



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 **10AM**.

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

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

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

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

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

KEN ROSS
GENERAL MANAGER

ORDINARY MEETING AGENDA

21 JULY 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 LEAVE OF ABSENCE

4 DISCLOSURES OF INTERESTS

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 30 June 2021 be confirmed as
circulated.



WENTWORTH SHIRE COUNCIL

ORDINARY MEETING MINUTES

30 JUNE 2021

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1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 10:01am

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

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

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

3 APOLOGIES AND LEAVE OF ABSENCE

Council Resolution

That Council notes the apology from Councillor Steve Heywood and Councillor Greg Evans withdraws his Leave of Absence request for the 21 July 2021.

Moved Cr. Wheeldon, Seconded Cr. MacAllister

CARRIED

4 DISCLOSURES OF INTERESTS

Cr Don McKinnon advised he has a significant pecuniary interest in Item 12.1 as his son works at Buronga Landfill.

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 12 May 2021 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 12 May 2021 be confirmed as circulated.

Moved Cr. MacAllister, Seconded Cr. Evans

CARRIED

Cr MacAllister tabled a letter from Jade Millard regarding the proposed Mobile Food Van fees.

Recommendation

That the Minutes of the Extraordinary Meeting held 26 May 2021 be confirmed as circulated.

Council Resolution

That the Minutes of the Extraordinary Meeting held 26 May 2021 be confirmed as circulated.

Moved Cr. MacAllister, Seconded Cr. Elstone

CARRIED

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/21/337

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 22 June 2021.

Council Resolution

That Council notes the list of outstanding matters as at 22 June 2021.

Moved Cr. Nunan, Seconded Cr. MacAllister

CARRIED

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/20/860

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. Nichols, Seconded Cr. MacAllister

CARRIED

MAYORAL MINUTE

Council Resolution

That all relevant Council Policies reflect the following:

- Tenders for all projects have a start and finish date
- Payments for work prior to completion not exceed 75% of the tendered amount with the final 25% being paid upon satisfaction and delivery of completed project
- A penalty of 15% be deducted for late delivery of any tender signed by Council and tenderer
- All policies to clearly highlight Councils position including clear conflict resolution procedures
- If this motion is accepted by Council this decision be enacted for all new tenders as soon as confirmed by Council

Moved Cr. Nichols

CARRIED

8 REPORTS FROM COMMITTEES

Nil

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGER'S REPORT

File Number: RPT/20/852

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

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

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

Summary

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

1. OLG Circulars
Circulars 21-06 to 21-12, including Circular GC-150
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. MacAllister, Seconded Cr. Nunan

CARRIED

9.2 RESOURCES FOR REGIONS FUNDING ROUND 8

File Number: RPT/21/349

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Ken Ross - General Manager

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

In May 2021, Wentworth Shire Council received notification from the NSW Government advising of an additional funding allocation of \$2,051,429 under the Resources for Regions Round 8 funding stream.

Council is required to identify and submit eligible projects to the Department of Regional NSW for consideration.

Recommendation

That Council endorse the following projects under Resources for Regions Round 8 funding and that applications be submitted.

- a) Council Reserve Upgrades \$ 972,435 ex GST
- b) Dareton Men's Shed \$378,994 ex GST
- c) Solar for Civic Centre \$700,000 ex GST

Council Resolution

That Council endorse the following projects under Resources for Regions Round 8 funding and that applications be submitted.

- a) Council Reserve Upgrades \$ 972,435 ex GST
- b) Dareton Men's Shed \$378,994 ex GST
- c) Solar for Civic Centre \$700,000 ex GST

Moved Cr. Elstone, Seconded Cr. MacAllister

CARRIED

9.3 ESTABLISHMENT OF A REGIONAL PANEL OF CONDUCT REVIEWERS

File Number: RPT/21/331

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

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

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

Summary

At the Ordinary Council Meeting held on 7 August 2019, Council resolved to appoint reviewers to its Code of Conduct Review Panel for a period ending no later than 30 September 2021.

Section 440 of the *Local Government Act 1993* (NSW) and the *Local Government (General) Regulation 2005* requires that all Councils and Joint Organisations adopt a Code of Conduct which incorporates the provisions of the Model Code of Conduct (the Code).

The Code states that Councils are required to establish a panel of Conduct Reviewers to inquire into alleged breaches of the Code by their Administrator, Mayor, Councillors or General Manager. Councils may establish their own panel, or they may enter into an arrangement with one or more other Councils to share a panel.

The term of all current conduct reviewers at each individual Council will conclude on 30 June 2021, whereby the Council must appoint a new panel for a four-year term

Recommendation

That Council agrees to establish a regional panel of conduct reviewers and appoint reviewers as selected by the Far West Joint Organisation (FWJO) through an Expression of Interest process.

Council Resolution

That Council agrees to establish a regional panel of conduct reviewers and appoint reviewers as selected by the Far West Joint Organisation (FWJO) through an Expression of Interest process.

Moved Cr. MacAllister, Seconded Cr. Evans

CARRIED

Cr Wheeldon requested his vote against the establishment of a Regional panel of conduct reviewers as selected by the Far West Joint Organisation (FWJO) through an Expression of Interest process be recorded.

9.4 WENTWORTH SHOWGROUNDS USER GROUP MEETING

File Number: RPT/21/293

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 Wentworth Showgrounds User Group was held on Thursday 13 April 2021 and the minutes of the meeting are attached to this report for the information of Councillors.

Recommendation

That Council notes the Minutes of the Wentworth Showgrounds User Group Meeting held on Thursday 13 April 2021.

Council Resolution

That Council notes the Minutes of the Wentworth Showgrounds User Group Meeting held on Thursday 13 April 2021.

Moved Cr. Elstone, Seconded Cr. Wheeldon

CARRIED

9.5 ADOPTION OF THE 2021/22 OPERATIONAL PLAN

File Number: RPT/21/313

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

Following the presentation of the Draft 2021/22 Operational Plan to the May Ordinary Council Meeting, the Draft Plan was placed on public exhibition for 28 days as required under the *Local Government Act*.

Council is now required to consider all submissions received prior to adopting the 2021/22 Rates and Charges. This includes the following:

- The 2021/22 Annual Statement of Revenue and the Annual Fees and Charges.
- The making and levying of rates and charges including:
 - 2.00% increase in the Ordinary Rate for 2021/22
 - 2.00% increase in Sewer Access Charges for 2021/22
 - 2.00% increase in Water Access Charges for 2021/22
 - 2.00% increase in Domestic Waste Charges for 2021/22
 - No increase to Water Consumption Charges for 2021/22
 - Charge 5.00% interest on Overdue Rates and Charges

Recommendation

- a) That Council adopts the 2021/22 Operational Plan, as amended, having considered submissions received.
- b) That Council resolves to increase the rate income for the 2021/22 year by the maximum 2.00% rate pegged amount determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART).
- c) That Council resolves to make and levy an ordinary rate to comprise of a base rate and an ad valorem rating structure for Residential, Business and Farmland categories of rates under Section 534, 535 & 537 of the *Local Government Act 1993* for the 2020/21 year including:

FARMLAND CATEGORY

Includes all of the lands within the Local Government Area of Wentworth categorised as Farmland except those parcels of rateable land sub categorised as Farmland, Dry Land Grazing and Farmland, Licence/Pump Site/Pipeline.

Farmland

An ordinary rate of 0.00321098 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Farmland, in accordance with Section 515 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to

a base amount of (\$510.00) for each assessment. The base amount accounts for 31.99% of the estimated yield for this category. The estimated yield for this rate is \$1,125,711.

Farmland, Dry Land Grazing

An ordinary rate of 0.00260673 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Farmland, in accordance with Section 515 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$510.00) for each assessment. The base amount accounts for 18.32% of the estimated yield for this category. The estimated yield for this rate is \$712,511.

Farmland, Licence/Pump Site/Pipeline

An ordinary rate of 0.03817411 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Farmland, sub categorised Licence/Pump Site/Pipeline, in accordance with Section 515 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$95.00) for each assessment. The base amount accounts for 41.02% of the estimated yield for this category. The estimated yield for this rate is \$16,676.

RESIDENTIAL CATEGORY

Wentworth

An ordinary rate of 0.00413652 cents in the dollar on the land value of all rateable lands with Wentworth Shire Council categorised as Residential, sub categorised Wentworth, in accordance with Section 516 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to base amount of (\$240.00) for each assessment. The amount accounts for 46.52% of the estimated yield for this category. The estimated yield for this rate is \$315,741.

Buronga

An ordinary rate of 0.00377232 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Buronga, in accordance with Section 516 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$260.00) for each assessment. The base amount accounts for 30.77% of the estimated yield for this category. The estimated yield for this rate is \$415,785.

Gol Gol

An ordinary rate of 0.00403215 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Gol Gol, in accordance with Section 516 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$260.00) for each assessment. The base amount accounts for 26.21% of the estimated yield for this category. The estimated yield for this rate is \$558,469.

Gol Gol East

An ordinary rate of 0.00454088 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Gol Gol East, in accordance with Section 516 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$360.00) for each assessment. The base amount accounts for 23.34% of the estimated yield for this category. The estimated yield for this rate is \$346,996.

Pooncarie

An ordinary rate of 0.01366098 cents in the dollar on the land value of all rateable lands with Wentworth Shire Council categorised as Residential, sub categorised Pooncarie, in accordance with Section 516 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$190.00) for each assessment. The

base amount accounts for 46.69% of the estimated yield for this category. The estimated yield for this rate is \$21,567.

Dareton

An ordinary rate of 0.01611174 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Dareton, in accordance with Section 516 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$190.00) for each assessment. The base amount accounts for 48.45% of the estimated yield for this category. The estimated yield for this rate is \$78,432.

Rural Residential

An ordinary rate of 0.00372143 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Rural, in accordance with Section 516 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$190.00) for each assessment. The base amount accounts for 26.22% of the estimated yield for this category. The estimated yield for this rate is \$458,726.

BUSINESS CATEGORY

Includes all of the lands within the local government area of Wentworth categorised as Business except those parcels of rateable land sub categorised as Business, Mourquong; Business, Trentham Cliffs; Business, Arumpo; Business, Wentworth; Business, Pooncarie (including all of the lands within the locality of Pooncarie sub categorised as Business Pooncarie except those lands within the township of Pooncarie).

Business

An ordinary rate of 0.00691404 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, in accordance with Section 518 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$270.00) for each assessment. The base amount accounts for 19.92% of the estimated yield for this category. The estimated yield for this rate is \$250,706.

Business, Wentworth

An ordinary rate of 0.00876770 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Wentworth, in accordance with Section 518 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$270.00) for each assessment. The base amount accounts for 38.98% of the estimated yield for this category. The estimated yield for this rate is \$38,096.

Business, Mourquong

An ordinary rate of 0.30100685 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Mourquong, in accordance with Section 518 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$100.00) for each assessment. The base amount accounts for 0.12% of the estimated yield for this category. The estimated yield for this rate is \$247,427.

Business, Trentham Cliffs

An ordinary rate of 0.00844384 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Trentham

Cliffs, in accordance with Section 518 of the *Local Government Act 1993*, be now made for the 2021/22 rating period, subject to a base amount of (\$120.00) for each assessment. The base amount accounts for 4.29% of the estimated yield for this category. The estimated yield for this rate is \$11,178.

Business, Arumpo

An ordinary rate of 0.06411043 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Arumpo, in accordance with Section 518 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$210.00) for each assessment. The base amount accounts for 1.33% of the estimated yield for this category. The estimated yield for this rate is \$94,797.

Business, Pooncarie

An ordinary rate of 0.09625452 cents in the dollar on the land value of all rateable lands with Wentworth Shire Council categorised as Business, sub categorised Pooncarie, in accordance with Section 518 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$100.00) for each assessment. The base amount accounts for 0.02% of the estimated yield for this category. The estimated yield for this rate is \$980,552.

- d) That Council resolves to make and levy fees and charges for Sewer Services for 2020/21 year as set out in the annual statement of revenue.
- e) That Council resolves to make and levy fees and charges for Water Services for 2020/21 year as set out in the annual statement of revenue.
- f) That Council resolves to make and levy a Domestic Waste Management charge for 2020/21 year under Section 496 of the Local Government Act 1993 on each parcel of rateable land of which the service is available as set out in the annual statement of revenue.
- g) That Council resolves to fix the Fees and Charges schedule for 2020/21 year as set out in annual statement of revenue.
- h) That Council resolves to charge the 5.00% interest on overdue rates and charges
- i) That Council resolves to approve Appendix A – Bodies Granted Exemptions automatic fee waiver as part of the 2020/2021 Donations, Grants and Contributions Program as set out in the schedule of fees and charges.
- j) That Council resolves to approve Borrowings for 2020/21 of up to \$8,400,000 as outlined in the Annual Statement of Revenue.

Council Resolution

- a) That Council adopts the 2021/22 Operational Plan, as amended, having considered submissions received.
- b) That Council resolves to increase the rate income for the 2021/22 year by the maximum 2.00% rate pegged amount determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART).
- c) That Council resolves to make and levy an ordinary rate to comprise of a base rate and an ad valorem rating structure for Residential, Business and Farmland categories of rates under Section 534, 535 & 537 of the *Local Government Act 1993* for the 2020/21 year including:

FARMLAND CATEGORY

Includes all of the lands within the Local Government Area of Wentworth categorised as Farmland except those parcels of rateable land sub categorised as Farmland, Dry Land Grazing and Farmland, Licence/Pump Site/Pipeline.

Farmland

An ordinary rate of 0.00321098 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Farmland, in accordance with Section 515 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$510.00) for each assessment. The base amount accounts for 31.99% of the estimated yield for this category. The estimated yield for this rate is \$1,125,711.

Farmland, Dry Land Grazing

An ordinary rate of 0.00260673 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Farmland, in accordance with Section 515 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$510.00) for each assessment. The base amount accounts for 18.32% of the estimated yield for this category. The estimated yield for this rate is \$712,511.

Farmland, Licence/Pump Site/Pipeline

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RESIDENTIAL CATEGORY**Wentworth**

An ordinary rate of 0.00413652 cents in the dollar on the land value of all rateable lands with Wentworth Shire Council categorised as Residential, sub categorised Wentworth, in accordance with Section 516 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to base amount of (\$240.00) for each assessment. The amount accounts for 46.52% of the estimated yield for this category. The estimated yield for this rate is \$315,741.

Buronga

An ordinary rate of 0.00377232 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Buronga, in accordance with Section 516 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$260.00) for each assessment. The base amount accounts for 30.77% of the estimated yield for this category. The estimated yield for this rate is \$415,785.

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An ordinary rate of 0.01366098 cents in the dollar on the land value of all rateable lands with Wentworth Shire Council categorised as Residential, sub categorised Pooncarie, in accordance with Section 516 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$190.00) for each assessment. The base amount accounts for 46.69% of the estimated yield for this category. The estimated yield for this rate is \$21,567.

Dareton

An ordinary rate of 0.01611174 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Dareton, in accordance with Section 516 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$190.00) for each assessment. The base amount accounts for 48.45% of the estimated yield for this category. The estimated yield for this rate is \$78,432.

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Includes all of the lands within the local government area of Wentworth categorised as Business except those parcels of rateable land sub categorised as Business, Mourquong; Business, Trentham Cliffs; Business, Arumpo; Business, Wentworth; Business, Pooncarie (including all of the lands within the locality of Pooncarie sub categorised as Business Pooncarie except those lands within the township of Pooncarie).

Business

An ordinary rate of 0.00691404 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, in accordance with Section 518 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$270.00) for each assessment. The base amount accounts for 19.92% of the estimated yield for this category. The estimated yield for this rate is \$250,706.

Business, Wentworth

An ordinary rate of 0.00876770 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Wentworth, in accordance with Section 518 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$270.00) for each assessment. The base amount accounts for 38.98% of the estimated yield for this category. The estimated yield for this rate is \$38,096.

Business, Mourquong

An ordinary rate of 0.30100685 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Mourquong, in accordance with Section 518 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$100.00) for each assessment. The

base amount accounts for 0.12% of the estimated yield for this category. The estimated yield for this rate is \$247,427.

Business, Trentham Cliffs

An ordinary rate of 0.00844384 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Trentham Cliffs, in accordance with Section 518 of the *Local Government Act 1993*, be now made for the 2021/22 rating period, subject to a base amount of (\$120.00) for each assessment. The base amount accounts for 4.29% of the estimated yield for this category. The estimated yield for this rate is \$11,178.

Business, Arumpo

An ordinary rate of 0.06411043 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Arumpo, in accordance with Section 518 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$210.00) for each assessment. The base amount accounts for 1.33% of the estimated yield for this category. The estimated yield for this rate is \$94,797.

Business, Pooncarie

An ordinary rate of 0.09625452 cents in the dollar on the land value of all rateable lands with Wentworth Shire Council categorised as Business, sub categorised Pooncarie, in accordance with Section 518 of the *Local Government Act 1993* be now made for the 2021/22 rating period, subject to a base amount of (\$100.00) for each assessment. The base amount accounts for 0.02% of the estimated yield for this category. The estimated yield for this rate is \$980,552.

- d) That Council resolves to make and levy fees and charges for Sewer Services for 2020/21 year as set out in the annual statement of revenue.
- e) That Council resolves to make and levy fees and charges for Water Services for 2020/21 year as set out in the annual statement of revenue.
- f) That Council resolves to make and levy a Domestic Waste Management charge for 2020/21 year under Section 496 of the Local Government Act 1993 on each parcel of rateable land of which the service is available as set out in the annual statement of revenue.
- g) That Council resolves to fix the Fees and Charges schedule for 2020/21 year as set out in annual statement of revenue.
- h) That Council resolves to charge the 5.00% interest on overdue rates and charges
- i) That Council resolves to approve Appendix A – Bodies Granted Exemptions automatic fee waiver as part of the 2020/2021 Donations, Grants and Contributions Program as set out in the schedule of fees and charges.
- j) That Council resolves to approve Borrowings for 2020/21 of up to \$8,400,000 as outlined in the Annual Statement of Revenue.
- k) That the new mobile food van charges be omitted until the policy is approved by Internal Audit Committee and endorsed by Council.

Moved Cr. MacAllister, Seconded Cr. Evans

CARRIED

Cr Bill Wheeldon & Cr Tim Elstone requested their vote against the adoption of the of the 2021/22 operational plan .

9.6 MONTHLY FINANCE REPORT

File Number: RPT/21/309

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 May 2021 were \$1,055,026.44. After allowing for pensioner subsidies, the total levies collected are now 87.7%. For comparison purposes 85.91% of the levy had been collected at the end of May 2020. Council currently has \$32,913,343.77 in cash and investments.

Recommendation

That Council notes the Monthly Finance Report.

Council Resolution

That Council notes the Monthly Finance Report.

Moved Cr. MacAllister, Seconded Cr. McKinnon

CARRIED

9.7 MONTHLY INVESTMENT REPORT

File Number: RPT/21/316

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 May 2021 Council had \$21 million invested in term deposits and \$11,913,343.77 in other cash investments. Council received \$15,010.13 from its investments for the month of May 2021.

In May 2021 Council investments averaged a rate of return of 0.39% and it currently has \$6,681,129.01 of internal restrictions and \$20,383,452.95 of external restrictions.

Recommendation

That Council notes the monthly investment report.

Council Resolution

That Council notes the monthly investment report.

Moved Cr. MacAllister, Seconded Cr. Nunan

CARRIED

9.8 REQUEST FOR FEE WAIVER FOR PLANNING PROPOSAL

File Number: RPT/21/227

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

The General Manager advised this report is withdrawn from this meeting.

Summary

Roy Costa Planning and Development (RCPD), on behalf of their client is seeking a waiver of the applicable fee for the lodgment of a planning proposal of \$6367.00

Once lodged, the Planning Proposal aims to amend the zoning of 191 Pitman Avenue from RU1 Primary Production to RU5 Village with a small portion as SP2 Infrastructure. This will be subject to a completed planning proposal document and report to Council at a later date.

Recommendation

That Council resolve to refuse to waive the LEP Amendment Fee of \$6,367.00.

9.9 DELEGATED AUTHORITY APPROVALS AS AT END OF MAY 2021

File Number: RPT/21/321

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 May 2021, a total of seventeen Development Applications and three S4.55 Modification Applications were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$867,982.00. This brings the year to date total to fifty three Development Applications and seventeen S4.55 Applications approved, with an estimated development value of \$9,284,057.00.

Recommendation

- a) That Council receives and notes the report for the month of May 2021.
- b) That Council publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) That a division be called in accordance with S375A of the *Local Government Act 1993* (NSW).

Council Resolution

- a) That Council receives and notes the report for the month of May 2021.
- b) That Council publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) That a division be called in accordance with S375A of the *Local Government Act 1993* (NSW).

Moved Cr. Elstone, Seconded Cr. Nunan

CARRIED

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

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

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

9.10 A47 IGA SERVICE ROAD - AMENDMENT

File Number: RPT/21/323

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

At the Ordinary Meeting of Council on 18 November 2020, Council resolved to acquire part of Lot 7011 DP 1045202 & part of Lot 7001 DP1118958 by the compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) and by authority contained in the Local Government Act 1993 (NSW).

The recommendation as presented to that meeting referred to the NSW Local Government Act. This was an administrative error which stated, 'by authority contained in the Local Government Act 1993 (NSW)'.

Upon review, the legislation being the Local Government Act was incorrect. The recommendation should have stated 'by authority contained under the terms of Section 177 of the Road Act 1993'.

Recommendation

1. That Council proceed to acquire part of Lot 7011 DP 1045202 & part of Lot 7001 DP1118958 by the compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) and by authority contained under the terms of Section 177 of the Road Act 1993
2. That the land be acquired for public purpose of public road and sewer infrastructure
3. That minerals be excluded from the acquisition
4. That the acquisition is not for the purpose of resale
5. That the necessary applications be made to the NSW Minister for Local Government and the Governor of NSW for approval to compulsorily acquire the Crown Land for the public purpose
6. That compensation is paid to Crown Lands and any other party with an interest in the land as determined by the Valuer General NSW
7. That the land is classified as operational land upon acquisition
8. That the General Manager be authorised to approve and sign the Acquisition Notice for publication in the NSW Government Gazette which will acquire the land.

Council Resolution

1. That Council proceed to acquire part of Lot 7011 DP 1045202 & part of Lot 7001 DP1118958 by the compulsory process under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) and by authority contained under the terms of Section 177 of the Road Act 1993

2. That the land be acquired for public purpose of public road and sewer infrastructure
3. That minerals be excluded from the acquisition
4. That the acquisition is not for the purpose of resale
5. That the necessary applications be made to the NSW Minister for Local Government and the Governor of NSW for approval to compulsorily acquire the Crown Land for the public purpose
6. That compensation is paid to Crown Lands and any other party with an interest in the land as determined by the Valuer General NSW
7. That the land is classified as operational land upon acquisition
8. That the General Manager be authorised to approve and sign the Acquisition Notice for publication in the NSW Government Gazette which will acquire the land.

Moved Cr. Elstone, Seconded Cr. Wheeldon

CARRIED

9.11 SPEED ZONE REVIEW IN WENTWORTH

File Number: RPT/21/315

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Belinda Fitzgerald - Road Safety Officer

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

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

Summary

The speed zone on Silver City Highway in the town centre of Wentworth is under review by Transport for NSW (TfNSW). The area in question qualifies for a High Pedestrian Activity Areas (HPAA) which would be the first in the Wentworth Shire area. HPAA are sections of road where there is a high degree of interaction between vehicles and pedestrians. They may be near shopping strips, bus interchanges or services such as medical centres.

Recommendation

That Council recommends a High Pedestrian Activity Area (HPAA) to Transport for NSW for the Wentworth town centre speed zone review.

Council Resolution

That Council recommends a High Pedestrian Activity Area (HPAA) to Transport for NSW for the Wentworth town centre speed zone review.

Moved Cr. Elstone, Seconded Cr. Wheeldon

CARRIED

9.12 PROJECTS AND WORKS REPORT UPDATE - JUNE 2021

File Number: RPT/21/330

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 May 2021.

Recommendation

That Council notes the major works undertaken for May and the scheduled works for June 2021.

Council Resolution

That Council notes the major works undertaken for May and the scheduled works for June 2021.

Moved Cr. McKinnon, Seconded Cr. Nunan

CARRIED

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

10.1 MURRAY DARLING ASSOCIATION MEMBERSHIP

File Number: RPT/21/308

Motion

That Council review its membership of the Murray Darling Association.

Council Resolution

That Council review its membership of the Murray Darling Association

Moved Cr. MacAllister, Seconded Cr. Wheeldon

LOST

Council Resolution

That Council maintain its membership of the Murray Darling Association and if a review is necessary it be completed by the incoming Council and Cr Elstone be the Chair of Region 4.

Moved Cr. Nichols, Seconded Cr. McKinnon

CARRIED

10.2 SPEED HUMPS IN MATONG STREET

Cr Peter Nunan requested that the speed humps approved for Matong Street Dareton be installed as a matter of urgency. He also requested that speed humps in Devenport Street be reviewed.

10.3 WENTWORTH RIVERFRONT PLAYGROUND AREA

Cr Greg Evans sought clarification around the boundary between the Caravan Park & the licensed area held by the Rowing Club relevant to the position of the Adventure Playground.

10.4 INFRASTRUCTURE IN GOL GOL

Cr Tim Elstone requested a report on infrastructure, in particular water needs for the growing area of Buronga Gol Gol.

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 Buronga Landfill Discount Rate. (RPT/21/314)

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 (d) (iii) information that would, if disclosed, reveal a trade secret. On balance, the public interest in preserving the confidentiality of information about the item outweighs the public interest in maintaining openness and transparency in council decision-making.

12.2 Segment 40 - Supply of DGB20 Class 1 Road Base Material - PT2021/11. (RPT/21/333)

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 Segment 40 - Supply of Select Fill Material - PT2021/12. (RPT/21/334)

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. MacAllister

CARRIED

Council moved into Closed Session at 11.14am.

Councillor Don McKinnon left the meeting at 11.14am.

Council resumed into Open Session at 11:33am.

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

12.1 BURONGA LANDFILL DISCOUNT RATE

File Number: RPT/21/314

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

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

Strategy: 3.4 Reduce, reuse and recover waste

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 (d) (iii) information that would, if disclosed, reveal a trade secret. On balance, the public interest in preserving the confidentiality of information about the item outweighs the public interest in maintaining openness and transparency in council decision-making because.

The General Manager advised that Council approved the addition of Mildura Waste and Recycling to the list of approved contractors.

12.2 SEGMENT 40 - SUPPLY OF DGB20 CLASS 1 ROAD BASE MATERIAL - PT2021/11

File Number: RPT/21/333

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Allan Eastmond - Manager Works

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 in accordance with the provisions of the Local Government (General) Regulation 2005, Section 178(1)(a) accepts the tender from Mallee Quarries Pty Ltd to carry out the supply and delivery of Road Base Material for Contract PT2021/11 in the amount of \$856,460.00 including GST, and authorised the Mayor and General Manager to sign the contract documentation and affix the council seal.

12.3 SEGMENT 40 - SUPPLY OF SELECT FILL MATERIAL - PT2021/12

File Number: RPT/21/334

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Allan Eastmond - Manager Works

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 in accordance with the provisions of the Local Government (General) Regulation 2005, Section 178(1)(a) accepts the tender from Bahr Earthmoving Pty Ltd T/A Millewa Quarries to carry out the supply and delivery of Select Fill Material for Contract PT2021/12 in the amount of \$190,228.50 including GST, and authorised the Mayor and General Manager to sign the contract documentation and affix the council seal.

13 CONCLUSION OF THE MEETING

The meeting was closed at 11:35am.

NEXT MEETING

21 July 2021

.....
CHAIR

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/21/391

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 13 July 2021.

Additional Information

Nil

Attachments

1. Outstanding Actions as at 14 July 2021 [↓](#)

Outstanding	<div>Division: Committee: Officer:</div> <div>Ordinary Council</div>		<div>Date From: Date To:</div> <div>Printed: Wednesday, 14 July 2021 4:56:28 PM</div>	
	<div>Outstanding Action Items Report</div>		<div>Water Cycle Management strategy scope of works. This is currently being undertaken by Public Works and WSC. A draft is scheduled to be presented to Council end 2021.</div>	

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/20/861

Summary

The purpose of this report is to advise Council of meetings, conferences and appointments undertaken by Mayor Nichols for the period of 21 June 2021 – 9 July 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 21 June 2021 – 9 July 2021.

Date	Meeting	Location
22 June 2021	Mayoral Meeting	Wentworth
23 June 2021	Community Resilience, Wellbeing & Recovery Project Workshop	Wentworth
25 June 2021	Far West Joint Organisation Board Meeting	Video Conference
28 June 2021	Mayoral Meeting	Wentworth
28 June 2021	Councillor Candidate Information Session	Wentworth
29 June 2021	Councillor Candidate Information Session	Buronga
30 June 2021	Pre-Meeting Ordinary Council Briefing	Wentworth
30 June 2021	Ordinary Council Meeting	Wentworth
30 June 2021	Meeting with Lifeline Central Victoria and Mallee	Wentworth
30 June 2021	Councillor Candidate Information Session	Dareton
5 July 2021	Wentworth Regional Tourism Inc. Meeting	Buronga
6 July 2021	Mayoral Meeting	Wentworth

Attachments

Nil

8 REPORTS FROM COMMITTEES

Nil

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGER'S REPORT

File Number: RPT/20/853

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

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

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

Summary

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

1. OLG Circulars
Circulars 21-14 to 21-17
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 Circular 21-14

Covid-19 Restrictions and Council Meetings

There is currently nothing preventing councils in other parts of NSW from meeting in person. However, the restrictions under the Public Health Order will affect how meetings are conducted.

- Under the Public Health Order, people who have been in Greater Sydney or the Blue Mountains, Central Coast, Wollongong and Shellharbour local government areas on or after June 21, must follow the "stay at home" order for a period of 14 days after they left those areas. Any Councillors, staff or members of the public subject to the "stay at home" order must not attend meetings in person. In the case of councilors and staff, consideration should be given to allowing them to attend meetings instead by audio-visual link.
- As noted above, Councils are required under section 10 of the Act to permit members of the public to attend meetings in person, subject to the requirements of the Public Health Order and social distancing requirements. Councils can limit the number of members of the public

attending meetings to comply with the Public Health Order and to ensure appropriate social distancing.

- Under the Public Health Order, up to 25 persons may attend meetings. Councils can permit more than 25 persons to attend meetings provided the size of the meeting venue is sufficient to ensure there is at least 4 square metres of space for each person at the meeting venue. Councillors and council staff are not to be counted when calculating the space available for each person at the meeting venue and the number of persons who are attending a meeting.
- The number of persons permitted to attend meeting venues under the Public Health Order is the maximum permissible. Councils should continue to ensure appropriate social distancing is practiced at meetings and should undertake their own risk assessment of meeting venues and apply whatever COVID mitigation strategies may be necessary to ensure appropriate social distancing is practiced at meetings.
- Where councils are required to limit the number of members of the public attending meetings, they should consider livestreaming their meetings to ensure excluded members of the public can view them in real time.
- All persons attending meetings are required to wear face masks. It is permissible under the Public Health Order for Councillors, staff and others to remove their masks for the purposes of addressing the meeting but must wear masks at all other times.

1.2 Circular 21-15

Introduction of Free Lifetime Registration for Rescued Pets and Increases to Companion Animal Fees for 2021/22

- The Companion Animals Regulation 2018 has been amended so that o cl.18(2)(a) sets the baseline registration fee for a dog at \$66; and
- cl.18(2)(c) has been removed and replaced by a new clause under section 18(4) to prescribe that no registration fee is payable for a companion animal that is desexed and sold to the owner by a rehoming organisation.
- Clause 18(2)(b) is unchanged in that the registration fee for a cat would remain at \$10 less than the registration fee for a dog (\$56). However, to avoid doubt, a new clause prescribed as 18(6C) sets out the registration fee for a dog and cat at \$66 and \$56. The amounts include the CPI adjustment.
- The regulation amendments override the registration fee for a dog notified in the *Companion Animals (Adjustable Fee Amounts) Notice 2021* that was gazetted on 3 June 2021.
- The CPI adjusted registration fee for pensioners, the additional fee for a non-desexed dog, late fee and permit fees remain as per the notice (as outlined in the table above).
- The Companion Animals Register will be modified to allow councils to apply the new lifetime registration and permit fees from 1 July 2021, including the use of the existing pound/shelter registration categories that will now have a \$0 fee.
- The NSW Pet Registry will be updated to include the new fees for online registration and permit payments made by pet owners from 1 July 2021.
- Both the old and new fee structures will be maintained on the Companion Animals Register to allow councils to correct registration details for existing

records and catch up on data entry backlogs (i.e. where fees have been receipted before 1 July 2021 but not entered on the Register).

- As advised in Circular to Councils 21-03, the annual permit fee (cats) or the additional registration fee (dogs) does not apply if the new owner purchases the animal from a pound/shelter/approved rehoming organisation. A late fee also cannot be applied.

1.3 Circular 21-16

Annual Report and Annual Performance Statement Checklists

Councils can use the annual report checklist and JOs can use the annual performance statement checklist to ensure that all the information required under the Local Government Act 1993 (Act), the Local Government (General) Regulation 2005 and other relevant legislation and guidelines is included within their annual report and annual performance statement.

1.4 Circular 21-17

Council decision-making prior to the September 2021 local government elections

- Councils are expected to assume a “caretaker” role during election periods to ensure that major decisions are not made which would limit the actions of an incoming council.
- Councils, general managers and other delegates of councils (other than a joint regional planning panel, a local planning panel or the Central Sydney Planning Committee) must not exercise the following functions during the caretaker period:
 - entering into any contract or undertaking involving an expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council’s revenue from rates in the preceding financial year (whichever is the larger)
 - determining a “controversial development application”, except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period
 - appointing or reappointing the council’s general manager (except for temporary appointments).
- In certain circumstances, these functions may be exercised with the approval of the Minister.

Key points

- “Controversial development application” means a development application for designated development under section 4.10 of the Environmental Planning and Assessment Act 1979 for which at least 25 persons have made submissions during community consultation.
- The caretaker period for the September 2021 local government elections commences on Friday 6 August 2021 and ends on Saturday 4 September 2021.

2. Meetings

Following is a list of meetings or events attended by the General Manager for the period of 21 June 2021 – 9 July 2021.

Date	Meeting	Location
22 June 2021	Mayoral Meeting	Wentworth
23 June 2021	Community Resilience, Wellbeing & Recovery Project Workshop	Wentworth
25 June 2021	Far West Joint Organisation Board Meeting	Video Conference
28 June 2021	Mayoral Meeting	Wentworth
28 June 2021	Office of Local Government COVID-19 Briefing for Councils	Video Conference
28 June 2021	Councillor Candidate Information Session	Wentworth
29 June 2021	Far West Joint Organisation General Manager's Meeting	Video Conference
29 June 2021	Councillor Candidate Information Session	Buronga
30 June 2021	Pre-Meeting Ordinary Council Briefing	Wentworth
30 June 2021	Ordinary Council Meeting	Wentworth
30 June 2021	Council Discussion with Auditors	Video Conference
30 June 2021	Meeting with Lifeline Central Victoria and Mallee	Wentworth
30 June 2021	Councillor Candidate Information Session	Dareton
1 July 2021	All Staff Council Meeting Debrief	Wentworth
1 July 2021	Future Transport Needs and Priorities Discussion with Tonkin	Video Conference
1 July 2021	Community Safety Precinct Committee Meeting	Buronga
6 July 2021	Mayoral Meeting	Wentworth
6 July 2021	Meeting with Wentworth District Community Medical Centre Group	Wentworth
6 July 2021	Meeting with Men in the Shed	Wentworth
7 July 2021	Staff Consultative & Workplace Health and Safety Committee Meeting	Wentworth
7 July 2021	Update from Broken Hill University Department of Rural Health Executives	Video Conference
7 July 2021	Bruce Munro Business Case Progression Discussion with Mildura Regional Development	Mildura

3. Events

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

Date	Meeting	Proposed Attendees	Location
23 July 2021	Far West Joint Organisation General Manager's Meeting	General Manager	Video Conference

27 July 2021	Far West Joint Organisation General Manager's Meeting	General Manager	Video Conference
27 July 2021	Mayoral Meeting	Mayor, Deputy Mayor & General Manager	Wentworth
3 Aug 2021	Mayoral Meeting	Mayor, Deputy Mayor & General Manager	Wentworth
5 & 6 Aug 2021	Visit to Albury Waste Facility	Mayor, Deputy Mayor & General Manager	Albury

4. Other items of note

Nil

Attachments

1. Circular 21-14[↓](#)
2. Circular 21-15[↓](#)
3. Circular 21-16[↓](#)
4. Circular 21-17[↓](#)



Office of
Local Government

Circular to Councils

Circular Details	21-14 / 28 June 2021 / A779737
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	Council to Implement

COVID-19 restrictions and council meetings

What's new or changing

- In response to the current Sydney COVID-19 outbreak, the Minister for Health and Medical Research, the Hon. Brad Hazzard MP has issued the *Public Health (COVID-19 Temporary Movement and Gathering Restrictions) Order 2021* (the Public Health Order). The Public Health Order took effect from 26 June 2021 and expires on 10 July 2021, unless extended.
- Under the Public Health Order, Greater Sydney, the Blue Mountains, Central Coast, Wollongong and Shellharbour are subject to a "stay at home" order. Other restrictions apply to other parts of NSW.
- The new restrictions will impact on councils' ability to hold council and committee meetings during the period in which the restrictions are in force. Guidance is provided below on how councils can comply with the Public Health Order when holding meetings.

What this will mean for councils in areas subject to the "stay at home" order

- All councillors and staff may attend and participate in meetings by audio-visual link.
- As advised in [Circular 21-02](#) issued on 1 April 2021, the *Local Government (General) Regulation 2005* has been amended to temporarily exempt councils from the requirement under clause 5.2 of the *Model Code of Meeting Practice for Local Councils in NSW* and the equivalent provision in each council's code of meeting practice for councillors to be personally present at a meeting in order to participate in it.
- This means that there is currently nothing to prevent any and all councillors from participating in meetings by audio-visual link. There is also nothing to prevent staff from attending meetings by audio-visual link.
- If councils have formally adopted procedures to supplement their codes of meeting practice that restrict the numbers of councillors who are permitted to attend meetings by audio visual link or that require the prior approval of the council for attendance at meetings by audio-visual link as suggested by Circular 21-02, it is open to the Mayor to use their powers under section 226 of the *Local Government Act 1993* (the Act) to suspend the procedures while the restrictions under the Public Health Order are in force to allow all councillors to participate in meetings by audio-visual link without the prior approval of the council. Section 226 confers on mayors the power to exercise, in cases of necessity, the policy-making functions of the governing body of the council between meetings of the council.
- The Regulation amendment does not apply to county councils and any county councils in areas subject to the "stay at home" order may need to consider cancelling meetings while the Public Health Order is in force.

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- While councils are required under section 10 of the Act to permit members of the public to attend meetings in person, in areas subject to the “stay at home” order, members of the public are not permitted to leave their homes for the purposes of attending council and committee meetings. Councils may wish to seek their own legal advice on their obligations under section 10 of the Act in circumstances where members of the public are not permitted to attend meetings under the “stay at home” order.
- Councils in areas affected by the “stay at home” order should consider livestreaming their meetings if they do not already do so, so members of the public can observe them in real time.

What this will mean for councils in other parts of NSW

- There is currently nothing preventing councils in other parts of NSW from meeting in person. However, the restrictions under the Public Health Order will affect how meetings are conducted.
- Under the Public Health Order, people who have been in Greater Sydney or the Blue Mountains, Central Coast, Wollongong and Shellharbour local government areas on or after June 21, must follow the “stay at home” order for a period of 14 days after they left those areas. Any councillors, staff or members of the public subject to the “stay at home” order must not attend meetings in person. In the case of councillors and staff, consideration should be given to allowing them to attend meetings instead by audio-visual link.
- As noted above, councils are required under section 10 of the Act to permit members of the public to attend meetings in person, subject to the requirements of the Public Health Order and social distancing requirements. Councils can limit the number of members of the public attending meetings to comply with the Public Health Order and to ensure appropriate social distancing.
- Under the Public Health Order, up to 25 persons may attend meetings. Councils can permit more than 25 persons to attend meetings provided the size of the meeting venue is sufficient to ensure there is at least 4 square metres of space for each person at the meeting venue. Councillors and council staff are not to be counted when calculating the space available for each person at the meeting venue and the number of persons who are attending a meeting. Guidance on calculating the number of person permitted to attend meetings is available [here](#).
- The number of persons permitted to attend meeting venues under the Public Health Order is the maximum permissible. Councils should continue to ensure appropriate social distancing is practiced at meetings and should undertake their own risk assessment of meeting venues and apply whatever COVID mitigation strategies may be necessary to ensure appropriate social distancing is practiced at meetings. Guidance on practicing social distancing is available [here](#).
- Where councils are required to limit the number of members of the public attending meetings, they should consider livestreaming their meetings to ensure excluded members of the public can view them in real time.
- All persons attending meetings are required to wear face masks. It is permissible under the Public Health Order for councillors, staff and others to remove their masks for the purposes of addressing the meeting but must wear masks at all other times. Guidance on wearing face masks is available [here](#).

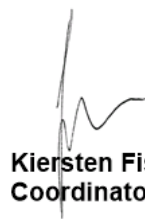
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Key points

- Under the Public Health Order, everyone in Greater Sydney and the Blue Mountains, Central Coast, Wollongong and Shellharbour local government areas must stay at home unless it is for an essential reason.
- In other parts of NSW, key restrictions relevant to the holding of council and committee meetings include the following:
 - people who have been in Greater Sydney or the Blue Mountains, Central Coast, Wollongong or Shellharbour local government areas on or after June 21 must follow the stay-at-home orders for a period of 14 days after they left those areas,
 - face masks are compulsory in all indoor non-residential settings, and
 - the one person per four square metre rule has been re-introduced for all indoor settings.

Where to go for further information

- More information on the Public Health Order 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.



Kiersten Fishburn
Coordinator General, Planning Delivery and Local Government

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Office of
Local Government

Circular to Councils

Circular Details	21-15 / 30 June 2021 / A779149
Previous Circular	20-27 / 13-54
Who should read this	Councillors / General Managers / Council finance staff / Companion Animal Enforcement and Administration Officers
Contact	Program Delivery Team – (02) 4428 4100 or 1300 134 460 pets@olg.nsw.gov.au
Action required	Council to Implement

Introduction of free lifetime registration for rescued pets and increases to companion animal fees for 2021/22

What's new or changing

- From 1 July 2021, the NSW Government is introducing free lifetime registration for people who adopt a rescue pet from council pounds and animal shelters, and rehoming organisations.
- All registration and annual permit fees have been adjusted for 2021/22.
- The 2021-22 registration and permit fees effective from 1 July 2021 are prescribed below:

Registration Category	New fee amount
Dog – Desexed (by relevant age)	\$66
Dog – Desexed (by relevant age eligible pensioner)	\$27
Dog – Desexed (sold by pound/shelter)	\$0
Dog – Not Desexed or Desexed (after relevant age)	\$224
Dog – Not Desexed (not recommended)	\$66
Dog – Not Desexed (recognised breeder)	\$66
Dog – Working	\$0
Dog – Service of the State	\$0
Assistance Animal	\$0
Cat – Desexed or Not Desexed	\$56
Cat – Eligible Pensioner	\$27
Cat – Desexed (sold by pound/shelter)	\$0
Cat – Not Desexed (not recommended)	\$56
Cat – Not Desexed (recognised breeder)	\$56
Registration late fee	\$18
Annual permit category	New fee amount
Cat not desexed by four months of age	\$81
Dangerous dog	\$197
Restricted dog	\$197
Permit late fee	\$18

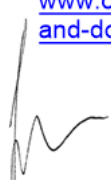
- Councils must continue to register eligible pound/shelter animals through the NSW Companion Animals Register. Free registration for these animals does not mean that registration is not required. The established process of 'flagging' an animal as being purchased from an eligible pound/shelter is required to validate a free registration.
- When processing a registration for an eligible pensioner whose pet has been recommended by a vet to not undergo desexing (either temporarily or permanently), select the new "not desexed (not recommended – pensioner)" category. This will allow the eligible pensioner to claim the discounted registration.

Key points

- The *Companion Animals Regulation 2018* has been amended so that
 - cl.18(2)(a) sets the baseline registration fee for a dog at \$66; and
 - cl.18(2)(c) has been removed and replaced by a new clause under section 18(4) to prescribe that no registration fee is payable for a companion animal that is desexed and sold to the owner by a rehoming organisation.
- Clause 18(2)(b) is unchanged in that the registration fee for a cat would remain at \$10 less than the registration fee for a dog (\$56). However, to avoid doubt, a new clause prescribed as 18(6C) sets out the registration fee for a dog and cat at \$66 and \$56. The amounts include the CPI adjustment.
- The regulation amendments override the registration fee for a dog notified in the [Companion Animals \(Adjustable Fee Amounts\) Notice 2021](#) that was gazetted on 3 June 2021.
- The CPI adjusted registration fee for pensioners, the additional fee for a non-desexed dog, late fee and permit fees remain as per the notice (as outlined in the table above).
- The Companion Animals Register will be modified to allow councils to apply the new lifetime registration and permit fees from 1 July 2021, including the use of the existing pound/shelter registration categories that will now have a \$0 fee.
- The NSW Pet Registry will be updated to include the new fees for online registration and permit payments made by pet owners from 1 July 2021.
- Both the old and new fee structures will be maintained on the Companion Animals Register to allow councils to correct registration details for existing records and catch up on data entry backlogs (i.e. where fees have been receipted before 1 July 2021 but not entered on the Register).
- As advised in [Circular to Councils 21-03](#), the annual permit fee (cats) or the additional registration fee (dogs) does not apply if the new owner purchases the animal from a pound/shelter/approved rehoming organisation. A late fee also cannot be applied.

Where to go for further information

- A list of registration categories, current fees and the new fees for 2021/22 is provided on the Office of Local Government's (OLG) website at www.olg.nsw.gov.au/public/dogs-cats/nsw-pet-registry/microchipping-and-registration.
- Information relating to the processing of registration fees is available in *Companion Animals Guideline 1 – Registration Agents*, available on OLG's website at www.olg.nsw.gov.au/councils/responsible-pet-ownership/nsw-pet-registry/the-cat-and-dog-register.



Kiersten Fishburn
Coordinator General
Planning Delivery and Local Government



Office of
Local Government

Circular to Councils

Circular Details	21-16 / 30 June 2021 / A773314
Previous Circular	19/28
Who should read this	Councillors / General Managers / All council staff / Joint Organisations/Executive Officers
Contact	Performance Team / (02) 44284100 olg@olg.nsw.gov.au
Action required	Council and Joint Organisations to Implement

Annual Report and Annual Performance Statement Checklists

What's new or changing

- An annual report checklist has been drafted for councils.
- An annual performance statement checklist has been drafted for Joint Organisations (JOs)

What this will mean for your council

- Councils can use the annual report checklist and JOs can use the annual performance statement checklist to ensure that all the information required under the *Local Government Act 1993* (Act), the *Local Government (General) Regulation 2005* and other relevant legislation and guidelines is included within their annual report and annual performance statement.

Key points

- Under the Act, councils must prepare an annual report and JOs an annual performance statement within five months after the end of the financial year.
- Councils and JOs must upload a copy of the annual report to their website and provide a copy to the Minister for Local Government and such other persons and bodies as regulations require. Councils and JOs should notify the Minister by providing a URL link to the Office of Local Government (OLG) (olg@olg.nsw.gov.au).
- Councils should ensure they report performance against targets, outcomes, efficiency and cost effectiveness over time.
- JOs should ensure they report as to their progress in implementing strategies and plans for delivering strategic regional priorities.

Where to go for further information

- The annual report and annual performance statement checklists are available on OLG's website at <https://www.olg.nsw.gov.au/councils/policy-and-legislation/guidelines-and-policy-information-resources-for-councils/council-annual-reporting-requirements/>

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Office of
Local Government

Circular to Councils

Circular Details	21-17 / 8 July 2021 / A755930
Previous Circular	21-12 "Electoral matter" and use of council resources prior to local government elections
Who should read this	Councillors / General Managers / All council staff
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Information / Council to Implement

Council decision-making prior to the September 2021 local government elections

What's new or changing

- Councils are expected to assume a "caretaker" role during election periods to ensure that major decisions are not made which would limit the actions of an incoming council.
- Councils, general managers and other delegates of councils (other than a joint regional planning panel, a local planning panel or the Central Sydney Planning Committee) must not exercise the following functions during the caretaker period:
 - entering into any contract or undertaking involving an expenditure or receipt by the council of an amount equal to or greater than \$150,000 or 1% of the council's revenue from rates in the preceding financial year (whichever is the larger)
 - determining a "controversial development application", except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period
 - appointing or reappointing the council's general manager (except for temporary appointments).
- In certain circumstances, these functions may be exercised with the approval of the Minister.

Key points

- "Controversial development application" means a development application for designated development under section 4.10 of the *Environmental Planning and Assessment Act 1979* for which at least 25 persons have made submissions during community consultation.
- The caretaker period for the September 2021 local government elections commences on Friday 6 August 2021 and ends on Saturday 4 September 2021.

Where to go for further information

- For further information, contact the OLG's Council Governance Team on 4428 4100.

Kiersten Fishburn
Coordinator General, Planning Delivery and Local Government

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9.2 WENTWORTH BASED MEN IN A SHED

File Number: RPT/21/393

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

Summary

Council is in receipt of correspondence from the Wentworth Regional Community Project Association Inc requesting the support of Council for the establishment of a Wentworth based Men in a Shed group. The request also seeks Council to consider suitable land to build a shed facility.

Recommendation

That Council:

- a) Receive and note the report; and
- b) Resolve to progress this item by nominating the way forward from the options section of this report.

Detailed Report

Purpose

The purpose of this report is to provide Council with information regarding a request for support for a Wentworth based Men in Shed.

Background

Council received correspondence from the Wentworth Regional Community Project Association Inc (attached with response attached) requesting the support of Council for a Wentworth based Men in a Shed group. The request is also for Council to consider suitable land to build a shed facility. A review of the Wentworth Sustainable Strategy and the current Community Strategic Plan has not identified this need from the community consultation undertaken in the preparation of those documents.

Report Detail

Wentworth Shire has an existing very successful Men in a Shed group based at Dareton. This group has approximately 55 members from Dareton, Buronga, Gol Gol and Wentworth. At the August 2020 meeting of Council, the following was resolved:

That Council supports the concept of the Dareton Men in a Shed infrastructure being located on Lot 101 DP 1232722 subject to the regulated approvals process.

That Dareton Men in a Shed be encouraged to lodge a formal development application to officially commence the process.

The Dareton Men in a Shed have since lodged a Development Application with Crown Land consent and have also secured some funding. Council also resolved at the June meeting to include funding for the new building in the application to Resources for Regions. This is a strong commitment from Council and from the Men in a Shed.

Options

From the detail provided it would appear that a decision would need to be sought from one of the two possible options:

- a) Provide in principle support for a Wentworth based Men in a Shed and subsequently identify suitable land to be investigated; or
- b) Do not provide in principle support for a Wentworth based Men in a Shed.

Conclusion

Having consideration to the detail provided Council must make an informed decision as to the need to support a Wentworth based Men in a Shed in addition to the already supported Dareton Men in a Shed or form the view that the duplication is not warranted and consequently deny the request.

Attachments

- 1. Discussion of Wentworth based Men In A Shed & Request of Community Meeting Room / CMR use free of charge on 22 July 2021 [↓](#)
- 2. Response Wentworth Regional Community Project Association Inc - Discussion of Wentworth based Men In A Shed & Request of Community Meeting Room / CMR use free of charge on 22 July 2021 [↓](#)

①

Hon Secretary,
Wentworth Regional Community Project Association Inc
PO Box 90
Wentworth NSW 2648

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



Dear Ken,

Our association has been approached to promote a Men In A Shed group in Wentworth.

1. Would the Shire support a Men In A Shed group in Wentworth?
2. Is there any shire land that would be suitable to build a shed facility? (Bearing in mind that the Shire would own it anyway).
3. South of the sporting complex car park?
4. Could we have the community meeting room free of charge, possibly the third Thursday in July (22/7/21), for an inaugural meeting of persons interested in forming a group.

5. As this could be a big project, our member has been assured a Men In A Shed in Wentworth would not detract from the very successful one operating in Dareton.

We await your response.

Yours sincerely

A large black rectangular redaction box covering the signature of WJ Wheeldon.

WJ Wheeldon



Our Reference: DOC/21/14271
Your Reference:
Prepared By: Office of General Manager
9 July 2021

Mr WJ Wheeldon OAM
President
Wentworth Regional Community Project Association Inc
PO Box 90
WENTWORTH NSW 2648

Dear Mr Wheeldon

REQUEST FOR COUNCIL SUPPORT WENTWORTH BASED MEN IN A SHED AND USE OF COMMUNITY MEETING ROOM FREE OF CHARGE

Council acknowledges receipt of your correspondence dated 30 June 2021 regarding a Wentworth based Men in a Shed, and the use of the Community Meeting Room free of charge on 22 July 2021.

While acknowledging that the Men in a Shed concept is a fantastic initiative your request has significant strategic and financial implication to Council. This has been confirmed with the recent support for the Dareton Branch of the same organisation. Having consideration to these items the matter will be tabled at a Council meeting seeking direction as to how this should be dealt with.

In line with other organisations hiring Council's facilities Wentworth Regional Community Project Association are required to apply for a Donations, Contributions and Grants (DCG) to be reimbursed the hire fees payable to Council. Please contact Annette Fraser, Council's Team Leader of Customer Service prior to submitting a DCG to ensure availability of the Community Meeting Room.

Applications for the first round of DCG funding for the 2021/22 financial year are now open and will close on 31 July 2021. The applications will be tabled at the August 2021 Ordinary Council Meeting. Please note, due to your meeting being held prior to the August Ordinary Council Meeting, the Wentworth Regional Community Project Association will be reimbursed for the room hire fee, dependent on Council resolution.

Enclosed for your convenience is the DCG Information Guide and Application Form.

Should you require any clarification of the content of this letter please do not hesitate to contact the Office of the General Manager on 03 5027 5027.

Yours sincerely



KEN ROSS
GENERAL MANAGER

9.3 LANDFILL EQUIPMENT LOAN

File Number: RPT/21/374

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

At the April 2021 Ordinary Council meeting, Council resolved to purchase an excavator and compactor for the Buronga Landfill for an approximate cost of \$900,000 to be funded via an external loan.

Council has sought quotes for from the following financial institutions:

- National Australia Bank
- Bendigo Bank
- Westpac Bank
- ANZ Bank

Each institution was asked to provide options for a \$900,000 loan to be paid back over 7 years. This time frame was chosen to best reflect the expected life span of the machinery.

There are four options available for consideration within this report:

- a. Approve National Australian Bank Loan;
- b. Approve Bendigo Bank Loan;
- c. Approve Westpac Bank Loan;
- d. Approve ANZ Bank Loan.

Council's 2021/2022 budget and long term financial plan had forecast an interest rate of 3% for the new loan, the options set out in this report for the new loan will result in a budget saving over the life of the loan of between \$24,191 and \$44,000 depending on the option chosen.

Recommendation

That Council having considered the information contained within the report approve one of the available options.

That Council delegates authority to the Mayor and the General Manager to sign the agreement and affix the Common Seal on behalf of Council.

Detailed Report

Purpose

The purpose of this report is for Council to approve the loan to fund the purchase of machinery at the Buronga Landfill.

Background

At the April 2021 Ordinary Council meeting, Council resolved to purchase an excavator and compactor for the Buronga Landfill for an approximate cost of \$900,000 to be funded via an external loan.

Matters under consideration

Council has sought quotes for from the following financial institutions:

- National Australia Bank
- Bendigo Bank
- Westpac Bank
- ANZ Bank

Each institution was asked to provide options for a \$900,000 loan to be paid back over 7 years. This time frame was chosen to best reflect the expected life span of the machinery.

The below table outlines the best option provided by each institution.

Institution	Interest Rate	Total Interest Payable
National Australia Bank	1.72%	\$57,198
Bendigo Bank	2.31%	\$75,589
Westpac	2.30%	\$76,973
ANZ Bank	2.29%	\$76,630

Council currently has an existing loan for the landfill with an outstanding balance of \$361,740 with an interest rate of 4.55% and is due to be paid out by December 2024. This will incur interest costs of \$31,390 over the remaining 3 and half years of the loan.

Given the significant difference between the interest rate for the existing loan and the indicative rates for the proposed new loan, the question was asked about the possibility of refinance the existing loan by combining it with the proposed new loan. The cost to break the existing loan is \$17,874. This break cost can either be paid out of existing cash flows or included in a new interested rate for a combined loan. The two rates would be as follows:

- Break cost paid out of existing cash flows 1.72%
- Break cost embedded into new loan 2.12%

The total cost of each option is shown in the following table:

Option	Interest Payable	Interest payable if two separate loans	Potential Savings
Break cost paid out of existing cash flows (Option 1)	\$98,062	\$88,588	(\$9,474)
Break cost embedded into new loan (Option 2)	\$99,270	\$88,588	(\$10,682)

As can be seen from the above table it will actually cost Council more to the refinance the exiting loan then it would to keep the loans as two separate loans. The reason for this is that the existing loan is nearing its conclusion with quarterly repayment amounts paying off more of the principal than interest.

This can be seen in the following table which details the interest payments to be paid over the remaining life of the current loan compared to what the interest payable would be over the same time period with the two options above:

Payment	Existing loan	Option 1	Option 2
September 2021	\$4,515	\$23,299	\$6,687
December 2021	\$4,194	\$5,243	\$6,465
March 2022	\$3,622	\$5,059	\$6,242
June 2022	\$3,672	\$4,875	\$6,017
September 2022	\$3,278	\$4,690	\$5,791
December 2022	\$3,063	\$4,504	\$5,565
March 2023	\$2,653	\$4,317	\$5,336
June 2023	\$2,425	\$4,130	\$5,107
September 2023	\$2,134	\$3,941	\$4,876
December 2023	\$1,880	\$3,752	\$4,645
March 2024	\$1,508	\$3,562	\$4,412
June 2024	\$1,254	\$3,371	\$4,177
September 2024	\$947	\$3,180	\$3,942
December 2024	\$761	\$2,987	\$3,705

Options

The four options available for consideration are:

- a. Approve National Australian Bank Loan;
- b. Approve Bendigo Bank Loan;
- c. Approve Westpac Bank Loan;
- d. Approve ANZ Bank Loan.

Legal, strategic, financial or policy implications

Council's 2021/2022 budget and long term financial plan had forecast an interest rate of 3% for the new loan, the options set out in this report for the new loan will result in a budget saving over the life of the loan of between \$24,191 and \$44,000 depending on the option chosen.

Conclusion

Council's 2021/2022 budget identified that the purchase of the two new plant items for the Buronga Landfill will be funded by an external loan.

Council has sought pricing from four financial institutions which has been outlined in this report to assist Council in its decision making.

Based on the information provided by the four banks, the loan that provides the best value for money for Council is the proposal from the National Australia Bank which is up to \$20,000 lower than the other proposals.

Attachments

Nil

9.4 MONTHLY FINANCE REPORT

File Number: RPT/21/370

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 June 2021 were \$508,246.99. After allowing for pensioner subsidies, the total levies collected are now 91.87%. For comparison purposes 89.82% of the levy had been collected at the end of June 2020. Council currently has \$37,762,956.04 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 30 June 2021

The reconciliation has been carried out between the Cash Book of each fund and the Bank Pass Sheet as at 30 June 2021.

	Combined Bank Account
Cash Balance as at 1 June 2021	\$ 2,888,549.97
Add: Receipts for the Period Ending 30 June 2021	\$ 10,569,211.96
Rates, Debtors, Miscellaneous	
Less: Payments for the Period Ending 30 June 2021	
Cash Book entries for this Month	\$ 11,724,379.41
Cash Balance at at 30 June 2021	\$ 1,733,382.52
Investments	
Total Investments as at 30 June 2021	\$ 36,029,573.52
TOTAL	\$ 37,762,956.04

Collection of Rates and Charges

Rates and Charges collections for the month of June 2021 were \$508,246.99. After allowing for pensioner subsidies, the total levies collected are now 91.87%. A summary of the Rates and Charges situation as at 30 June 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	69,141.85	
+ Additional Charges	48,963.28	
- Credit Adjustments	20,319.10	
- Abandonments	3,408.43	\$ 11,787,773.83
Deductions		
- Payments	10,660,532.69	
- Less Refunds of Payments	15,980.12	\$ 10,644,552.57
		\$ 1,143,221.26
- Pensioner Subsidy		
Government Subsidy	101,984.93	
Council Subsidy	83,442.22	\$ 185,427.15
Total Rates/Water Charges Outstanding		\$ 957,794.11

Note: For comparison purposes 89.82% of the levy had been collected at the end of June 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	\$ 385,305.78	30/01/2025
Loan 202	ANZ Bank	Civic Centre	3.470% Fixed	\$ 850,000.00	\$ 669,816.29	21/10/2026
Loan 203	National Australia Bank	Midway Centre	3.586% Fixed	\$ 1,900,000.00	\$ 1,657,585.67	28/04/2023
Loan 204	Bendigo Bank	Buronga Landfill	5.290% Fixed	\$ 1,500,000.00	\$ 1,308,455.47	12/05/2037
CFWC31 0604	T-Corp	Trentham Sewer and Burong/Gol Stormwater	1.82% Fixed	\$ 1,000,000.00	\$ 1,000,000.00	4/06/2031
CFWC31 0624	T-Corp	Trentham Sewer and Burong/Gol Stormwater	1.79% Fixed	\$ 1,000,000.00	\$ 1,000,000.00	24/06/2031
				TOTAL	\$ 6,021,163.21	

Rates/Water write offs and adjustments

Rates and charges that have been written off or adjustments made under the delegated authority of the General Manager for the month of June 2021.

Account	Date	Amount	Comment
Debtors			
Millewa Football Club	21/06/2021	247.00	Cancelled hire of the Carramar Drive Sproting Complex
Rates			
395	31/05/2021	2.97	Write off interest- Bpay payment paid into Water should have been Rates
376	31/05/2021	2.68	Write off interest- Bpay payment paid into Water should have been Rates

Overtime and Travelling

Month	Jun-21	Pay Periods	25, 26 & 27			
Overtime						
	Time and a Half		Double Time		Double Time and Half	
Department	Hours	Amount	Hours	Amount	Hours	Amount
Animal Services	26.25	\$ 1,201.10	43.00	\$ 2,625.25		
Civil Works	8.00	\$ 439.78	9.00	\$ 598.26		
Finance	16.00	\$ 1,095.86	1.00	\$ 112.42		
Governance	2.00	\$ 141.99	7.50	\$ 625.58		
Parks & Gardens	16.50	\$ 687.05	26.00	\$ 1,441.21		
Roads - Council	149.00	\$ 6,493.57	84.75	\$ 5,057.03		
Roads - RMS	378.25	\$ 17,788.26	345.50	\$ 21,704.20		
Roads & Eng - Indoor	64.00	\$ 4,362.08	24.00	\$ 2,121.73		
Tourism	4.25	\$ 168.99	4.00	\$ 237.89		
Waste Management	16.50	\$ 755.64	17.00	\$ 1,246.90		
Water & Waste Water	111.50	\$ 5,040.78	135.00	\$ 8,202.86		
Total	792.25	\$ 38,175.10	696.75	\$ 43,973.33	-	\$ -
Travel Allowance						
Department	Kms	Amount				
Health & Planning	1,080.00	\$ 842.40		Kms for Health Inspector to drive to work		
Water & Waste Water	428.10	\$ 333.92		Kms for Meter Reader		
Roads & Eng - Indoor	1,944.00	\$ 1,516.32		Kms for Subdivision Officer		
Total	3,452.10	\$ 2,692.64				
Grand Total		84,841.07				

Conclusion

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

Attachments

Nil

9.5 MONTHLY INVESTMENT REPORT

File Number: RPT/21/378

Responsible Officer: Simon Rule - Director Finance and Policy
Responsible Division: Finance and Policy
Reporting Officer: Bryce Watson - Accountant

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

Summary

As at 30 June 2021 Council had \$26 million invested in term deposits and \$11,762,956.04 in other cash investments. Council received \$10,116.36 from its investments for the month of June 2021.

In June 2021 Council investments averaged a rate of return of 0.39% and it currently has \$6,736,496.56 of internal restrictions and \$20,609,941.90 of external restrictions.

Recommendation

That Council notes the monthly investment report.

That Council approves the creation of a T-Corp externally restricted loan reserve for the purpose of expending the remaining funds for which the loan was approved.

Detailed Report

Purpose

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

Matters under consideration

As at 30 June 2021 Council had \$37,762,956.04 invested with ten (10) financial institutions.

Breakdown of Total Funds Available

Financial Institution	Amount	Percentage of Available Funds
AMP	\$3,014,951.91	7.98%
Bank of Queensland	\$2,000,000.00	5.30%
Bendigo Bank	\$3,733,382.52	9.89%
Commonwealth Bank	\$5,000,000.00	13.24%
IMB Bank	\$1,000,000.00	2.65%
Macquarie Bank	\$7,010,223.11	18.56%
Members Equity Bank	\$3,004,398.50	7.96%
National Australia Bank	\$5,000,000.00	13.24%
Westpac	\$5,000,000.00	13.24%
Suncorp	\$3,000,000.00	7.94%
TOTAL	\$37,762,956.04	100.00%

Investments on Hand as at 30 June 2021

Term Deposits					
Investee	Date Invested	Date of Maturity	Effective Interest Rate	Amount Invested	Rating
Bank of Queensland (2)	9/06/2021	7/12/2021	0.40%	\$ 1,000,000.00	A2/BBB+
Bank of Queensland (6)	22/10/2020	22/07/2021	0.60%	\$ 1,000,000.00	A2/BBB+
Bendigo Bank (1)	24/05/2021	24/02/2022	0.35%	\$ 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	15/06/2021	15/06/2022	0.40%	\$ 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
Commonwealth Bank (5)	20/05/2021	20/05/2022	0.39%	\$ 1,000,000.00	A1+/A
IMB Bank	9/06/2021	9/09/2021	0.97%	\$ 1,000,000.00	A2/BBB
Macquarie Bank	8/04/2021	7/10/2021	0.35%	\$ 1,000,000.00	A2/BBB+
Macquarie Bank (2)	10/06/2021	10/03/2022	0.40%	\$ 1,000,000.00	A2/BBB+
Members Equity Bank	9/06/2021	9/03/2022	0.45%	\$ 1,000,000.00	A2/BBB
National Australia Bank (2)	9/02/2021	9/08/2021	0.35%	\$ 1,000,000.00	A1+/AA-
National Australia Bank (3)	26/04/2021	22/11/2021	0.30%	\$ 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)	28/06/2021	25/03/2022	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-
Suncorp Bank	13/05/2021	9/12/2021	0.32%	\$ 1,000,000.00	A1/A+
Suncorp Bank (2)	10/06/2021	10/06/2022	0.33%	\$ 2,000,000.00	A1/A+
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-
Westpac Banking Corporation (5)	28/05/2021	28/02/2022	0.32%	\$ 1,000,000.00	A1+/AA-
				<u>\$ 26,000,000.00</u>	
Other Cash Investments					
Investee	Date Invested	Date of Maturity	Effective Interest Rate	Amount Invested	Rating
Bendigo Bank - Operating A/c	N/A	Ongoing		\$ 1,733,382.52	A2/BBB+
AMP (11)	23/10/2020	Ongoing	0.55%	\$ 3,014,951.91	A2/BBB+
Macquarie Bank (4) - Ongoing	3/12/2020	Ongoing	0.35%	\$ 5,010,223.11	A1/A+
Members Equity Bank - Ongoing (5)	1/12/2020	Ongoing	0.40%	\$ 2,004,398.50	A2/BBB
Total Other Cash Investments				<u>\$ 11,762,956.04</u>	
Total Funds Available				<u>\$ 37,762,956.04</u>	

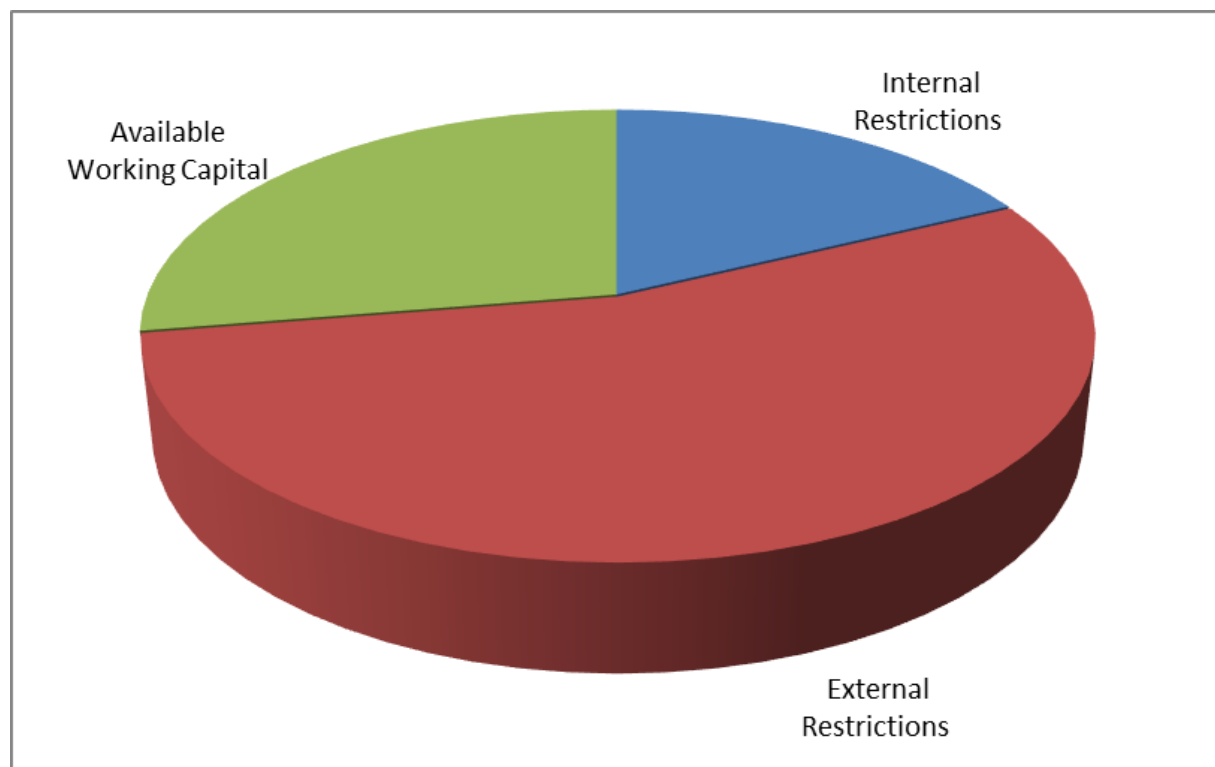
Note: Ratings provided are from Moody's and Standard & Poors Rating Agencies

During June Council also drew down the \$2,000,000 T-Corp loan for the Trentham Cliffs Sewer Installation and the Buronga – Gol Gol Stormwater infrastructure upgrades. At the time of writing this report only \$586,107.51 had been expended leaving a balance of \$1,413,892.49. Therefore, it is recommended that an externally restricted reserve be set up for the remaining amount of the funds to be expended for the purpose for the which the loan was approved.

Restrictions

Internal Restrictions		
- Employee Entitlements	\$ 2,376,437.00	
- Doubtful Debts	\$ 115,367.00	
- Future Development Reserve	\$ 1,113,213.94	
- Trust Account	\$ 631,478.62	
- Capital Projects	\$ 1,000,000.00	
- Plant Replacement Reserve	\$ 1,500,000.00	\$ 6,736,496.56
External Restrictions		
- Water Fund	\$9,422,178.87	
- Sewer Fund	\$3,674,470.88	
- Developer Contributions Reserve	\$639,646.61	
- Unexpended Grants	\$6,042,573.86	
- Crown Reserves Reserve	\$289,128.84	
- Loan Guarantee Reserve	\$3,162.86	
- Prepayments Cemeteries	\$538,779.98	\$20,609,941.90
Day to Day Liquidity		\$10,416,517.85
Total Funds Available		\$37,762,956.04

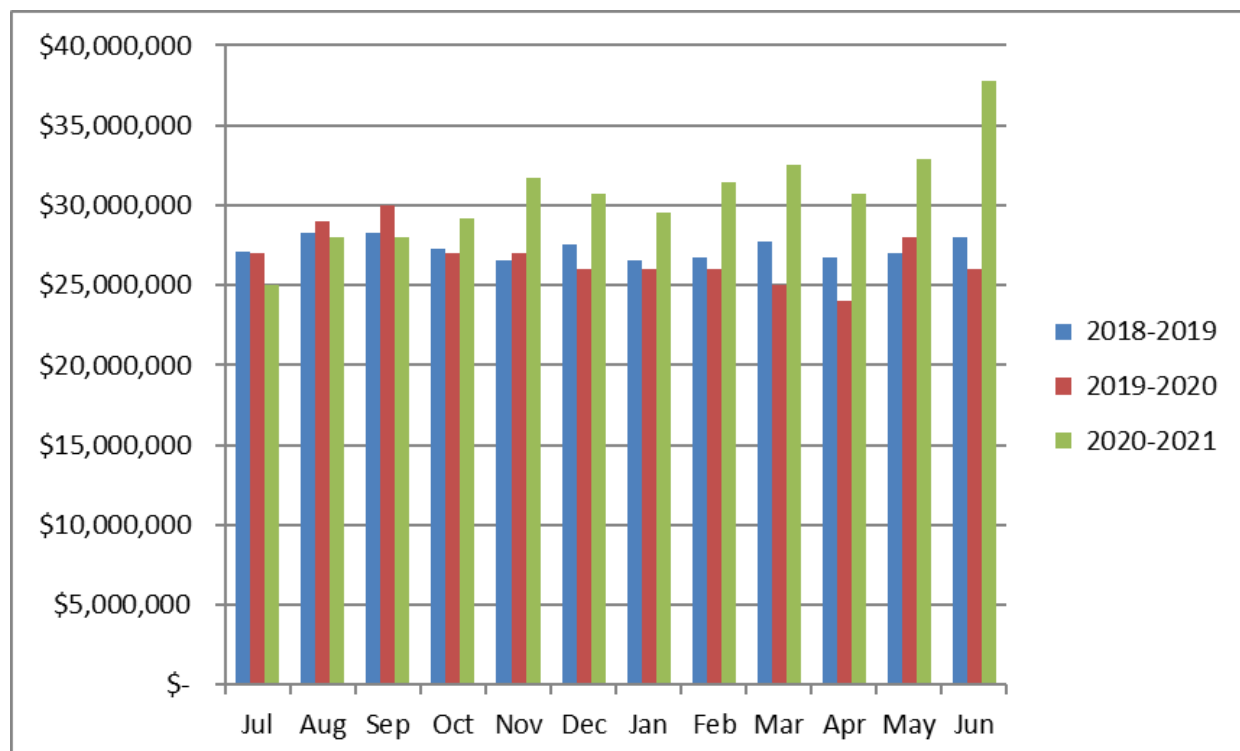
Breakdown



Summary – Unexpended Grants as at 30 June 2021

Grant	Amount
Block Grant	\$191,315.27
Roads to Recovery	\$685,988.89
CMA - Pooncarie Weir	\$77,746.00
State Library Infrastructure Grant	\$518,770.00
Crown Reserve Improvement Fund WW Caravan Park	\$1,000,000.00
Crown Reserve Improvement Fund Astronomy Park	\$679,316.00
Crown Reserve Improvement Fund Pooncarie Race Track	\$29,700.00
Wentworth Showgrounds Sewer Upgrade	\$339,560.08
NSW Fixing Local Roads	\$1,195,208.78
Local Roads and Community Infrastructure	\$466,126.04
Resources for Regions Junction Island Bridge	\$172,500.00
Resources for Regions Visitor Information Centre Relocation	\$470,511.50
Stronger Country Communities WW Rowing Club Grant	\$78,004.92
Stronger Country Communities WW Extended Daycare	\$123,796.78
Stronger Country Communities Junction Island Fitness Equipment	\$14,029.60
Total	\$6,042,573.86
Grant	Amount

Total Funds Invested



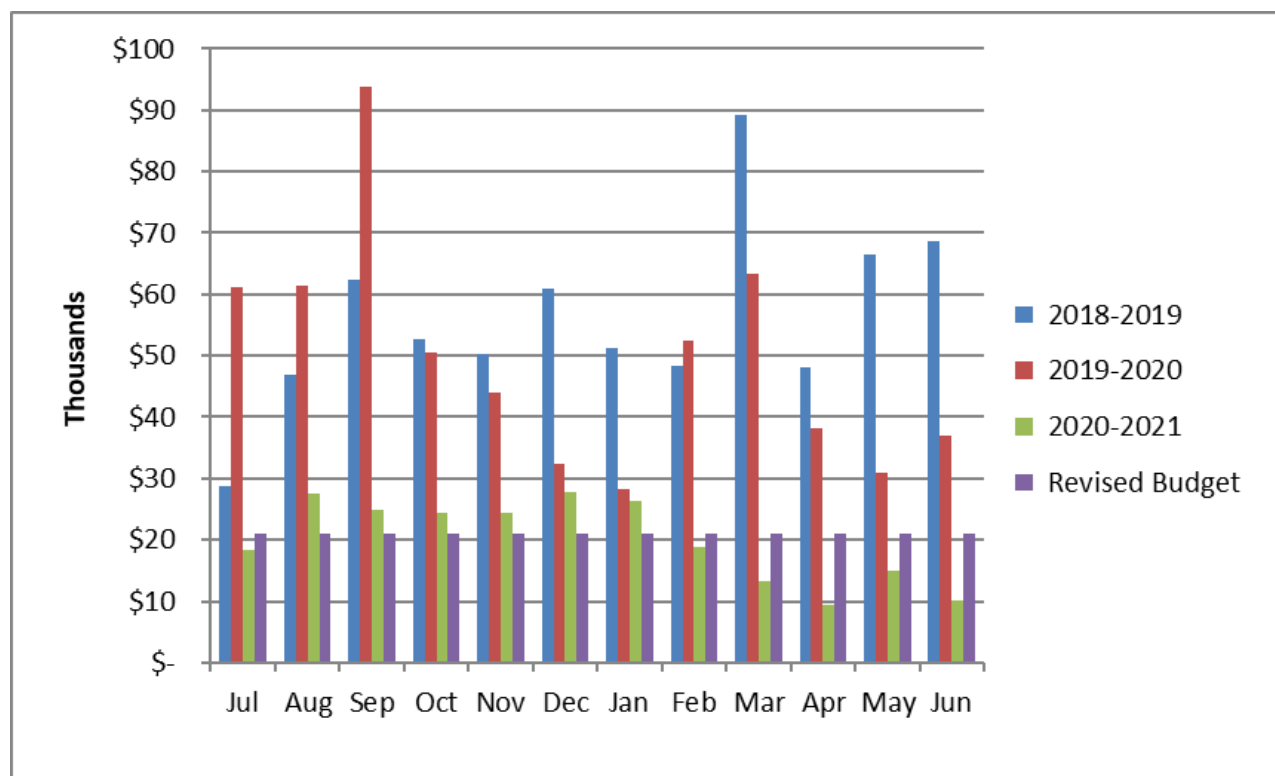
Three (3) term deposits and three (3) other accounts matured or provided interest in June earning Council \$10,116.36 in interest. The revised budget for June was \$20,916.67

following the reduction in interest revenue adopted in the September Quarterly Budget Review. Year to date Council has received \$240,193.65 in interest. The revised year to date budget is \$251,000.00

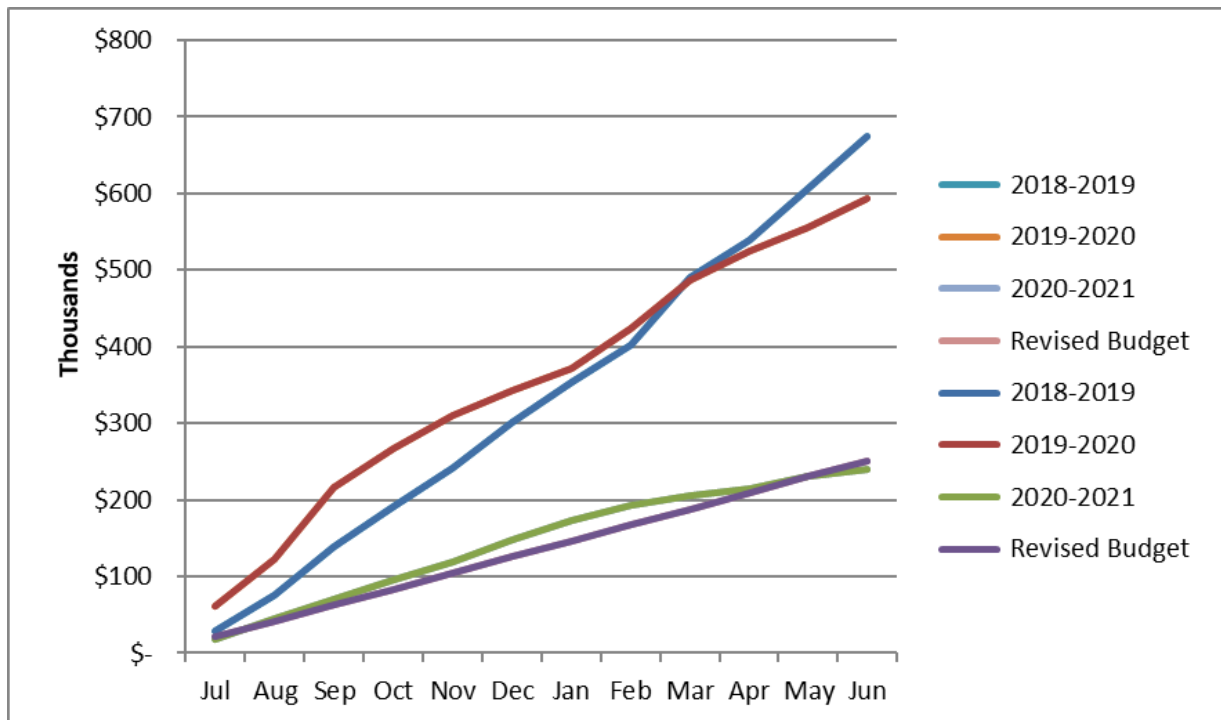
Investment Revenue in June 2021

Investee	Date Invested	Date of Maturity	Effective Interest Rate	Amount Invested	Interest Earned
Term Deposits					
Commonwealth Bank	15/12/2020	15/06/2021	0.42%	\$1,000,000.00	\$2,094.25
National Australia Bank	29/03/2021	28/06/2021	0.30%	\$1,000,000.00	\$747.95
IMB Bank	9/03/2021	9/06/2021	0.97%	\$1,000,000.00	\$2,495.34
Other Cash Investments					
AMP (11)	23/10/2020	Ongoing	0.55%	\$3,014,951.91	\$1,407.70
Macquarie Bank (4) - Ongoing	3/12/2020	Ongoing	0.35%	\$5,010,223.11	\$2,690.38
Members Equity Bank - Ongoing (5)	1/12/2020	Ongoing	0.40%	\$2,004,398.50	\$680.74
Total					\$10,116.36

Investment Revenue received June 2021

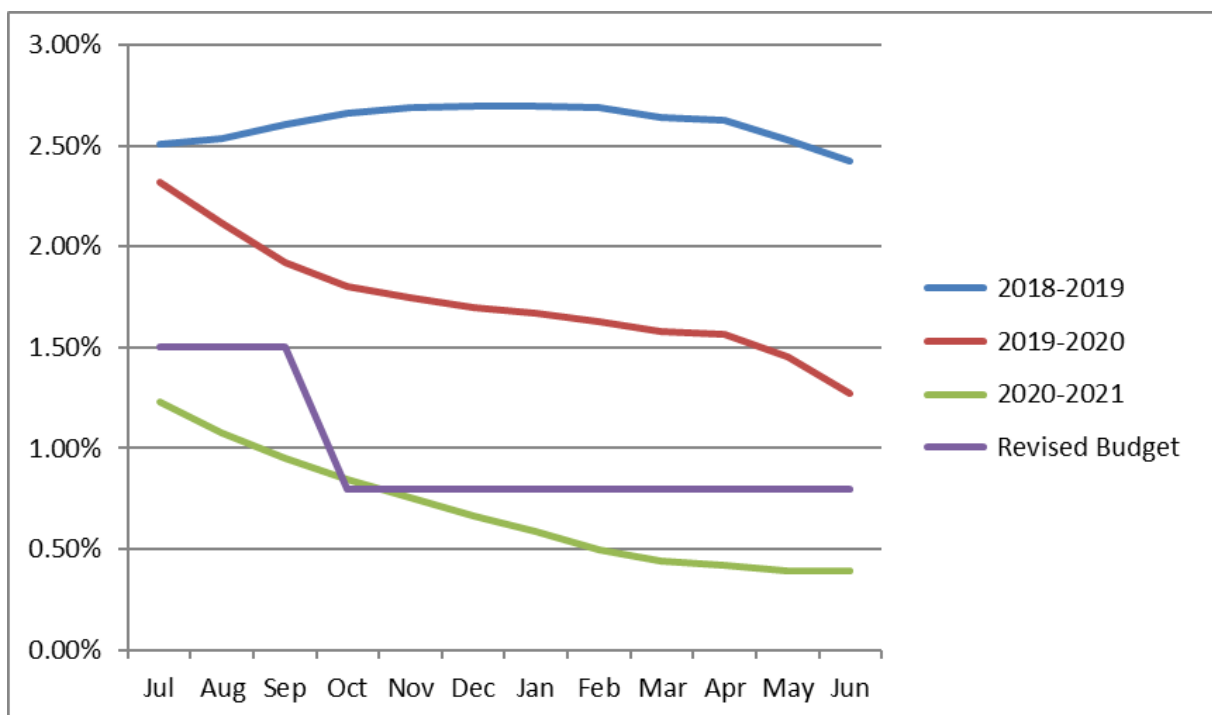


Total Interest received July 2020 – June 2021



For June 2021 Council's investments returned an effective average rate of 0.39%. Year to date the effective average rate has been 0.69%. 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 SUSPENSION OF ALCOHOL FREE ZONE - WENTWORTH DISTRICT ROWING CLUB

File Number: RPT/21/357

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

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

Strategy: 2.1 Grow visitation to the Shire by developing a quality visitor experience and promoting our destination

Summary

Council has received a request from the Wentworth District Rowing Club to lift the alcohol-free zone for the Rowing Club and immediate lawn area for one event – the Royal Flying Doctor Rowathon.

The Wentworth District Rowing Club has sought approval for the suspension of the alcohol-free zone in past years for community events.

There have been no incidents or problems in past events that would warrant Council refusing the temporary lifting of the alcohol-free zone as requested.

Recommendation

That Council:

- a) In accordance with Section 645 of the *Local Government Act 1993*, suspends the operation of the alcohol-free zone in the area of the Wentworth Rowing Club and Lawns as shown on the map attached to this report, between the hours of 12:00 noon and 22:00 on 10 September 2021 and 12:00 noon and 20:00 on 11 September 2021;
- b) Advertises the suspension of the alcohol-free zone in a locally circulated newspaper; and
- c) Advises the NSW Police of the details of the suspensions of the alcohol-free zone.

Detailed Report

Purpose

The purpose of this report is for Council to consider the suspension of the operation of the alcohol-free zone at the Wentworth Rowing Club and Lawns for the following event:

- Royal Flying Doctor Rowathon

The Flying Doctor Rowathon is an annual one-day marathon row held on the Darling and Murray Rivers and hosted by Wentworth District Rowing Club in Wentworth, New South Wales. It is the longest one-day marathon rowing regatta in Australia and raises funds for the Royal Flying Doctor Service.

Background

Council may, at the request of any person or body or of its own motion, suspend the operation of an alcohol-free zone by publishing notice of suspension in a newspaper circulating in the area that includes the zone concerned. During the periods indicated in the notice as the period of suspension, the zone does not operate as an alcohol-free zone.

The area identified in the attached map, being the area known as the Wentworth Rowing Club Lawns, is the area, for which the alcohol-free zone is requested to be lifted for the above-mentioned hours/days.

Council may suspend the operation of an alcohol-free zone for a specified period by resolution and advertising the fact in a locally circulating newspaper.

Matters under consideration

Consideration needs to be made as to whether the lifting of the alcohol-free zone for a specific event is warranted, or whether it poses an unacceptable risk of unruly or unsociable behaviour due to the over consumption of alcohol in the location.

Options

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

- a) Grant the requests for lifting of the alcohol-free zone; or
- b) Refuse the requests to lift the alcohol-free zone.

Conclusion

The proposed lifting of the alcohol-free zone will be a low risk matter for Council, with some positive community benefits within the Wentworth Shire.

Attachments

- 1. Wentworth Rowing Club - Letter seeking suspension of AFZ [↓](#)
- 2. Map of Rowing Club AFZ area [↓](#)

President: Geoff Rix
Secretary: Roz Ford



Wentworth District Rowing Club
PO Box 95
Wentworth NSW 2648

ABN# 4525 360 7490



General Manager
Wentworth Shire Council
Adelaide Street
Wentworth

19/06/2021

Dear Sir,

RE: Alcohol Exemption

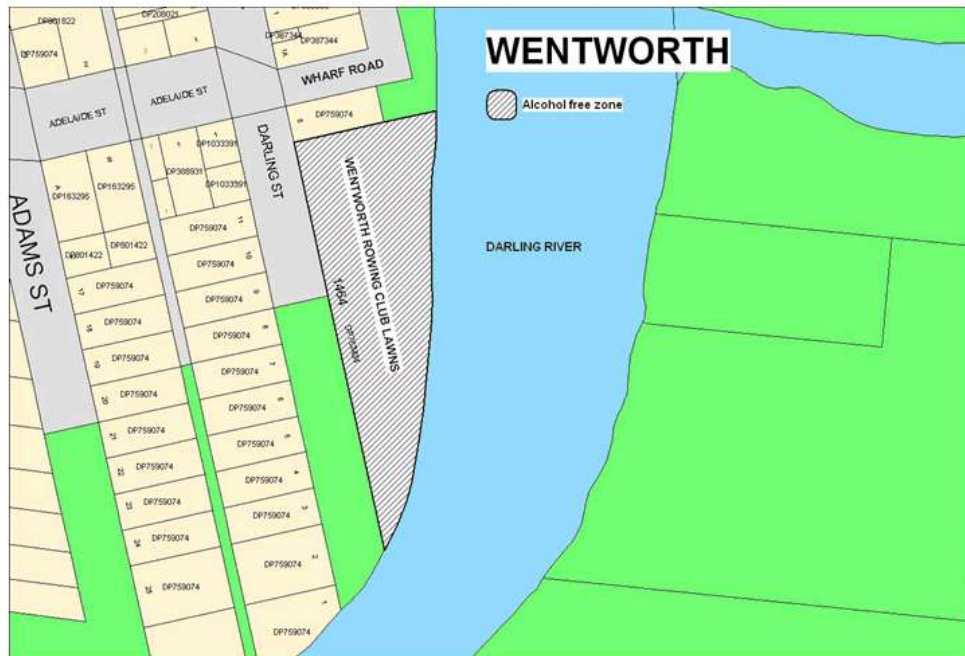
The Wentworth District Rowing Club would like to seek an alcohol exemption for the Rowing Club and immediate lawn area on the 10th and 11th September 2021 for the Royal Flying Doctor Rowathon.

Yours sincerely



Roz Ford
Secretary.

Map of Alcohol Free Zone – Wentworth Rowing Club and Lawns



9.7 OUR TOWN, OUR FUTURE - DARETON REVITALISED STRATEGY 2021

File Number: RPT/21/361

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

Wentworth Shire Council endorsed the draft Our Town, Our Future – Dareton Revitalised Strategy for public exhibition at its Ordinary Meeting held 17 February 2021.

Details of the submissions, comments and feedback received during public exhibition and state agency consultation are provided in this report.

This report seeks Council's adoption of the final Our Town, Our Future – Dareton Revitalised Strategy 2021.

Recommendation

That Council resolves to adopt the Our Town, Our Future – Dareton Revitalised Strategy 2021 and submit the Strategy with a request for endorsement to the Department of Planning, Industry and Environment.

Detailed Report

Purpose

The purpose of this report is to provide Councillors the opportunity to review the final document and to formally adopt the Our Town, Our Future – Dareton Revitalised Strategy 2021. A copy of the Strategy has been distributed separately to all Councillors and can be publicly viewed and downloaded from Council's website.

Background

Council's Health & Planning team prepared the Our Town, Our Future – Dareton Revitalised Strategy 2021 (the Strategy) to establish a vision and plan to revitalise and the guide the future development of the Dareton township.

The Strategy has been prepared following research and analysis of local conditions, existing land uses, specific sites and consideration of the community interests and aspirations.

Matters under consideration

Council conducted public exhibition of the draft Strategy from 6 March to 9 April 2021.

Exhibition included the following:

- Two advertisements in both the Sunraysia Daily and Mildura Weekly
- Weekly posts on Council's Facebook page
- Letters to potentially affected land owners
- Two (2) community pop-up sessions
- Wentworth Shire Council website

Six (6) community submissions were received at the close of the exhibition period.

In addition to public exhibition, state agency consultation was also undertaken separately from 1 June to 30 June 2021.

Two (2) agency submissions were received at the close of the state agency consultation.

A summary of the content of the submissions received has been tabled, together with a response to each of the comments submitted.

Refer to Attachment 1 – Dareton Summary of Submissions and Outcomes.

A summary of the comments provided and discussions held during the pop-up sessions have been collated and tabled.

Refer to Attachment 2 – Dareton Pop Up Sessions Summary.

As indicated in the submissions table, minor amendments have been made to the Strategy in response to the comments raised in the submissions. Most notably, removal of the proposal to introduce parallel parking in place of the current angled parking in the business district.

Options

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

- a) Adopt the Strategy to finalise the project and allow for the Strategy to be published on Council's website and seek endorsement by DPIE, or
- b) Refuse to adopt the Strategy, subject to specific reasons.

Legal, strategic, financial or policy implications

The adoption of the Strategy provides Council with the opportunity to finalise the project and provides guidance for relevant Council officers to commence action on the recommendations of the Strategy.

The adoption of the Strategy also implements planning priorities for Dareton as set out in the Local Strategic Planning Statement, whilst achieving the broader goals of the Community Strategic Plan to deliver the community's vision for the Shire, in particular, the Dareton community.

Conclusion

The most appropriate course of action is for Council to adopt the Our Town, Our Future – Dareton Revitalised Strategy 2021 to finalise the project, allow for publication on Council's website and to seek final endorsement from the Department of Planning, Industry and Environment.

Attachments

- 1. Dareton Submissions Table & Response.[↓](#)
- 2. Dareton Pop Up Sessions Summary.[↓](#)
- 3. Dareton Submissions.[↔](#)

OUR TOWN OUR FUTURE – DARETON REVITALISED STRATEGY - SUBMISSIONS TABLE

Reference Number	Submission details	Response
1 Doc/21/5294	<p>a) Disappointment with the number of people who were surveyed and that the majority of main businesses were not included in the survey.</p> <p>b) Strongly disagree with the proposed parallel parking as it will be too dangerous to road users and detrimental to the businesses. We suggest roundabouts be installed instead to slow the traffic and form part of the pedestrian crossings.</p> <p>c) Disagree with the concept of outdoor dining as previous tenants had tables and chairs out the front and the only people who used them were kids and drunks. There is ample seating inside where it is cool in summer and warm in winter.</p> <p>d) Do not believe the supermarket should relocate its front entrance to the side carpark as this would be detrimental to them and other businesses.</p> <p>e) Agree with plans for better street lighting, upgrading the parks and facilities, improved signage, having owners of empty buildings maintain them better and clean up (how do you access funding for this purpose?), promotion of Dareton in a better light than it previously has been, improve youth facilities and working with local indigenous people to better the community.</p> <p>f) We suggest that due to alcohol being a major problem, that the Coomealla Club cut back its takeaway alcohol curfew to 8.00 pm and also fund a local service for drug, alcohol and gambling addiction.</p>	<p>a) Due to COVID19 restrictions, the survey was deemed to be the most appropriate manner in which to obtain general community input in to the preparation of the draft strategy. The Coomealla Club and several local businesses were asked if the link to the survey could be distributed to their local members or clients, including both groups and individuals.</p> <p>b) The suggestion of roundabouts, in Tapio Street is noted. These suggestions will be further explored to ensure the best interests and safety of the community. In response to the strong objection from the community to the proposed parallel parking, this has been removed from the final strategy.</p> <p>c) The suggestion for outdoor dining was generated from responses to the survey. It would be at the discretion of each business as to whether they sought Council approval to have table and chairs outdoors for dining purposes.</p> <p>d) Further discussion as to the location of the main entrance door to the supermarket will be undertaken with the landholder/proprietor.</p> <p>e) The aim of the strategy, particularly the redevelopment of Tapio Street, is to improve the aesthetics, amenity and reactivate the business district. Funding opportunities for individual landholders, whilst primarily their responsibility, may be undertaken collaboratively with Council. Dareton is a little town with so much to offer, the strategy aims to recognise its benefits and promote the township as a liveable and inviting residential option to new residents.</p> <p>f) Council will share these ideas with the Board of the Coomealla Club.</p>
2 Doc/21/5579	<p>a) We acknowledge and thank the Wentworth Shire Council for developing a future strategy for Dareton and the Coomealla area.</p> <p>b) We see our role as a key stakeholder and we see this role further developing with our partnership with the Wentworth Shire Council.</p>	<p>a) Comment noted.</p> <p>b) Council looks forward to continuing to work with key stakeholders to progress the actions of the Dareton Strategy.</p>

OUR TOWN OUR FUTURE – DARETON REVITALISED STRATEGY - SUBMISSIONS TABLE

3 Doc/21/6052	<p>a) Consider placing a BBQ in the park opposite the fuel station and replace the ugly seating. It's a lovely park.</p> <p>b) Consider modernising the bus stop at this park, the brick structure is not appealing. Maybe an aluminium one and offer advertising on it.</p> <p>c) Consider planning a BBQ at the rotunda near the boat ramp and parking for caravans and RVs.</p> <p>d) Agree old shop fronts are not appealing. Could the local schools display what they are doing as a window display at reduced rental?</p> <p>e) Could a cycle network be created which would include Mildura Rural City Council? A loop from Buronga following the river through Curlwaa to Wentworth and back to Mildura, perhaps with campsites along the way. Could be promoted as a riverboat, kayaking, cycle trail.</p> <p>f) As a renter who walks to work every day, I would like to see the police book the vast number of vehicles that do not comply with the speed limit.</p> <p>g) Better control of weeds along the shared way between Dareton and the Coomealla High School.</p> <p>h) Love the rose bushes on the eastern side of Dareton.</p> <p>i) Lack of public transport, would get on a bus and go into Mildura on a Saturday but there is no service.</p> <p>j) Promote the local birds in the area e.g. Major Mitchell cockatoos to attract bird watchers.</p>	<p>a) Council will continue to review provision of facilities in each of the public parks and spaces to ensure maximum benefit for the local community and visitors.</p> <p>b) Council will review the provision of bus stop and shelters in Dareton. Advertising on structures adjacent to a highway will need to be considered and approved by Transport for NSW.</p> <p>c) As per a) above.</p> <p>d) This suggestion will be included in the strategy, however, the initiative will need to be acted upon by either the local property/shop owners or the individual schools.</p> <p>e) During the pop up sessions held in Dareton, there were suggestions of a walking/cycle trail along the river raised several times. This will be further investigated as a tourism attraction and in conjunction with MRCC.</p> <p>f) Throughout exhibition there have been numerous submissions regarding the speed at which vehicles travel through the township, particularly the business district. Council will liaise with both the Dareton Police and Transport for NSW to identify measures that can be put in place to ensure that compliance with speed limits are adhered with for the safety of the community.</p> <p>g) An investigation in to the maintenance of Council's road reserves will be undertaken to ensure that public spaces are maintained for the benefit of the public.</p> <p>h) Comment noted.</p> <p>i) A recommendation of the strategy will action consultation with the local bus service provider to identify if there is any opportunity to trial weekend bus services.</p> <p>j) This could be considered for inclusion in a promotions or tourism plan for the Wentworth local government area.</p>
4 Doc/21/6277	<p>a) The exit on to Neilpo Street behind the supermarket is problematic, it scrapes the underneath of my car.</p> <p>b) Murray Darling Swimming Club operates out of Dareton and was excluded from the clubs/groups. Club had 52 members in the 2020/21 season.</p>	<p>a) This exit should be investigated by Council's Roads & Engineering department.</p> <p>b) This omission has been rectified by amending the list in the final strategy.</p>

OUR TOWN OUR FUTURE – DARETON REVITALISED STRATEGY - SUBMISSIONS TABLE

	c) Not sure if parallel parking would be advantageous for an aging population.	c) In response to the strong objection from the community to the proposed parallel parking, this has been removed from the final strategy. Further investigation into treatments in this area will be undertaken to ensure the best interests and safety of the community.
5 Doc/21/6477	<p>a) Can we establish a processing centre for the recycling of old phones?</p> <p>b) Have seen paintings done on the bottom half of telephone poles, it gives a friendly feel to the towns, as does Art in the streets. Could we ask the Barkindji Elders to identify animals/birds important to this area? Could the local Art Gallery be involved? The water tower does not present a safe place for vehicles to stop and look at art, it's partially hidden, is there some other surface for art to be painted. The Silo Art Trail is very popular.</p> <p>c) For some communities, the cup of coffee bought at a café or the meal bought at the pub is helpful to revitalise them.</p> <p>d) Barmera has scenes and objects from the past displayed in empty shops, it looks better than empty shops.</p>	<p>a) Council has recently installed community recycling stations at both of its administration offices located at Adelaide Street in Wentworth and the Midway Centre in Buronga. These stations provide for the disposal and recycling of mobile phones. It is planned to provide community recycling stations at additional locations throughout the Wentworth LGA, Dareton included.</p> <p>b) Council plans to investigate opportunities to provide suitable sites for the display of art work, as part of an overall tourism attraction. This investigation will most likely include opportunities for grants to fund this type of project. Council will ensure to consult with the local community as this project progresses.</p> <p>c) If able to do so, Council will assist with the promotion of locals buying from local business.</p> <p>d) Where able to do so, Council will promote this initiative as part of the revitalisation and improvement to the visual amenity of the business district.</p>
6 Doc/21/7228	<p>a) Applaud Council on developing this plan for the future of Dareton.</p> <p>b) Concerned about the parallel parking replacing the angled parking. Elderly people prefer angled parking. People also prefer the convenience of parking along the shopping precinct rather than at the end of the street in a car park.</p>	<p>a) Comment noted.</p> <p>b) In response to the strong objection from the community to the proposed parallel parking, this has been removed from the final strategy. Further investigation into treatments in this area will be undertaken to ensure the best interests and safety of the community</p>
STATE AGENCY SUBMISSIONS		
7 Doc/21/12366	<p>Dareton Police – comments relate to Section 5.3.13 Improve community safety and security</p> <p>a) Plans for road markings, modifications and speed limits will need to be progressed the standing Traffic Committee comprised of various agencies.</p> <p>b) Lighting of the main high traffic areas would provide police with easier observation when conducting patrols. There are various locations where lighting is insufficient. An environmental design</p>	<p>a) Comment noted.</p> <p>b) Council will consult with Dareton Police and the community when preparing a design for new/additional lighting.</p>

OUR TOWN OUR FUTURE – DARETON REVITALISED STRATEGY - SUBMISSIONS TABLE

	<p>review should be prepared to ascertain the best location for lighting and Dareton Police would be prepared to be involved in community consultation in respect of this matter.</p> <p>c) Improved street signage would assist with all emergency responses, including the marking of individual premises.</p> <p>d) Safety inspections and audits of parks and public spaces would be a welcome addition.</p> <p>e) The installation of CCTV is the most important aspect for policing within Dareton. This would deter offences from being committed and allow quick identification of offenders. Dareton Police would seek to have significant input into the location of cameras.</p> <p>f) Dareton Police will continue to work with Council towards the establishment of a PCYC to provide programs and engagement with the local youth of Dareton.</p>	<p>c) Council will ensure that consultation with the Dareton Police is conducted when planning any changes or upgrades to street signage.</p> <p>d) Council aims to prepare an audit schedule for all parks, gardens and public spaces.</p> <p>e) Council is aware of the importance of the location of cameras in public areas, as such Council will consult and seek input from Dareton Police early in the stages of planning of this project.</p> <p>f) Noted. Council will continue to be involved in this valuable project to benefit the youth of Dareton and surrounds.</p>
8 Doc/21/13399	<p>Department of Primary Industries Agriculture DPI Agriculture supports the intent of the draft Dareton Revitalised Strategy to confirm the Dareton township and rezone land within the township to reflect current uses.</p>	<p>Comment noted.</p>

OUR TOWN OUR FUTURE – DARETON REVITALISED STRATEGY – POP UP SESSIONS COMMENT TABLE

Reference	General Comment details	Response
1	Keep angled parking – numerous objections to the proposed parallel parking in Tapio Street	In response to the strong objection from the community to the proposed parallel parking, this has been removed from the final strategy.
2	Keep pedestrian crossing where it is but with the addition of crossing lights – like Merbein	Will be further investigated as part of the redevelopment of the business precinct
3	Need 2 Speed humps in business district	Will be further investigated as part of the redevelopment of the business precinct
4	50 km speed zone extended past Namatjira, too many accidents and near misses	Will be considered in collaboration with Transport for NSW
5	More trees along the highway	Noted
6	Remove speed hump in School Road	Roads & Engineering to investigate
7	50 km speed zone through main township, 80 km out further	Will be considered in collaboration with Transport for NSW
8	Change name of Dareton to Coomealla	Noted
9	Retain name of Dareton	Noted
10	Town and boat ramp/riverfront areas need regular clean up (bark chips, rubbish)	Request will be referred to and considered by Council as part of the audit of public recreational spaces
11	Plant trees and grass to beautify area between River View Drive and Kookaburra Drive, to become an attractive parkland	This area will be included in the recommendation to prepare a masterplan for the development and revitalisation of the riverfront area
12	Support for the PCYC development, is there a site yet?	Council will continue to collaborate with Dareton Police on this project
13	Potential to rezone land north of School Road	This area will be further considered when a review of this strategy is undertaken
14	Like to see local Councillors presence more in the town	Noted
15	The old pre-school building could be repurposed as a meeting centre	This site will be included in the investigation of Council owned/managed buildings review
16	The block opposite the corner store (corner Tapio & Millie Street) could be used for car parking	This is private land. Council will investigate the future intentions for the site with the landholder
17	Needs to be more housing provided by agencies, their employees work here but live elsewhere as rentals are non-existent	This will be noted and Council will consult with local agencies as to the demand for new residential development to support their employees
18	The former Bank building will need to be repurposed when Far West Health Services vacate the building and relocate to Buronga	Council will consult with current landholder and discuss the future for the building
19	Need a new site and building for the Men's Shed	Consultation with the members of the Men's Shed has commenced
20	Town is losing its knowledge of history. There needs to be a location for this information to be stored and available for locals and visitors	Council will encourage and the support the community to identify the best way

		to manage the retainment of historical information
21	There should be a river walk established, similar to the Walk the Murray (in South Australia)	Council will investigate the demand, potential site(s) and collaborate with key stakeholders to determine the eligibility of this large project
22	An outdoor gym somewhere along the river, where it could be incorporated in to a walk or cycle track route	Will be considered as part of the overall masterplan for the riverfront area
23	Overnight camp site for self-contained RV vehicles, those visitors would spend money in town while staying on these sites	Council will investigate and identify a suitable site to trial a short stay/overnight facility for RV vehicles
24	In NSW there are \$100 vouchers to be spent in local businesses, Wentworth Shire Council is not listed	Council will further investigate this initiative
25	Change the road crossing points to areas where they would be more used and beneficial	Will be further investigated as part of the redevelopment of the business precinct
26	The town has a problem with roaming, unattended dogs	Noted
27	Vehicles speed along Avoca Street	Council will investigate and consult with Dareton Police
28	Change the High School to a Prep - Year 10 facility	Noted. For consideration by NSW Education Department
29	The Eileen Kirby building has rubbish surrounding the area, it's untidy and an eyesore	Council will encourage and promote the upkeep and maintenance of properties
30	It would be beneficial to the local community if there was a hairdresser and hardware shop	Noted. If able to do so, Council will encourage the establishment of new businesses to service the community
31	Council should initiate a hard waste pick up (large items) every 3 or 4 months, that would help with keeping the town clean and tidy	Council has recently conducted a hard waste pick up drive and continues to investigate options for future disposal of hard waste.
32	The town needs to have tennis courts (they used to be located on the corner of Matong and Avoca Streets)	Council will further investigate the re-establishment of tennis courts
33	The land on the river, past the Golf Course, could contain echo huts – a different type of tourist accommodation experience	Council will further investigate this suggestion with the current landholder
34	The town of Dareton celebrates its 100 year anniversary in 2025. Planning should commence to celebrate this milestone	Council will endeavour to work with the community and assist with the promotion of this important event

9.8 DELEGATED AUTHORITY APPROVALS AS AT END OF JUNE 2021

File Number: RPT/21/368

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 June 2021, a total of eighteen Development Applications and zero S4.55 Modification Applications were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$2,081,284.00. This brings the year to date total to seventy-one Development Applications and seventeen S4.55 Applications approved, with an estimated development value of \$11,365,341.00.

Recommendation

- a) That Council receives and notes the report for the month of June 2021.
- b) That Council publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) That a division be called in accordance with S375A of the *Local Government Act 1993 (NSW)*.

Detailed Report

Purpose

The purpose of this report is to provide Council with a list of Development Applications as tabled in Attachment 1, determined under delegated authority by the Director Health and Planning for the month of June 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 \$2,081,284.00 for the month of June 2021. The average determination time was 77 days.

Attachments

1. June 2021 Delegated Authority [↓](#)

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF JUNE 2021

FILE NUMBER	OWNER	LOCATION	DESCRIPTION	VALUE (EX GST)	DETERMINATION DATE	ACTIVE DAYS
DA2021/046	Hayley Bath	Dawn Avenue Lot 8 DP 1259103 Gol Gol	Dwelling with Garage & storage shed	\$420,000.00	1/06/2021	37
DA2020/123	Guisepppe Simonetta	74 Pitman Avenue Lot 878 DP 756961 Buronga	Demolition of existing dwelling & storage shed to create a Four (4) Lot Subdivision - Strata Title	\$0.00	7/06/2021	173
DA2020/134	In Our Hands Pty Ltd	76 Pitman Avenue Lot 879 DP 756961 Buronga	Demolition of existing dwelling & shed for 4 (four) Lot Strata Title Subdivision	\$0.00	7/06/2021	157
DA2021/037	Benjamin & Jennie Roberts	16 Panuccio Drive Lot 8 DP 1167396 Gol Gol	2 storey dwelling with garage & swimming pool	\$1,045,000.00	8/06/2021	44
DA2021/043	Douglas & Leonie Green	198 Adams Street Lot 12 DP 701084 Wentworth	Motel multi purpose room - dining room / meeting room / function room	\$58,058.00	8/06/2021	49
DA2021/060	Jack Stockman	26 Dawn Avenue Lot 2 DP 1259103 Gol Gol	Storage shed	\$16,000.00	8/06/2021	26
DA2021/052	Luke Taylor	36 Midway Drive Lot 35 DP 1058775 Buronga	Storage shed	\$18,610.00	9/06/2021	36
DA2021/057	Junction Vineyards Pty Ltd	High Darling Road Lot 2 DP 1253993 Wentworth	Irrigation pump & vineyard assets	\$80,000.00	9/06/2021	30
DA2021/061	Johnathan Donehue & Kristy Shirley-Donehue	Waratah Court Lot 13 DP 1248641 Gol Gol	Storage Shed	\$66,269.00	9/06/2021	27

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF JUNE 2021

DA2021/062	Matthew Allender & Tess Healy	34 Melaleuca Street Lot 56 DP 1098922 Buronga	Storage Shed	\$15,867.00	9/06/2021	25
DA2021/048	Ashley & Evan Morrison	Potters Drive Lot 2 DP 1152903 Gol Gol	Storage Shed	\$50,000.00	9/04/2021	43
DA2020/126	Maria Mammone Frances Barilla Guiseppe Scopelliti	45-63 Hendy Road Lot 1 DP 1222570 Buronga 65-77 Hendy Road Lot 2 DP 1222570 Buronga	71 Lot subdivision Increased to 92 Lot subdivision - March 2021	\$0.00	16/06/2021	189
DA2021/053	Kellie Phillips	14 Carramar Drive Lot 1 DP 816958 Gol Gol	Storage Shed extension	\$55,480.00	16/06/2021	44
DA2020/176	Dunvegan Station Pty Ltd - Sam Stizza	2042 Lower Darling Road Lot 1 DP 1189519 Wentworth	Subdivision 1 Lot into 4 Lots	\$0.00	17/06/2021	133
DA2020/105	3 Sisters Estate Pty Ltd	47 Dawn Avenue Lot 1 DP 1229884 Gol Gol	Staged 59 Lot Subdivision	\$0.00	24/06/2021	221
DA2021/047	Amanda & Kelvin Metcalf	94 Adelaide Street Lot 1 Section 10 DP 758456 Gol Gol	Install shade sail	\$6,000.00	24/06/2021	54
DA2020/162	Alinga Grove Pty Ltd	9-17 Pine Road Lot 17 DP 1267581 Gol Gol	Subdivision - Stages 4 & 5 - 34 Lots	\$0.00	28/06/2021	71
DA2021/066	Infinity Farms Pty Ltd	329 Fletchers Lake Road Lot 198 DP 756961 Coomealla	Packaging facility & machinery shed	\$250,000.00	28/06/2021	29

9.9 DEVELOPMENT APPLICATION DA2021/011 DWELLING (DEFERRED COMMENCEMENT) 372 LOW DARLING ROAD WENTWORTH LOT 3 DP 1250369

File Number: RPT/21/371

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

A development application (DA2021/011) was received by Council for a dwelling (deferred commencement) to be located at 372 Low Darling Road, Lot 3 DP 1250369 Wentworth.

The development application proposal seeks approval to construct a new dwelling.

Under the *Wentworth Local Environmental Plan 2011 (WLEP 2011)*, dwellings are permitted with consent if located within the RU1 Primary Production zone and meet the relevant standards.

Recommendation

That Council approve to issue development approval for DA2021/011 being a dwelling (deferred commencement) located at 372 Low Darling Road, Lot 3 DP 1250369 Wentworth.

That a division be called in accordance with s375A of the Local Government Act 1993 (NSW).

Detailed Report**Purpose**

The purpose of this report is to provide sufficient information for Council to determine Development Application DA2021/011, having consideration to the detail provided both within this report and the attachments provided.

Background

A Development Application was lodged with Council on 3 February 2021 seeking consent to construct a dwelling on the subject Lot.

The application was publicly exhibited for 14 days as per Councils Community Participation Plan (CPP).

The subject lot is located in the RU1 Primary Production zone, 13 metres from the high bank of the Darling River. Under clause 7.6 of the *WLEP 2011*, dwellings are not a permitted the river front area.

The definition of river front within the *WLEP 2011* is as follows:

“river front area means the land between the river front building line and the highest bank of the Murray River or, if there is no river front building line, the land within 30 metres of the highest bank of the River.”

Based on the definition of river front area above, the proposed dwelling did not meet the river front setback standard.

Where an application does not meet certain development standards required by a Local Environmental Plan, the applicant has the opportunity to include an application to vary those development standards.

This application has been processed and is now being reported to Council for determination due to the Clause 4.6 Exceptions to development standards variation requested by the applicant.

Refer to Attachment 1 Development Application

Matters under consideration

In determining a development application that requires consent, the consent authority must take into consideration matters prescribed in Section 4.15 of the *Environmental Planning and Assessment Act 1979* as relevant to the development.

The proposed development was assessed against and met the relevant principles of the *Murray Regional Environmental Plan No 2 – Riverine Land*.

The proposed development for a dwelling is permitted with consent and meets the zone objectives of the RU1 Primary Production zone under the *WLEP 2011*.

Although the dwelling does not meet the setback standard under clauses 7.6, the Clause 4.6 variation request provided by the applicant provides adequate justification for the contravening of development standards contained in Clause 7.6.

As the proposed dwelling will be located on RU1 Primary Production zone land, Clause 5.16 of the *WLEP 2011* was used to assess the development application. The development application was able to satisfy the matters of consideration of this Clause.

Due to the *WLEP 2011* mapping impacting the land, the development application was assessed against clauses 7.1, 7.3, 7.4, 7.5 and 7.7. The development application was able to satisfy the matters of consideration of these Clauses.

Due to the proximity of the development to the river, it was also assessed against Chapter 3 of the Wentworth Development Control Plan (DCP) 2011. The proposed development satisfied the relevant provisions of the Wentworth Development Control Plan (DCP) 2011.

Due to the rural nature of the proposed development, it was assessed against Chapter 5 of the Wentworth Development Control Plan (DCP) 2011. The proposed development meets relevant provisions of the Wentworth Development Control Plan (DCP) 2011.

Based on the assessment of the application and no submissions received as part of the notification process, it is determined that the proposed development is consistent with the relevant objectives of the RU1 Primary Production Zone, meets relevant provisions of the Wentworth Development Control Plan (DCP) 2011 and is consistent with planning matters for consideration of the *Wentworth Local Environmental Plan 2011*.

Refer to Attachment 2 Assessment Report

Options

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

Approve Development Application DA2021/011 subject to conditions

Legal, strategic, financial or policy implications

Should Council issue a determination to the application, the applicant has the right to submit a request for review of the determination to Council under Section 8.2 of the *Environmental Planning & Assessment Act 1979*.

The applicant also has the right to appeal the decision made by Council to the Land and Environment Court pursuant to Section 8.7 of the *Environmental Planning & Assessment Act 1979*.

Conclusion

Having consideration to the content of this report it is concluded that the appropriate course of action is to approve DA2021/011 subject to conditions contained within the report.

Draft Conditions

DA2021/011 DWELLING (DEFERRED COMMENCEMENT) 372 LOW DARLING ROAD LOT 3 DP 1250369

SCHEDULE 1

DEFERRED COMMENCEMENT CONDITIONS

The following is a Deferred Commencement condition imposed pursuant to Section 4.16(3) of the *Environmental Planning and Assessment Act 1979* and clause 95(2) of the *Environmental Planning and Assessment Regulation 2000*. This Consent will not operate and may not be acted upon until the Council is satisfied as to the following matter(s):

1.	<p>Prior to issue of a final Notice of Determination, the following additional information and plans shall be submitted to Councils satisfaction:</p> <ul style="list-style-type: none"> (a) Site Plan (b) Floor Plan (c) Elevation Plan (d) BASIX Certificate <p>Evidence of the above matter(s) must be submitted to Council within 5 years otherwise the Consent will not operate.</p>
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PRESCRIBED CONDITIONS

2.	<p>The development must adhere to the prescribed conditions in Part 6, Division 8A of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p>
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GENERAL CONDITIONS

3.	<p>The development hereby authorised shall be carried out strictly in accordance with the conditions of this approval and stamped approved plans listed below:</p> <ul style="list-style-type: none"> • Building Envelope Plan by Phil Maw Survey & Drafting; Plan number: PM2020-080; Sheet: 1 OF 1; Issue: A; Date: 9 DEC 20
4.	<p>Design amendments</p> <p>Before the issue of a construction certificate, the certifier must ensure the approved construction certificate plans (and specifications) detail the following required amendments to the approved plans and supporting documentation stamped by Council:</p> <ul style="list-style-type: none"> - No structures (including eaves and guttering) to be located 10 metres from the centreline of the powerline

	Reason: To ensure compliance and safety requirements
5.	Approval is for a dwelling.
6.	This consent shall lapse and have no force or effect unless the use or development hereby permitted is physically commenced within 5 years of the date of this consent.
7.	Before the issue of a construction certificate, the applicant is to ensure that the person liable pays the long service levy as calculated at the operational date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

BEFORE THE ISSUE OF A CONSTRUCTION CERTIFICATE

8.	<p>Construction site management plan</p> <p>Before the issue of a construction certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:</p> <ul style="list-style-type: none"> • location and materials for protective fencing and hoardings to the perimeter on the site • provisions for public safety • pedestrian and vehicular site access points and construction activity zones • details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site • protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites) and trees in adjoining public domain (arborist report) • details of any bulk earthworks to be carried out • location of site storage areas and sheds • equipment used to carry out all works • a garbage container with a tight-fitting lid • dust, noise and vibration control measures • location of temporary toilets. <p>The applicant must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.</p> <p>Reason: To require details of measures that will protect the public, and the surrounding environment, during site works and construction</p>
9.	<p>Erosion and sediment control plan</p> <p>Before the issue of a construction certificate, the applicant is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:</p> <ul style="list-style-type: none"> • the guidelines set out in the NSW Department of Housing manual 'Managing Urban Stormwater: Soils and Construction Certificate' (the Blue Book), and

	<ul style="list-style-type: none"> the 'Do it Right On-Site, Soil and Water Management for the Construction Industry' (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust). <p>The plan is to include measures to protect the bank and bed of the Darling River.</p> <p>The applicant must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.</p> <p>Reason: To ensure no substance other than rainwater enters the stormwater system and waterways</p>
10.	<p>Waste management plan</p> <p>Before the issue of a construction certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:</p> <p>Details the following:</p> <ul style="list-style-type: none"> the contact details of the person(s) removing the waste an estimate of the waste (type and quantity) and whether the waste is expected to be reused, recycled or go to landfill the address of the disposal location(s) where the waste is to be taken <p>The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction.</p> <p>Reason: To ensure resource recovery is promoted and local amenity protected during construction.</p>
11.	<ol style="list-style-type: none"> A dilapidation report must be submitted to Council, being the roads authority, prior to the commencement of any works. The report must document and provide photographs that clearly depict existing condition including any damage to the road, kerb and gutter, footpath, driveways or any other council assets in the vicinity of the development. A final dilapidation report is to be provided to Council prior to issue of Occupation Certificate depicting the final condition of council assets in the vicinity of the development. Any damage to council assets is to be clearly identified and photographed to form part of the final dilapidation report. Any damage to Council assets shall be repaired at the cost of the beneficiary of this consent to Council's satisfaction prior to issue of Occupation Certificate. The beneficiary of this consent shall contact Council prior to commencing any repair works. <p>Note: Access during construction shall only be through the frontage of the subject property.</p>
12.	<p>Construction Stormwater Management Plan</p> <p>Before the issue of a construction certificate the beneficiary of this consent is to design and submit to Council for approval a construction Stormwater Management Plan. The plan must include the provision of a stormwater system with water quality control facilities required to treat stormwater runoff from the development site in accordance with Australian Runoff Quality Guidelines.</p>

	The plan is to include treatment measures for the water if it is to be discharged into the river.
13.	<p>Stormwater Management Plan</p> <p>Before the issue of a construction certificate the beneficiary of this consent is to design and submit to Council for approval a stormwater Management Plan for the dwelling. The design is to be approved by Council before any work takes place on this site. All work detailed by the approved design is to be constructed by the beneficiary of this consent under supervision of the Principal Certifying Authority. All work is to be carried out at the beneficiary of this consent's expense.</p> <p>The plan is to include treatment measures for the water if it is to be discharged into the river.</p>
14.	<p>Landscaping Plan</p> <p>Before the issue of a construction certificate, a detailed landscape plan for the subject land prepared by a suitably qualified person is to be submitted to council for approval. The plan is to include, but not limited to the following:</p> <ul style="list-style-type: none"> • Details on weed control; • Details of on-going maintenance requirements including irrigation; and • Management of stormwater runoff to minimise impact on vegetated areas.
15.	<p>Utilities and services</p> <p>Reticulated water is not available at the site, as such the beneficiary of this consent must ensure that the proposed dwelling is provided access to portable water.</p> <p>Note: Domestic and stock water entitlement may be attached to the proposed dwelling site.</p>
16.	<p>Geotechnical Report</p> <p>Before the issue of a Construction Certificate, the following additional information is to be included in the Geotechnical Report prepared by a suitable qualified person:</p> <ul style="list-style-type: none"> - How proposed work will impact the bank and bed of the Darling River and any stabilisation work required

BEFORE THE COMMENCEMENT OF BUILDING WORK

17.	<p>Construction Certificate</p> <p>An application for a construction certificate is to be made under Section 4.12 of the Environmental Planning and Assessment Act 1979 and construction certificate(s) issued under Sections 6.3, 6.4(a) and 6.7 of the Environmental; Planning and Assessment Act 1979 prior to any work commencing on the building. All work in relation to plans for the construction certificate(s) shall comply with the requirements of the Building Code of Australia, the Environmental Planning & Assessment Act, and regulations, SEPP (Building Sustainability Index) BASIX 2004 and the Local Government Act and Regulations thereunder.</p>
18.	<p>Erosion and sediment controls in place</p> <p>Before the commencement of any site or building work, the principal certifier must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by the principal certifier) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).</p> <p>Reason: To ensure runoff and site debris do not impact local stormwater systems and waterways</p>

19.	<p>Tree protection measures</p> <p>Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place.</p> <p>Reason: To protect and retain trees</p>
20.	<p>Subject to approval to commence works two days before any site works, building or demolition begins, the beneficiary of this consent must:</p> <p>(a) Forward to Council notice of commencement of work and appointment of Principal Certifying Authority.</p> <p>(b) Notify the adjoining owners that work will commence.</p>
21.	<p>(a) Before the work is commenced, the Council must be informed in writing of:</p> <ul style="list-style-type: none"> • The name and contractor licence number of the licensee who has been contracted to do the work; or • The name and permit number of the owner/builder who intends to do the work. <p>(b) The Council is to be immediately informed in writing of similar details required in the above if:</p> <ul style="list-style-type: none"> • A contract is entered into for the work to be undertaken by a different licensee; or • Arrangements for the completion of the work are otherwise changed.
22.	<p>Works in Road Reserve</p> <p>A Road Opening Permit is required from the Wentworth Shire Council prior to any works / excavation within the road reserve ie water tapping, sewer, driveway crossings, tree planting or removal etc. Please contact Councils Roads & Engineering Department on Tel: (03) 5027 5027 to arrange a permit.</p>
23.	<p>Plumbing and Drainage</p> <p>A Plumbing and Drainage Approval Application under Section 68 of the <i>Local Government Act NSW 1993</i> is to be submitted to Council for approval before carrying out any plumbing & drainage work (sewerage).</p> <p>Reticulated sewerage is not available to the site. Due to the proximity of the land to the Darling River, the wastewater disposal system is to be an aerated treatment type, approved by NSW Health. The wastewater disposal system is to be located a minimum of 100m from the bank of the Darling River.</p>
24.	<p>Works Under the Electricity Easement</p> <p>Before any services (sewerage, water etc) pipelines can be put under the electricity easement, the beneficiary of this consent must contact essential energy regarding the design and location of these services. It is the beneficiary of this consents responsibility to ensure all essential energy requirements have been met before any work under the electricity easement is commenced.</p>

WHILE BUILDING WORK IS BEING CARRIED OUT

25.	<p>Hours of work</p> <p>The principal certifier must ensure that building work, demolition or vegetation removal is only carried out between:</p> <ul style="list-style-type: none"> • 7.00am to 6.00pm on Monday to Friday • 8.00am to 1.00pm on Saturdays <p>The principal certifier must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.</p> <p>Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.</p> <p>Note: Any variation to the hours of work requires Council’s approval.</p> <p>Reason: To protect the amenity of the surrounding area</p>
26.	<p>Procedure for critical stage inspections</p> <p>While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.</p> <p>Reason: To require approval to proceed with building work following each critical stage inspection</p>
27.	<p>Implementation of the site management plans</p> <p>While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan and the erosion and sediment control plan are implemented at all times. The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.</p> <p>Reason: To ensure the required site management measures are implemented during construction</p>
28.	<p>Implementation of BASIX commitments</p> <p>While building work is being carried out, the applicant must undertake the development strictly in accordance with the commitments listed in the BASIX certificate(s) approved by this consent, for the development to which the consent applies.</p> <p>Reason: To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under clause 97A(2) EP&A Regulation)</p>
29.	<p>Construction noise</p> <p>While building work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out.</p>

30.	<p>Tree protection</p> <p>While site or building work is being carried out, the applicant must maintain all required tree protection measures in good condition in accordance with the construction site management plan required under this consent, the relevant requirements of AS 4970-2009 Protection of trees on development sites and any arborist's report approved under this consent. This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.</p> <p>Reason: To protect trees during construction</p>
31.	<p>Uncovering relics or Aboriginal objects</p> <p>While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.</p> <p>In this condition:</p> <ul style="list-style-type: none"> • "relic" means any deposit, artefact, object or material evidence that: (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and (b) is of State or local heritage significance; and • "Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains. <p>Reason: To ensure the protection of objects of potential significance during works</p>
32.	<p>Waste management</p> <p>While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.</p> <p>Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:</p> <ul style="list-style-type: none"> • The contact details of the person(s) who removed the waste • The waste carrier vehicle registration • The date and time of waste collection • A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill • The address of the disposal location(s) where the waste was taken • The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste. <p>Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.</p> <p>Reason: To require records to be provided, during construction, documenting that waste is</p>

	appropriately handled
33.	All plumbing and drainage work is to be carried out by a plumber and drainer, or other authorised person, licensed with the New South Wales Department of Fair Trading.
34.	No building works are to encroach over any easements.

BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

35.	<p>Occupation Certificate</p> <p>The building shall not be occupied or used until an Occupation Certificate is issued either by council or by an accredited certifier.</p>
36.	<p>Repair of infrastructure</p> <p>Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council. Note: If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.</p> <p>Reason: To ensure any damage to public infrastructure is rectified</p>
37.	<p>Removal of waste upon completion</p> <p>Before the issue of an occupation certificate, the principal certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the principal certifier.</p> <p>Before the issue of a partial occupation certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the principal certifier's satisfaction.</p> <p>Reason: To ensure waste material is appropriately disposed or satisfactorily stored</p>
38.	<p>Completion of landscape and tree works</p> <p>Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree-works, including pruning in accordance with AS 4373-2007 Pruning of amenity trees and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.</p> <p>Reason: To ensure the approved landscaping works have been completed before occupation, in accordance with the approved landscaping plan(s)</p>

OCCUPATION AND ONGOING USE

39.	<p>Maintenance of wastewater and stormwater treatment device</p> <p>During occupation and ongoing use of the building, the applicant must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective.</p> <p>Reason: To protect sewerage and stormwater systems</p>
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40.	Amenity of the neighbourhood The operation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products.
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CONDITIONS FROM AGENCIES

Essential Energy

1. Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with.
2. As per Essential Energy's Easement Requirements policy CEOP8046, for this voltage overhead powerline (22kV long span), the standard easement width is 20.0 metres wide, not 10.0 metres wide as in this case. Essential Energy's preference is that the building envelope be a minimum of 10.0 metres away from the centreline of the powerline. To ensure compliance and safety, any proposed dwelling must maintain a minimum clearance of 10.0 metres from the centreline of the powerline, from its closest part (eaves, guttering).
3. The Applicant will need to engage the services of an Accredited Service Provider to ensure adequate provision of power is available to the proposed dwelling in accordance with industry standards.
4. In addition, Essential Energy's records indicate there is electricity infrastructure located within the property and within close proximity of the property. Any activities within these locations must be undertaken in accordance with the latest industry guideline currently known as *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.
5. Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines)* of the *Electricity Supply Act 1995* (NSW).
6. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the *Code of Practice – Work near Overhead Power Lines* and *Code of Practice – Work near Underground Assets*.

SCHEDULE 2

ADVISORY NOTE

- Council does not have sufficient flood data for the area to determine if the land is potentially flood impacted. However, due to the proximity of the subject land to the river, the land is potentially flood liable.
- As reticulated water is not available to the land, the subject land may be entitled to Stock and Domestic entitlement under the *Water Management Act 2000*. Please contact Water NSW regarding any water entitlements available for the land.

Attachments

1. Development Application (Under Separate Cover) ➡
2. Assessment Report (Under Separate Cover) ➡

9.10 DA2021/038 17 LOT SUBDIVISION 46-50 ARMSTRONG AVENUE WENTWORTH

File Number: RPT/21/402

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

Summary

A Development Application DA2021/038 was received by Council for a 17 Lot Subdivision at 46-50 Armstrong Avenue. The application was notified for 14 days per the Community Participation Plan. This development application is being presented to Council for a resolution as more than three (3) submissions were received.

This site falls under the RU5 Village zone and is permissible with consent under the Wentworth Local Environmental Plan 2011.

Recommendation

That Council, having considered the content of this report, resolved to issue development approval for DA2021/038 being a 17 Lot subdivision located at 46-50 Armstrong Avenue, Lots 1693 DP763370 and Lot 2 DP831000.

That a division is called in accordance with s375A of the Local Government Act 1993 (NSW).

Detailed Report

Purpose

The purpose of this report is to provide sufficient information for Council to determine Development Application DA2021/038 having consideration to the detail provided both within this report and the development application. Refer to Attachment 1 Development Application 2020/038

Background

A development application was lodged with Council on 17 March 2021 seeking consent for a 17 lot subdivision on the subject site.

The application was publicly exhibited for 14 days as per Councils Community Participation Plan (CPP).

This application has been processed and is now being reported to Council for determination as the powers of delegated authority to determine a development application where three (3) or more submissions are received is retained by Council.

Matters under consideration

In determining a development application that requires consent, the consent authority must take into consideration matters prescribed in Section 4.15 of the *Environmental Planning and Assessment Act 1979* as relevant to the development.

The proposed development for a subdivision is permitted with consent in the RU5 Village Zone.

The land is predominantly vacant, with two buildings existing to the southern end of Lot 2 DP831000. Land to the immediate east is zoned Industrial and currently vacant, with the land

to the west also zoned RU5 Village and is generally developed with residential dwellings. Frontage to Tucker's Creek exists to Lot 1693 DP763370.

The character and use of the proposed development is consistent with existing developments in the surrounding area.

During public exhibition, Council received fifteen (15) submissions. One (1) submission was from Essential Energy the remaining fourteen (14) submissions were objections. These issues are discussed and addressed in the Development Assessment report (Attachment 2).

Based on the assessment of the application it has been determined that the proposed development is consistent with relevant objectives of the RU5 Village zone, the relevant provisions of Wentworth Development Control Plan 2011.

Options

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

Approve Development Application 2021/038 subject to conditions

Legal, strategic, financial or policy implications

Should Council issue a determination to the application, the applicant has the right to submit a request for review of the determination to Council under Section 8.2 of the *Environmental Planning & Assessment Act 1987*.

The applicant also has the right to appeal the decision made by Council to the Land and Environment Court pursuant to Section 8.7 of the *Environmental Planning & Assessment Act 1987*.

Conclusion

Having consideration to the content of this report it is concluded that the appropriate course of action is to approve DA 2021/038 subject to conditions listed below:

Draft Conditions

PRESCRIBED CONDITIONS

P1	The development must adhere to the prescribed conditions in Part 6, Division 8A of the <i>Environmental Planning and Assessment Regulation 2000</i> .
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PART A – GENRAL CONDITIONS

A1	<p><i>Development Description</i></p> <p>Planning Approval is granted for the following works:</p> <ul style="list-style-type: none"> • Subdivision of the site into 17 Lots; • Associated bulk earthworks; • Infrastructure works including, drainage works and utility services provision; • Landscaping works. <p>The development hereby authorised shall be carried out strictly in accordance with the conditions of this approval.</p>
A2	<p><i>Lapsing of Approval</i></p> <p>Without the further consent of the Wentworth Shire Council, in writing, this permit shall lapse and have no force or effect unless the use or development hereby permitted is physically commenced within 5 years of the date of this</p>

	permit.
A3	<p><i>Development in Accordance with Plans and Documentation</i></p> <p>The development shall be in accordance with the following plans, documentation and recommendations made therein:</p> <ul style="list-style-type: none"> • Plan of Subdivision by MH2 Engineering and Architectural Services Ref: DRG No MH2 2020-161; Date: September 2020
A4	<p><i>Inconsistency between plans and documentation</i></p> <p>In the event of any inconsistency between the conditions of this development approval and the endorsed plans referred to above, the conditions of this development approval prevail.</p>
A5	<p><i>Compliance with Relevant Legislation and Australian Standards</i></p> <p>The proponent shall comply with all relevant Australian Standards and Codes (including Building Code of Australia) and obtain all necessary approvals required by State and Commonwealth legislation in undertaking a development described in condition A1 of this approval.</p>
A6	<p><i>Mediation</i></p> <p>Where this approval requires further consent from Council or another Authority, the parties shall not act unreasonably, preventing an agreement from being reached. In the event that an agreement is unable to be reached within 3 months or a timeframe otherwise agreed to by the General manager, the matter is to be referred to the General Manager for resolution. All areas of disagreement and the position of each party are to be clearly stated to facilitate resolution.</p>
A7	<p><i>Disability access and facilities</i></p> <p>This approval does not provide any indemnity to the owner or beneficiary of this consent under the Disability Discrimination Act 1992 in respect to the provision of access and facilities for people with disabilities.</p>

PART B – PRIOR TO COMMENCEMENT OF WORK

B1	<p><i>Subdivision Works Certificate</i></p> <p>A Subdivision Works Certificate is to be issued by the Principle Certifying Authority prior to the commencement of any works related to this subdivision approval. The application for this certificate is to satisfy all of the requirements of the <i>Environmental Planning and Assessment Regulation 2000</i>.</p> <p>A priced schedule of quantities, program of construction works, and a list of principal representatives (bulk earthworks, civil, plumbing, road works and electrical) is to be</p>
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	submitted to the Principal Certifying Authority with the application for a Subdivision Works Certificate.
B2	<p>Construction Management Plan</p> <ol style="list-style-type: none"> 1. Prior to the issue of a Subdivision Works Certificate, a Construction Management Plan shall be submitted to and approved by the Principal Certifying Authority. The Plan shall address, but not be limited to the following: <ol style="list-style-type: none"> a. Hours of work; b. Nominated site supervisor c. Contact details of site manager; d. <i>Written notice to the Principle Certifying Authority and Council if Council is not the PCA prior to commencement of works on site;</i> e. <i>Induction procedures for all site workers on measures to protect aboriginal heritage;</i> f. <i>Integration of the following management plans:</i> <ol style="list-style-type: none"> i. <i>Construction traffic management</i> ii. <i>Waste management</i> iii. <i>Environmental Management Plan</i> iv. <i>Stormwater Management Plan</i> 2. <i>The Construction Management Plan shall document the proposed method of work within the construction site boundaries with regard to the health and safety of the public and the effect on the road reserve must be submitted to and approved by the Principal Certifying Authority prior to the issue of the Subdivision Works Certificate. If any part of the road reserve or public land is proposed for long term (exceeding 24 hours) inclusion in the construction site boundaries, this area must be identified in the Construction Management Plan. The proponent shall submit a copy to Council.</i>
B3	<p>Environmental Management Plan</p> <p>Prior to the issue of a Subdivision Works Certificate, the proponent is to submit an Environmental Management Plan to the Principal Certifying Authority for approval. The plan is to include the following management plans to ensure their implementation will complement each other and maximise the environmental outcomes of their performance.</p> <ul style="list-style-type: none"> • Construction Stormwater Management Plan <ul style="list-style-type: none"> ▪ The provision of a stormwater system with water quality control facilities required to treat stormwater runoff from the development site in accordance with Australian Runoff Quality Guidelines. • Erosion and Sediment Control plan <ul style="list-style-type: none"> ▪ Design Plans for the control of soil erosion on the site and the prevention of silt discharge into drainage systems during subdivision works.
B4	<p>Construction Traffic Management Plan</p> <ol style="list-style-type: none"> 1. Prior to the issue of a Subdivision Works Certificate, a Construction Traffic Management Plan (CTMP) prepared in consultation with Council by a suitably qualified person shall be submitted to and approved by the Principal Certifying

	<p>Authority. The Plan shall address, but not be limited to, the following matters:</p> <ol style="list-style-type: none"> Proposals for reducing any impact of the construction site on the adjacent traffic network; Dayworks Dayworks with traffic control After care traffic control plans Traffic management of short term activities such as delivery of materials; Accessing, exiting and parking in and near the work site by trucks, tradesmen work vehicles and the like; Mitigation measures to ensure that delivery trucks and trade vehicles do not deposit any spoil on public roadways; Loading and unloading, including construction zones; Pedestrian and traffic management methods; Public consultation procedures – procedures to be put in place for notification of surrounding residents of the relevant details of the CTMP and details of complaint handling procedures. <p>The traffic control Plans shall be prepared in accordance with Traffic for NSW (TfNSW) "Traffic Control at Worksites Technical Manual" as current.</p> <ol style="list-style-type: none"> The proponent shall submit a copy to Council.
B5	<p>Roads</p> <ol style="list-style-type: none"> Separate approval from Wentworth Shire Council must be obtained under the Roads Act 1993 (Road opening permit) prior to the issue of a Subdivision Works Certificate for any works within the council road reserve. Design plans must be submitted to and approved by Council prior to the issue of a Subdivision Works Certificate. The provision of additional civil works necessary to ensure satisfactory transitions to existing work or a result of work condition for the development at no cost to Council. Design plans are to be approved by the roads authority prior to the issue of a Subdivision Works Certificate. Road widening is to be completed along Armstrong Avenue to achieve an overall 17.6 metre pavement width inclusive of kerbing, to match into the existing pavement width. A 2 Coat C170 Bitumen Seal (14/7) is to be applied. A 20 metre wide road reserve with a 9.2 metre pavement inclusive of kerbing is to be provided internally within the subdivision. Treatment of road pavement internal of the subdivision is to include priming, and a 30mm Type N Asphalt (10mm AGG). Barrier kerb is to be installed along Armstrong Avenue and within Ryder Crescent as per Council Standard Drawing SD1-2. Concrete vehicle crossings are to be constructed as per Council's Standard Drawing SD4-1.
B6	<p>Landscaping Plan</p> <ol style="list-style-type: none"> A detailed landscape plan for the entire subdivision area prepared by a suitably qualified person incorporating the provision of street trees and details of species and variety per Councils Street Tree Policy is to be submitted to the Principal

	<p>Certifying Authority for approval as part of the subdivision works certificate application.</p> <p>2. A minimum allocation of 2 trees per allotment, or 4 trees per corner allotment, is required.</p> <p>The applicant shall either:</p> <p>a) plant street trees as per the approved landscaping plan prior to issue of a Subdivision Certificate. Tree plantings are to be maintained for the 12 month maintenance period; or</p> <p>b) prior to issue of a Subdivision Certificate, the applicant shall pay to Council a Street Tree Planting Bond of \$100.00 per tree to be held in Trust for the provision of street trees, as per the approved landscaping plan. Council will facilitate planting of street trees when housing development commences.</p>
B7	<p>Earthworks</p> <p>1. An Earthworks Plan is to be submitted to Council's Roads and Engineering Department prior to the issue of a Subdivision Works Approval outlining areas within the site where cut or fill activities are proposed to be completed.</p> <p>2. A height table depicting proposed volume and elevations, existing surface levels, and designed surface levels is required.</p>
B8	<p>Water and Sewer Services and Infrastructure</p> <p>1. A Plumbing and Drainage Approvals Application is to be submitted to Council's Roads and Engineering Department prior to the issue of a Subdivision Works Approval for tapping of existing filtered and unfiltered water services.</p> <p>2. The applicant will be required to construct filtered and unfiltered water mains within the development area for connection to existing services at Armstrong Avenue and Ryder Crescent, creating a linkage. Design plans are to be submitted to Council's Roads and Engineering Department for review prior to the issue of a Subdivision Works Approval.</p> <p>Note: Existing filtered and unfiltered water mains are available within Armstrong Avenue and Ryder Crescent.</p> <p>3. Sewage flows are to be directed to Sewerage Pump Station #6 within Ryder Crescent.</p> <p>4. Sewerage Mains are to be constructed for connection to either:</p> <p>a) Councils existing sewer manhole "EP1" within Proximity to SPS #6 at Ryder Crescent or</p> <p>b) Councils Sewerage Pump Station #6 per Council specification</p> <p>5. Water and sewer infrastructure is to be designed as per Council specification, standard drawings, and in line with the Water Services Association of Australia (WSAA) Water Supply and Gravity Sewerage Code of Australia.</p> <p>6. Infrastructure is to be constructed for drainage of stormwater, with flows discharging within Tuckers Creek. Consideration is to be given to the catchment area for the overall development.</p>

	<p>7. A Stormwater Management Plan, inclusive of a Stormwater Drainage Report and detailed design documentation, is requested for the development.</p> <p>Note: Should any new infrastructure be installed for direct discharge within Tuckers Creek, the applicant shall be required to seek necessary approvals from the relevant agencies.</p>
B9	<p>Plumbing and Drainage</p> <p>A Plumbing and Drainage Approvals Application under Section 68 of the <i>Local Government Act NSW 1993</i> is to be submitted to Council's Roads and Engineering Division prior to the issue of a Subdivision Works Certificate for the proposed plumbing and drainage works.</p>
B10	<p>Dilapidation</p> <p>A dilapidation report must be submitted to Council, being the roads authority, prior to the commencement of any works. The report must document and provide photographs that clearly depict any existing damage to the road, kerb and gutter, footpath, driveways, water supply, sewer works, street trees, street signs or any other council assets in the vicinity of the development.</p>
B11	<p>Contact Person</p> <p>The beneficiary of this consent is to nominate a person (with technical experience acceptable to Council) to be the point of contact for all construction works prior to any start of the development.</p>
B12	<p>Performance Bond</p> <p>A Performance Bond for the sum of \$5,000.00 must be submitted to Council by the beneficiary of this consent prior to the commencement of subdivision works, to be held in Trust by Council.</p> <p>50% of the performance bond will be released at practical completion of the works. The remaining 50% will be released on completion of the 12 month maintenance period.</p>
B13	<p>Contract Agreement</p> <p>A Contract Agreement for the performance of Certification Work must be completed and returned to Wentworth Shire Council prior to lodgement of the Subdivision Work Certification Application.</p>
B14	<p>Pre-construction Meeting</p> <p>Prior to the commencement of any works, a pre-construction meeting shall be coordinated by the beneficiary of this consent. This meeting is to be attended by the beneficiary of this consent or consultants representing the owners, principal contractor and Council's Director Roads and Engineering or his representative.</p>

B15	<p><i>Security Fencing</i></p> <p>An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project.</p>
B16	<p><i>AHIMS Search</i></p> <p>The search results of a recent Aboriginal Heritage Information Management System (AHIMS) is to be submitted to Council prior to the commencement of subdivision works.</p>

Part C – DURING CONSTRUCTION

C1	<p><i>Approved Plans</i></p> <p>A copy of the stamped approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on site for the duration of site works and be made available upon request to either the Council or other Government Agencies</p>
C2	<p><i>Aboriginal Relics</i></p> <p>If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:</p> <ul style="list-style-type: none"> • Not further harm the object • Immediately cease all work at the particular location • Secure the area so as to avoid further harm to the Aboriginal object • Notify the Department of Planning, Industry and Environment as soon as practical on 131555, providing any details of the Aboriginal object and its location • Not recommence any work at the particular location unless authorised in writing by the Department of Planning, Industry and Environment. <p>In the event that skeletal remains are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and the Department of Planning, Industry and Environment contacted.</p>
C3	<p><i>Heritage Relics</i></p> <p><i>If any object having interest due to its age or association with the past is uncovered during the course of the work:</i></p> <p>(a) <i>All work must stop immediately in that area, and</i> (b) <i>The Office of Environment and Heritage must be advised of the discovery.</i></p>
C4	<p><i>Emission Management</i></p> <p><i>Any noise, vibrations and dust emanating from the subject land during subdivision works must meet the relevant EPA guidelines, Protection of the Environment Operations Act and any other relevant guidelines, standards, Acts and Regulations.</i></p>

C5	<p>Dust Control</p> <p><i>Adequate measures shall be taken to prevent dust from affecting the amenity of the neighbourhood during construction. In particular, the following measures must be adopted:</i></p> <ol style="list-style-type: none"> <i>1. Physical barriers shall be erected at right angles to the prevailing wind direction or shall be placed around or over dust sources to prevent wind or activity from directly generating dust emissions;</i> <i>2. Earthworks and scheduling activities shall be managed to minimise the amount of time the site is left clear or exposed;</i> <i>3. The surfaces should be damp to prevent dust from becoming airborne but should not be wet to the extent that run-off occurs;</i> <i>4. All vehicles carrying spoil or rubble to or from the site shall at all times be covered to prevent the escape of dust or other material and wheels washed before leaving the site;</i> <i>5. Truck gates to be securely closed between vehicle movements and shall be fitted with shade cloth; and cleaning footpath and roadways shall be carried out regularly.</i>
C6	<p>Hours of Work</p> <ol style="list-style-type: none"> <i>1. The hours of construction of the project, including the delivery of materials to and from site shall be restricted as follows:</i> <ol style="list-style-type: none"> <i>a. Between 7 AM and 6 PM, Monday to Fridays inclusive;</i> <i>b. Between 8 AM and 1 PM, Saturday;</i> <i>c. No work on Sundays or public holidays.</i> <i>2. Works may be undertaken outside these hours where:</i> <ol style="list-style-type: none"> <i>a. The delivery of materials is required outside these hours by the police or other authorities;</i> <i>b. Is required in emergency to avoid the loss of life, damage to property and/or to prevent environmental harm;</i> <i>c. The work is approved through the construction management plan; and</i> <i>d. Residents likely to be affected by the works are notified in the timing and duration of these works at least 48 hours prior to commencement of the works.</i>
C7	<p>Construction Noise Management</p> <p><i>The proponent shall:</i></p> <p><i>Schedule impact noise making activities between the following hours unless approved in a construction management plan:</i></p> <ol style="list-style-type: none"> <i>1. 9 AM to 12 PM Monday to Friday;</i> <i>2. 2 PM to 5 PM, Monday to Friday;</i> <i>3. 9 AM to 12 PM, Saturday.</i>
C8	<p>Erosion and Sedimentation Control.</p> <p><i>The provision of soil erosion and sediment controls on the site in accordance with Council's requirements and the approved development plans prior to any work commencing on the site.</i></p>

C9	<p><i>Notice of Work Commencing</i></p> <p>A minimum of one (1) weeks' notice in writing of the intention to commence works on public land is required to be given to Council together with the name of the principal contractor and any major subcontractors engaged to carry out works.</p>
C10	<p><i>Infrastructure Inspection Hold Points</i></p> <p>Development works on public property or works to be accepted by Council as an infrastructure asset are not to proceed past the following hold points without inspection and approval of Council. Notice of the required inspection must be given 48 hours prior to the inspection, by contacting Council's Roads and Engineering Division on (03) 5027 5027. You must quote your Subdivision Works Certificate number and property description to ensure your inspection is confirmed:</p> <ul style="list-style-type: none"> a. Prior to the commencement of site clearing and installation of erosion control measures; b. At completion of installation of erosion control measures; c. Prior to installing traffic management works; d. At completion of installation of traffic management measures; e. At the commencement of earthworks; f. Before commencement of filling works; g. When the sub grade is exposed and prior to placing of pavement materials; h. When trenches are open, stormwater/water/sewer pipes and conduits are jointed and prior to backfilling; i. At the completion of each pavement (sub base/ base) layer; j. Before pouring kerb and gutter; k. Prior to the pouring of concrete for sewerage works and or works on public property; l. On completion of road gravelling or pavement; m. During construction of sewer infrastructure; n. Prior to sealing and laying of pavement surface course. <p><i>All works at each hold point shall be certified as compliant in accordance with the requirements of Australian Standards for provision of public infrastructure and any other Council approval, prior to proceeding to the next hold point.</i></p>
C11	<p><i>Lighting</i></p> <p>LED Street Lighting to total site including Armstrong Avenue frontage is to be provided by the beneficiary of this consent to Essential Energy and Council's requirements before issuance of subdivision certificate.</p>
C12	<p><i>Existing Drainage</i></p> <p>Any existing agricultural drainage system i.e. private diversion, is to be located and rendered inoperable or, if required, redirected to Council's satisfaction.</p>
C13	<p><i>Work Costs</i></p> <p>All road works and associated works are to be constructed at beneficiary of this consent's costs as per approved design plan to Council's requirements.</p>

C14	<p><i>Contamination discovered during works</i></p> <p>1) If during works on the land comprising the lot, the land is found to be contaminated, within the meaning of the <i>Contaminated Land Management Act 1997</i>:</p> <ol style="list-style-type: none"> all works must stop immediately, and the Environment Protection Authority and the council must be notified of the contamination. <p>2) Land is found to be contaminated for the purposes of this clause if the person having the benefit of the complying development certificate or the principal certifying authority knows or should reasonably suspect the land is contaminated.</p> <p>Note: Depending on the nature and level of the contamination, remediation of the land may be required before further work can continue.</p>
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PART D – POST CONSTRUCTION CONDITIONS

D1	<p>Beneficiary of this consent to supply (at completion of works) “as constructed” plans for Council records, in both digital AutoCAD and hard copy form. This is to include finished level checking by a licensed surveyor and shown on plan.</p>										
D2	<p>“As Constructed” data indicates the surveyed locations of infrastructure installed as a part of the physical works to be taken over by the receiving entity. Final “As Constructed” data should accurately reflect material types, specifications and other asset specific information.</p> <p>Prior to the approval of the Subdivision Certificate, or any other time to which the responsible authority agrees, the following must be provided to the responsible authority:</p> <ol style="list-style-type: none"> Copies of the “As Constructed” engineering drawings in both PDF and DWG format. Copies of constructed features in a GIS ready format (either shapefile or MapInfo TAB file). Data must contain relevant attribute information regarding each item, e.g. pipe size, pipe material. Location of any permanent survey marks. CCTV inspection of all newly constructed sewer mains and drainage lines within the subdivision to verify quality, grades and deflection (ovality). Data supplied must be accompanied by a readme.txt file with relevant metadata. See below for minimum data example: <p>Readme.txt</p> <table data-bbox="375 1702 1244 2024"> <tr> <td>COMPANY</td><td>Company name taking responsibility for the data</td></tr> <tr> <td>CONTACT</td><td>Contact person for this project</td></tr> <tr> <td>TELEPHONE</td><td>Contact phone number</td></tr> <tr> <td>FACSIMILE</td><td>If applicable</td></tr> <tr> <td>EMAIL</td><td>Contact email address</td></tr> </table>	COMPANY	Company name taking responsibility for the data	CONTACT	Contact person for this project	TELEPHONE	Contact phone number	FACSIMILE	If applicable	EMAIL	Contact email address
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TELEPHONE	Contact phone number										
FACSIMILE	If applicable										
EMAIL	Contact email address										

MAILING ADDRESS	Regular postal address
PHYSICAL ADDRESS	Physical business address (or 'as above')
A-SPEC MEMBER	Participating Authority
DATE SUBMITTED	Date the digital data submitted
DOCUMENT VERSION	Version of the standard document used
SOFTWARE	The software/version used to create the digital data
PROJECT	Project or Subdivision name
STAGE	Subdivision Stage Name
DESIGN COMPANY	Design Company Name
PLAN NUMBER	As Constructed Plan Number
CONSTRUCTION COMPANY	Construction Company Name
CONSTRUCTION DATE	Date the asset was constructed
COORDINATES/DATUM	Must be GDA94 MGA Zone 54
DATUM	e.g. AHD
SOURCE OF DATA	The type of capture used (e.g. RTK GPS)
NOTES/COMMENTS	Important notes or information to be included here.

PART E - PRIOR TO ISSUE OF SUBDIVISION CERTIFICATE

E1	<p>An application for a Subdivision Certificate, complying with the conditions of this Development Approval is to be lodged (and issued) before the Council of the Shire of Wentworth will sign the subdivision plans that are to be lodged with the Titles Office for registration,</p> <p>Or</p> <p>An application for a Subdivision Certificate, complying with the requirements of the <i>Building Code of Australia</i>, the <i>Local Government Act 1993</i>, and the conditions of this approval is to be obtained from the Principal Certifier before the Shire of Wentworth will sign the Subdivision Plan to permit the plan of subdivision to be registered.</p>
E2	The application for a Subdivision Certificate for Council official endorsement shall be accompanied by all relevant documentation.
E3	All conditions set out in this application are to be fulfilled prior to Council releasing the subdivision plans and the issuance of the subdivision certificate.
E4	Prior to the issue of a Subdivision Certificate the proponent shall provide to each lot an underground connection to the following reticulated services in accordance with their

	<p>respective requirements:</p> <ol style="list-style-type: none"> 1. Telecommunications 2. Electricity Supply 3. National Broadband Network
E5	<p>Prior to the issue of a Subdivision Certificate, written advice (Notice of Arrangement) is to be submitted to Wentworth Shire Council from Essential Energy that its requirements for the provisions of electricity services have been satisfied.</p>
E6	<p>Any costs incurred by the applicant to provide larger sized infrastructure for the benefit of neighbouring development will be recognised by Council. Accordingly, Council's Roads and Engineering Department will assess the costs associated to the increased or additional infrastructure. Costs assessed by Council will either be credited to the applicant or removed from associated headworks fees. Infrastructure includes but is not limited to sewerage mains and pumping stations, drainage and water reticulation.</p>
E7	<p>Any costs incurred by the beneficiary of this consent to provide additional, or larger sized infrastructure for the benefit of neighbouring development will be recognised by Council. Accordingly, Council's Roads and Engineering Department will assess the costs incurred by the applicant for associated infrastructure and if warranted, Council will either reimburse, or credit any monetary expense incurred by the applicant from headworks fees. Infrastructure includes but is not limited to sewerage mains and sewerage pump stations, drainage and water reticulation.</p> <p>Note: The rate to be deducted from headworks fees is to be approved by Council prior to the purchase and installation of services as part of the development.</p>
E8	<p><i>Sewerage Headworks</i></p> <p>That applicant is required to pay sewerage headworks fees of \$7,787 per lot. 17 new lots – total amount \$132,379</p>
E9	<p><i>Unfiltered Water Headworks</i></p> <p>That applicant is required to pay unfiltered water headworks fees of \$1614 per lot for the proposed new lots. 17 new Lots – total amount \$27,438</p>
E10	<p><i>Filtered Water Headworks</i></p> <p>That applicant is required to pay filtered water headworks fees of \$1489 per lot for the proposed new lots. 17 new Lots – Total amount \$25,313.00.</p>
E11	<p><i>Storm Water Headworks</i></p> <p>The total stormwater head works fees for the development are \$0.94 per square metre of original area to be subdivided. $\\$0.94 \times 33070 = \\$29,220.00$</p>
E12	<p><i>7.12 Developer Contribution Fees</i></p> <p>The beneficiary of this consent may be required to pay the Development Contribution Levy based on the total costs of the Civil Works before the issuance of the Subdivision Certificate.</p>

	The beneficiary of this consent must provide Council with a cost summary report of the Civil Works, before the issuance of the Subdivision Certificate, for Council to determine if the Development Contribution Plan is applicable.
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PART F - POST SUBDIVISION CERTIFICATE CONDITIONS

F1	A maintenance period of twelve (12) months shall apply from the time of practical completion, when a statement of approval by the Principal Certifier is issued. The twelve (12) month period provides time for the beneficiary of this consent to maintain the development.
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CONDITIONS FROM AGENCIES

Essential Energy

EE 1	As part of the subdivision, an easement/s are/is created for any existing electrical infrastructure. The easement/s is/are to be created using Essential Energy's standard easement terms current at the time of registration of the plan of subdivision;
EE 2	Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the subject property should be complied with.
EE 3	Essential Energy's records indicate there is electricity infrastructure located within the property. Any activities within this location must be undertaken in accordance with the latest industry guideline currently known as <i>ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure</i> . A copy of this guideline can be located at https://energy.nsw.gov.au/sites/default/files/2018-09/ISSC-20-Electricity-Easements_0.pdf ;

REASONS FOR CONDITIONS

<ul style="list-style-type: none"> a) To ensure compliance with the terms of the Environmental Planning and Assessment Act. b) To ensure work is sustainable and that an appropriate level of provision of amenities and services occurs within the Shire and to occupants of lots. c) To minimise environmental impact and impact on public assets, degradation of natural resources and to enhance amenity. d) To provide for a quality environment, safe and efficient movement of people and to ensure public safety and interest.
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ADVISORY NOTES**ADVISORY NOTE FROM ESSENTIAL ENERGY**

Prior to carrying out any works, a “Dial Before You Dig” enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines)* of the *Electricity Supply Act 1995 (NSW)*.

Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the *Code of Practice – Work near Overhead Power Lines* and *Code of Practice – Work near Underground Assets*.

Attachments

1. Development Application 2021/038 (Under Separate Cover) ➡
2. Development Assessment Report (Under Separate Cover) ➡
3. Submission No.1 (Under Separate Cover) ➡
4. Submission No.2 (Under Separate Cover) ➡
5. Submission No.3 (Under Separate Cover) ➡
6. Submission No.4 (Under Separate Cover) ➡
7. Submission No.5 (Under Separate Cover) ➡
8. Submission No.6 (Under Separate Cover) ➡
9. Submission No.7 (Under Separate Cover) ➡
10. Submission No.8 (Under Separate Cover) ➡
11. Submission No.9 (Under Separate Cover) ➡
12. Submission No.10 (Under Separate Cover) ➡
13. Submission No.11 (Under Separate Cover) ➡
14. Submission No.12 (Under Separate Cover) ➡
15. Submission No.13 (Under Separate Cover) ➡
16. Submission No.14 (Under Separate Cover) ➡
17. Essential Energy Submission (Under Separate Cover) ➡

9.11 DA2021/049 205 DETLA ROAD CURLWAA VARY DEVELOPMENT STANDARD

File Number: RPT/21/405

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

Summary

A Development Application DA2021/049 was received by Council to vary a development standard to erect a dwelling on land below the minimum lot size in the RU1 Primary Production zone. The application was notified for 14 days per the Community Participation Plan. This development application is being presented to Council for a resolution as the NSW Department of Planning Industry and Environment (DPIE) refused to give concurrence.

Recommendation

That Council having considered the content of this report, resolve to refuse development approval for DA2021/049

That a division is called in accordance with s375A of the Local Government Act 1993 (NSW).

Detailed Report

Purpose

This matter is being brought before Council to issue a refusal for Development Application for DA2021/049 having consideration to the detail provided both within this report and the development application and subject to the retained delegated authority of Council to refuse development applications.

Background

A development application was lodged with Council on 14 April 2021 seeking consent to vary a development standard to erect a dwelling on land below the minimum lot size in the RU1 Primary Production zone. Refer Attachment 1.

The application was publicly exhibited for 14 days as per Councils Community Participation Plan (CPP).

The application was also referred to NSW DPIE for concurrence under clause 4.6 of the Wentworth Local Environmental Plan 2011 (WLEP2011) for a period of 28 days.

During the concurrence and referral period, NSW DPIE provided a letter to Council advising that:

- a) The subject lot was created under clause 4.2 Rural subdivision of the WLEP2011
- b) Per clause 4.2(5) a dwelling cannot be erected on a lot created under this clause.

Despite Councils planning team discussing options and trying to negotiate the state agency NSW DPIE are not able to issue concurrence of the Departments Secretary for this development application. Refer Attachment 2

Matters under consideration

Under section 3.18(2) of the *Environmental Planning and Assessment Act 1979* states the instrument may provide that a development application in respect of development specified in the instrument shall not be determined by the granting of consent under this Act, except

with the concurrence of such Minister or public authority as is specified in the instrument to the carrying out of the development.

Essentially, this mean that as a consent authority, Council cannot grant development consent where an application is, by law, reliant on Ministerial/Secretarial/Departmental concurrence.

Options

Based on the information contained in this report, the only option available to address this matter is to:

Refuse development consent for DA2021/049 as concurrence was not granted.

Legal, strategic, financial or policy implications

Should Council issue a determination to the application, the applicant has the right to submit a request for review of the determination to Council under Section 8.2 of the *Environmental Planning & Assessment Act 1987*.

The applicant also has the right to appeal the decision made by Council to the Land and Environment Court pursuant to Section 8.7 of the *Environmental Planning & Assessment Act 1987*.

Conclusion

Having consideration to the content of this report it is concluded that the appropriate course of action is to refuse DA2021/049

Attachments

1. Development Application (Under Separate Cover) [⇒](#)
2. NSW DPIE Concurrence advice (Under Separate Cover) [⇒](#)

9.12 DA2021/064 2 LOT SUBDIVISION ALBA ROAD COOMEALLA

File Number: RPT/21/407

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

Summary

A Development Application DA2021/064 was received by Council for a 2 Lot subdivision impacting Lot 218 and 236 DP 756961 for the purpose of excising a dwelling from horticultural operations on RU1 – Primary Production zoned land.

This development application is being presented to Council for a resolution as it does not meet statutory provisions of the Wentworth LEP 2011.

Recommendation

That Council having considered the content of this report, resolve to refuse development approval for DA2021/064

That a division is called in accordance with s375A of the Local Government Act 1993 (NSW).

Detailed Report

Purpose

This matter is being brought before Council to issue a refusal for Development Application for DA2021/064 having consideration to the detail provided both within this report and the development application and subject to the retained delegated authority of Council to refuse development applications.

Background

A development application was lodged with Council on 11 May 2021 seeking consent for a 2 Lot subdivision for the purpose of excising a dwelling from horticultural operations on RU1 – Primary Production zoned land. Refer Attachment 1.

The application was publicly exhibited for 14 days as per Councils Community Participation Plan (CPP).

After the exhibition period ended, the application was further assessed against relevant legislative provisions and it was found this application does meet the statutory provisions of 4.2 Rural Subdivisions under the Wentworth LEP 2011.

The gazette minimum lot size (MLS) for the subject sites are 10ha. The plan of subdivision shows the proposed new smaller lot, for the existing dwelling will be 3550m². Refer Attachment 2.

Additionally, the purpose for this subdivision is not for the sole purpose of ‘primary production’.

Matters under consideration

Council, as the consent authority needs to consider the relevant provisions of the Wentworth LEP 2011 as follows:

Clause 4.3 - Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land.

Clause 4.2(4) - Such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.

Options

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

Refuse development consent for DA2021/064

Note: A draft Notice of Determination is attached which outlines the reasons why this application cannot proceed. Refer Attachment 3.

Legal, strategic, financial or policy implications

Should Council issue a determination to the application, the applicant has the right to submit a request for review of the determination to Council under Section 8.2 of the *Environmental Planning & Assessment Act 1987*.

The applicant also has the right to appeal the decision made by Council to the Land and Environment Court pursuant to Section 8.7 of the *Environmental Planning & Assessment Act 1987*.

Conclusion

Having consideration to the content of this report it is concluded that the appropriate course of action is to refuse DA2021/064.

Attachments

1. Development Application (Under Separate Cover)⇒
2. Plan of Subdivision (Under Separate Cover)⇒
3. Draft Notice of Determination (Under Separate Cover)⇒

9.13 DA2021/051 BOUNDARY RE-ALIGNMENT 6753 STURT HIGHWAY GOL GOL

File Number: RPT/21/411

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

Summary

A Development Application DA2021/051 was received by Council for a boundary realignment to create two (2) river frontage titles and one horticultural property title on RU1 – Primary Production zoned land being Lot 2 DP 829971, Lot 3 DP 733472 and Lot 54 DP 756936.

This development application is being presented to Council for a resolution as it does not meet statutory provisions of the Wentworth LEP 2011.

Recommendation

That Council having considered the content of this report, resolve to refuse development approval for DA2021/051

That a division is called in accordance with s375A of the Local Government Act 1993 (NSW).

Detailed Report

Purpose

This matter is being brought before Council to issue a refusal for Development Application for DA2021/051 having consideration to the detail provided both within this report and the development application and subject to the retained delegated authority of Council to refuse development applications.

Background

A development application was lodged with Council on 20 April 2021 seeking consent for a boundary realignment for the purpose of creating two (2) river frontage titles and one horticultural property title on RU1 – Primary Production zoned land. Refer Attachment 1.

The application was publicly exhibited for 14 days as per Councils Community Participation Plan (CPP).

After the exhibition period ended, the application was further assessed against relevant legislative provisions and it was found this application does meet the statutory provisions of 4.2 Rural Subdivisions under the Wentworth LEP 2011.

The gazette minimum lot size (MLS) for the subject sites are 10ha. The plan of subdivision shows the proposed river front titles will be below the MLS. Refer Attachment 1 (last 2 pages).

Additionally, the purpose for this subdivision is not for the sole purpose of 'primary production'.

Matters under consideration

Council, as the consent authority needs to consider the relevant provisions of the Wentworth LEP 2011 as follows:

Clause 4.3 - Land in a zone to which this clause applies may, with development consent, be subdivided for the purpose of primary production to create a lot of a size that is less than the minimum size shown on the Lot Size Map in relation to that land.

Clause 4.2(4) - Such a lot cannot be created if an existing dwelling would, as the result of the subdivision, be situated on the lot.

Options

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

Refuse development consent for DA2021/051

Legal, strategic, financial or policy implications

Should Council issue a determination to the application, the applicant has the right to submit a request for review of the determination to Council under Section 8.2 of the *Environmental Planning & Assessment Act 1987*.

The applicant also has the right to appeal the decision made by Council to the Land and Environment Court pursuant to Section 8.7 of the *Environmental Planning & Assessment Act 1987*.

Conclusion

Having consideration to the content of this report it is concluded that the appropriate course of action is to refuse DA2021/051

Attachments

1. Development Application (Under Separate Cover)⇒

9.14 REDEVELOPMENT OF THE WENTWORTH SHIRE CIVIC CENTRE PROJECT UPDATE

File Number: RPT/21/390

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 were successful in a funding application of \$941,023.00 ex. GST for the relocation of the Wentworth Visitor Information Centre to the Civic Centre, as part of Round 7 of the Resources for Regions Program.

Council were also successful in their nomination of the Wentworth Library Outdoor Riverfront Gathering Space (Library Courtyard) as a project under Phase 2 of the NSW Government Local Roads and Infrastructure Program Extension, with funding in the amount of \$487,539.00 ex. GST approved. 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 late-2021.

A further application for funding in the amount of \$713,339.00 ex. GST was submitted for the Wentworth Community Space and Convention Centre within the third round of the Federal Government's Economic Development Program. This has been approved pending signing of deed of agreement.

Further funding opportunities will be available via the Local Roads and Community Infrastructure Program – Phase 3, and the Regional Tourism Activation Fund.

Recommendation

That Council receives and notes the information contained within this report and attachments.

Detailed Report

Subsequent to the quarter report of 14 April 2021, the following works have been completed:

- Concept Plans including render displays and finish selections were prepared for the Wentworth Shire Civic Centre Entrance, Library, Courtyard, Public Meeting Room (Wentworth Community Space and Convention Centre), Public Kitchen, and Reception.
- Wentworth Shire Council hosted the Murray Darling Associations 77th National Conference and Annual General Meeting (AGM) from 16 to 19 May 2021. The conference themed “Connecting Councils and Catchment” provided an opportunity to display Concept Plans for the redevelopment.
- On conclusion of the Murray Darling Associations National Conference and Annual General Meeting (AGM), the Concept Plans were placed on public exhibition from 24 May to 4 June 2021. A total of 9 community submissions were lodged with Council including feedback. The table of summarised submissions are attached to this report with officer comments prepared addressing the remarks. Some submissions require no further action and some require further consideration.
- Redevelopment of the Civic Centre building will be presented by way of two tenders being, Stage 1 – Construction of the Wentworth Shire Civic Centre Library Courtyard, and Stage 2 – Redevelopment of the Wentworth Shire Civic Centre.
- Preliminary design and specification for the Wentworth Shire Civic Centre Library Courtyard has been drafted, with Council’s officer reviewing and finalising the documentation.
- A draft Expression of Interest (EOI) for Redevelopment of the Wentworth Shire Civic Centre inclusive of construction and fit out of the overall building has been prepared.
- GSD Architects continue to progress tender documentation for the construction and fit out of the building, including “For Tender Issue” drawings and specifications.
- Indicative project costings for interpretive themes proposed within the Concept Document for the Visitor Information and Experience Centre have been provided by Brandi Projects. The indicative project costings will be used to support funding opportunities.
- GSD Architects and Regional Building Consultants continue to investigate and progress identified areas of non-compliance pursuant to the Building Code of Australia (BCA) for inclusion within tender design and specification.
- BRT Consulting Pty Ltd are continuing to progress the schematic design including specification for mechanical and electrical services for tender issue.
- A BCA Compliance Assessment Report was prepared by BCA Consulting 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. Testing of the current fire system including hydrants, sprinklers and existing pumps, has been completed. Testing results and the information included within the Compliance Assessment will now 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. Structural design for the Library Courtyard has been completed.
- GSD Architects continue to progress the 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. Wentworth Shire Civic Centre Floor Plans[↓](#)
2. Wentworth Shire Civic Centre Entrance Concept[↓](#)
3. Wentworth Shire Civic Centre Library Concept[↓](#)
4. Wentworth Shire Civic Centre Courtyard Concept[↓](#)
5. Wentworth Shire Civic Centre Public Meeting Room Concept[↓](#)
6. Wentworth Shire Civic Centre Public Kitchen Concept[↓](#)
7. Wentworth Shire Civic Centre Reception Concept[↓](#)
8. Concept of Interpretive Themes within the Visitor Information Centre[↓](#)
9. Wentworth Shire Civic Centre Concept Plan Public Exhibition Submission Summary[↓](#)

REDEVELOPMENT OF THE WENTWORTH SHIRE CIVIC CENTRE



PROPOSED GROUND FLOOR PLAN

REDEVELOPMENT OF THE WENTWORTH SHIRE CIVIC CENTRE



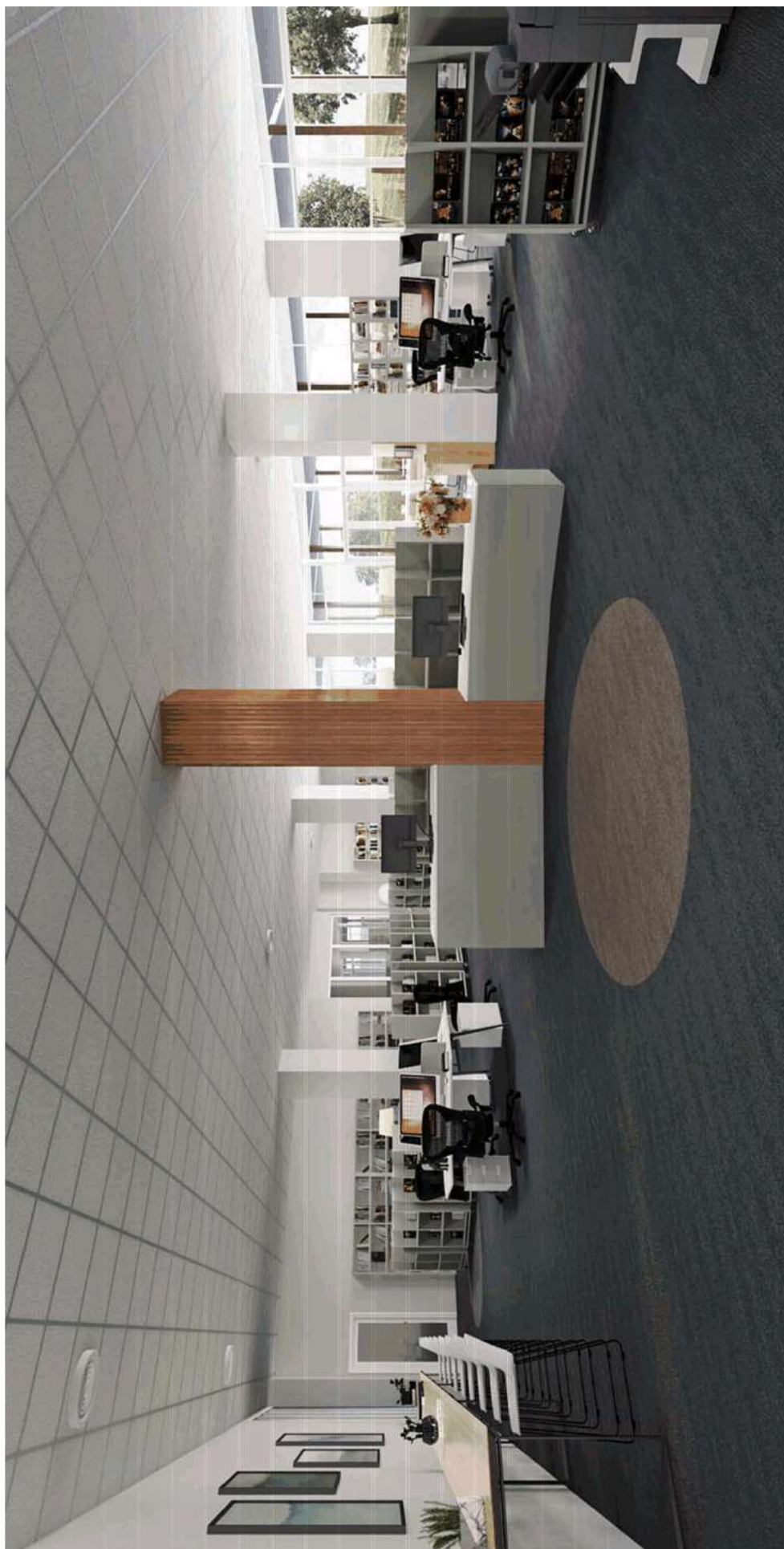
PROPOSED FIRST FLOOR PLAN



GSD
ARCHITECTS

Wentworth Shire Civic Centre Entrance Concept

WENTWORTH
SHIRE COUNCIL
WORTH THE DRIVE



GSD
ARCHITECTS

Wentworth Shire Civic Centre Library Concept

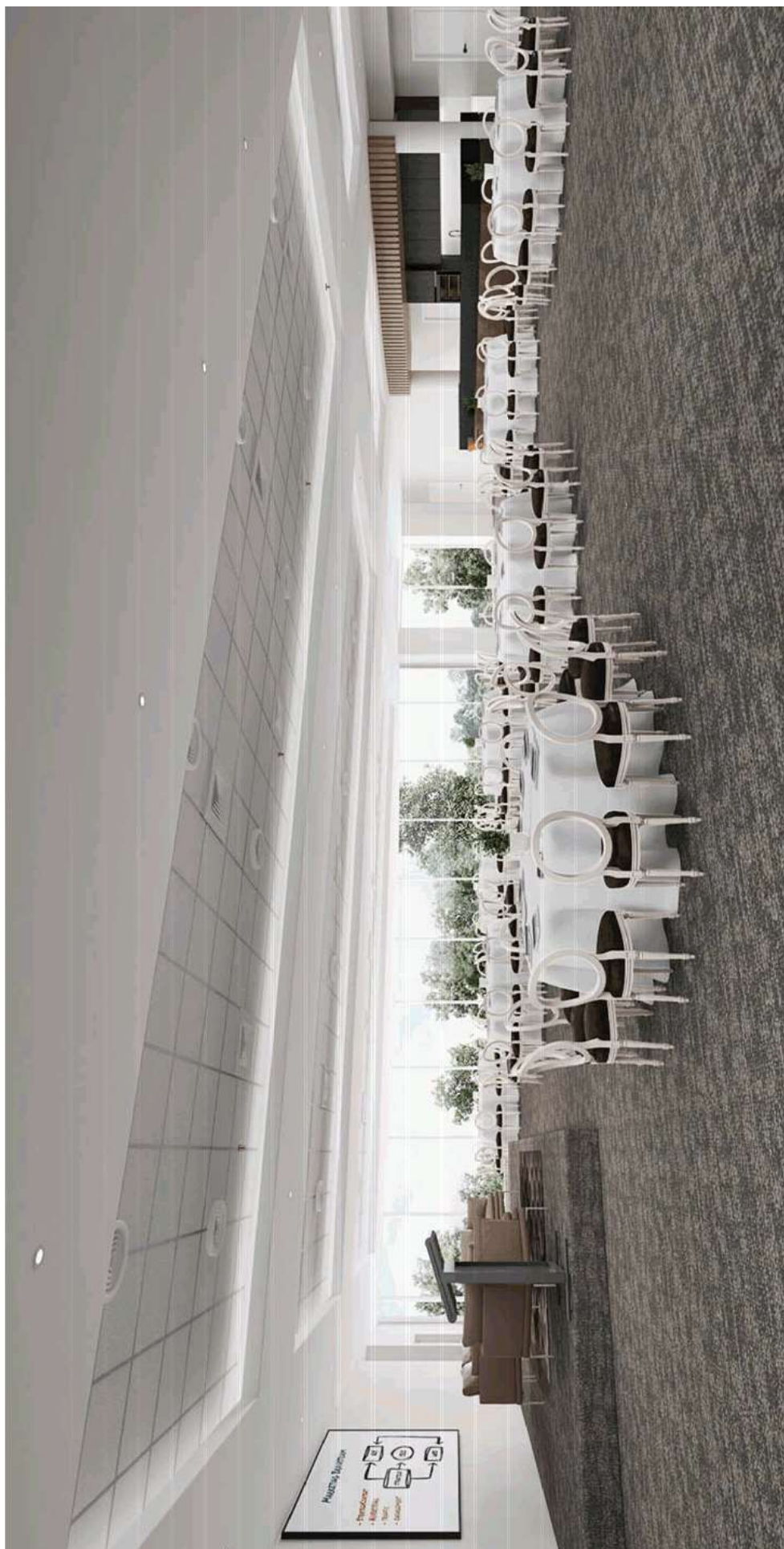
WENTWORTH
SHIRE COUNCIL
WORTH THE DRIVE



WENTWORTH
SHIRE COUNCIL
WORTH THE DRIVE

Wentworth Shire Civic Centre Courtyard Concept

GSD
ARCHITECTS



GSD
ARCHITECTS

Wentworth Shire Civic Centre Public Meeting Room Concept

WENTWORTH
SHIRE COUNCIL
WORTH THE DRIVE



GSD
ARCHITECTS

Wentworth Shire Civic Centre Public Kitchen

WENTWORTH
SHIRE COUNCIL
WORTH THE DRIVE



GSD
ARCHITECTS

Wentworth Shire Civic Centre Reception Concept

WENTWORTH
SHIRE COUNCIL
WORTH THE DRIVE

[illegible]

**WENTWORTH
SHIRE COUNCIL**
WORTH THE DRIVE

Three architectural renderings of a museum exhibit space, showing different levels and interactive elements. The top rendering shows a multi-level space with a large wooden structure, a ship's wheel, and various interactive displays. The middle rendering shows a lower level with a large wooden wall, a ship's wheel, and various interactive displays. The bottom rendering shows a lower level with a large wooden wall, a ship's wheel, and various interactive displays.

**WENTWORTH
SHIRE COUNCIL**
WORTH THE DRIVE

[illegible]

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master builders membership number: 10775

DOC/21/12935

Wentworth Civic Centre Community Consultation Suggestions			
#	Category	Suggestions	Officer Comment
1	Access to the Courtyard	Is there ease of access to the courtyard without going through the Library?	The courtyard area is a child safe environment and the only entry to that space will be through the library. Emergency evacuation egress will be possible.
2	Capacity for Artwork	Would be great to see dedicated capacity for both 2D and 3D art installation within a program of art exhibitions across many mediums.	A submission worthy of future consideration. 2D art exhibitions could be displayed in the upstairs function centre.
3	Capacity for Artwork	Consider local artists like Merrilyn Air, she has produced CD's.	This is an operational point of view which may be considered further when deemed appropriate to do so.
4	Car Park	Will the car parks be maintained for tourists when staff move in?	All staff to park in the Strata Title car park and not on Darling Street. It is envisaged that the carpark will have capacity for all users of the Civic Centre.
5	Coffee Shop	Very cramped with four (4) tables.	The coffee shop concept is one of small convenience food and beverage. It is not to take business away from other business in Wentworth.
6	Coffee Shop	Require space for additional seating for when big groups (e.g. tourist bus) are visiting.	For consideration. The push of the overall suggestions is that the replica paddle boat not be part of the internal space and if that is considered favourably then this may open up space for larger groups?
7	Coffee Shop	Too small to make anything other than coffee and sandwiches.	In essence this is the intended cuisine. Again this is a stop over convenience place and should not take possible trade for the town businesses.
8	Coffee Shop	Put the Coffee Shop into the Snowy Barrett Bar instead, which will also provide more room for the Library.	The coffee shop as it currently stands allows for passing traffic within the interpretative centre area.
9	Colour Scheme	Too reminiscent of a Casino, natural features and colours are river, sky and a landscape of pink earth and saltbush.	Comment noted, with a degree of concern as to what level of consideration should be given.
10	Colour Scheme	Have nice subdued outback colours and rely on our wildlife to bring the colour element in.	Worthy of consideration.
			Comment noted. Future architectural consideration.

DOC/21/12935

Wentworth Civic Centre Community Consultation Suggestions			
#	Category	Suggestions	Officer Comment Action
11	Commercial Kitchen	The Plans do not provide if the commercial kitchen would allow catering.	The kitchen is to be supplemented by professional catering happening of site and transported to the building. No further action
12		The Plans do not specify if the space is available for hire.	Available for public gatherings. Comment noted. Future operational consideration.
13	Conference Space	The Plans do not provide the numbers that can be seated.	Seating capacity for 160. No further action
14	Discussions with the Museum	Has Council spoke with the Museum as they have items that could be displayed?	The idea of this building is to support the local business not to duplicate or enter into competition with them. No further action
15	Entrance	The removal of the fence is a good idea, but a large sculpture by a local artist would be more appropriate, plus at ground level it will not block the view from inside.	The entrance canopy is a large piece of architectural talking piece. No further action
16	Entrance	The structure needs to be explained as worried it will not fit the theme.	The entrance canopy is a large piece of architectural talking piece. No further action
17	Entrance	The existing entrance already has protection from weather and is in a convenient location.	The architectural focus has been redefined to the proposed location No further action
18	First Nation Representation	Could not see where our First Nations are represented.	Does the word Barkandji in the interpretative area cover this or not? Maybe it should be members of the Barkandji and Malyangapa People in accordance with Barkandji and Malyangapa traditional laws and customs (and the biological descendants of any such adopted persons). The Barkandji and Malyangapa People are comprised of the Malyangapa People and the following Barkandji sub-groups: (i) Dhankali; (ii) Barkandji; (iii) Barintji; (iv) Waraura; (v) Wilyakali; (vi) Bantjikal/Wanyiwalku; (vii) Baruntji; (viii) Bunu/Naulco. Refer to interpretative area theme curator for further consideration.
19	First Nation Representation	No reference to the Barkandji people who consider the river their country (consider additions from Indigenous artists).	See Row 20 above. Refer to interpretative area theme curator for further consideration.

DOC/21/12935

Wentworth Civic Centre Community Consultation Suggestions				Officer Comment	Action
#	Category	Suggestions			
20	Heating and Cooling	Will the building be environmentally sustainable as it will be costly to heat and cool?		Installation of solar panels for alternative power source. Lowered ceilings to Staff office areas. Improved compartmentation and innovation technologies of heating and cooling.	No further action
21	Indigenous Consultation	Were local Indigenous groups in the community consulted with before the brief for these Plans were written?		See Row 20 above.	No further action
22	Library Hours	Library hours are less than the Visitor Information Centre.		Not in the future of this building?	
23	Outside of Building	Colour scheme is dull.		Opinion	
24	Outside of Building	No signage on the Plan that clearly state what is contained within.		We will provide that.	
25	PS Ruby	Would like to see the PS Ruby moored out the front when not in use.		Lets do that then.	
26	Replica Paddlesteamer	The size is incompatible with the general flow of the area. Instead make something smaller that can be moved to make way for other displays.		The tone of this consultation phase is that the Replica paddlesteamer should be withdrawn for the concept and instead park the PS Ruby on the Darling River at the back of the Civic Centre. Need detailed report to take the Ruby away from a touring vessel and have as a static display like the GEM in Swan Hill.	Refer to interpretative area theme curator for further consideration.
27	Replica Paddlesteamer	Include a paddlesteamer theme in the outdoor area where a greater connection with the river would be evident instead.		The outdoor area is themed and the connection may now be with PS Ruby parked up. Further consideration required.	
28	Replica Paddlesteamer	Unsure that it is the best use of floor space.		Further consideration required.	
29	Replica Paddlesteamer	Why build a replica paddlesteamer when tourists can visit the PS Ruby?		Further consideration required.	
30	Replica Paddlesteamer	Will block the flow of movement.		Further consideration required.	
31	Replica Paddlesteamer	Will block the view of the Darling Barka River.		Further consideration required.	
32	Replica Paddlesteamer	Not in agreement as Wentworth is not just another paddlesteamer town.		Further consideration required.	
33	Walls	Installation of glass walls through to the Library would open up the space and encourage its use.		For consideration in future discussions with Architects	Comment noted. Future architectural consideration.
34	Walls	The removal of the current glass wall to make way for the entrance will block out light and view from the sky inside.		By comparison it could be said that the structure will protect the interpretative space for the hot western sun in the summer months.	Comment noted. Future architectural consideration.
35	Walls	Concerned with money that will be spent on unnecessary cladding for the walls at the Visitor Information Centre.		The current fabric is dated and in need of modernisation.	Comment noted. Future architectural consideration.

DOC/21/12935

Wentworth Civic Centre Community Consultation Suggestions			
#	Category	Suggestions	Officer Comment Action
36	Wentworth Historical Records	Could not see how the Wentworth Historical Records are linked.	The historical society have been engaged with the design and to date have been accommodated with their ideas. No further Action
37	Wentworth Historical Records	Would support if records were shown in a glass case or accessible using digital methods.	Comments Noted. No further Action
38	Wildlife Reference	There is no apparent reference to our wealth of wildlife, particularly the rich birdlife of the confluence.	Refer to interpretative area theme curator for further consideration. Further investigation required.

9.15 PROJECTS AND WORKS REPORT UPDATE - JULY 2021

File Number: RPT/21/384

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 June 2021.

Recommendation

That Council notes the major works undertaken for June and the scheduled works for July 2021.

Detailed Report

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

Projects and Works Update for June 2021

Roads

- Major reconstruction works for TfNSW on a 1.5km section of highway near Mallee Fowl Rest Area. Council are nearing completion of the first 1.5km section, with works to be completed by end July. TfNSW have awarded the next 1.5km to Council which will see the completion of the 3.0 km highway segment. Scheduled to have all works on second stage completed by end October 2021.
- Works have been completed on the 6.5km section of High Darling Road.
- Milpara Road - material delivery completed 7 July. Pavement works still under construction, with seal programmed to be completed end July. All works to be completed by end of August.

Maintenance Grading

- Planned maintenance grading was undertaken on the following roads throughout June; Top Hut, Wilkurra, Karpa Kora, Ivanhoe, Rufus River and Renmark Road.

Projects Wentworth Aerodrome Upgrade

- Stage 2 Extension of taxiway lighting continuing, expected to be completed beginning August.
- First coat linemarking completed for stage 2.
- Extension of time request and change of scope request approved and confirmed by funding body 24 June 2021. Council can now progress with sealing runway 17/35.
- Preliminary planning works commenced on runway 17/35.

Buronga Effluent Disposal System (EDS)

- In preparation for the Mildura weir works in mid-July, the gangway and

pontoon have had additional works undertaken to prevent either asset from resting on the shore or river bed.

- Electrical fit out works are progressing.

Buronga Pump Track

- Detailed design to be completed late June.
- Contractor scheduled to commence end July.

Buronga Riverfront

- Playground infrastructure works progressing.
- Remaining turf area installed.
- Project completion September 2021.

Carramar Drive Basin

- Agi drain and no-fines concrete channel installed along wall to pick up runoff from high side.
- Installation of stormwater agi drain and existing property outfalls, pipe outfalls with headwalls and erosion protection.
- Basin embankment reshaped to repair erosion damage.

Dareton Town Entry Tree Corridor

- Additional plants placed at the base of the Dareton sign completed end of June.

Gol Gol Cemetery Equipment Shed

- Layout and location of proposed shed identified with input from team leaders.
- Finalised location cleared in preparation for construction.
- Notification sent to NTSCORP of proposed works.
- Request for quotes prepared and sent to local suppliers.
- Anticipated completion date September.

Gol Gol Heights Culvert Headwalls

- Scope of works prepared for project.
- Request for quotes prepared and sent to local contractors.

Gol Gol School Shared Path

- Road Occupancy Licence issued late June.

Gol Gol Water Treatment Plant

- Final site acceptance testing of PLC and SCADA architecture and testing continuing.
- Certificates of electrical compliance have been sent through for the following sites, Gol Gol Water Treatment Plant, Midway Reservoir, Gol Gol Raw Water Pump Station #2 and the balance tank.

Pitman Avenue and Wood Street Shared Paths

- Wood Street works to be completed in July.
- Pitman Avenue section of Buronga Works progressing.

Wentworth Riverfront BBQ and Nature Play Area

- Majority of playground infrastructure installed.
- Shade structures frame erected and footings prepared for concrete pad.
- Table settings installed in preparation of concrete pad.
- Electrical cables pulled through.

- Garden bed edging and mulched areas completed.
- Project completion August.

Wentworth Showgrounds Tower & Shade Structures

- Shades structure ordered, awaiting installation.
- Tower ordered, awaiting installation.
- Demolition of existing structures scheduled for mid-July.

Willow Bend Caravan Park Upgrade

- Detailed design progressed.
- Planning and tender documentation progressing and scheduled to be advertised in July.

Willow Bend Caravan Park - Camp Kitchen Upgrade

- Rain water tank connected to camp kitchen - completed.
- Rain water tank edging on site, Tony Smith completed.

Projects and Works scheduled for July 2021

Roads

- Stabilisation works completed on Sturt Highway Segment 40 Rehabilitation project.
- Commencing laying of base course material for the programed seal on 20 July.
- Mallara Street, Pooncarie minor pavement repair works have been undertaken with the primer seal completed 2 July. The final seal will be undertaken early 2022.
- High Darling Road sealed 30 June. Contractor to complete clean up, after delivery of materials has been completed for Milpara Road.

Maintenance

- Planned maintenance grading will be undertaken on the following roads throughout July; Wilkurra, Karpa Kora, Anabranah and Tooperoopna Road.

Projects Wentworth Aerodrome Upgrade

- Planning and design commenced with consultants for runway 17/35 now change request has been approved.
- Survey works to be conducted on 17/35 in August.
- Tender documentation for material supply, lighting and sealing being prepared for works on the second runway.
- Aerodrome security cameras were installed and completed 9 July.
- Pricing being sort for painting of wording on Council's hanger.
- Request for quotes being sort for aviation fuel supply for new Aerodrome.

Buronga Effluent Disposal System (EDS)

- Electrical fit out and commissioning works to be completed.
- Fence to be erected once electrical works are finalised.
- Site to be cleaned in preparation for opening mid-August.

Buronga Pump Track

- Contractors to commence works on site late July – pending travel clearances with COVID.

Buronga Riverfront

- Playground infrastructure to be completed late July.
- Final landscaping works comprising of soft fall (bark chips and wet pour rubber) to be installed post playground equipment in July.
- Signs (regulatory and directional) to be installed mid-July.
- Project completion September 2021.

Dareton Travellers Rest

- The funding body has granted an extension of time to September 30 as the new deadline.
- Determination of project progressing is required and dependent on funding body agreeing to part completion and budget variation.
- One quote received as of 8 July 2021.

Gol Gol Cemetery Shed

- Quotes received, WSC reviewing quotes.
- Works awarded to successful contractor.
- Actual commencement date being negotiated with builder due to extended lead times on materials.

Gol Gol Heights Culvert Headwalls

- Works awarded to successful contractor.
- Due to lead times on materials works will not commence until August / September.

Gol Gol School Shared Path

- Works to recommence 15 July 2021 and be completed early August.

Gol Gol Water Treatment Plant

- Plant full commissioning and hand over to WSC in July.
- As Constructed documentation to be provided in August.
- Training of WSC staff for plant functioning to be undertaken July.
- 30-day proof of performance currently being undertaken.
- Project completion and handover to Council anticipated August 2021.

Midway Drive Stormwater

- Final side entry pit layout to be confirmed and contractor to resume installation post financial year.

Mourquong Water Main Extension

- Site meeting was held with contractor end of June.
- Contractor has pegged out the alignment week commencing 5 July.
- Under road boring to commence end of July.
- Pipe has arrived and will be stockpiled on site until required.
- TfNSW Permit application has been submitted.
- Pre-construction meeting with contractor scheduled 12 July to ensure scope of works carried out to WSC standard and compliance with Water Supply Code of Australia.

Namatjira Sewer Lagoons Wildlife Control Fence (part of Sewer Rationalisation Project)

- New fence has been completed.
- Old fence currently being removed and will be stockpiled at the old Dareton Sewer treatment plant.
- Project completion end July.

Pitman Avenue and Wood Street Shared Paths

- Pitman Avenue section of Buronga Works progressing.
- Project completion September 2021.

Tapio Park Dareton - BBQ & picnic table area

- Contractor to commence works 20 July to install concrete pad to incorporate BBQ & picnic table.
- Anticipated completion 30 July 2021.

Sewerage Rationalisation Scheme - Wentworth

- The electrical contractor continues to undertake SCADA works to Sewerage Pumping Stations #1 and #2.
- The switchboard design approved by WSC and construction of the board underway.
- Reviewing functional description – Ongoing 80% complete
- Modifications to slide doors at inlet structure –complete
- Pit Design (WSC) SPS 1 Wentworth to include bypass design finalized.
- Final commissioning scheduled, with meeting to be held with contractor.
- Finalisation of project schedule to be completed end July.
- WSC to hold contractor to amended / reconfirmed project timeline dates.

Sewerage Rationalisation Scheme – Dareton

- Ongoing issues with air valves, falls under defects liability, working with contractor to solve problem.
- Electrician has run new conduit path and cabling to shed from new Essential Energy power pit. final hook up has been scheduled with Essential Energy.
- Project completed.

Wentworth Riverfront BBQ and Nature Play Area

- Playground audit to be undertaken late July. Playground works to be finalised late July depending on works required to comply with AS 4685-2014.
- Shade structures to be concreted mid-July.
- BBQs to be installed late July.
- Additional bins to be installed late July.
- Site to be cleaned and top dressed where required.
- Softfall to be installed early August.
- Project completion scheduled for August.

Wentworth Showgrounds Tower and Shade Structure

- Demolition to be completed in July.
- Shade structure installation to begin (tentative).
- Timelines for shade structure and tower construction to be confirmed.
- Organisation of footing construction for tower to be completed.
- Estimated completion date January 2022.

Wentworth Showground Sewer Upgrade

- Project deadline extended to end of the year due to upcoming events at showgrounds.
- Project is in preliminary design and planning stages, with contractor finalising the design for Council to review.
- Scope of works in draft stage.
- Heritage Management Plan to be conducted due to proximity of burial

sites. Quote for assessment received by contractor.

- RFQ to be sort August 2021.

Willow Bend Caravan Park Upgrade

- Detailed design documentation including technical specification to be completed late July.
- Tender documentation to be advertised mid- July.

Willow Bend Caravan Park - Camp Kitchen Upgrade

- Contractors completed installation of sliding doors 9 July.
- Reverse cycle air conditioner for camp kitchen installed 9 July.
- Completion date September 2021.

Attachments

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



Carramar Basin Photos



Buronga Riverfront progress photos – captured 8 July 2021



Alignment pegged out – captured 9 July



Easement pegged out on resident's property captured 9 July

Mourquong Water Main Extension

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

10.1 FLOODPLAIN HARVESTING SUBMISSION

File Number: RPT/21/365

Councillor Jane MacAllister has indicated her intention to move the following motion:

Motion

That Council makes a submission to the NSW Parliament's Select Committee on Floodplain Harvesting and encourages communities and individuals within Wentworth Shire to also make submission.

Attachments

1. Background Information supplied by Cr MacAllister [↓](#)
2. Terms of Reference Floodplain Harvesting Commission [↓](#)

Background: The NSW Upper House on 23 June 2021, resolved to establish a Select Committee on Floodplain Harvesting, the terms of reference for which are **attached** and submissions will be accepted from 9th July to 13th August, 2021. The Select Committee is due to report by 30 November 2021.

The NSW Water Minister has been determined to licence the practice of Floodplain Harvesting in the northern Murray-Darling basin as of 1 July 2021. This is a practice which has a long history and which remains the last unlicensed form of irrigation, measured only through Irrigator Behaviour Questionnaires thus far, never reported and without firm commitment from the Natural Resources Access Regulator that it will be monitored.

In 2017 former Water Minister, Niall Blair retrospectively approved structures which may prevent rainwater or floodwater from making its way to creek runners or river channels, without any environmental impact statements or consideration of how taking water from rivers impacts connectivity through to end of system.

In November 2020, Slattery+Johnson reported to Council that the practice of floodplain harvesting has grown 142% and exceeds the 1993/4 cap on extractions, as legislated under the Murray-Darling Basin Plan. The figures matched those from the Department, yet excluded private dams of size less than 5,625m² (approx. 75m x 75m).

Considering the long interest Wentworth Shire Council has expressed in attending forums, making submissions and advocating to bring attention to the downstream cumulative impacts of the practice of as yet unlicensed, unmetered and unmonitored floodplain harvesting, this represents the best opportunity for WSC to represent the economic, social and environmental cost to communities and ratepayers and the burden on Council to highlight concerns and address outcomes arising out of the inequality experienced due to reduced inflows over many years.

There exists much information about the cost and implications to Council and communities within Wentworth Shire as a reduction of inflows has increasingly affected industry, townships and tourism as well as the negative impact of dry or toxic lower Darling-Baaka on riverine environments, flora, fauna and ecosystem services, as well as lesser known impacts on groundwater table and salinity.

As the government also voted in favour of the establishment of this Select Committee, this represents significant opportunity for Wentworth Shire to help inform not only Floodplain Harvesting policy, but also, how such regulations must also be embedded into action through the Extreme Events policy, all relevant Water Sharing Plans and Regional Water Strategies, keeping connectivity to end of system, critical human needs, stock and domestic and town water prioritized ahead of irrigation in the north.

For more information, link to relevant contacts is here:

<https://www.parliament.nsw.gov.au/committees/Pages/committeeprofile/select-committee-on-floodplain-harvesting.aspx#tab-contactus>



LEGISLATIVE COUNCIL

SELECT COMMITTEE ON FLOODPLAIN HARVESTING

Inquiry into Floodplain Harvesting

TERMS OF REFERENCE

1. That a select committee be established to inquire into and report on the Government's management of floodplain harvesting, including:
 - (a) the legality of floodplain harvesting practices,
 - (b) the water regulations published on 30 April 2021
 - (c) how floodplain harvesting can be licensed, regulated, metered and monitored so that it is sustainable and meets the objectives of the Water Management Act 2000 and the Murray-Darling Basin Plan and,
 - (d) any other related matter.
2. That the committee report by 30 November 2021.

Committee membership

Ms Cate Faehrmann MLC	The Greens	<i>Chair</i>
The Hon Mark Banasiak MLC	Shooters, Fishers and Farmers Party	<i>Deputy Chair</i>
The Hon Lou Amato MLC	Liberal Party	
The Hon Sam Faraway MLC	The Nationals	
The Hon Ben Franklin MLC	The Nationals	
The Hon Rose Jackson MLC	Australian Labor Party	
The Hon Penny Sharpe MLC	Australian Labor Party	
The Hon Mick Veitch MLC	Australian Labor Party	

11 CONCLUSION OF THE MEETING

NEXT MEETING

18 August 2021