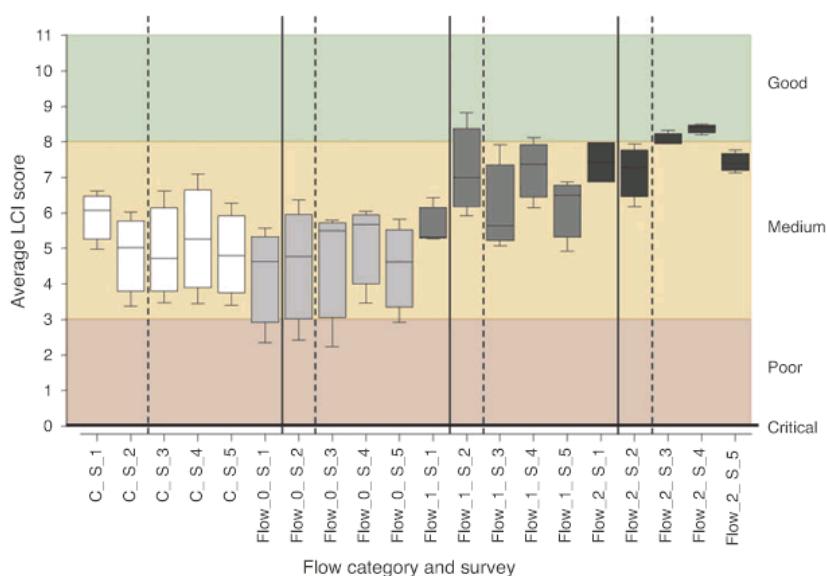


Fig. 6. Boxplots showing the distribution of average lignum condition index (LCI) scores per recent environmental flow category (C, control sites; Flow 0, sites that received no environmental flows before September 2016; Flow 1, sites that received one previous environmental flow in 2014; Flow 2, sites that received two previous environmental flows in 2013 and 2014). Boxes represent the 25th and 75th percentile, with the line within boxes representing the median. The black vertical line shows the timing of the delivery of the environmental flow in September 2016 that was applied to the flow sites. The dashed vertical line shows the timing of the overbank inundation that affected all sites. Shaded boxes indicate the authors alignment of lignum condition as described by *Overton et al. (2014)*, with LCI scores poor (brown), medium (yellow) or good (green). The black horizontal line at zero represents critical condition (see also Table S3).

Aim 2: effect of different recent environmental flow frequencies on lignum response

The condition of lignum plants varied among environmental flow treatments. Sites in Flow 2 maintained greater lignum condition than did sites in Flow 1, and sites in Flow 1 and Flow 2 maintained greater condition than did sites in Flow 0. At the start of the monitoring, plants in the control category had a greater proportion of live plants than did those in both Flow 0 and Flow 1, but fewer than those in Flow 2. The same pattern was observed with average LCI scores. This shows variation in the condition of lignum patches on the floodplain at BBR. The greater lignum condition in the Flow 1 and Flow 2 categories at the start of the monitoring was likely to be attributed to improvements in condition following the environmental flows delivered before monitoring (in 2013 and 2014; refer to the methods for detailed treatment of the hydrology in the past 20 years). However, it is unclear why average lignum condition in the control category was higher than in both Flow 0 and Flow 1 at the start of the monitoring.

Although there was some variation in inundation depth and duration among sites (see Table S1), this was also variable across the flow categories (i.e. site C_A retained water the longest, followed by Site F0_A, then Site F2_A; all remaining sites were dry when surveyed in January 2017). Site C_A had a high proportion of live plants at the start of the survey, but this dropped significantly in the last three survey times. It is possible

that the longer water retention capacity of this particular site enabled a higher proportion of lignum plants to survive via the ponding of rainfall and moisture alone over the past 20 years. The stress of prolonged inundation may have led to a decline in the proportion of live plants, although this is unknown. The Control sites C_A and C_C are also closer to the river than are the other sites. It is unknown what influence this may have on lignum survival and condition in terms of lateral seepage or relationship with groundwater. It is unknown whether lignum utilises groundwater. Lignum root depth is at least 2–3 m (*Craig et al. 1991*); however, this is based on a single observation of lignum plants growing along an eroding bank (*Craig et al. 1991*). Lignum rootstock remains a significant but little-understood part of the plant (*Roberts and Marston 2011*).

The density of lignum plants at individual sites also varied, but again this was variable across the flow categories (see Table S4). In general, control sites had a higher plant density and Flow 1 sites had a lower plant density. However, also the Flow 0 sites had a higher plant density; so, this alone does not appear to explain differences in starting condition between the control and Flow 0 sites.

Aim 3: comparison of lignum condition to state-and-transition model predictions

Recovery from a degraded state to vigorous growth (e.g. from critical to good condition) requires transition through various

condition states (Bond *et al.* 2018) and requires favourable conditions to be sustained for several consecutive (or nearly consecutive) years. In contrast, vegetation that is in good condition is not under the same degree of stress as is vegetation in poor condition, and has not suffered the same degree of physiological damage (e.g. to rootstock, rhizomes, regenerative tissue and organs; Overton *et al.* 2014). As a result, the flow-regime requirements to maintain good condition are different from the flow-regime requirements necessary to recover condition (Bond *et al.* 2018). For lignum, the key flow parameters that differ between maintenance and recovery flow regimes are frequency of flows and inter-flood dry period (although little is known about the potential impact of duration on lignum in different condition states). The average frequency of flows for healthy, vigorous lignum shrubs, that is, maintenance flow regimes, is one flow every 3–5 years (Roberts and Marston 2011). However, the predicted recovery pathway for lignum from critical to good condition is 5 years of consecutive flows (Overton *et al.* 2014). Modelling in Overton *et al.* (2014) predicted lignum condition to be critical after 11 consecutive dry years and lignum rootstock is also assumed to be non-viable after 11 years with no flooding. This 11-year threshold was conservatively set to be less than two known records of recovery after 14 and 17 years unflooded (Overton *et al.* 2014). The present study has demonstrated that particular lignum plants may be even more drought hardy than originally thought, with the ability to survive up to 20 years in the absence of flooding. Further investigation is required to determine whether populations of lignum in other locations, potentially with different long-term flooding frequencies, are able to survive similar periods of no flooding, and more importantly, whether sustained recovery of the populations is possible. It also highlighted the need to determine the availability of water sources for lignum and their ability to access groundwater.

The recovery pathway modelled for lignum (Bond *et al.* 2018) predicts that five consecutive years of surface flows are required to transition lignum from a critical state to good condition (as defined in Overton *et al.* 2014; see also Table S3). Although the three environmental flows delivered to lignum plants at BBR were not consecutive, they were in close succession (2013, 2014, 2016). Lignum state-and-transition models (Bond *et al.* 2018) would have predicted sites at BBR to be in the following condition categories when surveys began in June 2016: Flow 2 = poor, Flow 1, Flow 0 and control = critical. The environmental flow in 2016 was predicted to maintain these condition categories, with consecutive flows being required in future years to move plants to higher condition categories (Bond *et al.* 2018).

Whereas 30% of the surveyed plants had a LCI score of zero (critical condition), 64% of plants had a LCI score of seven or greater, which is likely to be equivalent to condition descriptions of medium to good in Overton *et al.* (2014) (see also Table S3). At BBR, average LCI scores for each flow category and each survey indicated that lignum condition is better than state-and-transition models would have predicted. There are several potential explanations for this. First, lignum plants in particular regions may be more drought tolerant than originally thought or factors such as soil type, ponding from rainfall, or access to groundwater may contribute to the ability of lignum to survive

17–20 years without flooding. Second, the assessment used in the present study is visual and lignum is known to respond rapidly to changes in soil moisture (Roberts and Marston 2011). Short-term changes in colour that result in a change in the LCI score may not equate to sustained changes in condition. The current, additive approach of the LCI scores may overemphasise changes in colour in relation to changes in viability (assessed as the proportion of flexible stems). Last, and related to the point above, there may be difficulties in the alignment and interpretation of LCI scores with descriptive condition categories as defined by Overton *et al.* (2014). Although the use of visually assessed condition is rapid and cost-effective, further consideration of the interpretation and analysis of visually assessed data or techniques that monitor the physiological response of lignum may help provide a more accurate assessment of plant condition and may help better align LCI scores with condition descriptions.

Additional challenges and future considerations

There are several challenges associated with assessing lignum condition, including the ability to define an individual plant. The number of individual plants surveyed at each site varied among surveys. New stems emerge from the underground rootstock and new lignum plants can establish from layering, rhizomes and stolons, and stem fragmentation (Roberts and Marston 2011; Casanova 2015; Higginson *et al.* 2020a). Stem fragments can snap off the mother plant and form new individuals more than 200 m away (Higginson *et al.* 2020a). Combined with the tangled growth form of lignum, and particularly if plants are growing close together, or multiple new shoots are emerging through the remains of a larger dead plant, it can be difficult to consistently distinguish individual plants between surveys. In the present study, fieldwork was led by the same staff member to minimise observer bias; however, there is still considerable variability among plant numbers. Future studies may consider an area or point intercept approach to avoid the challenges defining an individual plant. The challenge of identifying individual lignum plants or clumps may be exacerbated when lignum structure consists predominantly of small, scraggly plants. The functional role of lignum varies depending on its structure (i.e. the height, width and length of individual plants or clumps of lignum). Large shrubs, with open gaps between individual clumps, can support waterbird breeding (Maher and Braithwaite 1992; Kingsford and Johnson 1998); however, small shrubs are not suitable as nesting platforms (Roberts and Marston 2011). Lignum structure is affected by watering frequency (unpubl. data from the Environmental Water Knowledge and Research (EWKR) project, C. Campbell *et al.*) and structural attributes should be incorporated into future assessments of lignum condition.

Additionally, lignum can regenerate from underground rootstock and can do this in the absence of any viable aboveground biomass, a mechanism referred to as dormancy (Freestone *et al.* 2017). Visually, there is no apparent aboveground difference between a dormant or dead plant, and lignum plants exhibiting no viable aboveground biomass have been known to regenerate from this state up to 4 years later (Freestone *et al.* 2017).

Although lignum is known for its ability to 'layer' (i.e. the capacity to grow roots from a leaning branch or twig when making contact with wet ground; Roberts and Marston 2011),

there are few published records of this occurring. Layering was observed for only one lignum plant of 156 surveyed in a floodplain watering experiment (Siebentritt 2003). At BBR, extensive layering was observed from five sites on two to three survey occasions between January to March 2017 in the Flow 1 and Flow 2 categories. No layering was observed in the Flow 0 category and only scarce layering was observed at two of the control sites on one occasion each. Although no quantitative data were collected on the number or proportion of plants with observed layering, written site observations indicated that the process was common in January to March 2017 surveys (C. Campbell, S. Healy, F. Freestone, pers. obs.). Layering adds to the complexity associated with defining an individual plant; however, it may also be related to watering response and condition. Condition descriptions in Overton *et al.* (2014; see also Table S3) refer to vegetative (clonal) expansion in relation to the good-condition category only. The potential influence of condition on lignum layering ability warrants further investigation. Lignum is known to respond rapidly to moisture, with flowers and leaves being produced quickly following flooding and sometimes rainfall (Capon *et al.* 2009; Roberts and Marston 2011). Our site observations of flower and leaf material responses confirmed the ability of lignum to respond rapidly as well as the short-lived nature of the response, with evidence of leaf and flower responses mostly gone within 4 months of the flood peak in November 2016.

Conclusions

This study (1) assessed the ability of lignum plants subject to different recent environmental flow frequencies to respond to a single environmental flow, (2) assessed the likely effect of increased frequency of recent environmental flows on lignum condition scores, and (3) compared observed condition to that predicted by lignum state-and-transition models (Bond *et al.* 2018). All three flow treatments showed similar improvements in condition throughout the study, relative to the control, demonstrating the ability to not only respond with improved condition to the first flood following an extended dry period, but to continue to improve or maintain condition even after two or three environmental flows in 4 years. The condition of lignum plants varied among environmental flow treatments, with sites receiving more environmental flows maintaining greater average lignum condition than did those with fewer or no environmental flows. In line with state-and-transition models (Bond *et al.* 2018) and the concept of recovery flows, this study supports the benefit of providing consecutive (or near consecutive) flows to recover the condition of vegetation. Because the condition of lignum plants at BBR is generally medium (on the basis of average LCI scores at the different flow treatments in the final March 2017 survey), the continuation of a recovery flow regime at BBR is recommended. It is recommended that annual, or near-annual, inundation is continued (where feasible) until the average condition of lignum plants within the inundation footprint is good. Future monitoring at BBR would help determine the ability of lignum plants to continue to improve or maintain condition through time. There is a general paucity of published information relating to lignum. More research into the factors influencing lignum condition and survival and investigation of

assessment methods are required. Environmental flow regimes for the recovery of degraded floodplain vegetation should differ from environmental flow regimes for maintenance of floodplain vegetation condition, with the differing requirements being incorporated into long-term environmental water planning.

Conflicts of interest

The authors declare that they have no conflicts of interest.

Declaration of funding

This project was funded by the New South Wales Office of Environment and Heritage (NSW OEH).

Acknowledgements

The authors thank Ian Kelly (Crown Lands), Mark Henderson (NSW OEH), Juliet Talarico (La Trobe University summer scholarship student), and staff of the Murray–Darling Freshwater Research Centre for their assistance with fieldwork and project management. We also thank the anonymous reviewers of an earlier version for their contribution to this manuscript. We acknowledge the Traditional Owners of this land and water, the Kureinji people, and the Barkindji–Maraura people who have a strong interest in the area.

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Handling Editor: Patrick Grillas

8.2 CARRAMAR DRIVE SPORTING COMPLEX USER GROUP MEETING

File Number: RPT/21/154

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: 4.5 Encourage the self determination of individual townships and community groups

Summary

A meeting of the Carramar Drive Sporting Complex User Group was held on 4 March 2021 and the Minutes of the meeting are attached to this report for the information of Councillors.

Officer Recommendation

That Council notes the Minutes of the Carramar Drive Sporting Complex User Group Meeting held on Thursday 4 March 2021.

Additional Information

A meeting of the Carramar Drive Sporting Complex User Group was held on Thursday 4 March 2021 at 5:00pm in the Pavilion of the Carramar Drive Sporting Complex.

A COVID sign in sheet was completed by all in attendance and social distancing requirements were adhered to.

Nick Carroll from Baseball Sunraysia addressed the meeting expressing his desire to establish a Baseball Team at the Complex when and/or if space becomes available.

Councillor Susan Nichols encouraged the User Group to form working bees to address the minor maintenance issues around the Complex.

Council's Manager of Works spoke to the new fence and mentioned that Council's Road Safety Officer is working with Transport for NSW regarding a safe bus route and path providing access to the new IGA.

Council's Technical Officer advised at the meeting that Council is investigating an electronic key system, with a trial to be conducted. The new system would improve security of all Council facilities.

A representative of the Football Netball Club expressed his vision for the Complex to be a "Powerhouse of Sport" in the Wentworth Shire.

Access to grants was discussed, with Councillor Jane MacAllister offering to assist with sourcing of training for members should they wish to complete any. Councillor Jane MacAllister also offered to meet with members, along with Council's Grants Officer, to look at the Buronga/Gol Gol Regional Development Strategy, which would strengthen grant applications.

Attachments

1. Minutes of the Carramar Drive User Group Meeting held 4 March 2021 [1](#)

User Group Meeting Minutes

User Group: Carramar Drive Sporting Complex
Location: Carramar Drive Sporting Complex Pavilion
Meeting Date: 4 March 2021 **Meeting Time:** 5pm

		Present	Apologies
Meeting Opened:	1705	Cr Sue Nichols	Geoff Gunn
Meeting Closed:	1845	Cr Jane MacAllister	
Chairperson:	Cr Sue Nichols	Paul Mensch – Football Club	
Minute Taker:	Barb George	Mandy Mensch – Football Club	
		Daron Hulls – Cricket Club	
		Mark Blows – Cricket Club	
		Allan Eastmond – Manager Works WSC	
		Barb George – Admin. Officer – Minute Taker	
		Visitors: Nick Carroll – Baseball Sunraysia	
		Chris James – Technical Officer WSC	

Agenda Item	Notes
Update Contact List:	Contact List updated: Ben Sobkowiak and Ben Roberts no longer representing Football/Netball Club - Mandy Mensch the new member. Matt Adamson no longer representing Workers/Gol Gol Cricket Club.
COVID19 Sign- In Sheet:	Sign in sheet completed by all in attendance. COVID regulations adhered to during the meeting.

User Group Meeting Minutes

User Group: Carramar Drive Sporting Complex

Location: Carramar Drive Sporting Complex Pavilion

Meeting Date: 4 March 2021 **Meeting Time:** 5pm

<p>Presentation by Nick Carroll – President Baseball Sunraysia</p>	<ul style="list-style-type: none"> Nick presented his vision of starting a Baseball Club in Wentworth Shire. He noted the increase in population in the Buronga/Gol Gol area – particularly that of young families. He also noted that for Baseball to have a home at the Carramar Drive Complex, a playing space separate from the present oval was necessary. <p>He asked that should the Complex be expanded, that Baseball be considered as a new User.</p> <p>Cr MacAllister expressed her support of Baseball at the Carramar Complex.</p>
<p>Matters Arising from Previous Meeting:</p>	<ul style="list-style-type: none"> Noted that all maintenance has been attended to, with the issue of “hot water” a work in progress. <p>Chris James – WSC Technical Officer informed the meeting of works that been done which has seen some improvement, but with more to be done once finance is secured.</p>
<p>Business Arising:</p>	<ul style="list-style-type: none"> Cr Nichols addressed the meeting and encouraged each User Group to have working bees to address the minor maintenance needing to be done around the Complex. <p>Members assured her that many activities are carried out by members of the Football/Netball and Cricket Club – however they felt that as the Complex was a Council owned facility, insurance for volunteers was an issue. She asked that they look into their own insurance to cover that – as other facilities have done.</p> <p>It was noted that the Football Club have attended to the fertilisation of the oval this year.</p> <ul style="list-style-type: none"> Allan Eastmond – Manager Works WSC spoke to the new fence which has been completed. The Road Safety Officer is working with Transport NSW to ensure a safe bus route was in place, with a path giving access to the new IGA development in line with the new personal access gate. <p>Members of the group expressed concern about security and not being able to control crowds in view of COVID19 restrictions.</p>

User Group Meeting Minutes

User Group: Carramar Drive Sporting Complex

Location: Carramar Drive Sporting Complex Pavilion

Meeting Date: 4 March 2021 **Meeting Time:** 5pm

	<ul style="list-style-type: none"> Chris James – Technical Officer WSC – explained that Council are investigating an electronic “key access” system. Council are working with Blakies and expect to conduct a trial of the system. The changeover would be costly, but had advantages over the manual key system in place. Security of Council buildings would be greatly improved, and control of access to all users, cleaners and contractors would be easily achieved. Paul Mensch – Football/Netball Club addressed the meeting and expressed his vision of the Carramar Complex being a “powerhouse of sport” in the Wentworth Shire. Both the Football and Cricket Clubs agree that the Users will need to contribute to any expansion/improvement and that accessing grants is vital. Paul, along with Daron Hulls of the Cricket Club asked for assistance with grant applications. Cr Nichols assured the User Groups that Council could assist with grant applications, but the Clubs needed to have all aspects of their Clubs available – i.e. financial, executives, membership to name a few. Cr MacAllister explained that having a working Management Plan in place and access to the recently prepared Buronga/Gol Gol Regional Development Strategy would greatly assist with any grant application. Administration Officer to forward the draft Management Plan to all members, and arrange access to the Strategy. Cr MacAllister offered to distribute the document and meet with members, along with Council’s Grants Officer – Midway was decided as a suitable venue for this to occur. Cr MacAllister offered to source “Grant Writing” training for members of the group interested in attending.
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User Group Meeting Minutes

User Group: Carramar Drive Sporting Complex

Location: Carramar Drive Sporting Complex Pavilion

Meeting Date: 4 March 2021 **Meeting Time:** 5pm

	<p>New Maintenance Requests:</p> <ul style="list-style-type: none"> The complex is hosting Women's Cricket finals 12 and 19 March 2021, and Men's finals 26 March 2021. Request that the oval be mown on Monday 8 March and again on Friday 11 March and then again Monday 15 March and Friday 18 March. Administration Officer to raise Customer Request: CR/21/407 <p>For the men's finals Monday 22 March and Friday 25 March. Customer Request to be raised: CR/21/408</p> <ul style="list-style-type: none"> Daron was complimentary of the Parks and Gardens Team for a job well done on the oval this year, and for controlling the black beetle issue. Administration Officer to pass congratulations on to the Parks and Gardens Team. The State Cricket "over 50's" will be played at the Complex 11, 12 & 13 April. Request for the oval to be prepared as for the Women's and Men's final. Customer Request to be raised: CR/21/410 There are some dry patches on the oval – could the irrigation pump be investigated to ensure it is working appropriately. Customer Request to be raised: CR/21/411
<p>Date of Next Meeting:</p>	<p>TBA</p>

8.3 GEORGE GORDON SPORTING COMPLEX USER GROUP MEETING

File Number: RPT/21/165

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: 4.5 Encourage the self determination of individual townships and community groups

Summary

A meeting of the George Gordon Sporting Complex User Group was held on 11 March 2021 and the Minutes of the meeting are attached to this report for the information of Councillors.

Officer Recommendation

That Council notes the Minutes of the George Gordon Sporting Complex User Group Meeting held on Thursday 11 March 2021.

Additional Information

A meeting of the George Gordon Sporting Complex User Group was held on Thursday 11 March 2021 at 5:00pm in the Pavilion at the George Gordon Sporting Complex.

A COVID sign in sheet was completed by all in attendance and social distancing requirements were adhered to.

The location of the new playground was discussed. Preference of the Football Club is between the cricket nets and toilets. Once a final decision has been made, the Football and Cricket Clubs will install, lay soft fall and fence the area.

The installation of the new fencing around the Complex has commenced. The Contractor is to be requested to remove all the old stumps as per the scope of the project.

The plans for the renovation works on the kitchen have been completed. The Football Club is now seeking funding.

The Football Club have purchased two AVCO huts for placement next to the new oval. A question was asked whether a Development Application was required. No water or power will be required.

Requests for maintenance were tabled and will be actioned as per attached Minutes.

Attachments

1. George Gordon Sporting Complex User Group Meeting held Thursday 11 March 2021 [↓](#)

User Group Meeting Minutes

User Group: George Gordon Sporting Complex

Location: George Gordon Sporting Complex Pavilion

Meeting Date: Thursday 11 March 2021 **Meeting Time:** 5pm

		Present	Apologies
Meeting Opened:	1705	Cr Susan Nichols	Cr Tim Elstone
Meeting Closed:	1800	Cr Peter Nunan	Andrew Murdoch
Chairperson:	Cr Susan Nichols	Roger Bath –Wentworth Football/Netball Club	Ron Kuhn
Minute Taker:	Barb George	Kyra Cumming = Wentworth Football/Netball Club	
		Ross Robertson – Coomealla/Wentworth Cricket Club	
		Matt George – Coomealla/Wentworth Cricket Club	
		Geoff Gunn – DRE Wentworth Shire Council	
		Barb George – Admin. Officer Wentworth Shire Council (Minute Taker)	

Agenda Item	Notes
Update Contact List:	The Contact List was reviewed – corrections made as necessary. COVID Sign-in Sheet Completed.
Matters Arising from Previous Meeting:	Noted that all maintenance except repair of the damaged netball courts completed. Date of repair to be forwarded to Roger and Kyra. The Contractor is responsible for the cost of repair.
New Business:	<ul style="list-style-type: none"> Cr Nichols congratulated the User Group on the works they perform around the Complex. Playground – The location of the playground is still to be finalised. There is concern that the footprint of the playground will not fit comfortably next to the netball courts – although the tree has already been removed.

User Group Meeting Minutes

User Group: George Gordon Sporting Complex

Location: George Gordon Sporting Complex Pavilion

Meeting Date: Thursday 11 March 2021 **Meeting Time:** 5pm

An alternative location suggested – between the cricket nets and toilets. Request made for the playground plans to be forwarded to both Roger Bath and Kyra – footprint to be assessed to fit into the space.

Kyra also concerned that placement near the netball courts in a busy traffic area.

Once a decision has been made as to placement – the Football/Netball Club and Cricket Club to install it, lay soft fall and fence the area. The playground is stored in the Shire Depot awaiting placement.

- Installation of the new fence – works have commenced with projected completion 3-4 weeks. Concern about old stumps being left in place. Contractor to be asked to remove them. Details of height of fence to be forwarded to Roger.

Dareton School teachers will be issued with keys to the Complex and will continue to park inside the Complex. They will be responsible for locking up to maintain security.

- Plans for renovation works on the Complex kitchen are complete. Funding is now being sought. The kitchen will be a full commercial kitchen conforming to industry standard. Once the kitchen is extended – the road adjacent will be cut off to traffic.

- Clean-up around netball courts – the Football Club will attend to the clean-up. Discussion regarding requirement for a retaining wall and swale at the end of the courts, with 2 coat seal. Grassing is not considered to be appropriate. DRE and football representative to conduct a "walk around" of the area.

- The Complex is hosting round 1 of the 2021 Football/Netball season.

- Roger asked if a DA is required for placement of the Avco huts. No power or water required.

User Group Meeting Minutes

User Group: George Gordon Sporting Complex

Location: George Gordon Sporting Complex Pavilion

Meeting Date: Thursday 11 March 2021 **Meeting Time:** 5pm

	<ul style="list-style-type: none"> • Storeroom door in the netball rooms requires attention. • Football and Cricket Clubs to liaise about training nights – clashing at the moment. 										
New Maintenance Requests:	<ul style="list-style-type: none"> • Maintenance of trees along Oleander Avenue. Concern raised about all the trees along the roadside next to the Complex. Council Parks and Gardens Team to be asked to investigate irrigation and replacement. • The old netball courts are beginning to crack. Discussion about the cost of continuous repair versus putting in new courts. Kyra stressed that they are playable in present state. Cr Nunan suggested looking into Club Grants as they are happy to sponsor Junior Sport. Cr Nichols spoke of Council assistance being available. • Require new rubbish bins around the netball courts. Kyra to forward positioning and number to Admin. Officer. <table border="1"> <thead> <tr> <th>Request</th><th>Notes</th></tr> </thead> <tbody> <tr> <td>Date of repair to damaged netball court to be forwarded to Kyra Cumming and Roger Bath:</td><td>CR/21/456. WSC Admin. Officer.</td></tr> <tr> <td>Playground plans to be forwarded to Kyra Cumming and Roger Bath.</td><td>CR/21/457. DRE met with Roger and handed over plans. Roger asked to forward plans to Kyra.</td></tr> <tr> <td>Contractor to be asked to remove old fence stumps.</td><td>CR/21/459. Leigh Driscoll to contact Contractor. (Leigh has contacted the Contractor to remove stumps from old fence).</td></tr> <tr> <td>Height of new fence to be forwarded to Roger Bath</td><td>CR/21/459. Leigh Driscoll to contact Roger. Fence is 1.8meters high with barbed wire extension of 510mm giving a total height of 2310mm.</td></tr> </tbody> </table>	Request	Notes	Date of repair to damaged netball court to be forwarded to Kyra Cumming and Roger Bath:	CR/21/456. WSC Admin. Officer.	Playground plans to be forwarded to Kyra Cumming and Roger Bath.	CR/21/457. DRE met with Roger and handed over plans. Roger asked to forward plans to Kyra.	Contractor to be asked to remove old fence stumps.	CR/21/459. Leigh Driscoll to contact Contractor. (Leigh has contacted the Contractor to remove stumps from old fence).	Height of new fence to be forwarded to Roger Bath	CR/21/459. Leigh Driscoll to contact Roger. Fence is 1.8meters high with barbed wire extension of 510mm giving a total height of 2310mm.
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User Group Meeting Minutes

User Group: George Gordon Sporting Complex

Location: George Gordon Sporting Complex Pavilion

Meeting Date: Thursday 11 March 2021 **Meeting Time:** 5pm

New Maintenance Requests cont.	Request for a swale, retaining wall and sealing of area at the end of the netball courts.	CR/21/462. DRE. Geoff did "walk around" with Roger. DRE to liaise with Director Finance regarding funds to do this.
	Football Club request information of the need for a DA for placement of 2 AVCO huts.	CR/21/464. WSC Admin. Officer. (Following consultation with H&P – a DA is required. Roger has been contacted with this information.)
	Door of the netball storeroom requires attention.	CR/21/465. WSC Admin. Officer. Request forwarded to Technical Officer to action.
	The trees along the side of the Complex require attention – some are dead, all require water.	CR/21/466. WSC Admin Officer. Request forwarded to Parks and Gardens to action as necessary.
	New rubbish bins required around the netball courts.	CR/21/467 WSC Admin Officer. Request forwarded to Civil Works crew to action. Picture of location of new bins from Kyra also forwarded to Trevor.
Date of Next Meeting:	TBA	

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGER'S REPORT

File Number: RPT/20/850

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
Circular 21-02
2. Meetings
As listed
3. Upcoming meetings or events
As listed
4. Other items of note

Recommendation

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

Detailed Report

1. OLG Circulars

1.1 OLG Circular 21-02

Temporary Exemption from the Requirement for Councillors to Attend Meetings in Person

- As of 26 March 2021, Councils are now required under section 10 of the *Local Government Act 1993* to hold meetings of the Council and committees comprising only of Councillors in physical venues and to permit members of the public to attend meetings in person, subject to the requirements of any Public Health Order in force at the time and social distancing requirements.
- The Regulation amendment operates to exempt Councils from the requirement under clause 5.2 of the Model Meeting Code for Councillors to be personally present at a meeting in order to participate in it.
- For the period in which the Regulation amendment is in force, Councils have the option to permit Councillors to attend and participate in meetings remotely by audio-visual link should Councils choose to do so.
- Councils are not required to amend their codes of meeting practice to allow Councillors to attend meetings remotely by audio-visual link while the Regulation amendment is in force but should adopt procedures governing attendance by

Councillors at meetings by audio-visual link to supplement their codes of meeting practice. Suggested procedures are attached to the Circular.

- The Regulation amendment does not apply to joint organisations of Councils or county Councils. The regulation making power under which the Regulation has been amended only allows exemptions to be made for “areas” constituted under Part 1 of Chapter 9 of the Act. These provisions do not apply to joint organisations of Councils or county Councils.
- Joint organisations are already permitted to meet by telephone or other electronic means under clause 397G of the Regulation and the Model Meeting Code. However, it is not possible to exempt county Councils by regulation and members of county Councils will need to continue to attend meetings in person to participate in them until amendments are made to the Model Meeting Code permitting attendance at meetings by audio-visual link.
- In dealing with requests by Councillors to attend meetings by audio-visual link on grounds of illness, disability or caring responsibilities, Councils must ensure they comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002*.

2. Meetings

Following is a list of meetings or events attended by the General Manager for the period of 8 March 2021 – 1 April 2021.

Date	Meeting	Location
9 March 2021	Far West Joint Organisation General Manager's Meeting	Video Conference
9 March 2021	Mayoral Meeting	Wentworth
9 March 2021	Curlwaa Fruitgrowers & Progress Association Meeting	Curlwaa
10 March 2021	Meeting with NSW Crown Land Commissioner, Professor Richard Bush & Director Projects and Engagement, Dr Brendan Logan	Wentworth
11 March 2021	Collaborative Care Briefing with Federal Minister for Regional Health, The Hon Mark Coulton MP & National Rural Health Commissioner, Professor Ruth Stewart	Wentworth
16 March 2021	Mayoral Meeting	Wentworth
17 March 2021	Pre-Meeting Ordinary Council Meeting	Buronga
17 March 2021	Ordinary Council Meeting	Buronga
17 March 2021	Council Tour of Project Sites	Gol Gol
18 March 2021	Ordinary Council Meeting Debrief	Wentworth
18 March 2021	Western Weirs Briefing	Pooncarie
22 March 2021	Collaborative Care Planning Discussion	Video Conference
23 March 2021	Far West Joint Organisation General Manager's Meeting	Video Conference
23 March 2021	Mayoral Meeting	Wentworth
24 March 2021	'When the River Runs Dry' Movie Screening	Mildura
25 March 2021	Preparation for Council Elections Webinar	Video Conference

26 March 2021	Review of Staff Contracts Webinar	Video Conference
26 March 2021	Far West Joint Organisation General Manager's Meeting	Video Conference
30 March 2021	Willow Bend Caravan Park Design Briefing	Buronga
30 March 2021	Mayoral Meeting	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
15 April 2021	Buronga Landfill Site Visit	General Manager & Director Finance & Policy	Buronga
15 April 2021	Wentworth Shire Interagency Group Meeting	Cr Jane MacAllister	Buronga
19 April 2021	Far West Joint Organisation Board Meeting	Mayor, Deputy Mayor & General Manager	Video Conference
19 April 2021	Wentworth Regional Tourism Inc.	Mayor	Coomealla
19 – 21 April 2021	Western Divisions Councils Annual Conference	Mayor, Deputy Mayor, Cr Greg Evans, Cr Steve Heywood, Cr Jane MacAllister, Cr Bill Wheeldon & General Manager	Broken Hill
20 April 2021	Far West Joint Organisation General Manager's Meeting	General Manager	Broken Hill
27 April 2021	Internal Audit & Risk Management Committee Meeting	Mayor, Deputy Mayor, Cr Jane MacAllister, Cr Peter Nunan, General Manager	Wentworth
27 April 2021	Caravan Park Committee Meeting	Mayor, Deputy Mayor, Cr Steve Heywood & General Manager	Wentworth
27 April 2021	Mayoral Meeting	Mayor, Deputy Mayor & General Manager	Wentworth
27 April 2021	Opening of the Cultural and Environmental Immersion Centre	Mayor	Gol Gol

4. Other items of note

Nil

Attachments

1. Circular 21-02 [🔗](#)



Office of
Local Government

Circular to Councils

Circular Details	21-02 / 1 April 2021 / A765862
Previous Circular	21-01 <i>Transitioning back to in-person council and committee meetings and consultation on proposed changes allowing remote attendance at meetings</i>
Who should read this	Councillors / General Managers / All council staff
Contact	Council Governance / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information / Council to Implement

Temporary exemption from the requirement for councillors to attend meetings in person

What's new or changing

- The Office of Local Government (OLG) is currently consulting with councils and others on proposed amendments to the *Model Code of Meeting Practice for Local Councils in NSW* (Model Meeting Code) allowing councillors to attend meetings remotely using audio-visual links. A [discussion paper](#) has been issued and submissions are due on **3 May 2021**.
- The *Local Government (General) Regulation 2005* (the Regulation) has been amended to temporarily exempt councils from complying with the requirement under their codes of meeting practice for councillors to be personally present at meetings to participate in them. The exemption expires on **31 December 2021**.
- The Regulation amendment will operate to allow councils to permit councillors to attend meetings remotely by audio-visual link while OLG consults on the new provisions of the Model Meeting Code and until such time as councils are able to adopt them.

What this will mean for your council

- As of **26 March 2021**, councils are now required under section 10 of the *Local Government Act 1993* to hold meetings of the council and committees comprising only of councillors in physical venues and to permit members of the public to attend meetings in person, subject to the requirements of any Public Health Order in force at the time and social distancing requirements.
- The Regulation amendment operates to exempt councils from the requirement under clause 5.2 of the Model Meeting Code for councillors to be personally present at a meeting in order to participate in it.
- For the period in which the Regulation amendment is in force, councils have the option to permit councillors to attend and participate in meetings remotely by audio-visual link should councils choose to do so.
- Councils are not required to amend their codes of meeting practice to allow councillors to attend meetings remotely by audio-visual link while the Regulation amendment is in force but should adopt procedures governing attendance by councillors at meetings by audio-visual link to supplement their codes of meeting practice. Suggested procedures are attached to this circular.

Office of Local Government
5 O'Keefe Avenue NOWRA NSW 2541
Locked Bag 3015 NOWRA NSW 2541
T 02 4428 4100 F 02 4428 4199 TTY 02 4428 4209
E olg@olg.nsw.gov.au W www.olg.nsw.gov.au ABN 20 770 707 468

- The Regulation amendment does not apply to joint organisations of councils or county councils. The regulation making power under which the Regulation has been amended only allows exemptions to be made for “areas” constituted under Part 1 of Chapter 9 of the Act. These provisions do not apply to joint organisations of councils or county councils.
- Joint organisations are already permitted to meet by telephone or other electronic means under clause 397G of the Regulation and the Model Meeting Code. However, it is not possible to exempt county councils by regulation and members of county councils will need to continue to attend meetings in person to participate in them until amendments are made to the Model Meeting Code permitting attendance at meetings by audio-visual link.
- In dealing with requests by councillors to attend meetings by audio-visual link on grounds of illness, disability or caring responsibilities, councils must ensure they comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002*.

Where to go for further information

- Suggested procedures for attendance by councillors at meetings using audio-visual link are attached to this circular.
- The *Remote Attendance by Councillors at Council Meetings* consultation paper is available on OLG’s website [here](#).
- Guidance on the Health Privacy Principles is available [here](#).
- For further information please contact the Council Governance Team on 02 4428 4100 or by email at olg@olg.nsw.gov.au.



Tim Hurst
Deputy Secretary
Local Government, Planning and Policy

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ATTACHMENT

Procedures for attendance by councillors at meetings by audio-visual link

What is an “audio visual link”

- For the purposes of these procedures, an audio-visual link is a facility that enables audio and visual communication between persons at different places.

Approval for councillors to attend meetings by audio visual link

- The council and committees of the council comprising wholly of councillors may, in response to a request made by a councillor, resolve to permit the councillor to attend one or more meetings of the council or committee remotely by audio visual link where it is satisfied that the councillor will be prevented from attending the meeting/s in person because of illness, disability, caring responsibilities, or such other reason that is acceptable to the council or committee.
- Requests by councillors to attend meetings remotely by audio-visual link must be made in writing to the General Manager at least *[council to specify a timeframe that is consistent with the timeframe for lodging notices of motion]* business days before a meeting, and must provide information about the meetings the councillor will be prevented from attending in person and the reason why the councillor will be prevented from attending the meeting/s in person.
- A resolution by the council or a committee of the council permitting a councillor to attend one or more meetings by audio-visual link must provide the following information:
 - the grounds on which the councillor is being permitted to attend meetings remotely by audio visual link, but not where those grounds relate to illness, disability or caring responsibilities, and
 - details of the meetings the resolution applies to.
- The council or committee of the council may permit more than one councillor to attend a meeting by audio-visual link but must not permit all councillors to attend a meeting by audio-visual link.
- A decision to permit a councillor to attend a meeting remotely by audio-visual link is at the council's or the committee's discretion. The council and its committees must act reasonably when considering requests by councillors to attend meetings remotely by audio-visual link.
- The council and its committees are under no obligation to permit a councillor to attend a meeting remotely by audio-visual link where the technical capacity does not exist to allow the councillor to attend a meeting by these means.
- The council and its committees may refuse a councillor's request to attend a meeting remotely by audio-visual link where the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or comply with the council's code of meeting practice on one or more previous occasions when they have attended a meeting of the council or its committees by audio-visual link.

Attendance by councillors at meetings by audio visual link

- Where a councillor attends a meeting by audio-visual link with the approval of the council or a committee of the council they are to be taken as attending the meeting in person for the purposes of the council's code of meeting practice and will have the same voting rights as if they were attending the meeting in person.
- The council's code of meeting practice will apply to a councillor attending a meeting remotely by audio-visual link, in the same way it would if the councillor was attending the meeting in person.
- Councillors must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link.
- Councillors must be appropriately dressed when attending meetings by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.
- Where a councillor attends a meeting of the council or a committee of the council by audio-visual link, the minutes of the meeting must record that they attended the meeting by audio-visual link.

Conflicts of interest

- Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct.
- Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

Confidentiality

- Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting has been closed to the public under section 10A of the *Local Government Act 1993*.

Maintenance of order

- Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with the council's code of meeting practice.
- If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Compliance with the Health Privacy Principles

- The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting remotely by audio-visual link.

9.2 REQUEST TO AMEND THE DATE OF JUNE ORDINARY COUNCIL MEETING

File Number: RPT/21/171

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

Objective: 2.0 Wentworth is a desirable Shire to visit, live, work and invest
 Strategy: 2.1 Grow visitation to the Shire by developing a quality visitor experience and promoting our destination

Summary

The Mayor and General Manager have been nominated to attend the 2021 National General Assembly of Local Government in Canberra on 20-23 June 2021.

The Ordinary Council Meeting is also scheduled for 23 June 2021.

It is proposed that Council consider amending the date of the June Ordinary Council Meeting from 23 June 2021 to 30 June 2021 to allow the Mayor and General Manager to attend the 2021 National General Assembly of Local Government which is scheduled for 20-23 June 2021.

Recommendation

That Council amend the date of the June Ordinary Council Meeting from 23 June 2021 to 30 June 2021.

Detailed Report

Purpose

The purpose of this report is for Council to consider amending the June Ordinary Council Meeting from 23 June 2021 to 30 June 2021 to allow the Mayor and General Manager to attend the 2021 National General Assembly of Local Government in Canberra from 20-23 June 2021.

Background

At the January 2021 Ordinary Council Meeting it was resolved that the Mayor and General Manager be nominated to attend the 2021 National General Assembly of Local Government in Canberra. There is however a clash of dates and to allow the Mayor and General Manager to attend, consideration will need to be given to change the date of the June Ordinary Council Meeting. The National General Assembly is an important opportunity for Councils to identify and discuss national issues of priority for the sector.

Conclusion

Due to the clash of dates of the 2021 National General Assembly of Local Government being held on 20-23 June 2021, and the June Ordinary Council being scheduled for 23 June 2021, it is recommended that Council amend the June Ordinary Council Meeting from 23 June 2021 to 30 June 2021.

Attachments

Nil

9.3 2021 FLOODPLAIN MANAGEMENT AUSTRALIA NATIONAL CONFERENCE

File Number: RPT/21/186

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: 3.3 Prepare for natural disasters, biosecurity risks and climate change

Summary

The 2021 Floodplain Management Australia National Conference is being held from 26 May to 28 May 2021 online. This year's theme is "Essential Knowledge for a Flood Resilient Future".

Recommendation

That Council notes the report and determines whether to nominate a delegate to attend the 2021 Floodplain Management Australia National Conference being held from 26 May to 28 May 2021 online.

Detailed Report

Purpose

The purpose of this report is to determine whether to nominate a delegate to virtually attend the 2021 Floodplain Management Australia National Conference.

Report

The 2021 Floodplain Management Australia National Conference is being held from 26 May to 28 May 2021 online. The theme of the Conference this year is "Essential Knowledge for a Flood Resilient Future", which will focus on the latest developments and achievements in flood and emergency management to assist in identifying, planning for, and managing flood risks, and building disaster resilient communities.

The Conference is for anyone interested in making our communities more flood safe. It will bring together flood professionals and community members with interests in floodplain risk management. Attendees will include Commonwealth, State and Local Government representatives, research organisations and education providers as well as consultants, engineers, land-use planners, emergency responders and community volunteer organisations.

The Conference will be a way to maintain engagement with the industry, network, share ideas, discuss industry topics, and have no concerns about border closures or quarantine costs.

Councillor Bill Wheeldon OAM is Council's nominated representative on the Floodplain Management Committee and has previously attended the FMA National Conference as Council's representative.

The cost of attendance is \$150 per person for the three-day online Conference.

Attachments

1. 2021 Online Floodplain Management Australia National Conference Program [↓](#)

(correct at 23rd March, subject to change)**Tuesday 25th May 2021****Pre-Conference Dinner**

Face to Face Dinner in Brisbane, Sydney, and Melbourne (details tbc)
Brisbane Function Sponsored by BMT

Wednesday 26th May 2021

Session 1 10.00am-11.20am	Session 1 - Plenary		
10.00am	MC Welcome & Acknowledgment of Country Welcome from Floodplain Management Australia Ian Dinham, President, Floodplain Management Australia Platinum Sponsor Address Keynote Address		
11.20am – 11.30am	Short Break + Sponsor Videos		
Session 2 11.30am – 1.00pm	2A: Flood Policy, Guidance and Best Practice	2B: Modelling	2C: Emergency Preparedness, Response and Recovery
11.30am – 12.00pm	Application of Best Practice Floodplain Management from Strategic Planning to Localised Flood Mitigation: A Comparison of National and International Approaches William Prentice, Jeremy Benn Pacific	Drivers of Flooding in the Hawkesbury Mark Babister, WMAwater	How an App is Helping to Gather Local Flood Information and Intelligence Jo Kegg, Victoria State Emergency Service
12.00pm – 12.30pm	Development of National Messaging for Flood Safety Mel Taylor, Macquarie University	What is the Flood Risk? Mapping the 1%AEP Flood Depth Across SA Belinda Skilton, Department for Environment and Water SA	Community Flood Planning in Tasmania Emma Gardner, SES TAS
12.30pm – 1.00pm	A Risk-based Approach to Contemplating the F-word (freeboard) Portia Rigby, Moreton Bay Regional Council	Rapid Flood Risk Assessments: the High-value, Low-cost Solution Camille White, North Central Catchment Management Authority & Andrew Northfield, HARC	Going from “Prevention” to “Managing the Consequences” – Having a Consequence Management Plan Fred Spain, NSW Public Works Advisory
1.00pm – 1.30pm	Lunch & Poster Presentations		
Session 3 1.30pm – 3.00pm	3A: NSW Department of Planning, Industry and Environment	3B: Environmental Aspects, Climate Change, Coastal Hazards and Adaptation	3C: 10 Minute Presentations
1.30pm – 2.00pm	NSW Floodplain Development Manual Duncan McLuckie, Department of Planning, Industry and Environment	Theres a Better Way - Integrated Catchment Planning Adam Berry, Synergy Solutions	Northland Regional Council Flood Modelling Using Rain-on-Grid (Sub Grid Sampling) Lachlan Inglis, Water Technology Pty Ltd

10 Minute Presentation TBA			
2.00pm – 2.30pm	NSW Floodplain Development Manual Toolkit Duncan McLuckie, <i>Department of Planning, Industry and Environment</i>	Risk (reduction) Vs. (environmental) Reward: The Juxtaposition Between Detention Basin Risk Mitigation and Shortfalls in Realising Environmental Potential. A Discussion Nick Lewis, <i>Royal HaskoningDHV</i>	Extreme Design Hydrology - Lessons Learnt During 2020 Revisions Lucas Hughes, <i>Sunwater</i> <i>Young Floodplain Manager Member</i> A Better Understanding of Losses in an Urban Catchment Through Continuous Simulation Iain Brown, USQ
2.30pm – 3.00pm	Flood Damages – A New Tool for NSW Rhys Thomson, <i>Rheln</i>	Rehydrating the Floodplain to Save the Endangered Green and Golden Bell Frog Prawi Woods, <i>Catchment Simulation Solutions</i> <i>Young Floodplain Manager Member</i>	Real-time Flood Models Coupled with WAZE for Live Road Closures and Traffic Routing Juliette Murphy <i>FloodMapp</i> Upgrading Linear Infrastructure to Provide A Flood Resilient Future For Regional Communities Samuel Drysdale, <i>Kellogg Brown & Root (KBR)</i> <i>Young Floodplain Manager Member</i>
3.00pm – 3.15pm	Short Break + Sponsor Videos		
Session 4 3.15pm – 3.45pm	FMA - NRMA Insurance Flood Risk Management Project of the Year Award Presentation		
Session 5 3.45pm – 4.45pm	5A: Queensland Reconstruction Authority	5B: Environmental Aspects, Climate Change, Coastal Hazards and Adaptation	5C: Social and Cultural Aspects
3.45pm – 4.15pm	Implementation of the Brisbane River Strategic Floodplain Management Plan – a Progress Update Brendan Moon, <i>Queensland Reconstruction Authority</i>	Residual Risk Beyond the 1% AEP Planning Level and Climate Change Philip Conway, <i>IAG</i>	Flooding and Vulnerability – Preparing High-risk Communities Madeleine Dignam, <i>Infrastructure NSW</i>
4.15pm – 4.45pm	A Framework for Flood Risk Management in Queensland Brendan Moon, <i>Queensland Reconstruction Authority</i>	A National View of Storm Tide Flooding in Australia Thomas Mortlock, <i>Risk Frontiers</i>	Is Your Floodplain Management Strategy Working? Innovative Social Research in the Wimmera Neil Dufty & Jenni Kremer, <i>Molino Stewart</i>
4.45pm	End of Day 1		

Thursday 27 th May 2021				
Session 6 10.00am – 12.00pm		Session 6 - Plenary		
10.00am	Welcome to Day Two			
10.05am	State and Territory Presentations			
10.55am	Keynote Speaker			
11.40am	Silver Sponsor “Cardno” Address			
11.45am – 12.00pm	Short Break + Sponsor Videos			
Session 7 12.00pm – 1.00pm		7A: Flood Stories	7B: Social and Cultural Aspects	7C: 10 Minute Presentations
12.00pm – 12.30pm	Ten Years on from the 2011 Floods: is Queensland More Flood-resilient? Brendan Moon, <i>Queensland Reconstruction Authority</i>	Increasing the Frequency of Flooding in Lake Gorrie: Not All Floods Need to Be Mitigated Isabelle Testoni, <i>Catchment Simulation Solutions Young Floodplain Manager Member</i>	Climate Change Flood Impacts on Planning - a Victorian Perspective Warwick Bishop, <i>Water Technology</i>	
12.30pm – 1.00pm	The Lockyer Valley – Knowing the Past – Protecting the Future Quentin Underwood,	Aboriginal Storytelling of Flooding in the Hunter Valley Catchment, NSW Claire Turrell, <i>NSW Government, Department of Planning Industry and Environment</i>	Short-duration, Heavy Rainfall is Intensifying (conditions May Apply) Luke Osburn <i>Bureau of Meteorology</i>	
			Integrating Environmental Criteria in Statutory Floodplain Management Plans to Protect Floodplain Ecology Simon Hunter, <i>Department of Planning, Industry and Environment</i>	
			Could School Flood Education Be the Catalyst for Advancing Women in STEM? Catherine Walker, <i>Cardno Young Floodplain Manager Member</i>	
1.00pm – 1.30pm	Lunch & Poster Presentations			
Session 8 1.30pm – 3.00pm		8A: ARR	8B: Flood Policy, Guidance and Best Practice	8C: Data, Devices and Information Management
1.30pm – 2.00pm	What Have We Learnt About Temporal Patterns and the New ARR Monique Retallick, <i>WMAwater</i>	Should Flood Damage Estimates Discount for Warning Time and Previous Experience? Stephen Yeo	Smart Stormwater and Flash Flood Risk Management in the Illawarra Shoalhaven Isabelle Ghetti, <i>Wollongong City Council</i>	
2.00pm – 2.30pm	No Single Point of Interest! Application of ARR2019 Principles in Catchment-wide Analysis Brian Sexton, Arup & Edward Funnell, HARC	Flood Resilient Building Controls – Next Generation Guidance for the Hawkesbury Nepean Floodplain Louise Collier, <i>Rhelm</i>	Leveraging The Cloud For Enhanced Communication of Flood Risk – The COVID19 Legacy Cameron Druey, <i>Worley</i>	
2.30pm – 3.00pm	Benchmarking ARR2019 for Victoria David Stephens, <i>HARC</i>	A Review of Australian Models to Predict Direct Tangible Flood Damages: Do We Need Better Tools? Filippo Dall’Osso, <i>Molino Stewart Young Floodplain Manager Member</i>	Application of Generalised Building Vulnerability Curves in Flood Prone Communities Tariq Maqsood, <i>RMIT University</i>	

3.00pm – 3.15pm	Short Break + Sponsor Videos	
Session 9 3.15pm – 4.45pm	9A: FMA Quarterly Meeting	9B: Workshop
3.15pm – 4.45pm		
4.45pm	End of Day 2	
Young Floodplain Managers Networking Dinner (details tbc)		

Friday 28 th May 2021			
10.00am – 11.30am	Session 10 – Plenary		
10.00am	Welcome to Day Three		
10.05am	Sponsor Address		
10.10am	FMA Allan Ezzy Flood Risk Manager of the Year Award Presentation		
10.25am	Keynote Address		
Session 11 11.00am – 1.00pm	11A: Modelling	11B: Infrastructure Projects and Asset Management	11C: 10 Minute Presentations
11.00am – 11.30am	Testing of New HEC-RAS 6.0 Rain-On-Grid Solution Mark Forest, <i>HDR International Presenter</i>	Flood Mitigation Infrastructure Landowner Consultation – Engineers Can Do the Talking Ed Henty, <i>Dryside Engineering</i>	The Influence of Floodplain Characteristics on Property Average Annual Flood Damage Estimates Hayden Guse, <i>WRM Water & Environment Young Floodplain Manager Member</i>
11.30am – 12.00pm	The Art of Roughness: AI for High-Precision Model Development Jordan Maultby, <i>AECOM Young Floodplain Manager Member</i>	Presentation TBA	PUB Singapore Implements New Data-Driven Solution to Smart Drainage Grid System Chris Heyer, <i>Aquatic Informatics</i>
12.00pm – 12.30pm	Solving the Mystery: Multiple Flood Mechanisms at Wallacia Mikayla Ward, <i>WMAwater Young Floodplain Manager Member</i>	Levees – Gate the Gap Belinda Barker, <i>AWMA Pty Ltd</i>	UAV LiDAR Capture Utilised to Enhance and Increase Accuracy in Flood Modelling Adam De Clouett, <i>Shellharbour City Council</i>
12.30pm – 1.00pm	Lunch & Poster Presentations		
Session 12 1.00pm – 3.00pm	12A: Land Use Planning	12B: Modelling	12C: Flood Stories
1.00pm – 1.30pm	Risk-based Planning – Living with Risk and Avoiding Panaceas Richard Sharp, <i>Water Technology</i>	Realising the Benefits of Alternative Flood Modelling Techniques While Managing User and Customer Risks Jean-Michel Benier, <i>Melbourne Water Corporation</i>	Toward Understanding Householder Flood Preparedness Willow Forsyth, <i>University of Newcastle</i>
1.30pm – 2.00pm	Shaping Flood Resilient Cities: “washing” Flood Resilience Through Land Use Planning Instruments Shannon Haines, <i>Ethos Urban</i>	Flood Model Calibration – Impacts of Rating Curve Accuracy and Catchment Changes over Time David Whyte, <i>Cardno</i>	How Effective Are Flood Emergency Plans in Practice? Andrew Gissing, <i>Risk Frontiers</i>
			The Swan and Helena River Studies Developed to Inform Flood Resilience Anne Kolega, <i>BMT Commercial Australia</i>
			What Happens when You Fail to Properly Conceptualise Flooding? Terry Kefalianos, <i>Department of Water and Environmental Regulation</i>

2.00pm – 2.30pm	Dilemmas of a Land-use Planner in Hawkesbury's Extreme Flood Plains Sunehla Bala, <i>Hawkesbury City Council</i>	Flood Early Warning System for Small Rural Townships: Warning Dissemination and Communication Phase 1 Graham Bebington & Danielle Danielsson, <i>Toowoomba Regional Council</i>	Capturing and Integrating Local Knowledge and Stories in the Condamine Floodplain Modelling Martin Boshoff, <i>AECOM Australia</i>
2.30pm – 2.55pm	If They Go in Can They Get Out? Georges River Evacuation Modelling Steven Molino, <i>Molino Stewart</i>	Distinguishing between the need for Flood Impact or Flood Risk Assessment Chris Thomas, <i>Advisian</i>	Strategic Review of the Hunter Valley Flood Mitigation Scheme Claire Turrell, <i>NSW Department of Planning Industry and Environment</i>
2.55pm – 3.10pm	Online Conference Wrap-up		

9.4 MONTHLY FINANCE REPORT

File Number: RPT/21/174

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 March 2021 were \$728,193.75. After allowing for pensioner subsidies, the total levies collected are now 74.77%. For comparison purposes 73.34% of the levy had been collected at the end of March 2020. Council currently has \$29,016,242.07 in cash and investments.

Recommendation

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 31 March 2021

The reconciliation has been carried out between the Cash Book of each fund and the Bank Pass Sheet as at 31 March 2021.

	Combined Bank Account
Cash Balance as at 1 March 2021	\$ 2,392,675.88
Add: Receipts for the Period Ending 31 March 2021	\$ 6,891,144.42
Rates, Debtors, Miscellaneous	
Less: Payments for the Period Ending 31 March 2021	
Cash Book entries for this Month	\$ 5,761,862.02
Cash Balance at at 31 March 2021	\$ 3,521,958.28
Investments	
Total Investments as at 31 March 2021	\$ 29,016,242.07
TOTAL	\$ 32,538,200.35

Collection of Rates and Charges

Rates and Charges collections for the month of March 2021 were \$728,193.75. After allowing for pensioner subsidies, the total levies collected are now 74.77%. A summary of the Rates and Charges situation as at 31 March 2021 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	1,292,660.75	
+ Supplementary Rates and Charges	68,494.00	
+ Additional Charges	25,702.94	
- Credit Adjustments	20,255.95	
- Abandonments	3,364.04	\$ 11,763,973.18
Deductions		
- Payments	8,619,452.80	
- Less Refunds of Payments	7,923.12	\$ 8,611,529.68
		\$ 3,152,443.50
- Pensioner Subsidy		
Government Subsidy	101,193.57	
Council Subsidy	82,794.74	\$ 183,988.31
Total Rates/Water Charges Outstanding		\$ 2,968,455.19

Note: For comparison purposes 73.34% of the levy had been collected at the end of March 2020.

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	\$ 408,699.32	30/01/2025
Loan 202	ANZ Bank	Civic Centre	3.470% Fixed	\$ 850,000.00	\$ 680,487.32	21/10/2026
Loan 203	National Australia Bank	Midway Centre	3.586% Fixed	\$ 1,900,000.00	\$ 1,691,317.06	28/04/2023
Loan 204	Bendigo Bank	Buronga Landfill	5.290% Fixed	\$ 1,500,000.00	\$ 1,320,793.87	12/05/2037
				TOTAL	\$ 4,101,297.57	

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 March 2021.

Account	Date	Amount	Comment
Debtors			
Sunraysia Aero Modellers club	12/03/2021	1304.00	Event was cancelled due to COVID
Rates			
2068	2/03/2021	5.63	Interest generated incorrectly on rate account
869	2/03/2021	15.51	Interest - Paid water payment into water instead of rates
4551	10/03/2021	213.32	Reduction of rates due to valuation objection
126	9/03/2021	932.12	Reduction of rates due to valuation objection
Water			
1277	2/02/2021	0.48	Paid into rates instead of water - interest then generated on water
281-01	26/03/2021	1000.00	Reduction in water usage charges due to water leak

Overtime and Travelling

Month	Mar-21	Pay Periods	19 & 20	
Overtime				
	Time and a Half		Double Time	
Department	Hours	Amount	Hours	Amount
Animal Services	5.00	\$ 235.05	8.25	\$ 512.56
Civil Works	2.50	\$ 112.44	2.00	\$ 174.37
Finance	9.00	\$ 663.16	4.00	\$ 449.69
Parks & Gardens	18.00	\$ 697.85	15.00	\$ 762.84
Roads - Council	183.00	\$ 7,857.82	26.00	\$ 1,524.61
Roads - RMS	89.50	\$ 4,302.87	78.50	\$ 5,056.65
Roads & Eng Indoor	32.75	\$ 2,167.03	11.00	\$ 991.03
Waste Management	4.00	\$ 220.04	3.00	\$ 366.74
Water & Waste Water	73.00	\$ 3,548.46	82.00	\$ 5,139.58
Total	416.75	\$ 19,804.72	229.75	\$ 14,978.07
Travel Allowance				
Department	Kms	Amount		
Health & Planning	736	\$ 574.08		
Roads & Eng Indoor	1,396	\$ 1,088.88		
Total	2,132	\$ 1,662.96		
Grand Total		36,445.75		

Conclusion

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

Attachments

Nil

9.5 MONTHLY INVESTMENT REPORT

File Number: RPT/21/179

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 March 2021 Council had \$20 million invested in term deposits and \$12,538,200.35 in other cash investments. Council received \$13,308.59 from its investments for the month of March 2021.

In March 2021 Council investments averaged a rate of return of 0.44% and it currently has \$6,681,129.01 of internal restrictions and \$15,936,363.24 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 31 March 2021 Council had \$32,538,200.35 invested with nine (9) financial institutions.

Breakdown of Total Funds Available

Financial Institution	Amount	% of Available Funds
AMP	\$ 3,009,622.19	9.25%
Bank of Queensland	\$ 1,000,000.00	3.07%
Bendigo Bank	\$ 5,521,958.28	16.97%
Commonwealth Bank	\$ 4,000,000.00	12.29%
IMB Bank	\$ 1,000,000.00	3.07%
Macquarie Bank	\$ 6,004,855.09	18.45%
Members Equity Bank	\$ 2,001,764.79	6.15%
National Australia Bank	\$ 6,000,000.00	18.44%
Westpac	\$ 4,000,000.00	12.29%
TOTAL	\$ 32,538,200.35	87.71%

Investments on Hand as at 31 March 2021

Term Deposits

Investee	Date Invested	Date of Maturity	Effective Interest Rate	Amount Invested	Rating
Bank of Queensland (6)	22/10/2020	22/07/2021	0.60%	\$ 1,000,000.00	A2/BBB+
Bendigo Bank (1)	24/08/2020	20/05/2021	0.65%	\$ 1,000,000.00	A2/BBB+
Bendigo Bank (7)	29/03/2021	27/09/2021	0.30%	\$ 1,000,000.00	A2/BBB+
Commonwealth Bank	15/12/2020	15/06/2021	0.42%	\$ 1,000,000.00	A1+/A
Commonwealth Bank (2)	15/01/2021	14/07/2021	0.37%	\$ 1,000,000.00	A1+/A
Commonwealth Bank (3)	29/01/2021	26/10/2021	0.40%	\$ 1,000,000.00	A1+/A
Commonwealth Bank (4)	11/02/2021	10/08/2021	0.35%	\$ 1,000,000.00	A1+/A
IMB Bank	9/03/2021	9/06/2021	0.97%	\$ 1,000,000.00	A2/BBB
Macquarie Bank	8/10/2020	8/04/2021	0.55%	\$ 1,000,000.00	A1/A+
Macquarie Bank (3)	12/02/2021	14/05/2021	0.30%	\$ 1,000,000.00	A1/A+
National Australia Bank (2)	9/02/2021	9/08/2021	0.35%	\$ 1,000,000.00	A1+/AA-
National Australia Bank (3)	28/10/2020	26/04/2021	0.50%	\$ 1,000,000.00	A1+/AA-
National Australia Bank (4)	31/08/2020	28/05/2021	0.75%	\$ 1,000,000.00	A1+/AA-
National Australia Bank (6)	23/02/2021	19/01/2022	0.35%	\$ 1,000,000.00	A1+/AA-
National Australia Bank (7)	29/03/2021	28/06/2021	0.30%	\$ 1,000,000.00	A1+/AA-
National Australia Bank (8)	25/02/2021	21/01/2022	0.35%	\$ 1,000,000.00	A1+/AA-
Westpac Banking Corporation (1)	24/02/2021	24/11/2021	0.30%	\$ 1,000,000.00	A1+/AA-
Westpac Banking Corporation (2)	3/03/2021	3/12/2021	0.32%	\$ 1,000,000.00	A1+/AA-
Westpac Banking Corporation (3)	8/03/2021	8/11/2021	0.30%	\$ 1,000,000.00	A1+/AA-
Westpac Banking Corporation (4)	25/03/2021	25/02/2022	0.33%	\$ 1,000,000.00	A1+/AA-
Total Term Deposits				<u><u>\$ 20,000,000.00</u></u>	

Other Cash Investments

Investee	Date Invested	Date of Maturity	Effective Interest Rate	Amount Invested	Rating
Bendigo Bank - Operating A/c	N/A	Ongoing		\$ 3,521,958.28	A2/BBB+
AMP (11)	23/10/2020	Ongoing	0.55%	\$ 3,009,622.19	A2/BBB+
Macquarie Bank (4) - Ongoing	3/12/2020	Ongoing	0.35%	\$ 4,004,855.09	A1/A+
Members Equity Bank - Ongoing (5)	1/12/2020	Ongoing	0.40%	\$ 2,001,764.79	A2/BBB
Total Other Cash Investments				<u><u>\$ 12,538,200.35</u></u>	

Total Funds Available

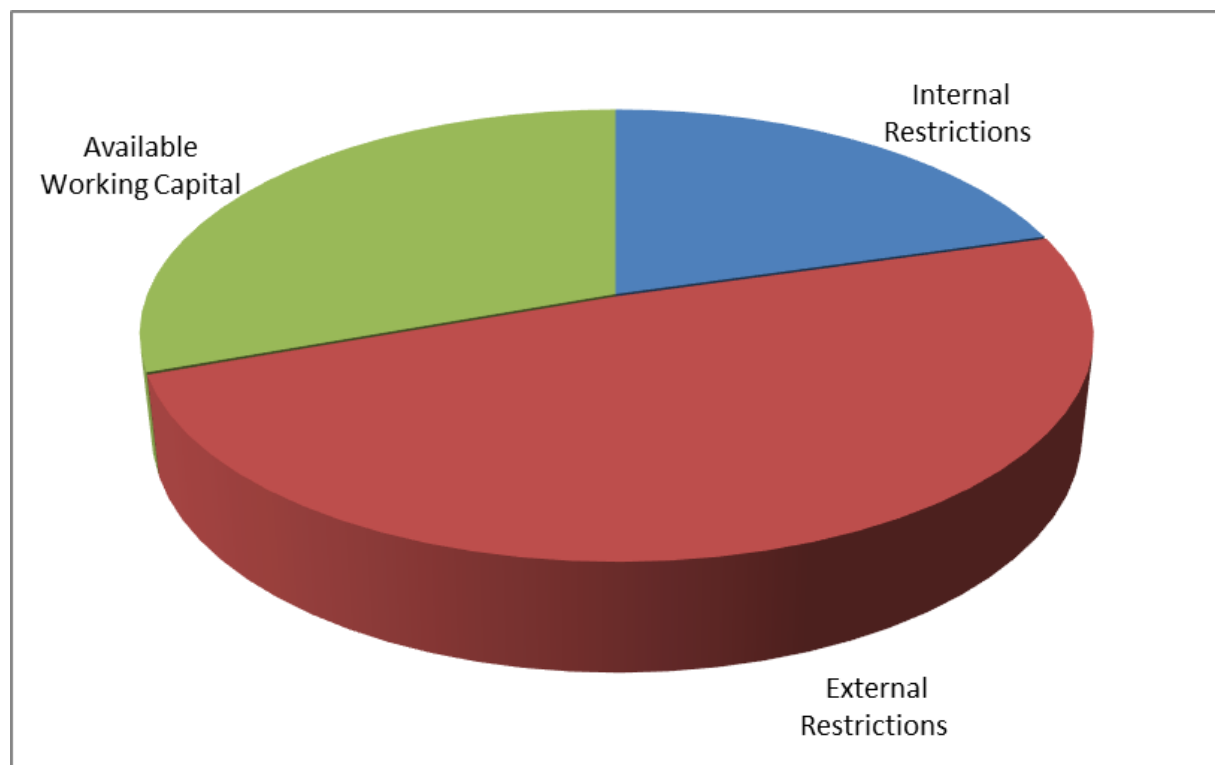
\$ 32,538,200.35

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

Restrictions

Internal Restrictions		
- Employee Entitlements	\$ 2,376,437.00	
- Doubtful Debts	\$ 115,367.00	
- Future Development Reserve	\$ 1,113,213.94	
- Trust Account	\$ 576,111.07	
- Capital Projects	\$ 1,000,000.00	
- Plant Replacement Reserve	\$ 1,500,000.00	\$ 6,681,129.01
External Restrictions		
- Water Fund	\$ 9,652,391.56	
- Sewer Fund	\$ 2,766,234.27	
- Developer Contributions Reserve	\$ 639,646.61	
- Unexpended Grants	\$ 2,053,185.00	
- Crown Reserves Reserve	\$ 289,128.84	
- Loan Guarantee Reserve	\$ 3,162.86	
- Prepayments Cemeteries	\$ 532,614.10	\$ 15,936,363.24
Day to Day Liquidity		\$ 9,920,708.10
Total Funds Available		\$ 32,538,200.35

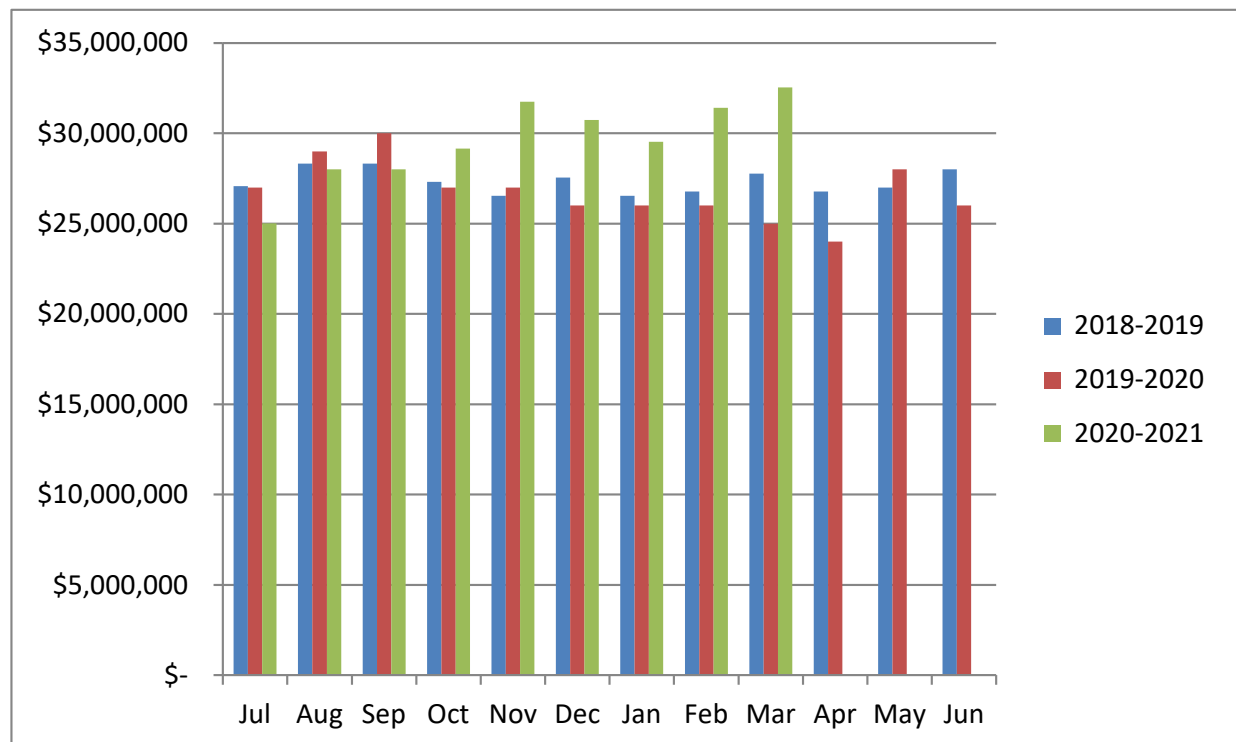
Breakdown



Summary – Unexpended Grants as at 31 March 2021

Grant	Amount
Pooncarie Weir	\$ 77,746.00
RFS Repairs & Maintenance Grant	\$ 24,965.00
NSW Fixing Local Roads	\$ 1,450,474.00
State Library Infrastructure Grant	\$ 500,000.00
Total	\$ 2,053,185.00

Total Funds Invested

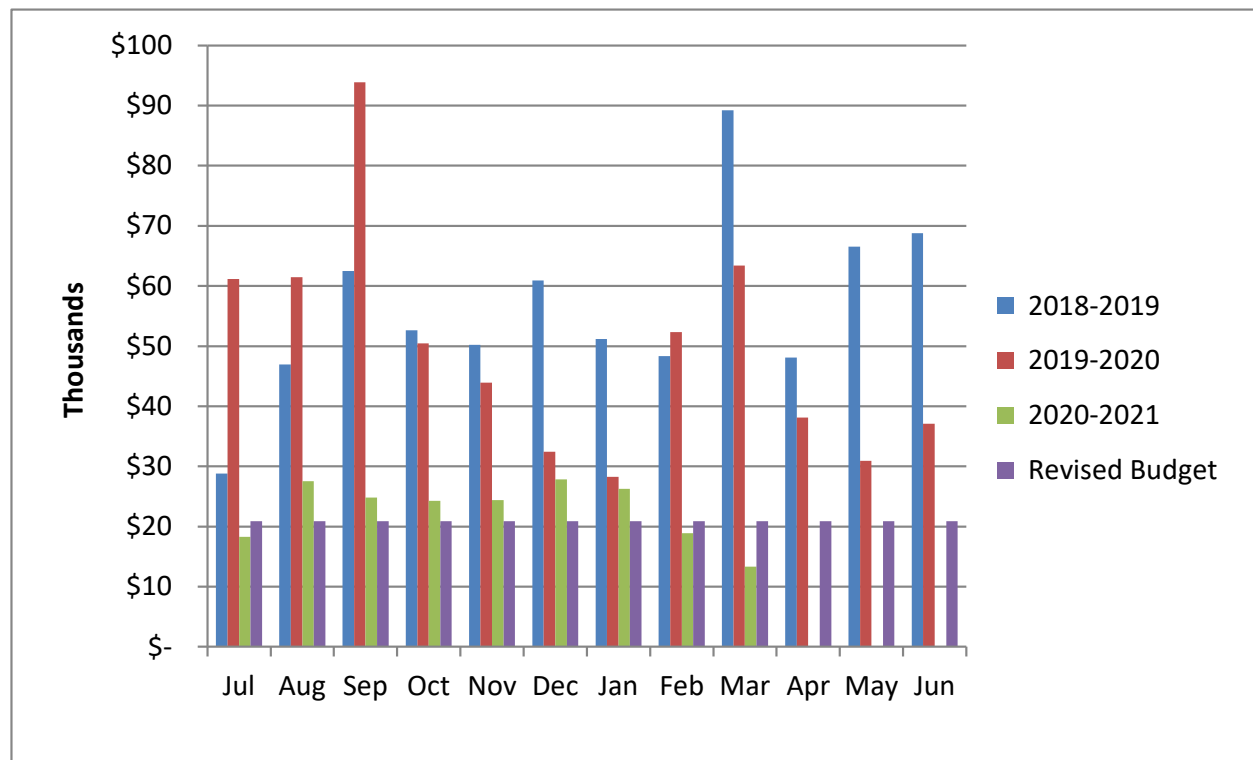


Four (4) term deposits and three (3) other accounts matured or provided interest in March earning Council \$13,308.59 in interest. The revised budget for March was \$20,916.67 following the reduction in interest revenue adopted in the September Quarterly Budget Review. Year to date Council has received \$205,773.17 in interest. The revised year to date budget is \$188,250.

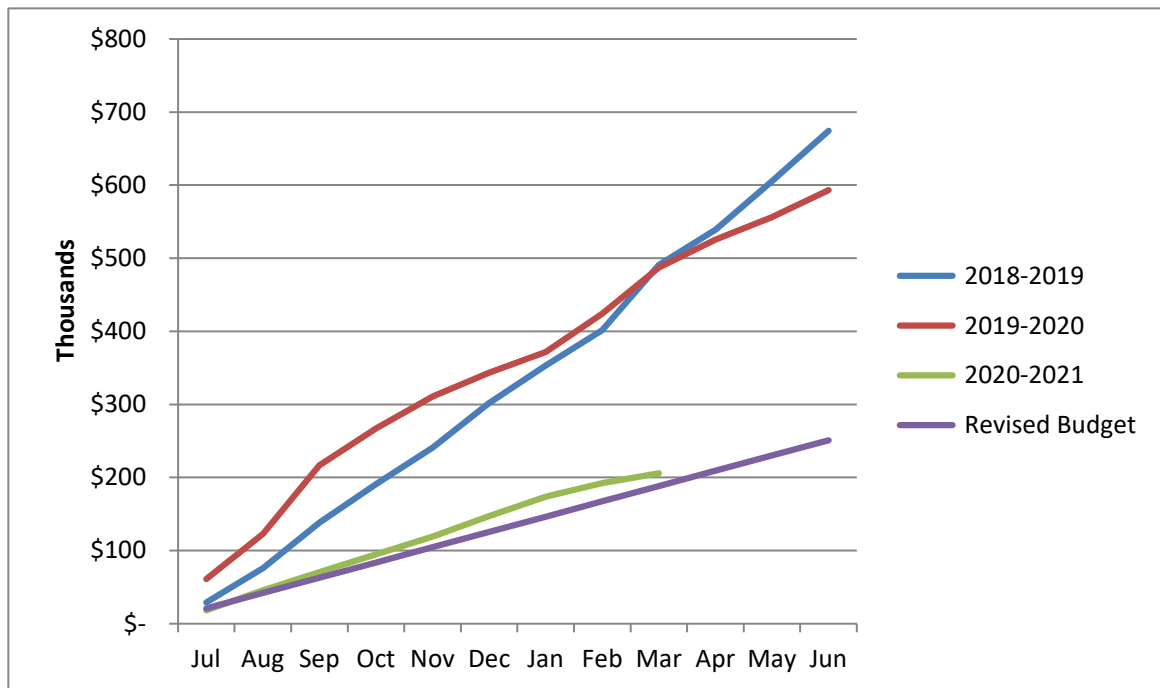
Investment Revenue in March 2021

Investee	Date Invested	Date of Maturity	Effective Interest Rate	Amount Invested	Interest Earned
Term Deposits					
Bendigo Bank	29/09/2020	29/03/2021	0.50%	\$1,000,000.00	\$2,479.45
National Australia Bank	28/09/2020	29/03/2021	0.60%	\$1,000,000.00	\$2,991.79
Bank of Queensland	2/09/2020	3/03/2021	0.70%	\$1,000,000.00	\$3,490.41
IMB Bank	9/12/2020	9/03/2021	0.97%	\$1,000,000.00	\$2,391.78
Other Cash Investments					
AMP	23/10/2020	Ongoing	0.55%	\$3,009,622.19	\$1,845.87
Macquarie Bank	3/12/2020	Ongoing	0.35%	\$4,004,855.09	\$109.29
Members Equity Bank	1/12/2020	Ongoing	0.40%	\$2,001,764.79	
Total					\$13,308.59

Investment Revenue received March 2021

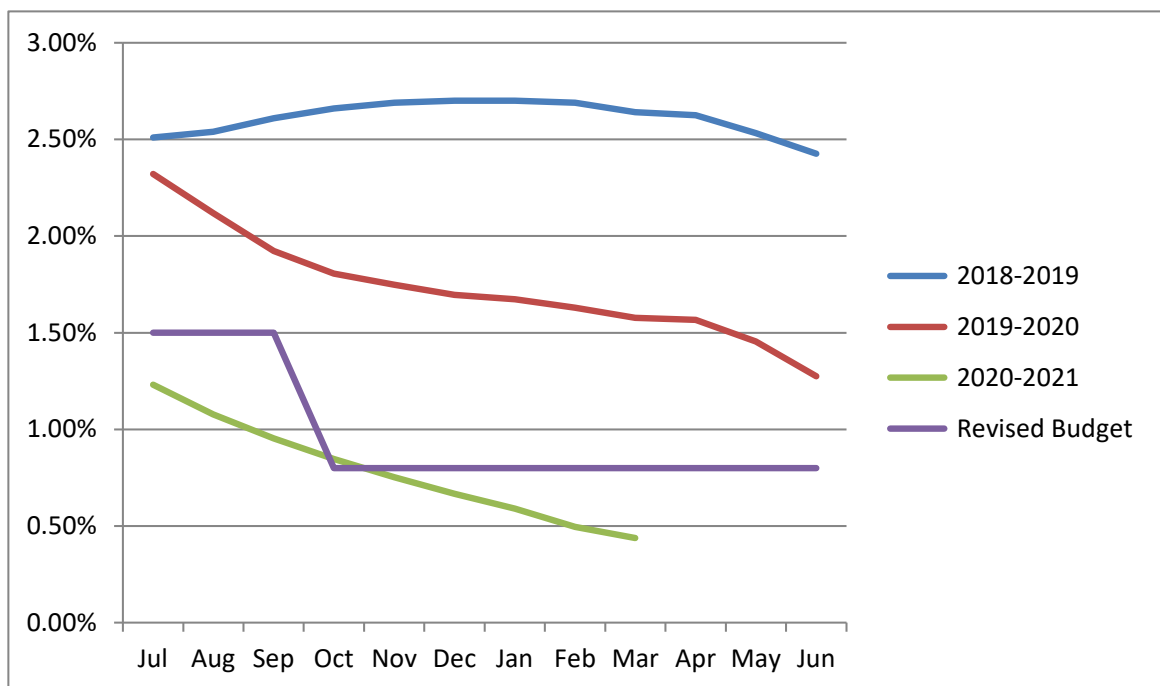


Total Interest received July 2020 – June 2021



For March 2021 Council's investments returned an effective average rate of 0.44%. Year to date the effective average rate has been 0.78%. The budget for 2020-2021 was 1.50%, but this was reduced to 0.8% following the first Quarterly Budget Review to reflect the reduction in interest rates.

Effective average Interest Rate



Conclusion

The Director Finance & 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 TELSTRA LEASE RENEWAL - MALARRA TOWER POONCARIE

File Number: RPT/21/178

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

Telstra currently has a 20-year lease on a parcel of Council owned land in Malarra Street, Pooncarie for the purposes of Telecommunications tower. The lease expires on 30 June 2021 and has a current rental of \$340.00 per annum. The tower is owned by Telstra.

Telstra wish to extend their tenure at the site in order to maintain critical network services to the community in and around Pooncarie.

Telstra are seeking a further 20-year lease comprising of an initial term of five years and option for a further three x five-year terms.

Recommendation

That Council agrees to a new lease in-principle, subject to a final report to Council.

Detailed Report

Purpose

The purpose of this report is to update Council on Telstra's request to renew a lease for a telecommunications tower in Pooncarie.

Background

Telstra currently has a 20-year lease on a parcel of Council owned land in Malarra Street, Pooncarie for the purposes of Telecommunications tower. The lease expires on 30 June 2021 and has a current rental of \$340.00 per annum. The tower is owned by Telstra.

Matters under consideration

Telstra wish to extend their tenure at the site in order to maintain critical network services to the community in and around Pooncarie.

Telstra are seeking a further 20-year lease comprising of an initial term of five years and option for a further three x five-year terms.

Negotiations have commenced with between Council officers and Telstra representatives and it is proposed that the annual rent commence at \$4,142.00 per annum which represents a significant increase on the existing rental payment. It is also proposed that the annual rental increase in line with the IPART determination for communication tower fees.

The proposed fee represents a 50% discount on the 2021/2022 fees, this takes into account the vital service and community benefit that the tower provides to the town of Pooncarie and the surrounding properties.

A final version of the lease will be provided to Council for approval and execution by the Mayor and General Manager.

Conclusion

The Telstra communications tower in Pooncarie is providing a vital network service to the community in and around the town. Telstra are wishing to extend their tenure at the site which would require a new lease.

Attachments

Nil

9.7 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 - PLANNING PROPOSAL TO REZONE PART OF LOT 1 DP 1193874, KELSO STATION, POONCARIE ROAD, WENTWORTH

File Number: RPT/21/163

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

Summary

Council resolved to continue to support this Planning Proposal at its Ordinary Meeting held 16 September 2020.

Following that resolution, a new Gateway Determination to proceed was issued by the Department of Planning, Industry & Environment to rezone part of Lot 1 DP 1193874 from RU1 Primary Production zone with a minimum lot size of 10,000 hectares to R5 Large Lot Residential zone with two minimum lot sizes of 7,500 square metres and 1.7 hectares.

Public exhibition and state agency consultation has been conducted in accordance with Conditions 2 and 3 of the Gateway Determination. Six submissions were received from state agencies, including one objection.

The report also advises that in accordance with Condition 5 of the Gateway Determination, Council is no longer the authorised plan making authority due to the outstanding objection. Therefore, in order for the Planning Proposal to be finalised, it must be referred to the Minister for Planning and Public Spaces for consideration, with a request for assistance with the preparation of the plan, including finalising and notifying the amendment on the legislative website.

Recommendation

That Council resolve to proceed with the Planning Proposal and refer the Planning Proposal to the Minister for Planning and Public Spaces for consideration of finalising the planning proposal, including preparation of the plan and notification of the amendment on the legislative website.

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 advise Council of the status of the Planning Proposal and provide details of the process for the Planning Proposal to be finalised.

Background

Council received a new Gateway Determination to proceed dated 4 November 2020. The timeframe for completing the LEP was six months from the date of the determination.

In accordance with conditions 2 and 3 of the Gateway Determination, Council conducted public exhibition from 4 December 2020 through until 22 January 2021. The extended period was required due to the Christmas and New Year holiday period being excluded from the

calculation of active exhibition days. No submissions were received from adjoining landholders or the community.

Consultation during that same period was conducted with the following public authorities:

- a) Dareton NSW Local Aboriginal Land Council – No response
- b) Heritage NSW – No response
- c) DPIE – Biodiversity & Conservation Division – No objection
- d) Water NSW – No response
- e) Department of Primary Industries – Agriculture – Objection
- f) Transport for NSW – No objection
- g) NSW State Emergency Service – No response
- h) NSW Rural Fire Service – No objection
- i) DPIE Crown Land – No objection
- j) NSW Environmental Protection Authority – No objection

Refer to Attachment 1 Public Authority Responses.

At the request of three public authorities, the responses from NSW Rural Fire Service, Transport for NSW and Environmental Protection Authority have been carried over from previous consultation conducted last year.

A video conference was conducted on 9 February 2021 with Council and DPI Agriculture to discuss the grounds for objecting and to identify any areas where Council could respond to and satisfy the issues raised.

As a result of the discussion, Council amended the Planning Proposal by adding an addendum report to the Planning Proposal to address the issues raised by DPI Agriculture. The response received to the amended planning proposal is that DPI Agriculture has chosen to retain their objection, being unsatisfied with the additional justification for the planning proposal.

Refer to Attachment 2 Planning Proposal – Final Version.

Matters under consideration

Condition 5 of the Gateway Determination states that:

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.***

Council has two options to move forward. Accept the objection from DPI Agriculture and resolve not to proceed with the Planning Proposal until further strategic justification can be provided. Or alternatively, Council resolves to proceed with the Planning Proposal despite the objection.

Should Council resolve to proceed with the outstanding objection, it is not able to use its delegation to finalise the Planning Proposal. Therefore, Council will need to forward the Planning Proposal to the Department of Planning, Industry & Environment requesting it be considered for finalisation.

Options

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

- a) Resolve not to proceed with the planning proposal until further strategic justification can be provided; or
- b) Resolve to proceed with the Planning Proposal and forward the Planning Proposal to the Department of Planning, Industry & Environment for consideration of finalisation.

Legal, strategic, financial or policy implications

The options contained in this report ensure that Council:

- a) Satisfies its legal obligations under the Gateway Determination; and
- b) Actions Objective 1 of the Community Strategic Plan 2017-2027.

There are no financial or policy implications for Council.

Conclusion

It is concluded that the most appropriate course of action is to resolve to refer the Planning Proposal to the Department of Planning, Industry & Environment for consideration of finalisation of the proposal, preparation of the plan and notification of the plan on the legislative website.

Attachments

- 1. Public Authority Responses.[↓](#)
- 2. Planning Proposal - Final Version.[↓](#)



Planning,
Industry &
Environment

Our ref: DOC20/1007474
Senders ref: DOC/20/24385

Ms Michele Bos
Strategic Development Officer
Wentworth Shire Council
PO Box 81
WENTWROTH NSW 2648

Via email: council@wentworth.nsw.gov.au

22 January 2021

Dear Ms Bos

Subject: Planning Proposal (PP_2020_WENTW_002_00) to rezone part Lot 1 DP 1193874 Pooncarie Road, Wentworth from RU1 Primary Production zone to R5 Large Lot Residential zone and amend Minimum Lot Size from 10,000 hectares to 7,500 sqm and 1.7 hectares

Thank you for your email dated 2 December 2020 about PP_2020_WENTW_002_00 seeking comments from the Biodiversity and Conservation Division (BCD) of the Department of Planning, Industry and Environment.

BCD has statutory responsibilities relating to biodiversity (including threatened species, populations, ecological communities, or their habitats) and flooding.

We have reviewed the documents supplied and provide the following comments in regard to flooding in **Attachment A**.

The revised planning proposal remains inconsistent with Section 9.1, Direction 4.3 'Flood Prone Land of the *Environment Planning & Assessment Act 1979*.

Although increasing the minimum lot size of the most flood affected lots to 1.7 ha, the revised planning proposal does not demonstrate 'minor significance'. BCD's reiterates its previous recommendation to include an assessment of this proposal area in the Wentworth Floodplain Risk Management Study and Plan that is shortly due for completion.

If you have any questions about this advice, please contact me via rog.southwest@environment.nsw.gov.au or 02 6022 0623.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A Fisher'.

Andrew Fisher
Senior Team Leader Planning
South West Branch
Biodiversity and Conservation Division
Department of Planning, Industry and Environment

ATTACHMENT A – Detailed comments on PP_2020_WENTW_002_00

ATTACHMENT A Detailed comments on PP_2020_WENTW_002_00

The primary objective of the NSW Government's Flood Prone Land Policy is to reduce the impact of flooding and flood liability on individual owners and occupiers of flood prone land and reduce private and public losses resulting from floods. The most appropriate method to assess the development of flood prone land is through the floodplain risk management process, which is detailed in the NSW Floodplain Development Manual 2005. In addition, case-by-case decision making cannot account for the cumulative impacts on flood behaviour and risks, caused by individual developments or works. This form of ad hoc assessment goes against the principles of the Floodplain Development Manual.

A primary objective of Section 9.1 (formerly Section 117(2)) Direction 4.3 'Flood Prone Land' of the *Environment Planning & Assessment Act 1979* is to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005. The land which is the subject of this planning proposal is located on the Darling River floodplain within the 1% Annual Exceedance Probability flood extent with a range of flood hazards occurring across the site. In addition, the flood impact assessment (Advisian 2019) indicates that there is an area of high hazard floodway located within the proposed lots in the western end of the subdivision. As per the Floodplain Development Manual and the Section 9.1 Directions, development in floodway areas is not permitted.

Since this revised planning proposal remains inconsistent with this Direction 4.3, it needs to be demonstrated how:

- (a) the planning proposal is in accordance with a floodplain risk management plan prepared in accordance with the principles and guidelines of the Floodplain Development Manual 2005, or
- (b) the provisions of the planning proposal that are inconsistent are of minor significance.

We do not consider that this revised planning proposal, although increasing the minimum lot size of the most flood affected lots to 1.7 ha, demonstrates this 'minor significance'. Hence the previous recommendation to include an assessment of this new development area (and other new proposed development areas) in the forthcoming Wentworth Floodplain Risk Management Study and Plan remains current.

Based on BCD's previous discussions with Council and the Consultant completing the studies (on 29 October 2020), this is planned to occur once the flood study is finalised in the next few months. If through this process it is determined that this planning proposal is appropriate and commensurate with the flood risks, then there would be no impediment to its approval from a flooding perspective.



SWT20/0071
SF2020/111019
MM

24 July 2020

The General Manager
Wentworth Shire Council
PO Box 81
WENTWORTH NSW 2648

Attention: Michele Bos

PLANNING PROPOSAL PP.2016.WENTW.004 - AMENDMENT TO WENTWORTH LEP, LOT 1 DP1193874, KELSO STATION, POONCARIE ROAD, WENTWORTH.

I refer to your correspondence regarding the subject Planning Proposal which was referred to the TfNSW for assessment and comment.

From review of the information provided it is understood that the planning proposal represents an amendment to the current Wentworth LEP to allow for the subdivision of the subject site to create approximately 14 allotments for rural residential purposes. The subject site has frontage to the Pooncarie Road (MR68), which is a classified "regional" road, within a 100 km/h speed zone.

As the subject site has frontage to a classified Road the provisions of SEPP (Infrastructure) apply, particularly Clause 101. In this case the only available access is from Pooncarie Road. The submitted plans identify 1 access road/driveway from Pooncarie Road to service the proposed 14 allotments. This restriction to one (1) intersection with Pooncarie Road is supported by TfNSW subject the intersection being constructed to a standard consistent with the Austroads Guide to Road Design for the posted speed limit.

TfNSW understands that the documentation and subdivision plans submitted for the planning proposal provide a preliminary concept for the development and that a Development Application generally consistent with the documentation would be submitted to Council for merit assessment prior to any works for the development being undertaken, if the rezoning is adopted.

Please note that the Pooncarie Road (MR68), is a classified "regional" road. As a regional road the care and maintenance of the road is vested in the Council however clause 138 of the Roads Act applies to any works within the road reserve.

Any enquiries regarding this correspondence may be referred to the Manager, Land Use - TfNSW (South West Region), Maurice Morgan, phone (02) 6923 6611.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Lindsay', is written over the 'Yours faithfully' line.

Per:
Lindsay Tanner
Director South West

Transport for NSW

193-195 Morgan Street Wagga Wagga NSW 2650 | PO Box 484, Wagga Wagga NSW 2650
W transport.nsw.gov.au | ABN 18 804 239 602



Planning,
Industry &
Environment

Our reference: DOC21/035473

Wentworth Shire Council
PO Box 81
Wentworth NSW 2648

Sent via email: michele.bos@wentworth.nsw.gov.au

Dear Michelle,

**Planning Proposal to Permit Rural Residential Development – Part Lot 1 DP1193874,
'Kelso Station', Poongcarie Road, North Wentworth, NSW**

I refer to the email (sent Thursday 11th February 2021) and request for review and response from the Far West Area of the NSW Department of Planning, Industry and Environment – Crown Lands (the department), in relation to the above planning proposal.

The department has reviewed the supplied documents and undertaken a preliminary desktop search of the abovementioned property. The department notes that the subject land parcel, being Lot 1 DP1193874, is freehold land and is not Crown land; as such, there is no further comment from the department on this project.

If you have any further queries in regards to the above, please do not hesitate to contact myself on (02) 6883 3356 or via email pjp.sokol@crownland.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Philippa'.

Philippa Sokol
Senior Natural Resource Management Officer
Crown Lands - Far West Area

25 February 2021



NSW RURAL FIRE SERVICE

Wentworth Shire Council
PO Box 81
WENTWORTH NSW 2648

Your reference: PP_2016_WENTW_004_00
Our reference: SPI20200529000097

ATTENTION: Matthew Carlin

Date: Thursday 6 August 2020

Dear Sir/Madam,

**Strategic Planning Instrument
LEP Amendment – Planning Proposal**

Planning Proposal to permit rural residential subdivision on Part of Lot 1 DP 1193874, 'Kelso Station', Pooncarie Road, North Wentworth

I refer to your correspondence dated 27/05/2020 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

Future development is required to address and comply with the requirements of *Planning for Bush Fire Protection 2019 (PBP)*. This includes the provisions for minimum asset protection zones and through roads under section 5 of PBP that relates to residential and rural-residential subdivisions.

To ensure bush/grass fire hazards are properly considered at every stage of the development process, the NSW RFS recommends that the Bush Fire prone Land Map is updated in accordance with the *Guideline for Bush Fire Prone Land Mapping* (ver. 5b, Nov. 2015) as required under section 10.3 of the *Environmental Planning & Assessment Act 1979*.

The new guideline introduced Category 3 Vegetation into the Bush Fire Prone Land system, which requires the mapping of grasslands along with other Category 3 vegetation types that would be applicable to the Local Government Area (LGA) and the development site.

For any queries regarding this correspondence, please contact Simon Derevnin on 1300 NSW RFS.

Yours sincerely,

Kalpana Varghese
**Team Leader, Dev. Assessment & Planning
Planning and Environment Services**

1

Postal address

NSW Rural Fire Service
Locked Bag 17
GRANVILLE NSW 2142

Street address

NSW Rural Fire Service
4 Murray Rose Ave
SYDNEY OLYMPIC PARK NSW 2127

T (02) 8741 5555
F (02) 8741 5550
www.rfs.nsw.gov.au



DOC20/432882-1

The General Manager
Wentworth Shire Council
PO Box 81
WENTWORTH NSW 2648

By email: council@wentworth.nsw.gov.au

Attention: Matthew Carlin

Dear Mr Ross

Re Planning proposal to amend the Wentworth Local Environment Plan 2011

I refer to the email on 1 June 2020 from your Matthew Carlin to the Environment Protection Authority (EPA) about the exhibition of the planning proposal to amend the Wentworth Local Environment Plan 2011 to permit rural residential development on Part of Lot 1 DP 1193874 "Kelso Station", Pooncarie Road North Wentworth.

The EPA encourages a strategic approach to the development of sound land use planning provisions forming the basis of a Local Environment Plan. Based on the information provided we have the following comments to make.

Provision of services

In rural and urban residential developments, it is important to maximise the utilisation of existing or proposed infrastructure and services. We note this proposal plans to access the existing East Wentworth sewerage system, and Council should ensure that there is adequate capacity in the sewerage treatment system to handle the expected increase in wastewater.

Buffer zones

The rezoning of lands from rural to rural residential should consider the impacts and distance between the proposed rezoning, and any existing or proposed neighbouring landuses, to ensure conflicts do not occur.

We note that to the north and north-east of the site lands are predominantly Western Lands grazing leases. We also note from the report that dry land commercial pastoral/livestock and broadacre cropping enterprises will continue on the balance of the land.

Phone +61 2 6969 0700	Fax +61 2 6969 0710	PO Box 397	Suite 7	
Phone 131 555	TTY 133 677	Griffith	130-140 Banna Ave	www.epa.nsw.gov.au
(from outside NSW)	ABN 43 692 285 758	NSW 2680 Australia	Griffith NSW	riverina.farwest@epa.nsw.gov.au
			2680 Australia	

Impacts such as noise, dust and odours from agricultural activities on more sensitive land uses can cause conflicts and are difficult to control after the event. It is extremely difficult to retrofit controls to agricultural activities once urbanisation/rural residential is allowed to creep in close proximity to agricultural activities.

Council should take into consideration the need for the establishment of separation distances at the planning stage. Careful design and adequate separation through the planning process can avoid land use conflicts.

If you have any further enquiries about this matter please contact me by telephoning 02 6969 0700 or by electronic mail at riverina.farwest@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'C. Bretherton', followed by the date '12.6.2020' also in blue ink.

CRAIG BRETHERTON
Manager Regional Operations – Regulatory Operations
Environment Protection Authority



OUT21/365

Michele Bos
Strategic Development Officer
Wentworth Shire Council
PO Box 81
Wentworth NSW 2648

Dear Michele

Planning Proposal PP_2020_WENTW_002_00 – Kelso Station

Thank you for your correspondence dated 3 December 2020 with regard to providing comment on the above mentioned planning proposal. The NSW Department of Primary Industries (NSW DPI) Agriculture is committed to the protection and growth of agricultural industries, and the land and resources upon which these industries depend.

NSW DPI supports strategic led planning for agricultural areas. This sends a clear signal to landowners and developers about the preferred future use of land. When adhoc development is supported in the rural landscape it can undermine industry confidence in investment and in the strategic planning framework; the associated residential development can also lead to land use conflict.

DPI notes that this land is located outside the identified settlement area in Councils LSPS and that the current strategic framework for this land indicates an agricultural future. To protect investor confidence and ensure the development of land occurs following a balanced consideration of the needs of the Local Government Area, DPI objects to this proposal.

We understand that Council currently has a preliminary draft Rural Land Use Strategy with the Department of Planning, Industry and Environment for consideration. We would be happy to reconsider our position once this Strategy or another strategic planning document that provides guidance on non-agricultural land use development on rural land has been completed for Wentworth. We are also willing to work with Council to finalise this Strategy should that be of assistance.

Should you require clarification on any of the information contained in this response, please contact Tamara Prentice, Manager Agricultural Land Use Planning, by email at landuse.ag@dpi.nsw.gov.au

Yours sincerely

A handwritten signature in blue ink, appearing to read 'C. Tumney'.

Christine Tumney
Group Director Agricultural Resources

27 January 2021



OUT21/3205

Michele Bos
Strategic Development Officer
Wentworth Shire Council
PO Box 81
Wentworth NSW 2648

Dear Ms Bos

Planning Proposal PP_2020_WENTW_002_00 – Kelso Station - Addendum 5

Thank you for your correspondence dated 3 March 2021 providing a revised planning proposal and requesting DPI Agriculture withdraw its objection to the planning proposal for Kelso Station PP_2020_WENTW_002_00.

Although the land is mapped as class 4 and considered of low agricultural productivity, DPI Agriculture considers that the responses provided have not provided adequate strategic justification for the proposal and DPI Agriculture therefore maintains its objection to the proposal.

As mentioned in our previous objection to the proposal, I understand that Council is currently working on a draft Rural Land Use Strategy which would provide guidance on non-agricultural land use development in the rural areas of the local government area. We would be prepared to review our position once this Strategy has been approved by the Department of Planning Industry and Environment. We are also willing to work with Council to finalise this Strategy should that be of assistance.

Council has also not formalised a commitment to not prepare further planning proposals for the rezoning of rural land until a Rural Land Use Strategy or other current strategic planning document has been finalised.

Should you require clarification on any of the information contained in this response, please contact Paul Garnett, Acting Manager Agricultural Land Use Planning, on 0429 864 501 or by email at landuse.ag@dpi.nsw.gov.au

Yours sincerely

A handwritten signature in blue ink that reads 'C. Tumney'.

Christine Tumney
Group Director
Agricultural Resources

17 March 2021

DANSON AND BLABY PTY. LTD.

177 WALNUT AVENUE, MILDURA VIC. 3500

A.C.N. 159 022 661 A.B.N. 16 159 022 661

(Incorporating The Practices of Thomson & Blaby Pty. Ltd., and Peter R. Danson)

Consulting Surveyors – Civil Design – Town Planning Consultants

DIRECTORS:

BRAD BLABY, B.SP.SC. (SURVEYING), M.I.S. VIC.

TELEPHONE: (03) 5023 1835

(03) 5023 6268

FAX: (03) 5021 3957

brad@mildurasurveyors.com.au

ALL CORRESPONDENCE TO:

P.O. BOX 766

MILDURA VIC 3502

Planning Proposal

Submission to Wentworth Shire Council

To rezone land to permit
future rural residential subdivision

Part of Lot 1 in DP 1193874,
Kelso Station,
Pooncarie Road,
North Wentworth

For:

O.M. & R.M. McLeod

Amended September 2020 (Version 6)

DANSON AND BLABY PTY. LTD.

177 WALNUT AVENUE, MILDURA VIC. 3500

A.C.N. 159 022 661 A.B.N. 16 159 022 661

(Incorporating The Practices of Thomson & Blaby Pty. Ltd., and Peter R. Danson)

Consulting Surveyors – Civil Design – Town Planning Consultants

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Part 1 - Introduction

1.0 Overview

The land to which this planning proposal relates has been prepared on behalf of O.M. & R.M. McLeod by Danson and Blaby Pty. Ltd. Consulting Land Surveyors and Development Planners of Mildura. The land is part of Kelso Station and adjoins the Wentworth Township immediately adjacent to the Darling River (**See Figure 1**).

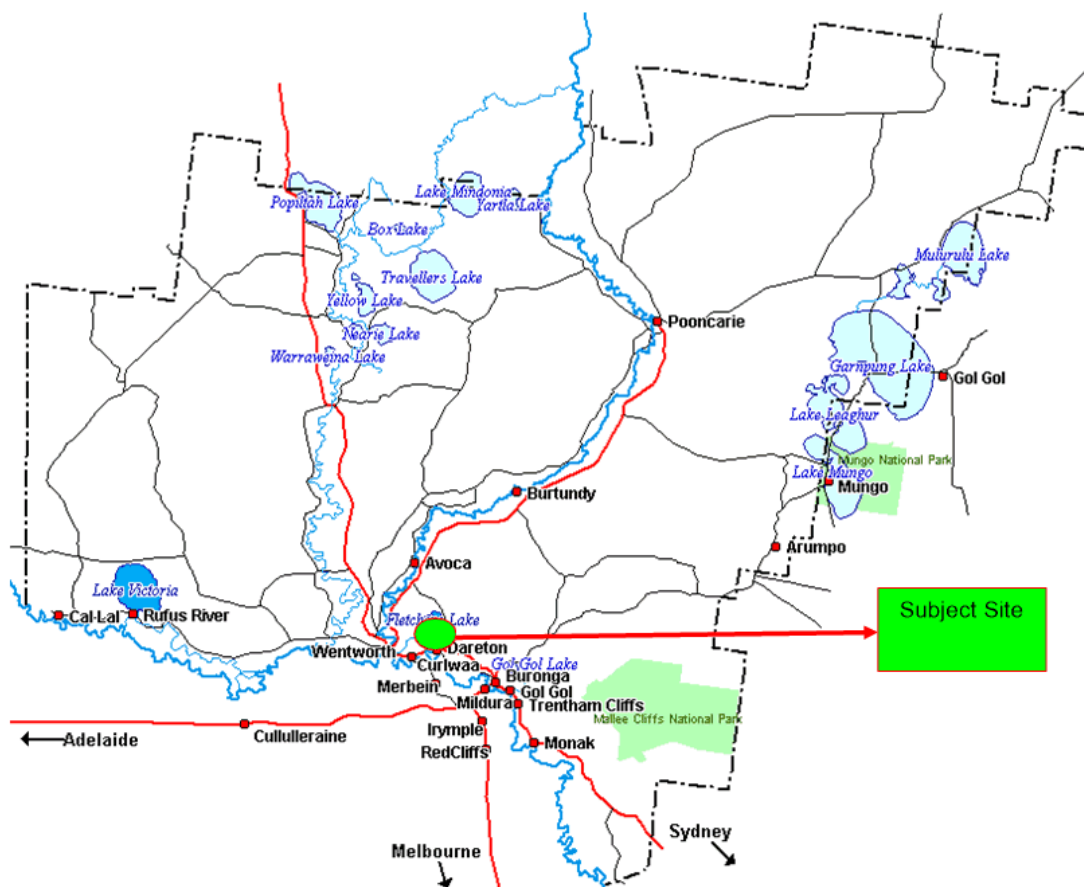


Figure 1

The proposal describes the site, its key features and surrounding land uses. It also considers the key strategic environmental planning instruments, strategies and initiatives applying to the site, and provides an assessment of the impacts of the proposal and suitability of the site for the proposed rezoning.

In identifying the site, it is considered that it best complements the department's

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requirements that were set out in Gateway Determination PP_2012_WENTW_002_00 dated 28th May 2012 and future development of the site.

1.1 Background to the Gateway Determination Proposal

The proposed rezoning of the subject land within Kelso Station has been the subject of correspondence and discussion over the past 15 years.

In June 2005, the McLeod family lodged a rezoning submission to Council seeking an amendment to the Wentworth Local Environment Plan 1993 to permit a rural residential style subdivision and development on a portion of their property.

In September 2007, further representations by the McLeod family were made to Council to amend the zoning of part of the land at Kelso to allow rural residential lots to be created on the property.

1.2 Key Benefit of the Proposal

The rezoning proposal will contribute 14 new dwellings to the Shire, meeting in part Council's Community Strategic Plan 2017 – 2027 *Goal 1 Wentworth is a vibrant, growing and thriving shire and 1.2 Strategy – Encourage and support population growth and resident attraction.*

There is a demand for rural living opportunities around Wentworth and when lots are released for sale they sell and are subsequently developed quite quickly. At present the land south of the subject site that was rezoned as a result of PP_2012_WENTW_002_00 has been fully subdivided and there are only 2 lots left to sell of the 14 lots made available for sale when the subdivision development was completed.

1.3 Site Location and Context

The site is located about 4 kms from the centre of Wentworth Township and is on the eastern side of the Darling River. It is irregular in shape with an area of approximately 38 hectares and is part of a parcel of land of 586.7 hectares. **Refer to Figure 2.**

The folio description is Lot 1 in DP 1193874 containing a total area of 1323 hectares.

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Figure 2

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1.4 Land Use and Zoning

As shown in **Figure 3**, the site is zoned RU1 under the provisions of *Wentworth Local Environment Plan (LEP)*, the zone supporting rural and agricultural practices.



Figure 3

The land is the only freehold tenure that immediately adjoins the Wentworth Township, making it the most practical and realistic proposal for the towns future growth.

1.5 Site Characteristics

Broad acre farming is conducted on the land which is within an agricultural grazing district that is used for both wheat growing and animal husbandry.

The proposed zoning parcel area is situated on the bank of the Darling River with no dwelling erected on the land.

The road servicing the lot is the Pooncarie Road which is a main road with a bitumen surface that is managed and regularly maintained by Council.

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The land on the western side of the Pooncarie Road slopes toward the Darling River and there is a naturally formed low area that traverses through the subject site. This low area allows flood water to return to the Darling River in times of high water flows.

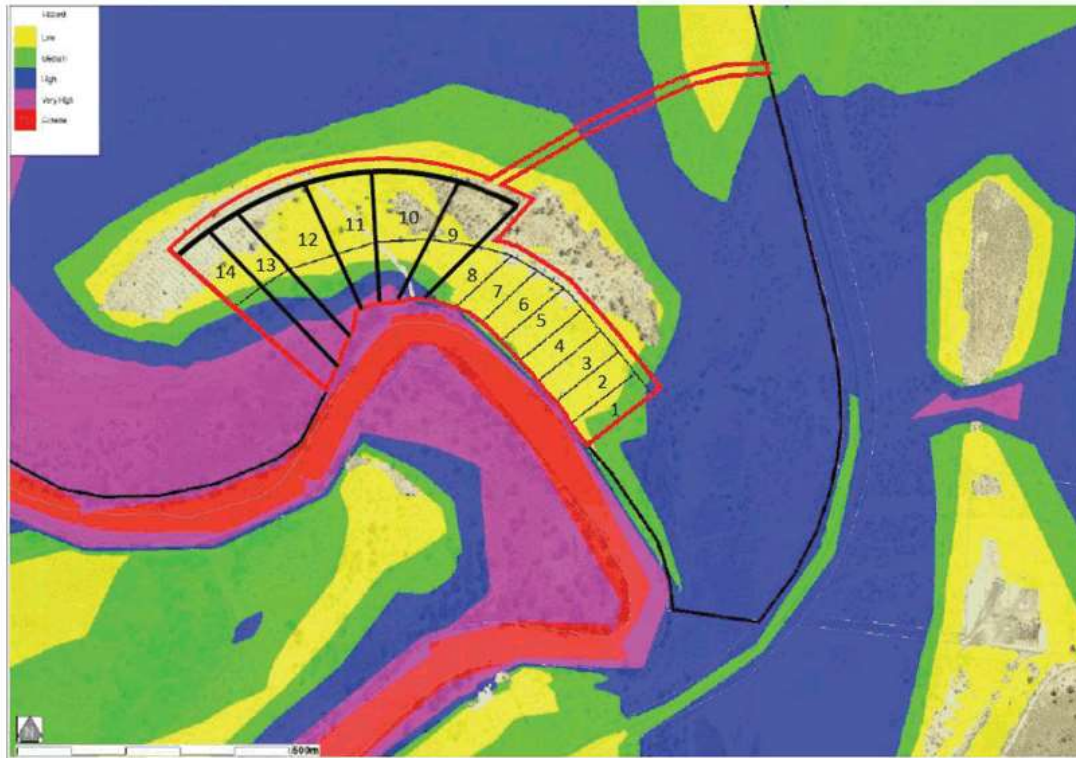


Figure 4

1.6 Topography and Geology

The land is within the Murray Darling Depression Bioregion which lies in the southwest corner of NSW and extends into Vic and SA. The total area of the bioregion is 19,717,651 hectares with 40.71 per cent (8,026,167 ha) of this area in NSW covering 10.03 per cent of the state.

The NSW portion of the bioregion is bounded in the north by the Broken Hill Complex Bioregion, with the Cobar Peneplain to the northeast and the Riverina Bioregion to the east.

The Murray Darling Depression Bioregion also borders the Darling Riverine Plains to the northwest and contains outlying remnants of the Darling River and tributaries as they meet the Murray River at the Victorian border.

The bioregion lies entirely in the Western Division of NSW and contains few town

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centres, with Ivanhoe, just near the tip of the Riverina Bioregion, being the major settlement aside from Manilla, Emmdale and other pastoral stations in the bioregion.

A description of the soils and vegetation are described below. (See Figure 5).

The bioregion includes the Murray, Murrumbidgee, Lachlan, Darling, Barwon, Yanda River and Peacock Creek catchments Darling Depression	Quaternary Aeolian sands and lake sediments. Isolated Devonian and quartz sandstone outcrops.	Extensive sand plains. Dune fields piled against Cobar Peneplain earths, brown texture ranges. freshwater overflow lakes fed by rare floods in the Darling River. Stony ridges and ranges.	Deep siliceous calcareous red yellow sands, sandy texture soils on occasional kurrajong and mallee cypress dunes and sand pine on eastern sand plains. Brown and white cypress pine, red box, mallee, grey and calcareous belah and poplar box on central dunes. Pale Lignum, cane grass, black blue bush and yellow sands on black box or poplar box on margins and lunettes. Stony loams beds of swamps and lakes. Mulga with on hills. red box and shrubs on rocky hills
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Figure 5 - Land and Topography Description

Source: <http://www.nationalparks.nsw.gov.au/npws.nsf/Content/Murray+1Darling+Depression+-+maps>

1.7 Vegetation

Typical sand plain species exist on the site include rosewood, white cypress pine, narrow-leaf hop bush, punty bush, belah, copperburrs, black bluebush and variable spear grass.

Lakes and depressions all have clay floors, and vegetation relates to the presence or absence of salt and gypsum. Infrequently flooded freshwater areas carry lignum, cane grass, with clumps of black box on the margins and beds of swamps and rivers.

1.8 Surrounding Development

Land to the south of the subject site is the land that was set out in *Gateway Determination PP 2012 WENTW 002 00 dated 30th October 2012*. The purpose of the determination is to enable future residential development.

To the north and north-east of the site are lands that are predominantly Western Lands grazing leases. The quality of grazing on these leases has compromised agricultural production due to intensive grazing in the past. Similarly, the land on the western side of the Darling River was used for intensive grazing.

Part 2 - Objectives or Intended Outcomes

2.1 Objectives

The application seeks to rezone that part of the subject land identified on **Figure 4** as being suitable for Rural Residential land, from RU1 – Primary Production Zone to R5 - Large Lot Residential Zone under the *Wentworth LEP 2011*. The proposal also seeks to change the minimum lot size mapping for the proposed R5 land to 7,500 m² and 1.7 hectares.

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The objectives of the planning proposal are to:

- Rezone parts of Lot 1 in DP 1193874 to R5 – Large Lot Residential Zone.
- Map the land proposed to be rezoned R5 on the minimum lot size map under the Wentworth LEP 2011 as 7,500 m² and 1.7 hectares.
- Provide land stock to meet the demand for dwelling houses in rural localities.
- Ensure that future development of the land for rural residential purposes does not adversely affect the rural environment of the area.
- Develop the land in a manner that recognises that special environmental and scenic values can be accommodated by the development.
- Ensure development in the zone gives priority to the particular environmental qualities of the land.
- Ensure that all requisite and essential infrastructure servicing is available to the land.
- Take advantage of the site's locational attributes and opportunities of the site. (i.e. in close proximity to a reasonably sized rural town).

Figure 4 is a conceptual layout plan for the proposed rezoning area and shows a total of 14 lots.

2.2 Outcomes

The outcome of this planning proposal will enable the land to be subdivided in to 14 lots and developed for Rural Residential purposes, including the construction of a road to service the new lots and the construction of future dwelling houses.

Part 3 - Explanation of Provisions

The land that is the subject of the planning proposal is currently zoned RU 1- Primary Production Zone under the provisions of the Wentworth LEP 2011. The land is mapped as A1 – 10,000 ha. on the minimum lot size mapping of the LEP.

The planning proposal seeks to rezone part of Lot 1 in DP 1193874 to R5 – Large Lot Residential Zone in the manner shown on the plan in **Figure 4** and as detailed below:

- rezone approximately 38 ha. to R5 – Large Lot Residential (Land Zoning Map - Sheet LZN_002D).

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- the land proposed to be rezoned R5 to be mapped as X2 – 7,500 m² and Y2 1.7 ha on the minimum lot sizes map (Lot Size Map – Sheet LSZ_002D).

Finalised LEP mapping will be prepared following the approval of the extension request and approval to proceed with community consultation. The mapping will be prepared on the basis that the area to be rezoned will be surveyed to ensure accuracy of the mapping.

Part 4 – Justification

4.1 Need for the planning proposal.

4.1.1 Is the planning proposal a result of any strategic study or report?

The area that is the subject of this proposal was included in the Wentworth Shire Council Draft Rural Residential Strategy (2007). The purpose of the study was to assess the provision of rural residential lots within the Shire of Wentworth to determine if there was a need to rezone more land for rural residential development.

Part of Kelso Station was considered as Candidate Area No. 10 in this study, although there were constraints identified including being partially flood prone, have native vegetation, a potential to cater for industrial land uses, being agricultural lands and having vineyards or orchards on the land

In its assessment of a Development Strategy, the report concluded that the Kelso area was a Medium Term development area and could logically be developed after land identified adjacent as short-term development dependent upon take up and site investigation. (Subject land of Gateway Determination PP 2012 WENTW 002 00).

The moderate rural residential lifestyle outcome sought by this Planning Proposal and the densities that are proposed reflect the proposed development pattern on the adjacent land.

The impact of the future subdivision will be minimal as dry land commercial pastoral/livestock and broad acre cropping enterprises will continue on the balance of the land as only approximately 38 ha. is intended to be used for the rezoning proposal.

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

The proposed rezoning of the subject land from RU1 Primary Production Zone to R5 Large Lot Residential and proposed change in minimum lot size to be between 7,500m² (lots 1-8) and 1.7ha (lots 9-14) is considered to be the best means of achieving the relevant objectives and intended outcomes outlined in Part 1.

This Planning Proposal has been prepared in response to previous representations made to Council and is considered to be a suitable and appropriate direction as there

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are no more suitable alternatives available adjacent to the Wentworth township.

4.1.3 Is there a net community benefit?

It is considered there will be a definite net benefit to the community as the planning proposal affords a growth opportunity by providing for future rural residential development.

The benefits will result from the following:

- The provision of rural residential land in response to the increasing demand for rural lifestyle development being experienced in Wentworth Shire Council.
- The provision of rural residential land will service the local and broader community and provide an increase in lifestyle choice for both existing and new community residents.
- There will be a multiplying effect on the local community resulting from increased development and building activity (during the subdivision and house construction), and increased demands for goods and services from an increased population base.
- More residents can only enhance existing local businesses and future business opportunities in the long term.

4.2 Relationship to Strategic Planning Framework

4.2.1 Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the *Sydney Metropolitan Strategy* and exhibited draft strategies)?

The Planning Proposal is consistent with *Direction 27 Provide greater housing choice of the Far West Regional Plan 2036* of the Far West Regional Plan 2036. This Direction aims to increase housing options in locations that are close to services and jobs. The subject site is located within close proximity to the township of Wentworth.

The Planning Proposal is consistent with the aims of the *Murray Regional Environment Plan (REP) No. 2* that was gazetted on 31st March 1994, and from 1st July 2009, the plan was deemed a State Environmental Planning Policy (SEPP).

The aims of the plan are to conserve and enhance the riverine environment of the River Murray for the benefit of all users. The subject site is not affected by a River Management plan and this planning proposal satisfactorily addresses *Murray (REP) No. 2* as follows:

- The aims, objectives, planning principles and potential cumulative impacts were considered in the Wentworth Shire Council Draft Rural Residential Strategy.
- Future residential development will not adversely affect land within the

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surrounding local areas or result in the redistribution of flood waters.

- Foreshore setbacks have been adopted to ensure the aesthetic quality and high amenity value of the Darling River is maintained.
- Residential development on the site will not compromise the integrity of the riverbank.
- Effluent from future development is able to be treated by connection to the East Wentworth Sewerage Works.

The Specific principles to be addressed as per the MREP No2 include the following:

Access

The site is not accessible to the public, therefore this will not change.
Any development on or in the Darling River will subject to approval from relevant agencies and Council.

Bank disturbance

Riverfront setbacks will protect the direct riverfront land from bank disturbance. The setbacks will be enforced at the development application stage.

Flooding

Planning certificates will ensure that prospective purchasers of lots will made aware the site is flood liable.

The proposed development of the site will occur on areas that deemed to be of low hazard as per the Flood Risk Assessment submitted in support of the planning proposal.

The majority of land surrounding the Wentworth township is identified as flood liable land as per the Flood Planning Area Maps in the Wentworth LEP 2011.

The access road will be constructed to a 1:20 ARI flood event. As flood occurrences in the Wentworth Shire are very slow moving, early notification of flooding can be provided to residents to ensure early evacuation is undertaken where necessary.

As previously outlined, wastewater will be connected to Council's infrastructure that services the nearby rural residential development.

Council has been briefly advised of the risk to the organisation for both road repairs and community expectation of safety.

Council continues to work with consultants to prepare a new and revised Flood Study and Flood Risk Management Study and Plan in accordance with the Floodplain Manual 2005. However, for this proposed development the Flood Risk Assessment prepared by the same consultants and submitted by the proponent is considered satisfactory to support and provide strategic justification for this proposal.

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Land degradation

The small scale development will not contribute to or cause land degradation.

Landscape

The measures required to protect the landscape and riverfront land will include a prohibition to disturb the natural environment of the riverfront land.

River related uses

The principles outlined in this section will be adhered to together with the setback requirements of the WLEP 2011.

Water Quality

Council will be encouraging the maintenance of the natural riverfront environment to ensure the quality of water in the Darling River is retained.

Wetlands

The principles outlined in this section will be adhered to by:

- by encouraging the overall site to be retained in its natural state, particularly as the natural environment is one of the attractions to live in our rural areas
- encouraging the planting of vegetation where it is beneficial to all land users and where it does not have a negative impact on native vegetation and fauna.

4.2.2 Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The Planning Proposal is consistent with Council's Community Strategic Plan 2017 – 2027 *Goal 1 Wentworth is a vibrant, growing and thriving shire and 1.2 Strategy – Encourage and support population growth and resident attraction.*

The Planning Proposal is consistent with the Wentworth Shire Council Local Strategic Planning Statement Planning Priority 6 Sustainable Settlements in that the proposal identifies a suitable site for rural residential development.

The Planning Proposal is consistent with the aims of the *Draft Wentworth Shire Council Rural Residential Strategy* that was completed in 2007 and publically exhibited for comment thereafter. The purpose of the study was to assess the provision of rural residential lots within the Shire of Wentworth to determine if there was a need to rezone more land for rural residential development.

Within the Strategy, the lands considered were assessed as Short-Term, Medium Term or for Investigation. The adjacent land was assessed as Short-Term and is the subject of Gateway Determination PP 2012 WENTW 002 00.

The subject land was considered a Medium Term prospect and could be considered

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for development after the land identified adjacent for short-term development had been investigated and taken-up.

4.2.3 Is the planning proposal consistent with applicable state environmental planning policies?

Relevant State Environmental Planning Policies and their relationship with the planning proposal are outlined in the table below:

State Environmental Planning Policies	Comment
SEPP No. 1 - Development Standards	Consistent.
SEPP No. 4 - Development without Consent and Miscellaneous Complying Development	Not Applicable
SEPP No. 6 - Number of Storeys in a Building	Not Applicable
SEPP No. 14 – Coastal Wetlands	Not Applicable
SEPP No. 15 - Rural Land - Sharing Communities	Not applicable
SEPP No. 19 - Bush land in Urban Areas	Not applicable
SEPP No. 21 – Caravan Parks	Not Applicable
SEPP No. 22 - Shops and Commercial Premises	Not applicable
SEPP No. 30 - Intensive Agriculture	Not applicable
SEPP No. 32 - Urban Consolidation (Redevelopment of Urban Land)	Not applicable
SEPP No. 33 - Hazardous and Offensive Development	Not applicable

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State Environmental Planning Policies (cont.)	Comment
SEPP No. 36 - Manufactured Home Estates	Not applicable
SEPP No. 44 - Koala Habitat Protection	Consistent. The area does not currently support koalas.
SEPP No. 50 - Canal Estate Development	Not applicable
SEPP No. 52 - Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable
SEPP No. 55 - Remediation of Land	Consistent. No known contamination exists on site.
SEPP No. 60 - Exempt and Complying Development	Not applicable
SEPP No. 62 - Sustainable Aquaculture	Not applicable
SEPP No. 64 - Advertising and Signage	Not applicable
SEPP No. 65 - Design Quality of Residential Flat Development	Not applicable
SEPP (Building Sustainability Index: BASIX) 2004	Consistent. BASIX is able to be complied with at the D.A. Stage
SEPP-Housing for Seniors or People with a Disability (2004)	Not applicable

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State Environmental Planning Policies (cont.)	Comment
SEPP (Major Development) 2005	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable
SEPP-Temporary Structures (2007)	Not applicable
SEPP (Infrastructure) 2007	Not applicable
SEPP (Primary Production and Rural Development) 2019	Consistent. Refer comments below
SEPP (Exempt and Complying Development Codes) 2008	Not applicable
SEPP (Affordable Rental Housing) 2009	Not applicable
State Environmental Planning Policy (Urban Renewal) 2010	Not applicable
State Environmental Planning Policy (State and Regional Development) 2011	Not applicable
Murray Regional Environmental Plan (MREP) No.2 - Riverine Land. (Note: MREP is a deemed SEPP).	Consistent. Refer comments below

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State Environmental Planning Policy (Primary Production and Rural Development) 2019

The land is subject to the SEPP which has the following aims:

- (a) to facilitate the orderly economic use and development of lands for primary production,*
- (b) to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,*
- (c) to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,*
- (d) to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,*
- (e) to encourage sustainable agriculture, including sustainable aquaculture,*
- (f) to require consideration of the effects of all proposed development in the State on oyster aquaculture,*
- (g) to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.*

The planning proposal is consistent with the SEPP due to the land being of low productivity and not being identified as state significant agricultural land. The land is not approved for irrigation nor does it benefit from a water licence. The land contains many stands of remnant native vegetation which would prevent intensive farming activities.

The rural residential activities will not increase land use conflict due to the lot sizes being proposed through the planning proposal and the low intensity nature of the adjoining agricultural pursuits being undertaken on the abutting farming land. Furthermore, land to the south has been zoned and developed for rural residential purposes which has successfully adopted similar principles to limit any conflicts.

The land being made available for rural residential development has adopted lot sizes which will ensure stormwater will not impact upon adjoining land. This is achieved through the large lot size, undulation of the land and slope. Setbacks of any development will be applied through the consent process which will protect the water quality of the Darling River.

The land will be connected to Council's reticulated sewerage network and will therefore not rely in onsite wastewater disposal. This results in increased benefits to the environment and adjoining land. It also ensures a long term sustainability of development undertaken on the land.

Far West Regional Plan

The Far West Regional Plan (FWRP) has been developed to guide land use planning priorities and decisions over the next 20 years. The plan is high level and provides an overarching framework to guide land use planning matters. The plan also includes an implementation strategy with priority actions.

As it relates to the proposal, the plan identifies the need to protect rivers such as the Darling, manage

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natural hazards, protect and conserve cultural and European heritage, manage change in settlements, provide greater housing choice and to manage rural residential development. Specifically in response to directions 15, 17, 18 and 29 the following is offered.

Direction 15 – Manage land use along key river corridors

Rezoning of the land has taken account of the impact upon the Darling River. This has been achieved through the lot sizes and dimensions. The minimum lot sizes adopted have resulted in opportunity for development to be well setback from the river and therefore ensure negative impacts can be managed.

Importantly development undertaken on the land will be connected to a reticulated sewer system. This ensures no opportunity for seepage and the resulting impacts from wastewater on the Darling River.

Direction 17 – Manage natural hazard risks

The key natural hazard affecting the land is that of flooding. Council have completed an assessment of flooding impacts and this has been reflected in the rezoning by undertaking a site specific assessment which has made recommendations ensuring all lots have flood free areas available for development. Such response is reflected in the planning proposal and has been discussed below.

Direction 18 – Respect and protect Aboriginal cultural heritage assets

A survey of cultural heritage has been undertaken which supports the planning proposal. The survey has concluded cultural heritage items exist on the land. Recommendations have been made within the supporting report which confirm support for the rezoning subject to actions being undertaken through the development approval process.

Direction 29 – Manage rural residential development

The direction seeks to ensure land use conflicts and agricultural production fragmentation are minimised, environmental and cultural heritage assets are protected and infrastructure is available to the land. The rezoning has considered each of the identified elements as provided in the responses provided above and in the supporting reports and investigations. The items relate to land use conflict along with flooding and cultural heritage investigations.

Recent rural residential opportunities made available to the community in Wentworth have experienced high demand. This is due to the proximity of the land to services and the environment in which it is contained. The connection of the land to reticulated sewer is also a positive asset for its future development opportunities.

Murray REP No.2 - Riverine Land

The Murray REP No. 2 Riverine Land is a deemed SEPP that was gazetted on 31 March 1994 and applies to the Wentworth Shire Council.

Murray REP No. 2 seeks to conserve and enhance the riverine environment of the River for the benefit of all users, and in particular to ensure that appropriate consideration is given to development with the potential to adversely affect the riverine environment of the River.

It seeks to establish a consistent and coordinated approach to environmental planning and assessment along the River and to conserve and promote better management of

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the natural and cultural heritage value of the riverine environment of the River.

The planning proposal satisfactorily addresses Murray REP No. 2 as follows:

- The site is not affected by a River Management Plan.
- The aims, objectives, planning principles and potential cumulative impacts have been described in Part 1 of this report and would be sufficient as the statement required by an Environmental Effects Statement. The Wentworth Shire Council Rural Residential Strategy is contained in Attachment D.
- Future residential development will not adversely affect land within the surrounding local government area or result in the redistribution of flood waters.
- Foreshore setbacks are adopted to ensure the aesthetic quality and high amenity value of the Darling River is maintained.
- Residential development on the site will not compromise the integrity of the riverbank.
- Effluent from future development is able to be treated by connection to the East Wentworth Sewerage Works as shown in the investigation that has been carried out on the Cooke subdivision and is shown as Attachment C. An innovative high pressure sewer solution has been proposed.

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

A number of Ministerial Directions made under Section 117 of the Environmental Planning and Assessment Act 1979 apply to the land.

The following identifies each of the key local planning directions which are relevant of the land and planning proposal and makes brief comments in regards to each of the directions.

Direction 1.2 Rural Zones

The land that is the subject of the planning proposal is identified in the Wentworth Shire Council Rural Residential Strategy Report (2007) as a medium term candidate lot.

The proposed rezoning of the land for rural-residential purposes is therefore consistent with this strategic planning document and thus with the provisions of Direction 1.2.

Direction 1.5 Rural Lands

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The land that is the subject of the planning proposal is identified in the Wentworth Shire Council Rural Residential Strategy Report (2007) as a medium term candidate lot.

The proposed usage is consistent with the strategic policies adopted by the Wentworth Shire Council whereby the social and environmental benefits associated with rezoning of rural land to residential land, such as rural lifestyle and additional housing choice and opportunities are recognised

The rezoning of the land for rural-residential purposes is therefore consistent with this strategic planning document and thus with the provisions of Direction 1.5.

Direction 2.1 Environment Protection Zones

The proposed zoning of the land will not compromise the continued protection of any high conservation vegetation in the locality.

The proposed re-zoning does not seek to modify or reduce any environmental protection standards applying to the land.

Direction 2.3 Heritage Conservation

The subject land is not identified in any studies as containing or comprising items, areas or objects of environmental heritage significance.

An Archaeological Survey Report has been prepared and submitted to support the planning proposal.

Direction 3.1 Residential Zones

The planning proposal will broaden the choice of building types and locations available within the Wentworth Township and will assist with the efficient use of infrastructure and services.

Accordingly, the planning proposal will enable the development of land consistent with the objectives contained within Section 5 of the Environmental and Planning and Assessment Act, 1979 and therefore reflects evolving lifestyle and demographic trends.

As the land that is the subject of the planning proposal was identified in the *Wentworth Shire Council Rural Residential Strategy Report (2007)*, it is consistent with this direction

Direction 3.3 Home Occupations

As the objective of this direction is to encourage the carrying out of low-impact small businesses in dwelling houses, the proposal will be consistent with this direction as it will permit home occupations to be carried out in dwelling houses without the need for development consent.

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Direction 3.4 Integrating Land Use and Transport

Whilst the planning proposal is inconsistent with this Direction, the inconsistency is justified on the basis that the area has been the subject of comprehensive investigations and as such has been identified for rural-residential purposes in the *Wentworth Shire Council Rural Residential Strategy Report (2007)*.

Direction 4.3 Flood Prone Land

This direction seeks to ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005.

It seeks to ensure that the provision of an LEP on flood prone land is commensurate with flood hazard and includes consideration of the potential flood impacts both on and off the subject land.

The Wentworth LEP 2011 provides for the management of flood planning on land that is shown as "Flood Planning Area" on the Flood Planning Area Map River Front Building Line Map Sheet CL1_002D.

In the LEP under Clause 7.3 (Flood Planning), the clause objectives are to seek to minimise the flood risk to life and property associated with the use of land, to allow development on land that is compatible with the land's flood hazard taking into account projected changes as a result of climate change and to avoid significant adverse impacts on flood behaviour and the environment.

So in accordance with the LEP, it is only intended that dwelling consents will be the principal application and that they must comply with requirements for river setbacks, flood free access and effluent disposal imposed by the LEP to protect the environment.

The proposed development will not result in a substantially increased requirement for government spending on flood mitigation measures, infrastructure or services. However, the road access and repairs required to the road and any associated infrastructure will be the responsibility of Council, unless Council direct the proponent to lodge a subdivision application for a community title. Council is aware of the financial risk for the reparation of the road and associated infrastructure following a flood event.

Council is also aware of the expectation of the community to ensure that development occurs on flood liable land where the risk to both life and property is minimal and can be mitigated.

The Council has determined the flood planning levels already and they mean the level of a 1:100 ARI (average recurrent interval) flood event plus 0.75 metre freeboard are achievable along the river frontage in the application and these determinations are not inconsistent with the NSW Floodplain Development Manual 2005 (including the Guideline on Development Controls on Low Flood Risk Areas)

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As such, it is considered that the planning proposal will implement the direction of Council policy is that no future residential development will be allowed under a level of 0.75 m freeboard of the flood planning level Reduced Level (RL) 34.65 m Australian Height Datum (AHD).

With direct access to a sealed road built at approximately the 1 in 20 year flood level (RL 34.00 A.H.D.), the future occupants of the site will be readily provided with access to emergency services.

There is an area on the land that is lower than the flood planning level and was an area where flood water escapes back into the Darling River and this has been excluded from the development.

On-site water sensitive urban design is able to be adopted as part of any future residential development so that downstream properties and local government areas remain unaffected.

Flood Risk Assessment

To support the planning proposal, and in the absence of a shire wide Flood Study and Flood Risk Management Study and Plan, the proponent has submitted a site specific Flood Risk Assessment. The assessment was prepared by the same consultants preparing the shire wide Flood Study and FRMS&P.

Flood risk and evacuation is addressed in Section 3.3 Flood Risk and Evacuation of the Flood Risk Assessment. This section identifies that new roads should provide flood free access for at least a 5% AEP flood event. Any higher would require significant filling and impede the movement of flood water in the floodplain.

Figure 11 provides details of the available evacuation routes from the site. The section advises that given the slow movement of flood water along the Murray and Darling Rivers in this area means that there is a significant amount of time to provide the broad community with warnings.

The resultant large timeframe between first being advised of a flood event and when that event actually arrives, means warnings can be issued repeatedly over days and even weeks. It is noted that the evacuation of local residents is only effective when evacuation instructions are acted upon by the community.

Table 4 on page 10 calculates the number of days for warnings to be issued prior to the arrival of relevant flood events.

Whilst the planning proposal is inconsistent with Direction 4.3 Flood Prone Land in that:

- the proposal seeks to rezone flood prone land from RU1 Primary Production to R5 Large Lot Residential zone, and
- that currently Council does not have a floodplain risk management plan prepared in accordance with the Floodplain Development Manual 2005

the Flood Risk Assessment (FRA) has been prepared by the same consultants

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engaged by Council to prepare a Flood Study and Flood Risk Management Study (FRMSP) and Plan in accordance with the Manual. The data used to prepare these documents has also been used to prepare the FRA. As this process is lengthy and time consuming, the Manual estimates that the process can take 5 years, it cannot be expected for a small scale development such as this, to be continually delayed or refused on the basis that the FRMSP has not yet been completed, when an FRA has been submitted.

In addition, the extension to the area applicable to the six (6) western lots has been considered and elected to allow for development outside of the medium to high hazard area.

It should also be noted that the Floodplain Development Manual 2005 states that “flood prone land is a valuable resource that should not be sterilised by unnecessarily precluding its development”. This statement supports Wentworth Shire Council’s drive to facilitate development of small scale rural residential properties within close proximity to the township of Wentworth.

Direction 6.1 Approval and Referral Requirements

The proposed rezoning of the land does not seek any additional agreement, consultation or referral of development applications to the Minister or other public authority or any designated development provisions.

Direction 6.2 Reserving Land for Public Purposes

The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes and is consistent with the provisions of the Ministerial Direction.

Direction 6.3 Site Specific Provisions

The planning proposal does not impose unnecessarily restrictive site specific planning controls and is consistent with the provisions of the Ministerial Direction.

4.3 Environmental, social and economic impact.

4.3.1 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 subject land is largely cleared land that has been significantly disturbed by intensive grazing and cropping activities for many years and there is minimum vegetation on the site.

Vegetation on the subject site is not considered to be endangered because:

- the vegetation is not ‘characterised’ by those species but rather by a range of

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introduced plants, noxious weeds and other native species; and

- the subject site in total is highly disturbed, modified and degraded, and does not constitute a natural part of the landscape;

Consequently, there would be no significant effect on critical habitat or threatened species, populations or ecological communities, or their habitats due to the disturbed nature of the site.

The vegetation corridor along the Darling River will not be affected by the planning proposal and future residential development will be required to maintain a 40 metre buffer zone from the bank of the Darling River.

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

Riparian Corridor

The subject land fronts onto the Darling River and is classified under NSW Office of Water's Guidelines for Riparian Corridor's using the Strahler System.

Under Part 2, Schedule 2 of the *Water Management (General) Regulation 2011*, Wentworth is classed as based on 1:50,000 topographic maps and the Darling River would be classified as a third order stream.

Accordingly, future residential development will be required to maintain a 30 metre Riparian Buffer zone from the bank of the Darling River.

Flood Planning

Refer to the Flood Risk Assessment.

The extension of the six (6) western lots will ensure that any development will occur outside of the medium to high flood hazard area.

Emergency Site Access

During a major storm event, the proposed site access to Pooncarie Road will be by safe entry and access points to the various residential dwellings on the land as required by Council to be at the 20 year ARI flood event.

Utility Services

The site can be serviced by the relevant infrastructure providers (i.e. sewer, water, electricity and telecommunications).

The site is in close proximity to the East Wentworth (Wentworth Township) sewerage works and connection is intended for all lots in the development.

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Site Suitability

Having regard to the characteristics of the site and its location, the proposed rezoning is considered appropriate in that:

- The size, dimensions and location of the site (adjacent to a proposed rural-residential development and in proximity to the Wentworth Town Centre) are appropriate for the accommodation of the proposal;
- The surrounding road network will accommodate the traffic generated by the proposal;
- The proposed access arrangements are satisfactory;
- The proposed uses and density is compatible with the pattern of surrounding development;
- There are no environmental or social issues that would constrain the proposed rezoning or development from occurring.

4.3.3 How has the planning proposal adequately addressed any social and economic effects?

Whilst the planning proposal is relatively minor in nature, there will be a positive social and economic effect on the township of Wentworth.

The provision of large Rural Residential Lots adjoining the town will offer an “in demand” rural lifestyle opportunity through wider housing choice and create opportunity to the building industry and enhance local businesses.

4.4 State and Commonwealth interests.

4.4.1 Is there adequate public infrastructure for the planning proposal?

The planning proposal involves a rural-residential subdivision of 14 lots and access will be to the existing Pooncarie Road. It provides adequate bitumen road access to the site, and mains electrical power and telecommunications servicing about the site, and are more than adequate to service and meet the needs of the proposal.

Essential services such as emergency services (police, ambulance, SES etc.), and education and health services are all available in the Wentworth township.

The development is in close proximity to the East Wentworth (Wentworth Township) sewerage works and the service will be available to the development.

4.4.2 What are the views of State and Commonwealth public authorities

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consulted in accordance with the gateway determination?

The views of the State and Commonwealth Public authorities will be known once consultation has occurred as part of the gateway determination of the planning proposal

4.5 Community Consultation

Community Consultation will be undertaken in accordance with “A Guide to Preparing Local Environmental Plans and the Wentworth Shire Council Community Participation Plan.

The planning proposal is considered to be a low impact planning proposal and the planning proposal exhibition period will be 28 days.

Community consultation will be commenced by giving notice of the public exhibition of the planning proposal:

- in a newspaper that circulates in the area affected by the planning proposal;
- on the web-site of the Wentworth Shire Council, and
- in writing to adjoining landowners.

During the exhibition period, the following material will be made available for inspection:

- The planning proposal, in the form approved for community consultation by the Director General of Planning;
- The gateway determination; and
- Any studies relied upon by the planning proposal.

Following community consultation Wentworth Shire Council will consider all submissions made concerning the planning proposal and provide a summary for the consideration of Council.

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Part 5 – Addendum to Planning Proposal

During exhibition of the planning proposal, Department of Industry – Agriculture made a submission of objection to the proposed development.

Part 5 Addendum to Planning Proposal addresses the concerns raised by DPI Agriculture, particularly in relation to the following:

- **Consideration of the agricultural implications of the proposal** with regard to:

- Far West Regional Plan Direction 2

Council Response – This direction aims to *protect productive agricultural land and plan for greater land use compatibility*. The subject site is being used for dryland grazing of sheep. Given the intent to rezone approximately 38 hectares, the proposal will only be reducing the current carrying capacity of the property by about 6 sheep (Dry Sheep Estimate being 6 sheep per hectare). It can be argued that the subject site is 'productive' but the loss of this area from active agricultural under its current practices is minimal.

The proposal will include lots of a large nature, particularly in comparison with the 3,000 m² and 5,000 m² lots applied on R5 Large Lot Residential zone in other areas of the Wentworth local government area. This will ensure that there is sufficient 'space' around the rural residential development to ensure that land use conflict from grazing sheep will not be detrimental to the continuation agricultural activities and rural lifestyle expectations.

- Wentworth LSPS Planning Priority 1 (especially part D)

Council Response – Planning Priority 1 Part D aims to *support other agricultural land uses, including dryland cropping and pastoral farming by:*

- Minimising subdivision to new or smaller lots unless in areas identified suitable for irrigated horticulture (new irrigated horticulture)*
- Preventing the establishment of dwellings not associated or required for the agricultural use of the land*
- Supporting the transition from one type of agricultural land use to another subject to any relevant land management consideration that may apply in lease agreements issued under the Western Lands Act 1901*

This planning priority is aimed at the RU1 Primary Production zone and not other non-agricultural zones. Despite this, the subject site has not been used for cropping or irrigation as the family holding has historically been operated under a grazing lease. With the land tenure of the property now being freehold, the current landholders have no intention of either cropping or irrigating the land surrounding the proposed development footprint.

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- **justification as to why this land was not included in the settlement boundaries outlined in the LSPS if there is "demand" for rural residential**

Council Response – Council consolidated its settlement boundaries around the urban areas (townships), inferring the definition of ‘settlement’ as being the township or urban area (as similarly defined in Wikipedia). Page 34 of the LSPS states that *In Wentworth, new urban development is to: v. investigate new rural residential development opportunities outside the township boundary*. The land subject of this planning proposal was nominated as a suitable site for rural residential development as part of the Rural Residential Strategy 2007 which Council adopted in June 2008. The site is a natural progression and extension of the existing R5 development on Pooncarie Road.

The R5 zone is the only zone in the standard instrument that can be used for strictly rural residential purposes, it is also applied for large lot residential development. Therefore in this case, the zone is not an urban residential zone, but a zone being applied for rural living. Rural living development, unless it adjoins the existing urban zone, such as RU5 Village zone, will not be included in the settlement or township boundary.

- **Address other planning instruments such as MREP2, PP&RD SEPP**

Council response – The planning proposal, as submitted for a gateway determination, addressed both of these instruments. Previous comments, including additional information addressing the MREP2 and the PP&RD SEPP includes the following:

Murray REP No.2 - Riverine Land

The Murray REP No. 2 Riverine Land is a deemed SEPP that was gazetted on 31 March 1994 and applies to the Wentworth Shire Council.

Murray REP No. 2 seeks to conserve and enhance the riverine environment of the River for the benefit of all users, and in particular to ensure that appropriate consideration is given to development with the potential to adversely affect the riverine environment of the River.

It seeks to establish a consistent and coordinated approach to environmental planning and assessment along the River and to conserve and promote better management of the natural and cultural heritage value of the riverine environment of the River.

The planning proposal satisfactorily addresses Murray REP No. 2 as follows:

- The site is not affected by a River Management Plan.
- The aims, objectives, planning principles and potential cumulative impacts have been described in Part 1 of this report and would be sufficient as the statement required by an Environmental Effects Statement.

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- Future residential development will not adversely affect land within the surrounding local government area or result in the redistribution of flood waters. An assessment of flooding has been undertaken in support of the planning proposal which is attached. The assessment confirms the suitability of the land from a flooding perspective.
- Foreshore building setbacks are adopted in the LEP to ensure the aesthetic quality and high amenity value of the Darling River is maintained. The setbacks ensure all identified development is setback from the river which manages the risk of and negative impacts resulting on the river.
- Residential development on the site will not compromise the integrity of the riverbank due to the required setbacks of the LEP. Development of the land will require consent which will also consider associated impacts based upon the type of development proposed.
- Effluent from future development is able to be treated by connection to the East Wentworth Sewerage Works as shown in the investigation that has been carried out on the adjoin site on Pooncarie Road. An innovative high pressure reticulated sewer solution has been proposed for connection to the land. The sewer will capture all wastewater from any development on the land and remove it from the land. The wastewater will be treated offsite at the Council treatment plant.

State Environmental Planning Policy (Primary Production and Rural Development) 2019

The land is subject to the SEPP which has the following aims:

- (a) *to facilitate the orderly economic use and development of lands for primary production,*
- (b) *to reduce land use conflict and sterilisation of rural land by balancing primary production, residential development and the protection of native vegetation, biodiversity and water resources,*
- (c) *to identify State significant agricultural land for the purpose of ensuring the ongoing viability of agriculture on that land, having regard to social, economic and environmental considerations,*
- (d) *to simplify the regulatory process for smaller-scale low risk artificial waterbodies, and routine maintenance of artificial water supply or drainage, in irrigation areas and districts, and for routine and emergency work in irrigation areas and districts,*
- (e) *to encourage sustainable agriculture, including sustainable aquaculture,*
- (f) *to require consideration of the effects of all proposed development in the State on oyster aquaculture,*
- (g) *to identify aquaculture that is to be treated as designated development using a well-defined and concise development assessment regime based on environment risks associated with site and operational factors.*

The planning proposal is consistent with the SEPP due to the land being of low productivity

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and not being identified as state significant agricultural land. The land is not approved for irrigation nor does it benefit from a water licence for irrigated horticulture. The land contains many stands of remnant native vegetation which would prevent intensive farming activities. The land is within setbacks to the Darling River which would restrict intensive horticultural plantings. The soil types close to the river where the rezoning is proposed are such that they would not be conducive to such plantings.

The rural residential activities will not increase land use conflict due to the large lot sizes being proposed through the planning proposal and the low intensity nature of the adjoining agricultural pursuits being undertaken on the abutting farming land. The adjoining land use is for grazing purposes. The land has limited improvements in terms of pasture and clearing. The land is not suitable for more intensive cereal cropping due to it not being cleared of vegetation and the soil types. The land to the south has been zoned and developed for rural residential purposes which has successfully adopted similar principles to limit any conflicts. There has been no record of complaint received by either the farming or rural residential land as a result of the subdivision and associated development having been undertaken.

The land being made available for rural residential development has adopted lot sizes which will ensure stormwater will not impact upon adjoining land. This is achieved through the large lot size, undulation of the land and slope. Setbacks of any development will be applied through the consent process which will protect the water quality of the Darling River.

The land will be connected to Council's reticulated sewerage network and will therefore not rely in onsite wastewater disposal. This results in increased benefits to the environment and adjoining land. It also ensures a long term sustainability of development undertaken on the land.

The lots created through the subdivision will have the opportunity for a riparian water right for use on the land. Water use through such right is likely to average 3ML per annum per lot. When considering this against the annual extraction from the system of some 3,700GL which is extracted from the system the extraction for the lots within the subdivision will not impact the operational nature of the Murray Darling Basin. The land also benefits from being within the weir pool of lock 9 which results in it benefitting from flow in the Murray and Darling River's.

The financial impact of the land being rezoned is minimal as the proposed rezoning area is approximately 38 hectares (including the road). The Wentworth Shire Council has vast amounts of agricultural land available for dryland purposes. The land subject to the rezoning is used for low intensity grazing purposes. The far west of NSW has significant areas of similar land available for such purposes. An analysis of zoning in the municipality confirms more than 90% of land is included in Zone RU1 Primary Production and therefore promoted through the objectives of the zone for agricultural purposes. The loss of 38ha will have an unmeasurable impact upon the state's agricultural base for low intensity grazing purposes. This represents a 0.001% reduction in land included in Zone RU1.

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- **Provision of water and other services (including any river water licencing)**

As previously stated in the main body of the planning proposal, access to the proposed development will be from a new road off Pooncarie Road, the site will be connected to power, telecommunications and the Wentworth township sewer infrastructure.

Confirmation from the local WaterNSW is that in accordance with Section 52 of the Water Management Act 2000, the landowners of these lots will be entitled to a water supply without the necessity for access licences, water supply works approvals or water use approvals (commonly referred to as 'riparian right for domestic purposes'). The development approval for the construction of dwellings and associated buildings will also require the proponent to install water tanks for the collection of potable water.

- **A commitment that no other Planning Proposals will be prepared until a rural land use strategy has been completed and endorsed**

Council does not anticipate preparing any new planning proposals for rezoning rural land prior to the completion of a rural land strategy, particularly where there is insufficient strategic justification for supporting those proposals.

9.8 DELEGATED AUTHORITY APPROVALS AS AT END OF MARCH 2021

File Number: RPT/21/176

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Kerrie Copley - Administration 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

For the month of March 2021, a total of 21 Development Applications and three S4.55 Modification Applications were determined under delegated authority by the Director Health & Planning.

The estimated value of the determined developments was \$6,767,078.00. This brings the year to date total to 30 Development Applications and eight S4.55 Applications approved, with an estimated development value of \$7,979,448.00.

Recommendation

That Council:

- a) Receives and notes the report for the month of March 2021; and
- b) 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.

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 & Planning for the month of March 2021, 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 \$6,767,078.00 for the month of March 2021. The average determination time was 36 days.

Attachments

1. March 2021 Determinations [1](#)

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF MARCH 2021

FILE NUMBER	OWNER	LOCATION	DESCRIPTION	VALUE (EX GST)	DETERMINATION DATE	ACTIVE DAYS
DA2020/125	Wentworth Shire Council	61 Darling Street Lot 6 SP 85315 Wentworth	Alterations to existing building & change of use	\$2,500,000.00	2/03/2021	99
DA2020/180	NSW Crown Land	Rufus River Road Adjacent to Lot 775 DP 1184283 Rufus	Redevelopment of existing Millewa Pump station	\$500,000.00	3/03/2021	36
S4-55/2020/041	Jason & Louise Williams	8A Carbone Court Lot 1 DP 1233320 Buronga	Modify DA2018/163 redesign dwelling	\$0.00	3/03/2021	36
DA2021/001	Donchai Chanchangthahan & Sarinthip Mahachot	66 Wood Street Lot 4 DP 1253735 Gol Gol	Verandah attached to dwelling	\$13,800.00	8/03/2021	36
DA2020/172	Peter & Donna Ricardi	80 Silver City Highway Lot 1001 DP 756961 Buronga	Carport	\$1,000.00	10/03/2021	57
DA2021/003	Glenn & Stacie Bottrell	34 Lee Court Lot 46 DP 1259103 Gol Gol	Storage shed	\$45,000.00	11/03/2021	35
DA2021/004	Rebecca & Stuart Kilpatrick	Wilga Road Lot 3 DP 1184258 Gol Gol	Dwelling with garage & storage shed	\$543,900.00	11/03/2021	39
DA2021/006	Shaun & Lauren Castleman	21 Lee Court Lot 54 DP 1259103 Gol Gol	Storage shed	\$45,000.00	11/03/2021	35
S4-55/2021/002	Ian & Collette Hazeldene	140B Renmark Road Lot 4 DP 870517 Wentworth	Modify DA2020/138 Decrease size shed 1 & decrease swimming pool size	\$0.00	11/03/2021	22
DA2020/147	Rebecca Attwood	43 Wentworth Street Lot 1 DP 716007 Wentworth	Subdivision - 1 Lot into 2 Lots	\$0.00	12/03/2021	84

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF MARCH 2021

DA2021/015	Daniel Carew & Melissa Howley	26 Lee Court Lot 42 DP 1259103 Gol Gol	Retaining wall & Boundary fence	\$10,000.00	18/03/2021	26
DA2021/010	Justine Gray	78 Acacia Road Lot 9 DP 807825 Curlwaa	Storage shed & carport	\$50,025.00	19/03/2021	31
DA2021/021	WSC Trustee	Arumpo Road Lot 1 DP 1037845 Buronga	Carport	\$5,393.00	26/03/2021	24
DA2021/022	WSC Trustee	64A Beverley Street Lot 7320 DP 1158106 Wentworth	Shade sail structure	\$27,000.00	26/03/2021	23
DA2021/012	Peter & Cherie Pretscherer	10 Murray Street Lot 3 Section 27 DP 758456 Gol Gol	Alterations & additions to existing dwelling	\$185,000.00	29/03/2021	35
DA2021/013	Brendan Alderton & Jacinta Macri	15 Pine Road Lot 16 DP 1267581 Gol Gol	Storage shed	\$14,900.00	29/03/2021	34
DA2021/014	Ashlee & Daniel Carmichael	40 Dawn Avenue Lot 9 DP 1259103 Gol Gol	Dwelling with garage	\$387,050.00	29/03/2021	34
DA2021/009	Robert Garde	71 Wood Street Lot 15 DP 588002 Gol Gol	Storage Shed	\$65,000.00	29/03/2021	35
DA2021/017	Gareth Collinson & Marnie Collyer	5 Fiona Drive Lot 13 DP 1038712 Gol Gol	Storage Shed	\$10,000.00	29/03/2021	30
DA2021/018	Alicia & Thanura Rajapakse	200 Pitman Avenue Lot 18 DP 1098921 Buronga	Storage shed & pergola	\$36,760.00	29/03/2021	30
DA2020/045	Steven & Marion Kiel	5669 Sturt Highway Lot 5 DP 756961 Monak 5690 Sturt Highway Lot 62 DP 822044 Monak	Construction of a pump station & two dams	\$1,023,750.00	29/03/2021	30
DA2021/016	Richard & Sonya Baker	12 Murray Street Lot 4 Section 27 DP 758456 Gol Gol	Dwelling with garage, swimming pool / spa &	\$1,300,000.00	30/03/2021	32

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF MARCH 2021

DA2021/007	Crown Land NSW - WSC Trustee	Golf Course Road adjacent to Lot 1136 DP 725640 Dareton	extension to existing storage shed	\$3,500.00	30/03/2021	36
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9.9 REDEVELOPMENT OF THE WENTWORTH CIVIC CENTRE PROJECT UPDATE

File Number: RPT/21/180

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.

Council endorsed Concept 8 for the Wentworth Shire Civic Centre on 18 December 2019, after which the Concept Plan was further developed and finalised late in 2020. It is believed that the finalised Concept Plan incorporates functionality, serviceability and the inclusion of all required facilities to promote a space that employees, the local community and visitors successfully utilise.

The State Library of New South Wales confirmed on 5 June 2020, that Council had been successful in securing \$500,000.00 ex. GST in funding by way of the 2019/20 Public Library Infrastructure Grant.

Council submitted on 2 September 2020, a funding application for the relocation of the Wentworth Visitor Information Centre to the Civic Centre, as part of Round 7 of the Resources for Regions Program. Funding of \$941,023.00 ex. GST was requested.

Council nominated the Wentworth Library Outdoor Riverfront Gathering Space as a project under Phase 2 of the NSW Government Local Roads and Infrastructure Program Extension, requesting funding in the amount of \$487,539.00 ex. GST. Council await an official response from the Local Roads and Infrastructure Program. Should the project be successful in obtaining funding, works are to be completed by 31 December 2021.

An application for funding in the amount of \$713,339.00 ex. GST was submitted with Building Better Regions – Round 5 on 12 March 2021, for the Wentworth Community Space and Convention Centre. It is expected that funding announcements will be released mid-2021.

It is proposed that two separate funding applications will be submitted by Council for Round 3 of the Murray-Darling Basin Economic Development Program, inclusive of the Wentworth Community Space and Convention Centre.

A further funding opportunity will be available via Round 4 of the Stronger Country Communities Fund, opening on 1 May 2021.

Wentworth Shire Council will host the Murray Darling Associations 77th National Conference and Annual General Meeting (AGM) from 16 to 19 May 2021. The conference is themed “Connecting Councils and Catchment” with an array of conference presenters expected to attend including experts from industry, government and community organisations who are all playing a critical role in shaping the future of Australia. The conference and AGM will be held within the Civic Centre building, being an opportunity to showcase the overall concept for the redevelopment.

Recommendation

That Council notes the information contained within this report.

Detailed Report

Subsequent to the quarter report of 20 January 2021, the following works have been completed:

- A draft Expression of Interest (EOI) for construction and fit out of the building has been prepared. Council’s officer is further developing the draft EOI for release as part of the expression of interest process.
- GSD Architects continue to compile tender documentation for the construction and fit out of the building, including “For Tender Issue” drawings and specifications. At this stage it is anticipated that a separate tender and specification will be issued for the Wentworth Library Outdoor Riverfront Gathering Space to ensure works are completed by 31 December 2021.
- A Preliminary Building Code of Australia (BCA) Assessment was completed by Regional Building Consultants identifying areas of non-compliance within the Civic Centre. GSD Architects and Regional Building Consultants continue to investigate and progress identified areas of non-compliance for inclusion within the tender specification.
- Development Consent (DA2020/125) was issued to GSD Architects by the Wentworth Shire Council on 3 March 2021, for “a change in use and alternations to the existing building.” A further Development Application will be submitted to the Wentworth Shire Council for the external component of the build i.e. branding to the external surface, secured car compound, and minor restoration works proposed within the carpark.
- Brandi Projects (Brandi), 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. A Concept Design has been prepared which Brandi are further developing. Indicative project costings for interpretive themes proposed within the Concept will be prepared by Brandi for Council’s use within the funding application for Round 3 of the Murray-Darling Basin Economic Development Program.
- BRT Consulting Pty Ltd are progressing with the schematic design including specification for mechanical and electrical services for tender issue. BRT Consulting Pty Ltd have provided initial feedback with regards to hydraulic and fire services, recommending the engagement of a fire service engineer to develop a design brief and report, including any required consultation with Fire and Rescue NSW.
- Based on recommendation by BRT Consulting, GSD Architects have engaged an accredited building surveyor / fire safety engineer to prepare a Building Code of Australia (BCA) Capability Statement Report to identify non-conformance of the current fire system when compared to the requirements of the *Building Code of Australia 2019* for fire resistance, access and egress, fire services and equipment, and health and amenity. This information will assist the fire service engineer and GSD Architects in moving forward with determining any system upgrades, performance solutions, progress a design brief, and initiate any required consultation with Fire and Rescue NSW.

- Tonkin Consulting are progressing with the assessment of the structural components of the Civic Centre building. A preliminary sketch of the steel framed canopy to the entrance of the public area of the building (access to the Visitor Information Centre and Library) has been submitted providing insight as to the proposed steel configuration.
- Quantity Surveyor, Simon Wragg and Associates, developed a detailed Sketch Cost Plan specific to the first-floor conference facilities (Wentworth Community Space and Convention Centre) for use within the Funding Application submitted to Building Better Regions, Round 5.
- GSD Architects are compiling of a Fixtures List for Councils consideration. Fixtures will include recommended finishes i.e. flooring selections, cabinetry, tiles, paint selections, hardware inclusive of handles, taps etc.
- Council staff continue to compile specifications for information and communications technology, infrastructure and systems required within the redeveloped building.

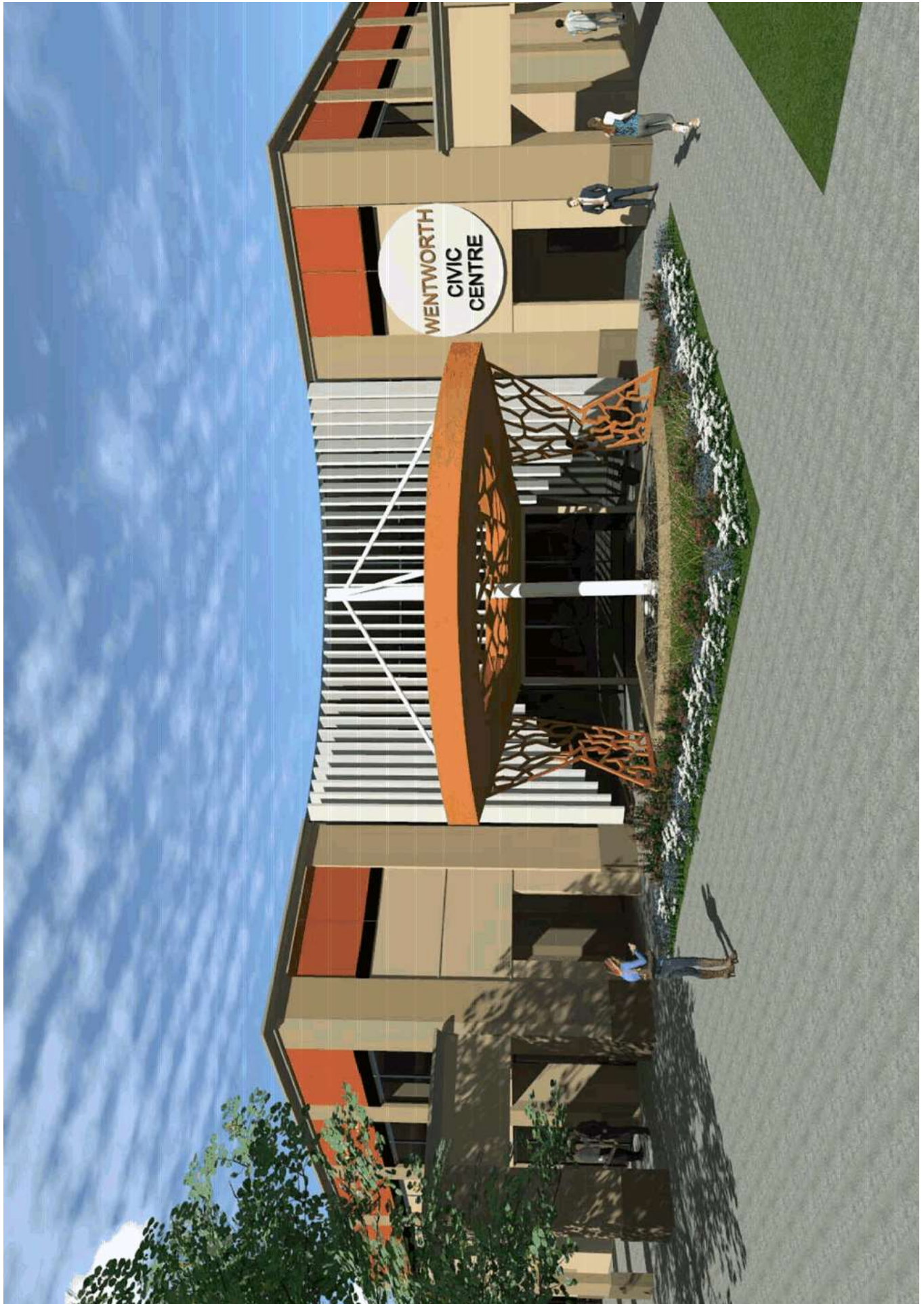
Attachments

1. Preliminary Floor Plan for the Wentworth Civic Centre Redevelopment [↓](#)
2. Preliminary Elevation Plan for the Wentworth Civic Centre Redevelopment [↓](#)
3. Building Entrance Concept [↓](#)
4. Building Rear Concept [↓](#)
5. Brandi Projects Wentworth Shire Council Visitor Information & Experience Centre Concept Document [↓](#)














WENTWORTH SHIRE COUNCIL
VISITOR INFORMATION AND EXPERIENCE CENTRE

1691WE

CONCEPT DOCUMENT

ISSUED 02-2021

APPROVAL
DATE






...../...../.....

CONSULT | DESIGN | CREATE

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brandiprojects.com.au
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BETWEEN THE MURRAY AND THE DARLING
THE WENTWORTH EXPERIENCE



an exhibition for
The Wentworth Shire Council



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MUSEUM, HISTORICAL AND HERITAGE CONSULTANTS



THE PROJECT

Representatives of Wentworth Shire Council in August 2020 discussed with Brandi Projects a proposed exhibition to be mounted in the now closed Wentworth Services Club. Exhibition space will be provided also for an art gallery and travelling exhibitions.

Strategically placed at the junction of the Murray and Darling rivers, Wentworth has a rich history which includes some of the oldest human remains on the planet, the visit by the explorer Charles Sturt in 1829, the town's development as a major inland port based on paddle steamers and its more recent growth as a centre of irrigation.

Wentworth is also a place of outstanding natural beauty with an extensive range of flora and fauna.

The exhibition is planned to range widely in its coverage of the life and times of Wentworth, complementing the town's existing heritage assets, such as its historic buildings including the Wentworth Gaol and other interpretive infrastructure, as well as Mungo National Park, Lake Victoria, the Chaffey Trail from Mildura and local events, presenting to both visitors (300,000 annually) and residents of the town a stimulating overview of Wentworth's remarkable past and its exciting future.

The exhibition will be capable of remaining in place for at least 5 years.

Interpretation will be through interpretive panels as well as a theatre and audio (both non-verbal soundscape and point-to-delivered through headphones).

CURATORIAL VISION THEME AND CONCEPT OVERVIEW

Entering alongside a constructed paddle steamer, visitors will find that the exhibition's silences are filled by an ambient soundscape. Sounds of the river and local wildlife will form a backdrop to the experience of the exhibition's exploration of the story of Wentworth. The exhibition will present an account of Wentworth which relates its past with its present. Key features of the presentation will be:

A core of didactic panels developing the theme and sub-themes of the exhibition, illustrated by images and objects.

A theatre video presentation of 12-15 minutes on a key Wentworth story. Options include

-The 1956 flood and the little Massey Ferguson tractors which saved the day

-Wentworth paddle steamers.

Oral history relevant to the exhibition themes, if available, carried by headphones.

KEY MESSAGE

The key message of the exhibition will be that Wentworth is a town with a rich history, placed in a wonderful environment.

BETWEEN THE MURRAY AND THE DARLING THE WENTWORTH EXPERIENCE



an exhibition for
The Wentworth Shire Council

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THEMES

The working title of the project is "Between the Murray and the Darling: the Wentworth Experience". The Wentworth story will be explored in a set of themes which range widely across the history – both human and natural – of the town. These are the proposed themes with suggested sub-themes, carried by didactic panels:

PANEL 1 INTRODUCTION

The purpose of the exhibition and a brief summary of its themes, along with a 'welcome to country' message

PANEL 2 GOING BACK

Wentworth's rich pre-history

PANEL 2A

Mungo National Park

PANEL 2B

Mungo Man

Mungo Woman

PANEL 2C

Menindee Lakes

Perry Sandhills

Thegoa Lagoon

PANEL 3 THE BARKANDJI

First people in the Wentworth area

Map

Native Title

PANEL 3A

Bush food and medicine – quandong tree etc

PANEL 3B

Modern Barkandji art (can we reproduce up to 3 modern works through one of the Barkandji galleries?)

PANEL 3C

Kent Morris and the Melbourne Art Tram project

PANEL 3D

Lake Victoria and the indigenous past

PANEL 3E

Indigenous language

PANEL 3F

Indigenous astrology

FLOOR 1: CANOE PLINTH

Text – history and significance of the canoe, indigenous uses of canoes

PANEL 4 EARLY DAYS

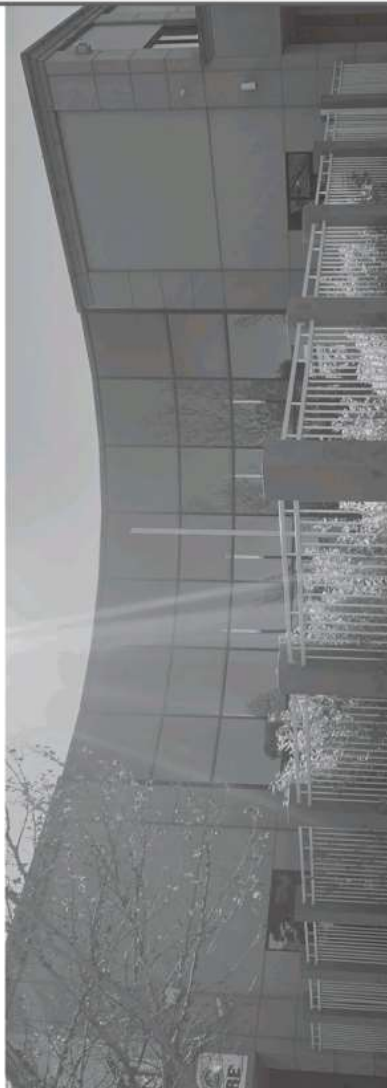
Summary of Wentworth history from Sturt to the coming of the riverboats in 1851

PANEL 4A

Sturt and how he found the junction of the rivers, Sturt's journal.

PANEL 4B

The overlanders and European settlement.



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- PANEL 5 PADDLE STEAMERS**
Brief summary – paddle steamers made Wentworth the second biggest port in NSW until the railways. First paddle steamers 1851.
- PANEL 5A**
Types and varieties of paddle steamers.
- PANEL 5B**
Famous paddle steamers eg the Fairy, the Rodney (sunk by rebel shearers 1894), the Ruby, the Emma, the Ruby
- PANEL 5C**
Famous river boat characters
Riverboat Captain Hall of Fame
- PANEL 5D**
Perils of paddle steamer navigation
- PANEL 5E**
Locks and weirs
- PANEL 6 WENTWORTH STORIES**
Intro
- PANEL 6A**
Duke of Edinburgh's visit 1869
WC Wentworth
- PANEL 6B**
Possum
John Egge
- PANEL 7 FLOODS**
Floods – 1870, 1890, 1916, 1931, 1939, 1952, 1956, 1964
- PANEL 7A**
1956 floods
Levee banks
The Fergie tractors
- PANEL 8 IRRIGATION**
Brief history of irrigation on the Murray
- PANEL 8A**
Agriculture and horticulture in the region
- PANEL 8B**
Wentworth Irrigation Scheme (Curlwaa)
Crops
Wentworth to Broken Hill pipeline
- PANEL 8C**
The Murray-Darling Basin Authority
- PANEL 9 WENTWORTH AT WAR**
Brief history of Wentworth's involvement in our various wars (no intention to compete with the Wentworth Military Collection)
- PANEL 9A**
Perry Sand Hills and Lake Victoria military training



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AUDIENCE

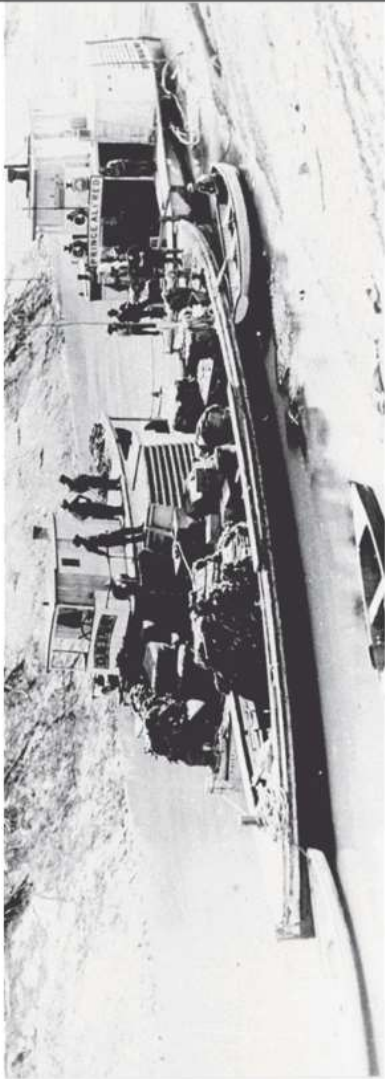
Subject to advice, we take the audience to comprise visitors to the Murray-Darling district, including those en route to Mungo National Park and Lake Victoria, as well as those following the Chaffey Trail from Mildura and those attending local events. The exhibition will be of interest to those attracted to the history of the town, including both visitors and locals. ("Interpretive plan: Port of Wentworth", March 2009)

While Wentworth and the Queensland Central West are not directly comparable, it may be of interest to note that visitors to the Queensland Outback Central West have been described ("Queensland's Outback Central West Visitor Profile and Satisfaction Report", Tourism Research Australia and Tourism Queensland, 2010) as

- Over 54 (80%)
- Retired (66%)
- Travelling in couples (70%)
- From interstate (60%), mostly from Victoria and New South Wales
- Self-drive visitors (90%)

EXHIBITION DEVELOPMENT PROCESS

- Project team formation
- Consultation on the proposal, amend as required
- Develop content kit (final text, images, objects, design)
- Consultation on the content kit, amend as required
- Construction
- Installation

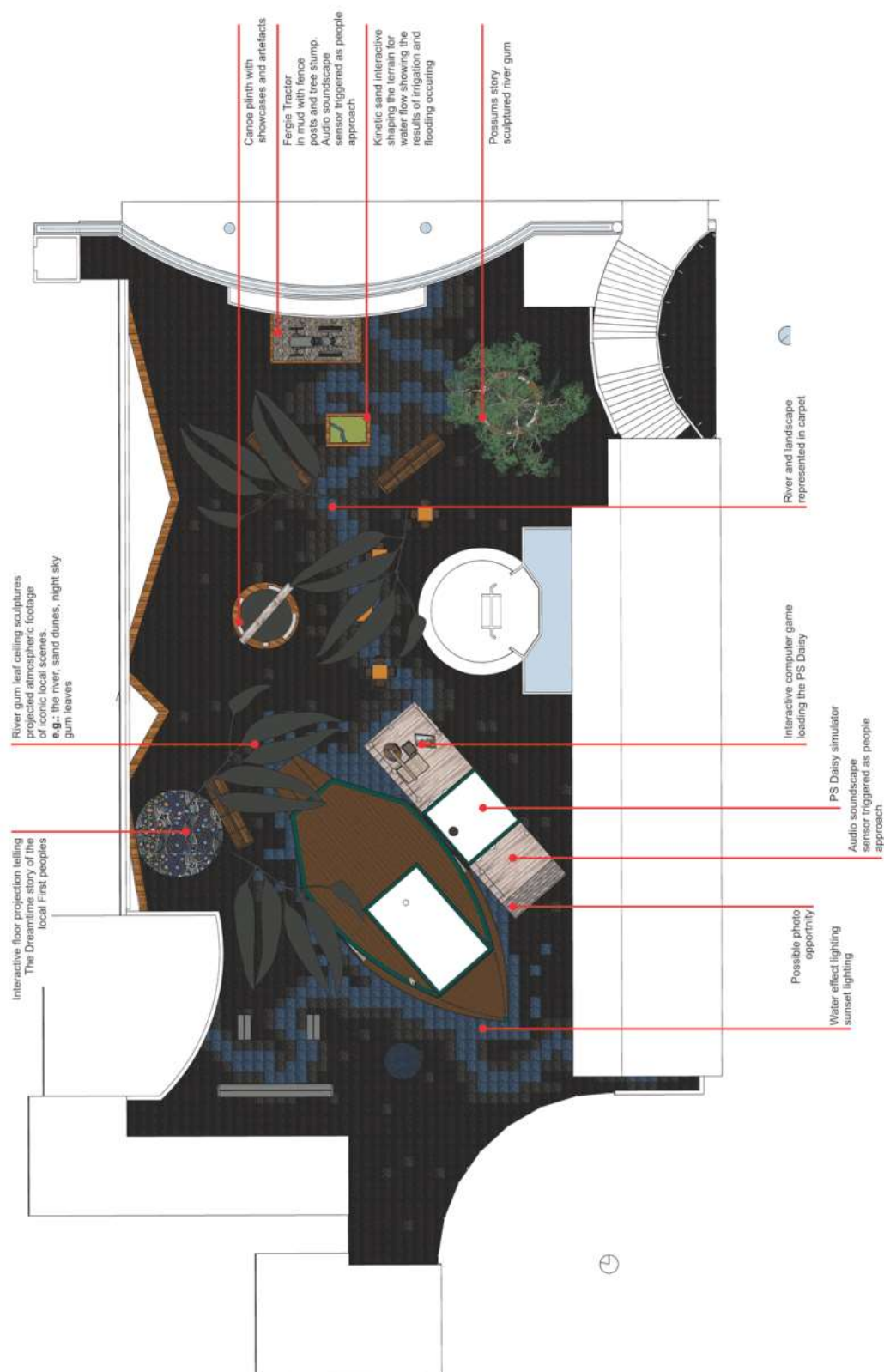


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 Drawing
Interactives and effects

02 DWG

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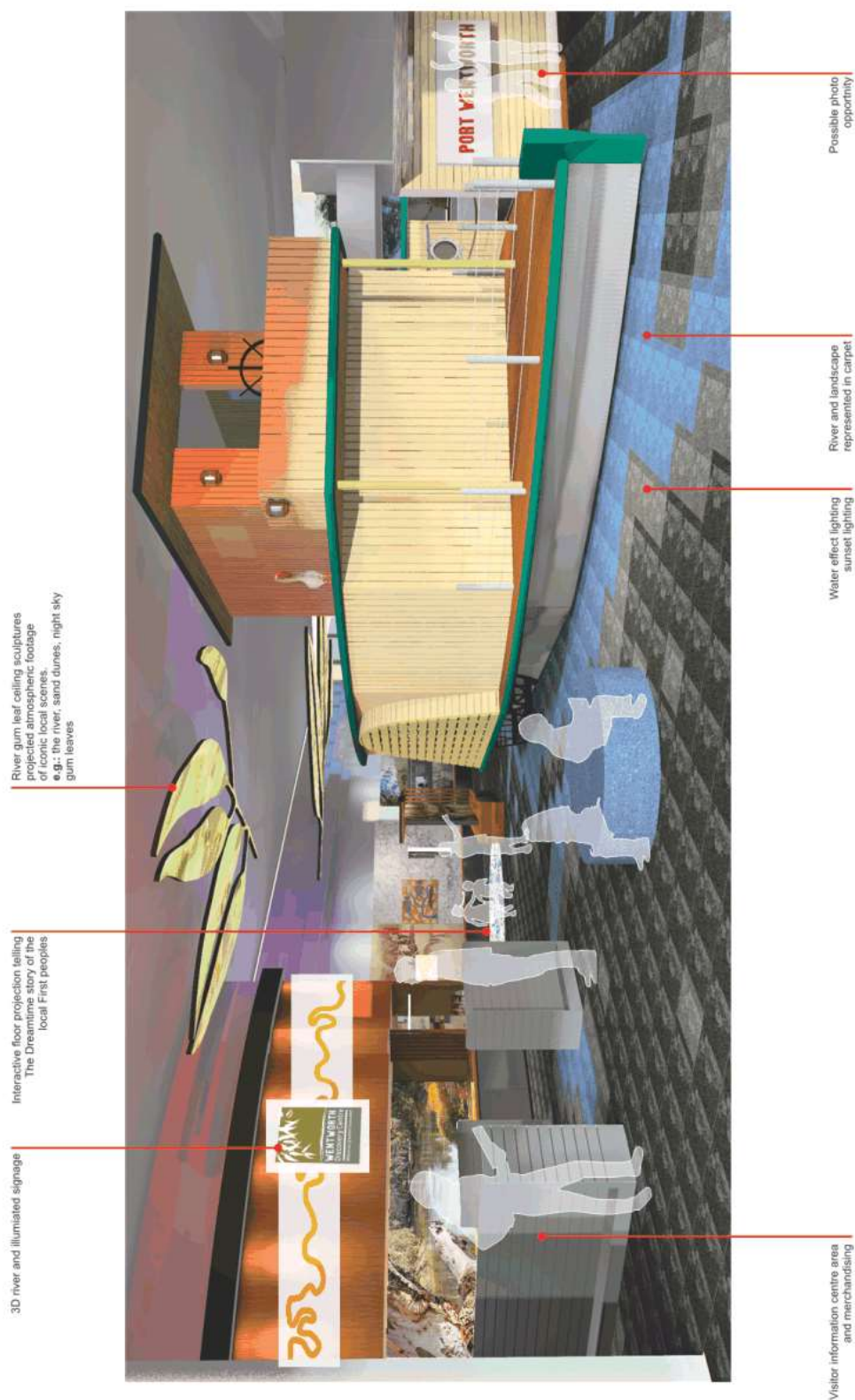
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View A

DWG
03

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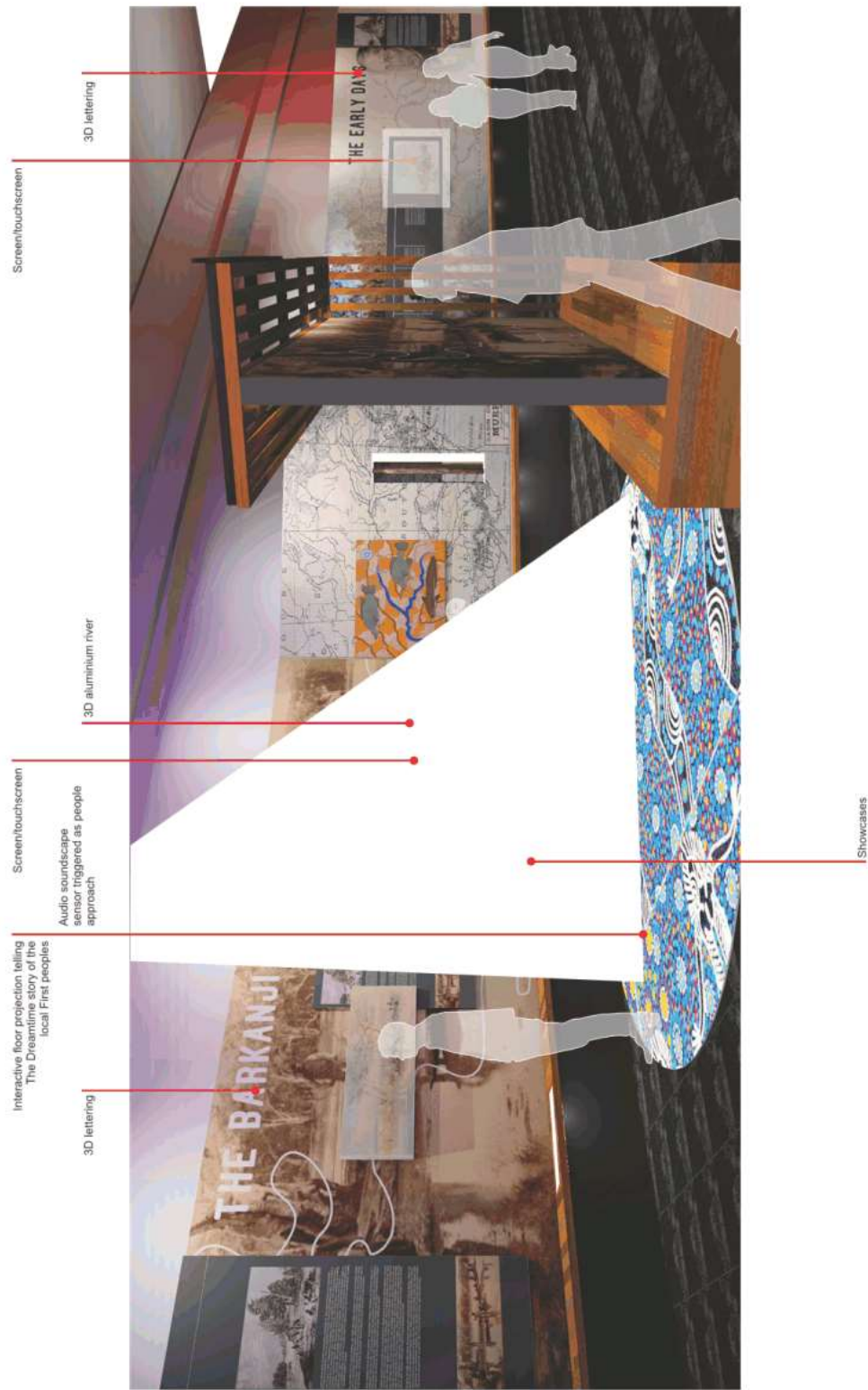
Consequent, yet to widely used, alternatives in the US, such as the use of a 100% chlorine disinfection system, have the disadvantage of any water leaching or leaching of chlorine into the water supply.

erleach's enduring on-stage remains the most visible property of Broad's work, and most not be missed, tempered with a sense of gain, additional to the 100,000 additional dollars, which prior to the 1990s, the artist's work had been sought by Broad Projects.

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View B



Drawing
Rendering View B

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View C



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Rendering View B

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Page 151



View D

Kinetic sand interactive shaping the terrain for water flow showing the irrigation and flooding occurs

River gum leaf ceiling sculptures projected atmospheric footage of iconic local scenes. e.g.: the river, sand dunes, night sky gum leaves

3D lettering

Screen/touchscreen

Canoe plinth

Showcases

Screen/Touchscreen

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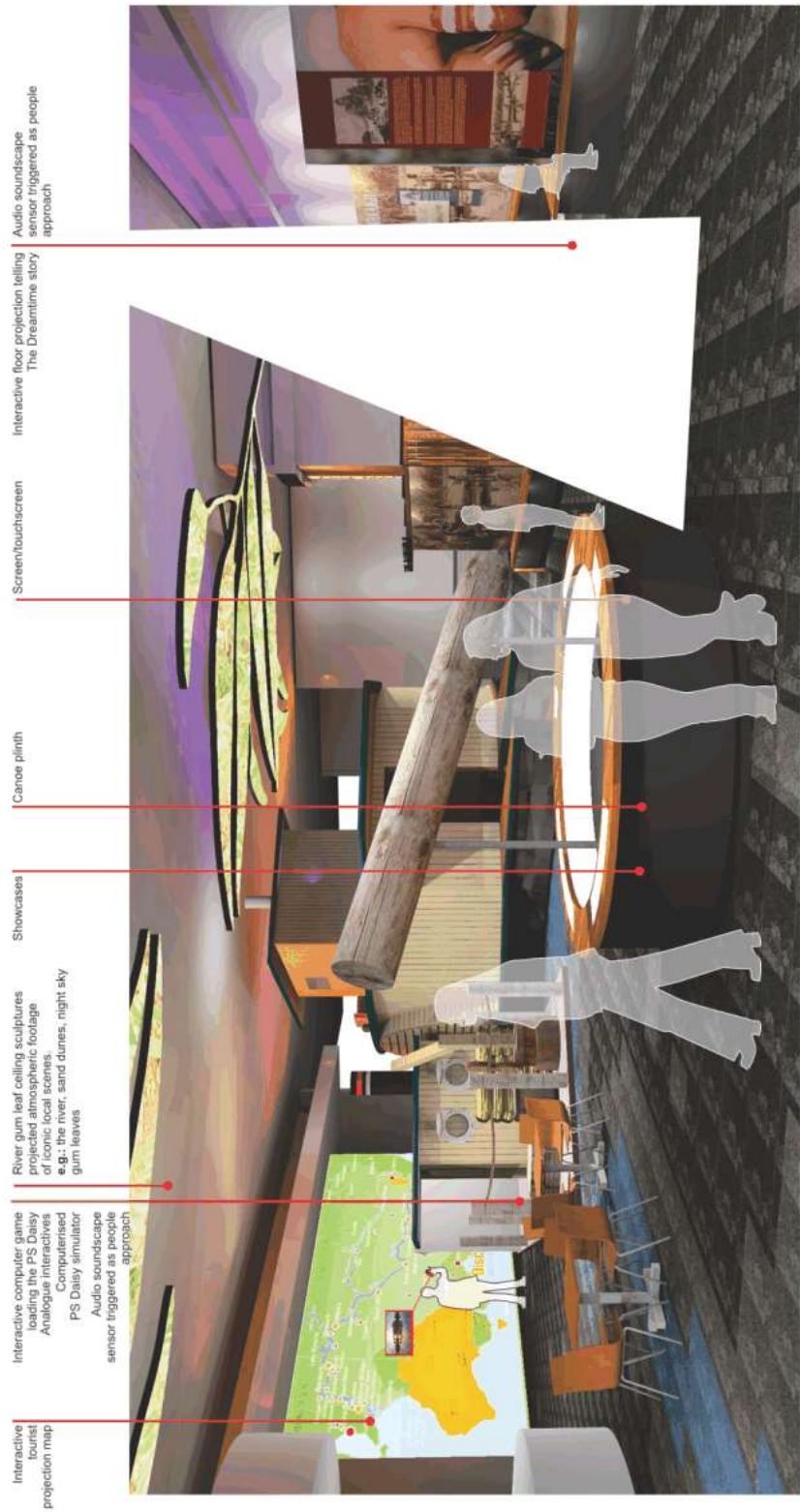
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New C

**Drawing
Rendering View**





Interactive tourist
projection map

Interactive computer games
loading the PS Daisy
Analogous interactive
PS Daisy simulator
Audio soundscape
sensor triggered as people
approach

River gum leaf ceiling sculptures
projected atmospheric footage
of iconic local scenes
light the river, sand dunes, night sky
gum leaves

Showcases

Canoe plinth

Screen/touchscreen

Interactive floor projection telling
The Dreamtime story

Audio soundscape
sensor triggered as people
approach

View E

Drawing
Rendering View D

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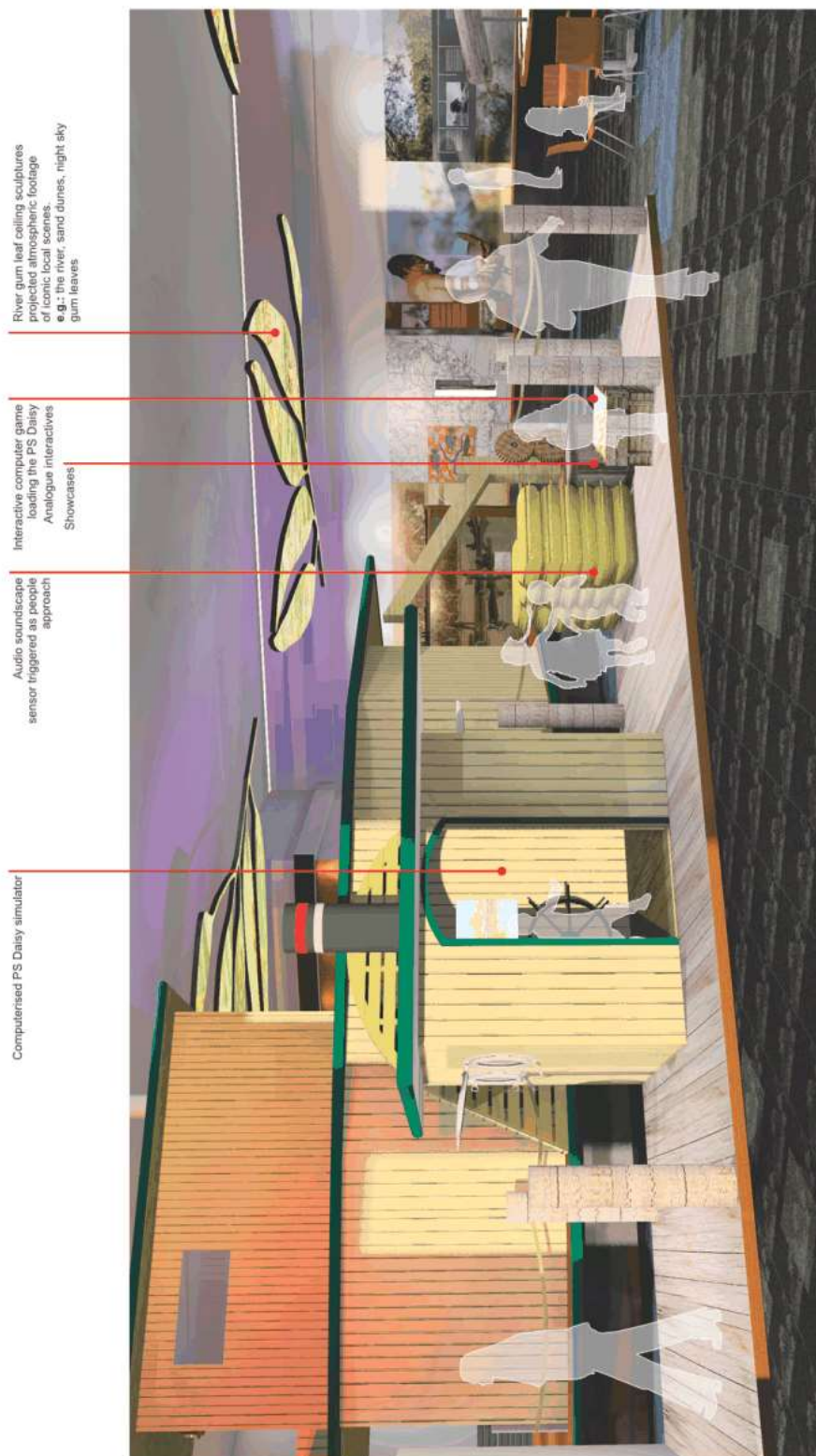
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View F

Drawing
Rendering View E

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View G

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DWG 10

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Drawing
Identity concept

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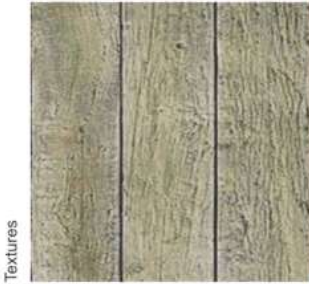
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Drawing
Materials and textures

Client
Wentworth Shire Council

Job:
1691WE

Drawn: PR
Rev: 00
Date: 17-02-2021
Scale: NTS

Approval date:
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These concepts / designs are subject to change once the quoting and detailed design process is underway.
We commit to producing the final product as close to the drawings as possible however sometimes
minor changes must be done due to client, budgeting and supply issues.
In most cases the changes are not noticeable, you will be notified otherwise.

9.10 PROJECTS AND WORKS REPORT UPDATE - APRIL 2021

File Number: RPT/21/173

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Tarryn Kampman - Coordinator Roads & Engineering

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 projects and major works undertaken by the Roads and Engineering Department which have been completed during the month of March 2021.

Recommendation

That Council notes the major works undertaken for March and the scheduled works for April 2021.

Detailed Report

Refer to below for updates of the works completed in March 2021 and planned activities scheduled for April 2021.

Projects and Works update for March 2021

Roads

- Major reconstruction works for Transport for NSW (TfNSW) on a 1.5 kilometre section, at segment 40 between Gol Gol and Euston, Sturt Highway. Works commenced mid-March with the excavation and refill of both shoulders of the first 500 metres completed by Easter.
- Works commenced on Garston Road and High Darling Link Road. Construction was halted to take advantage of rains for pre-Easter grading.
- Contractor has commenced works on Adelaide Lane beginning March with both drainage and pavement works on time to be finished by the second week of April. Sealing of the pavement to coincide with other Council sealing works.
- Tenders called for Milpara Road Reconstruction works for the reconstruction of 6 kilometres of the Milpara Road, between the Silver City Highway and The Anabran Road.
- Tenders called for the High Darling Road Reconstruction works for the reconstruction of 6.5 kilometres of the High Darling Road, commencing at the Silver City Highway and extending 6.5 kilometres to the North.

Maintenance Grading

- Planned maintenance grading was undertaken on the following roads throughout March; Old Broken Hill, Polia, Belvedere, Springwood, Arumpo and Pooncarie - Menindee Road.

Projects

Wentworth Aerodrome Upgrade

- Stage 2 provisional works on extended apron parking area and eastern side taxiway link continuing.
- Council has submitted a Project Change Request for Change to Scope and an Extension of Time to request approval to upgrade the second runway 17/35, awaiting response from the funding body.
- Electrical works continuing, installation of apron flood lighting.
- Contract documentation issued to contractor for Stage 2 sealing works.
- Investigations underway for jet fuel fuelling station at Wentworth Aerodrome.

Buronga Riverfront – completion June 2021

- Contractor has commenced construction undertaking the following:
 - Installation of bollards
 - Installation of table settings and concrete pads
 - Installation of additional irrigation
- Water main extension to riverfront area commenced.

Dareton Shared-way Continuation – completed March 2021

- Concrete path installation completed.

Dareton Town Entry Tree Corridor - completion June 30

- Scope of works completed start of March.
- The tree species have been selected and approved for installation.

Dareton Travellers Rest - completion June 30

- Conceptual artwork has been reviewed in consultation with Dareton Community Action Group beginning of March.
- Works approval has been awarded for the new war memorial.

Fotherby Park BBQ and Picnic Table

- Just one submission received for the Request for quotation. RFQ was extended to 7 April to harness further quotes.
- RFQ extension may push completion date back from 30 April to middle of May.

George Gordon Oval Fencing - completion May 2021

- The fence footings were completed Friday 26 March.
- The barbed wire and tension wire completed with the chain mesh wall to be completed Friday 1 April.
- Concrete plinth has been poured for the electric gate Monday 29 March

Gol Gol Shared-way – completion May 2021

- William Street path installed to school crossing.

- Construction commenced on Tapio Street.

Gol Gol Water Treatment Plant Electrical and Process upgrade

- Repairs to liner completed for Lagoon 2
- Awnings over doors refurbished
- Painting completed of assets
- Site Acceptance Testing (SAT) continues to be conducted to show proof of performance.
- Minor adjustments and monitoring are being made to plant performance, in the aim of gaining efficiencies.
- Contractor continues to demobilise from site, including cleaning of facilities.

James King Park Play Equipment – completion June 2021

- Site meeting with contractor Tuesday 6 April.
- Installation of equipment to commence in early May.

Midway Drive Stormwater – completion June 2021

- Stormwater installation commenced.
- Pitman Ave Road crossing completed.

Midway Centre – Bendigo Bank Agency

- Ceiling light installed which sees the completion of all works on the agency.

Wentworth All Day Care Centre Redevelopment

- Tender issue plans near complete prior to final review.
- Amended Development Application submitted to Council to reflect the required changes to the centre.

Wentworth Riverfront BBQ and Nature Play Area – completion June

- Revised design accepted.

Wentworth Riverfront - Rowing Vessels and Houseboat Mooring

- Department of Primary Industries (Fisheries) have provided formal advice and an Environmental Offset adjacent to the works to be undertaken by Council in the next financial year.
- Tender awarded to FWG for the construction of the mooring.
- Sheet piling on order and Contract Documentation being finalised.

Wentworth RV Dump Point - completed April 2021

- Dump-Ezy installed.
- Sewer connected.
- Filtered water installed.
- Seal edges reinstated.

Wentworth Sewerage Rationalisation

- Final changes to pipework from all sewer rising mains has been completed into inlet works at ponds.
- Lagoon 2 Geofabric Clay Liner (GCL) liner has been installed and base preparations are being finalised, levels being taken for as constructed documentation.
- Neville Street stormwater upgrade works 95% complete, with some minor works required to finalise project.
- Electrical and SCADA works continue to be discussed with contractor/s.

Dareton Sewer Rationalisation

- Waiting on fencing contractor to construct new security fencing around lagoons site (currently on another Council project, George Gordan Ovals).
- New licensing requirements documentation being lodged with EPA for new license at Namatjira ponds site.

Wentworth Sporting Complex Cool Room

- Contractor has removed the cool room unit Friday 26 March.

Willow Bend Caravan Park Upgrade – completion (design stage) May 2021

- Detailed design for filtered water, raw water, sewer, irrigation, and fire services nearing completion.
- Electrical design currently underway.

Willow Bend Caravan Park Upgrade – Camp Kitchen

- 23,000 litre rain water tank ordered for camp kitchen and veranda catchment. Plumber has been engaged to undertake associated stormwater connections and roof flashing works.
- Quotes being sought to install sliding doors to camp kitchen. Due to supply issues there is a wait time of 6 weeks for doors once order is placed.

Projects and Works scheduled for April 2021

Roads

- Works to recommence on the second week of April on Garston Road and High Darling Link Road reconstruction.
- Continuation of the Sturt Highway Segment 40 construction works for 1.5 kilometre section.
- Tenders to be called for the lift span, lifting and lowering component of the Transport for NSW (TfNSW) RMCC contract "Wentworth Shire Area Bridge Lifts and Maintenance". The tender, to be submitted in May will also include Council rates for the booking and recording of bridge lifts as well as the bridge deck sweeping. The repricing of the raising and lowering of the Wentworth and Abbotsford lift span is due to these works now being incorporated into TfNSW RMCC contract.
- Road upgrade works at Mallara Street, Pooncarie, postponed till end of April due to the off-road event - Pooncarie 400 that is taking place from the 16 to 18 April in Pooncarie.

Maintenance Grading

- Planned maintenance grading for April includes; Karpa Kora, Ivanhoe and Pooncarie – Menindee Road.

Projects

Wentworth Aerodrome Upgrade

- Stage 2 installation of drainage kerb and channel to be completed 23 April 2021.
- Asphalt and spray seal surfacing of Stage 2 areas programmed for the last week of April.
- Commissioning of runway, apron and taxiway lights.
- Extension of taxiway lighting for Stage 2 works to commence.

Adelaide Lane

- Stormwater installation to be completed.
- Road base layer constructed and surface bitumen sealed.

Buronga EDS

- Completion of slab works, including:
 - Mesh
 - Conduits
 - Concrete
- Internal lining of pit structure to be undertaken.
- Internal pit plumbing to be fixed to holding tank.

Buronga Riverfront – completion May 2021

- Water mains to be installed to riverfront area.
- Vegetation to be installed.
- Softscape works to be completed.

George Gordon Netball Courts

- Contractor to undertake LUX testing of the flood lights prior to first netball game.

- Council have engaged court repair specialist directly due to delays with main contractor.
- Repair date to be confirmed.

Gol Gol Shared-way – completion April 2021

- Tapio Street path to be completed.
- Adelaide Street section to be undertaken late April/May.

Midway Drive Stormwater

- Remaining stormwater to be installed April 2021
- Pitman Avenue road crossing to be sealed April 2021

Mourquong Water Main Extension - completion end of June

- Tender for contract closing 14 April.
- Design plans have been approved.

Old Curlwaa Hall Demolition

- Xcav8 earth moving engaged to demolish the Old Curlwaa Hall.
- Sub-contractor removed asbestos prior to demolition in accordance with the regulations.

Pitman Avenue and Wood Street Shared Paths – completion June 2021

- Council to advise impacted residents of footpath works in Wood Street.

Wentworth Riverfront BBQ and Nature Play Area

- Contractor to return to works mid-April.

Willow Bend Caravan Park Upgrade

- REF to be completed.
- DA to be completed.
- Tender documentation to be prepared.

Attachments

1. Attachment 1 - Projects and Works Photo Update [↓](#)



George Gordon Oval Fencing – photo 1 footings 18/03/2021 photo 2 installation of chain mesh 31/03/21



Wentworth RV Dump Point 5/03/2021



Midway Drive Stormwater 23/03/21 – 24/02/2021

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 20 Millie Street Dareton. (RPT/21/181)

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 (b) discussion in relation to the personal hardship of a resident or ratepayer.

12.2 Plant Purchase - Approval of Tenders for purchase of a Landfill Compactor. (RPT/21/169)

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.

12.3 Plant Purchase - Approval of Tenders for purchase of a Landfill Excavator. (RPT/21/170)

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.

12.4 Wentworth Aerodrome Upgrade - Supply & Installation of Additional Taxiway & Apron Lighting for Stage 2 Construction. (RPT/21/172)

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 20 MILLIE STREET DARETON

File Number: RPT/21/181

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: 1.2 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 (b) discussion in relation to the personal hardship of a resident or ratepayer.

12.2 PLANT PURCHASE - APPROVAL OF TENDERS FOR PURCHASE OF A LANDFILL COMPACTOR

File Number: RPT/21/169

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.

12.3 PLANT PURCHASE - APPROVAL OF TENDERS FOR PURCHASE OF A LANDFILL EXCAVATOR

File Number: RPT/21/170

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.

12.4 WENTWORTH AEROROME UPGRADE - SUPPLY & INSTALLATION OF ADDITIONAL TAXIWAY & APRON LIGHTING FOR STAGE 2 CONSTRUCTION

File Number: RPT/21/172

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Samantha Wall - Projects Administration

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

12 May 2021