

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 **WENTWORTH SHIRE COUNCIL CHAMBERS, SHORT STREET, WENTWORTH**, commencing at **7:00PM**.

The meeting is being livestreamed and/or recorded for on-demand viewing via Council's website. 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.

Councillors & staff are obligated to declare Conflicts of Interest as required under the Local Government Act 1993 and Councils adopted Code of Conduct.

Councillors are reminded of their Oath of Office whereby they have declared and affirmed that they will undertake the duties of the Office of Councillor in the best interests of the people of Wentworth Shire and the Wentworth Shire Council and that they will faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act to the best of their ability and judgment.

KEN ROSS GENERAL MANAGER

# ORDINARY MEETING AGENDA 14 AUGUST 2024

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#### 1 OPENING OF MEETING

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

#### 2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

We acknowledge the traditional owners of the land on which we live and work, and pay our respects to their elders past, present, and emerging.

#### 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 17 July 2024 be confirmed as circulated.



## ORDINARY MEETING MINUTES

17 JULY 2024

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#### 1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 7.01pm

#### 2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

#### PRESENT:

**COUNCILLORS:** Councillor Daniel Linklater

Councillor Brian Beaumont Councillor Steve Cooper Councillor Peter Crisp Councillor Tim Elstone Councillor Susan Nichols Councillor Jo Rodda

**STAFF:** Ken Ross (General Manager)

George Kenende (Acting Director Health and Planning)

Geoff Gunn (Director Roads and Engineering) Simon Rule (Director Finance and Policy)

Gayle Marsden (Executive Assistant to General Manager)

Hannah Nicholas (Business Support Officer)

#### 3 APOLOGIES AND LEAVE OF ABSENCE

#### **Council Resolution**

That Council notes the apology from Cr MacAllister and grants the Leave of Absence Requests from Cr Nichols for 1 August 2024 to 4 August 2024 and Cr Beaumont for 2 August 2024 to 18 August 2024.

Moved Cr Rodda, Seconded Cr Crisp

**CARRIED UNANIMOUSLY** 

#### 4 DISCLOSURES OF INTERESTS

Councillor Nichols advised that she had a pecuniary interest in Item 12.5 as she is Power of Attorney for a paid up resident of Murray House and have the power to use her finances which may be considered that I may be persuaded or have a pre-determined position.

Councillor Cooper advised that he had a significant pecuniary interest in Items 9.12 as he is a real estate agent involved in the sale of the property.

Councillor Cooper advised that he had a significant pecuniary interest in Item 9.13 as he is the father of the applicant.

Councillor Elstone advised that he had a significant pecuniary interest in Items 9.12 as he is a real estate agent involved in the sale of the property.

Councillor Elstone advised that he had a significant non - pecuniary interest in Item 9.13 as he is the business partner of the father of the applicant.

#### 5 CONFIRMATION OF MINUTES

#### **Recommendation**

That the Minutes of the Ordinary Meeting held 26 June 2024 be confirmed as circulated.

#### **Council Resolution**

That the Minutes of the Ordinary Meeting held 26 June 2024 be confirmed as circulated.

Moved Cr Crisp, Seconded Cr Cooper

#### **6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS**

#### 6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/24/372

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

Reporting Officer: Hannah Nicholas - Business Support Officer

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

#### **Summary**

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

#### Officer Recommendation

That Council receives and notes the list of outstanding matters as at 10 July 2024.

#### **Council Resolution**

That Council receives and notes the list of outstanding matters as at 10 July 2024.

Moved Cr Rodda, Seconded Cr Beaumont

#### 7 MAYORAL AND COUNCILLOR REPORTS

#### 7.1 MAYORAL REPORT

File Number: RPT/24/373

#### **Recommendation**

That Council receives and notes the information contained in the Mayoral report.

#### **Council Resolution**

That Council receives and notes the information contained in the Mayoral report.

Moved Cr Linklater, Seconded Cr Cooper

#### 8 REPORTS FROM COMMITTEES

Cr Nichols gave a verbal report on the  $80^{\rm th}$  Murray Darling Association Conference and tabled several documents from the conference.

#### 9 Reports to Council

#### 9.1 GENERAL MANAGERS REPORT

File Number: RPT/24/374

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

Reporting Officer: Hannah Nicholas - Business Support Officer

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

#### **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 24-11, 24-12 and GC-153.

2. Meetings

As listed.

3. Upcoming meetings or events

As listed.

4. Other items of note

Nil.

#### Recommendation

That Council receive and note the information contained within the report from the General Manager.

#### **Council Resolution**

That Council receive and note the information contained within the report from the General Manager.

Moved Cr Rodda, Seconded Cr Crisp

## 9.2 MEMORANDUM OF UNDERSTANDING WENTWORTH SHIRE COUNCIL AND WENTWORTH PIONEER HOMES COMMITTEE INC

File Number: RPT/24/375

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

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.4 Provide strong leadership and work in partnership to

strategically plan for the future

#### **Summary**

Wentworth Pioneer Homes Committee Inc have requested a Memorandum of Understanding be initiated with Wentworth Shire Council. This Memorandum of Understanding is to put in place an agreement for the ongoing collaborative relationship between the Shire and the Committee for the development and management of Tunkin Homes, a set of low-cost housing units, located on the corner of Armstrong Avenue and William Street Lot 710 DP 1297635 Wentworth.

#### **Recommendation**

That Council delegates authority to the Mayor and the General Manager to sign the Memorandum of Understanding between Wentworth Pioneer Homes Committee Inc and Wentworth Shire Council and affix the Council seal.

#### **Council Resolution**

That Council delegates authority to the Mayor and the General Manager to sign the Memorandum of Understanding between Wentworth Pioneer Homes Committee Inc and Wentworth Shire Council and affix the Council seal.

Moved Cr Beaumont, Seconded Cr Crisp

## 9.3 REQUEST FOR SPONSORSHIP - 2024 SUNRAYSIA SAFARI CROSS COUNTRY RALLY

File Number: RPT/24/248

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

Reporting Officer: Hannah Nicholas - Business Support Officer

Objective: 1.0 Wentworth Shire is a vibrant, growing and thriving Region Strategy: 1.2 Promote the Wentworth Region as a desirable visitor and

tourism destination

#### **Summary**

Council is in receipt of a request to provide financial sponsorship and provision of the Wentworth Showgrounds (including in kind support of daily cleaning of toilets, showers and emptying of rubbish bins) for the 2024 Sunraysia Safari Cross Country Rally to be held from 2 September to 9 September 2024. Council approved financial sponsorship of \$20,000 and in kind support for the event in 2023.

#### **Recommendation**

That Council having considered the contents of the report and attachments choose one of the suggested options.

#### **Motion**

That Council approve the sponsorship of \$20,000 (ex GST) and in kind support of free access to the Showground, free camping, daily cleaning of toilets, showers and emptying of rubbish bins.

#### Moved Cr Crisp, Seconded Cr Beaumont

#### **Amendment**

That Council approve the sponsorship of \$20,000 (ex GST) and provide in kind support being for access to the showground, cleaning of the toilets, showers and emptying of the rubbish bins.

#### Moved Cr Rodda, Seconded Cr Cooper

#### **CARRIED UNANIMOUSLY**

#### **Council Resolution**

That Council approve the sponsorship of \$20,000 (ex GST) and provide in kind support being for access to the showground, cleaning of the toilets, showers and emptying of the rubbish bins.

#### Moved Cr Rodda, Seconded Cr Cooper

#### 9.4 LGNSW 2024 ANNUAL CONFERENCE

File Number: RPT/24/381

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

Reporting Officer: Hannah Nicholas - Business Support Officer

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

#### **Summary**

The Local Government New South Wales 2024 Annual Conference is being held from Sunday 17 November 2024 to Tuesday 19 November 2024 at the Tamworth Regional Entertainment Conference Centre in Tamworth. This forum is the main local government policy making forum for Local Government New South Wales. In previous years Council has been represented by the Mayor and the General Manager at the conference. Councillors should also consider any motions to be put forward at the Conference, which will be considered by Council at the Ordinary Meeting in August.

#### **Recommendation**

That Council nominate the Mayor and General Manager to attend the Local Government New South Wales 2024 Annual Conference 17 November 2024 to Tuesday 19 November 2024 and that the mayor be Council's voting delegate.

#### **Council Resolution**

That Council nominate the Mayor and General Manager to attend the Local Government New South Wales 2024 Annual Conference 17 November 2024 to Tuesday 19 November 2024 and that the Mayor be Council's voting delegate.

Moved Cr. Nichols, Seconded Cr Rodda

#### 9.5 MONTHLY FINANCE REPORT - JUNE 2024

File Number: RPT/24/357

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 2024 were \$394,984.42. After allowing for pensioner subsidies, the total levies collected are now 94.84%. For comparison purposes 92.14% of the levy had been collected at the end of June 2023. Council currently has \$49,479,651.57 in cash and investments.

#### **Recommendation**

That Council receives and notes the Monthly Finance Report.

#### **Council Resolution**

That Council receives and notes the Monthly Finance Report.

Moved Cr Cooper, Seconded Cr Beaumont

#### 9.6 MONTHLY INVESTMENT REPORT - JUNE 2024

File Number: RPT/24/390

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Bryce Watson - Accountant

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.5 Adopt practices of prudent asset, financial and human

resource management across Council to ensure long-term

sustainability and efficiency

#### **Summary**

As of 30 June 2024, Council had \$39 million invested in term deposits and \$10,479,651.57 in other cash investments. Council received \$183,964.97 from its investments for the month of June 2024.

In June 2024 Council investments averaged a rate of return of 5.06% and it currently has \$7,650,752.35 of internal restrictions and \$40,466,652.93 of external restrictions.

#### Recommendation

That Council receives and notes the monthly investment report.

#### **Council Resolution**

That Council receives and notes the monthly investment report.

Moved Cr Rodda, Seconded Cr Crisp

#### 9.7 WENTWORTH MILITARY MUSUEM FINANCIAL ASSISTANCE REQUEST.

File Number: RPT/24/391

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

Objective: 1.0 Wentworth Shire is a vibrant, growing and thriving Region Strategy: 1.2 Promote the Wentworth Region as a desirable visitor and

tourism destination

#### **Summary**

Council has received a request from the Wentworth Military Collection to provide financial assistance of \$640,000 to allow their Military Museum and Discovery Centre project become shovel ready.

According to the request, the proposed funding arrangement from Council to the Wentworth Military Collection would be that monies supplied by Council could be reclaimed through successful future grant applications providing funding for the construction and completion of the Wentworth Military Museum and Discovery Centre.

Discussions with the applicant have indicated that should they be unsuccessful with grant applications that they would be willing to enter into a repayment/loan arrangement with Council and are confident that they could repay the amount in 5 years. In order to achieve this, they would be looking at undertaking a significant fundraising drive.

#### Recommendation

That Council having considered the contents of the report and attachments choose one of the suggested options.

#### **Council Resolution**

That Council having considered the contents of the report and attachments does not support the request.

Moved Cr. Elstone, Seconded Cr Crisp

## 9.8 REQUEST TO BECOME REGULAR WEEKLY USER OF MIDWAY FUNCTION ROOM

File Number: RPT/24/393

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Annette Fraser - Team Leader Customer Service

Objective: 2.0 Wentworth Shire is a great place to live

Strategy: 2.4 A well informed, supported and engaged community

#### **Summary**

Council is in receipt of a request to become a regular user of Midway Function Room for weekly Pilates classes for 1 hour each Thursday morning, commencing 5 September 2024.

As per the 2024/2025 fees and charges, the hire fee is \$128.00 per hour. A regular user discount of 75% off the standard hourly rate for a 12 month agreement can be negotiated by Council. If agreed, this would reduce the hire fee to \$32.00 per hour.

Pilates classes will benefit the community and individuals. Refer attached testimony written by requester.

#### **Recommendation**

That Council having considered the contents of the report and attachment choose one of the suggested options.

#### **Motion**

That Council approve the full 75% regular user discount, reducing the hire fee to \$32.00 per hour.

#### Moved Cr Rodda, Seconded Cr Cooper

#### <u>Amendment</u>

That Council approve a 50% discount, reducing the hire fee to \$64.00 per hour. This will cover heating, cooling, lighting and weekly cleaning costs.

Moved Cr. Nichols LAPSED

#### **Council Resolution**

That Council approve the full 75% regular user discount, reducing the hire fee to \$32.00 per hour.

Moved Cr Rodda, Seconded Cr Cooper

**CARRIED** 

For the Motion: Clr.s Cooper, Crisp, Elstone, Linklater and Rodda.

Against the Motion: Clr.s Beaumont and Nichols.

#### 9.9 A64 ANABRANCH HALL & ROAD REALIGNMENT ACQUISITION

File Number: RPT/24/290

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Hilary Dye - Property and Land Tenure Officer

Objective: 3.0 Wentworth Shire is a community that works to enhance and

protect its physical and natural environment

Strategy: 3.5 Infrastructure meets the needs of our growing Shire

#### **Summary**

A Council resolution is required to commence the compulsory acquisition from the NSW Department of Planning, Housing and Infrastructure (Crown Lands) of:

- Lots 642 and 643 Deposited Plan 1287475 (within Lot 498 Deposited Plan 761441) for the purpose of infrastructure constructed by Council relating to the Anabranch Hall and Tennis Courts Reserve 84989; and
- Lot 641 Deposited Plan 1287475 (within Lot 498 Deposited Plan 761441) for the purpose of a public road creating legal access to the Crown Reserve.

#### **Recommendation**

That Council

- Proceed to acquire Lots 642 and 643 Deposited Plan 1287475 by the compulsory process under the terms of the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) by authority contained in the Local Government Act 1993 (NSW), for the purpose of public amenities infrastructure constructed by Council for the use of the community.
- 2. Proceed to acquire Lot 641 Deposited Plan 1287475 by the compulsory process under the terms of the *Land Acquisition (Just Terms Compensation) Act 1991 (NSW)* by authority contained in the *Roads Act 1993 (NSW)* for the purpose of a public road.
- 3. Approves any minerals are to be excluded from this acquisition.
- 4. Acquisition of the land is not for the purpose of resale.
- 5. Makes an application submitted to the NSW Minister for Local Government via the Office of Local Government and to the NSW Governor General for approval to compulsorily acquire the Crown land for the public purpose.
- 6. Authorises the General Manager and Mayor to give effect to this resolution and sign any documentation necessary to finalise the acquisition.

#### **Council Resolution**

That Council defer Item 9.9 until further information is received.

Moved Cr Crisp, Seconded Cr Rodda

#### 9.10 LAND ACQUISITION A65 GEORGE GORDON OVAL

File Number: RPT/24/404

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Hilary Dye - Property and Land Tenure Officer

Objective: 3.0 Wentworth Shire is a community that works to enhance and

protect its physical and natural environment

Strategy: 3.2 Ensure that community assets and public infrastructure are

well maintained

#### **Summary**

A Council Resolution is required to commence the acquisition of Crown Land being Lot 650 Deposited Plan 1298337, being part of the land within Lot 711 Deposited Plan 1213849 at Dareton NSW, for the purpose of public recreational infrastructure constructed by Council relating to the George Gordon Sporting Complex Reserve 61503.

#### Recommendation

That Council

- 1. Proceeds to acquire Lot 650 Deposited Plan 1298337 by the compulsory process under the terms of the *Land Acquisition (Just Terms Compensation) Act 1991 (NSW)* and by authority contained in the *Local Government Act 1993 (NSW)*.
- 2. Acquires the land for the purpose of public recreational infrastructure constructed by Council, for the use of the community.
- 3. Approves that any minerals are to be excluded from this acquisition.
- 4. Acknowledges that the acquisition is not for the purpose of resale.
- 5. Will be responsible for Native Title compensation as determined by the Valuer General.
- Will be responsible for compensation paid to Crown Lands for the acquisition of the subject land as determined by the Valuer General (market value) or agreed directly with Crown Lands via a valuation report to be obtained from a qualified valuer.
- 7. Makes an application submitted to the NSW Minister for Local Government via the Office of Local Government and to the NSW Governor General for approval to compulsorily acquire the Crown land for the public purpose.
- 8. Authorises the General Manager and Mayor to give effect to this resolution and sign any documentation necessary to finalise the acquisition.

#### **Council Resolution**

That Council defer the Item 9.10 until further information is received.

Moved Cr. Nichols, Seconded Cr Rodda

## 9.11 LIFTING OF ALCOHOL-FREE ZONE – WENTWORTH ROWING CLUB LAWNS AREA

File Number: RPT/24/342

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: George Kenende - Acting Director Health & Planning

Objective: 1.0 Wentworth Shire is a vibrant, growing and thriving Region Strategy: 1.2 Promote the Wentworth Region as a desirable visitor and

tourism destination

#### **Summary**

Council has received a request from the Wentworth District Rowing Club Inc to lift the alcohol free zone for the Wentworth District Rowing Club Lawns area for one event in Wentworth.

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

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 District Rowing Club Lawns area as shown on the map attached to this report, on the 13th and 14th of September 2024 from 12:00 noon to 22:00.
- b) Advertises the suspension of the alcohol free zone in a locally circulated newspaper and, Councils website and other social media
- c) Advises the NSW Police of the details of the suspensions of the alcohol free zone.

#### **Council Resolution**

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 District Rowing Club Lawns area as shown on the map attached to this report, on the 13th and 14th of September 2024 from 12:00 noon to 22:00.
- b) Advertises the suspension of the alcohol free zone in a locally circulated newspaper and, Councils website and other social media
- c) Advises the NSW Police of the details of the suspensions of the alcohol free zone.

Moved Cr. Nichols, Seconded Cr Rodda

## 9.12 DA2024/066 DWELLING WITH GARAGE 221 POONCARIE ROAD LOT 7 DP 1270097 WENTWORTH

File Number: RPT/24/397

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Georgie Martin - Cadet Planner

Objective: 3.0 Wentworth Shire is a community that works to enhance and

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

#### **Summary**

A development application (DA2024/066) was received by Council for a dwelling with garage to be located at 221 Pooncarie Road, Lot 7 DP 1270097, Wentworth, a property which backs on to the Darling River.

Under the Wentworth Local Environmental Plan 2011 (WLEP 2011), this development is permitted with consent within the R5 – Large Lot Residential zone as a dwelling.

The proposed dwelling with garage is to be located on land that has a pre-existing shed, and had prior to subdivision, been used for agricultural purposes.

The proposed development of a dwelling has a setback from the high bank of the river of 21.7m, not complying with Clause 7.6. However, the proposed development of a dwelling has a setback from the low bank of the river of 30m, which is permitted under Clause 7.9.

The required high bank setback under Clause 7.6 for dwellings is 30m. As part of the assessment, a variation to the high bank setback is required (referred to as a 4.6 variation).

Due to the variation being 28%, greater than 10%, the application cannot be determined under delegated authority, and must be determined by Council.

At 07:35 pm Councillor Tim Elstone and Cr Steve Cooper left the Council Chambers

#### Recommendation

That Council:

- Approve DA2024/066 being a dwelling with garage located at 221 Pooncarie Road, Lot 7, DP 1270097, Wentworth.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

#### **Council Resolution**

That Council:

- a) Approve DA2024/066 being a dwelling with garage located at 221 Pooncarie Road, Lot 7, DP 1270097, Wentworth.
- b) Call a division in accordance with S375A of the Local Government Act 1993

(NSW).

#### Moved Cr Rodda, Seconded Cr Crisp

#### **CARRIED UNANIMOUSLY**

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

For the Motion : Clr.s Beaumont, Cooper, Crisp, Elstone, Linklater, Nichols

and Rodda.

Against the Motion: Nil.

## 9.13 DA2024/067 DEFERRED COMMENCEMENT FOR A DWELLING 74 BILLABONG ROAD LOT 5 DP 804042 CURLWAA

File Number: RPT/24/356

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Georgie Martin - Cadet Planner

Objective: 3.0 Wentworth Shire is a community that works to enhance and

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

#### **Summary**

A development application (DA2024/067) was received by Council for a deferred commencement dwelling to be located 74 Billabong Road, Lot 5 DP 804042, Curlwaa, relatively close to Tuckers Creek.

Under the Wentworth Local Environmental Plan (WLEP 2011), this development is permitted with consent within the RU4 – Primary Productions Small Lots zone as a dwelling.

The proposed deferred commencement dwelling is to be located on land that is presently used for the grazing of rangeland goats, but is under the minimum lot size of 10ha, only being sized at 2.2ha, which represents a variation of 78%.

The minimum lot size under Clause 4.2B for erection of dwelling houses on land zoned to RU4 is 10ha. As part of assessment, a variation to the minimum lot size standard is required (referred to as a 4.6 variation).

Due to the variation being 78%, greater than 10%, the application cannot be determined under delegated authority, and must be determined by Council.

#### Recommendation

That Council

- 1. Approve DA2024/067 being a deferred commencement dwelling located at 74 Billabong Road, Lot 5 DP 804042, Curlwaa.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

#### **Council Resolution**

That Council:

- a) Approve DA2024/067 being a deferred commencement dwelling located at 74 Billabong Road, Lot 5 DP 804042, Curlwaa.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr Crisp, Seconded Cr Beaumont

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

For the Motion : Clr.s Beaumont, Cooper, Crisp, Elstone, Linklater, Nichols

and Rodda.

Against the Motion: Nil.

## 9.14 DA2024/071 DEFERRED COMMENCEMENT FOR A DWELLING 65 RESERVE ROAD WEST LOT 3 DP 1056324 COOMEALLA

File Number: RPT/24/359

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Georgie Martin - Cadet Planner

Objective: 3.0 Wentworth Shire is a community that works to enhance and

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

#### **Summary**

A development application (DA2024/071) was received by Council for a deferred commencement dwelling to be located at 65 Reserve Road West, Lot 3 DP 1056324, Coomealla.

Under the Wentworth Local Environmental Plan 2011 (WLEP 2011), this development is permitted with consent within the RU4 – Primary Production Small Lots zone as a dwelling.

The proposed deferred commencement dwelling is to be located on land that is currently vacant and has remained so following creation the allotment by NSW Crown Lands in 2009. The site is under the 10ha minimum lot size at only 1.4ha.

The minimum lot size under Clause 4.2B for erection of dwellings on the land is 10ha. As part of the assessment, a variation to the minimum lot size standard is required (referred to as a 4.6 variation).

Due to the variation being 86%, greater than 10%, the application cannot be determined under delegated authority, and must be determined by Council.

#### Recommendation

That Council:

- 1. Approve DA2024/071 being a deferred commencement dwelling located at 65 Reserve Road West, Lot 3 DP 1056324.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

#### **Council Resolution**

That Council:

- a) Approve DA2024/071 being a deferred commencement dwelling located at 65 Reserve Road West, Lot 3 DP 1056324.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr Rodda, Seconded Cr Crisp

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

For the Motion : Clr.s Beaumont, Cooper, Crisp, Elstone, Linklater, Nichols

and Rodda.

Against the Motion: Nil.

## 9.15 DA2024/074 TWO (2) STOREY DWELLING 24 RIVER DRIVE LOT 2 DP 1247800 BURONGA

File Number: RPT/24/410

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Georgie Martin - Cadet Planner

Objective: 3.0 Wentworth Shire is a community that works to enhance and

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

#### **Summary**

A development application (DA2024/074) was received by Council for a deferred commencement dwelling to be located at 24 River Drive, Lot 2 DP 1247800, Buronga, being an allotment that backs onto the river but not within the river front building area.

Under the Wentworth Local Environmental Plan 2011 (WLEP 2011), this development is permitted with consent within the RU5 – Village zone as a dwelling.

The proposed dwelling is to be located within the prescribed 30m high bank setback, proposed to only have a setback of 7.25m. The land is currently vacant and cleared, with the adjoining lot containing an existing dwelling and associated structures.

The minimum setback under Clause 7.6 in a river front area is 30m for dwellings, with only boat related facilities, extension or alterations of existing buildings, environmental protection works, extensive agriculture and intensive plant agriculture, walking trails, cycleways, picnic facilities, recreation facilities and recreation facilities and water recreation structures allowed with consent in the river front area.

**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.

Due to the variation being 75%, greater than 10%, the application cannot be determined under delegated authority, and must be determined by Council.

At 07:39 pm Councillor Jane MacAllister returned to Council Chambers.At 07:40 pm Councillor Tim Elstone returned to Council Chambers.

#### Recommendation

That Council:

- Approve DA2024/074 being a two-storey dwelling located at 24 River Drive, Lot 2 DP 1247800, Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

#### **Council Resolution**

That Council:

- a) Approve DA2024/074 being a two-storey dwelling located at 24 River Drive, Lot 2 DP 1247800, Buronga.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr Rodda, Seconded Cr Cooper

CARRIED UNANIMOUSLY

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

For the Motion : Clr.s Beaumont, Cooper, Crisp, Elstone, Linklater, Nichols

and Rodda.

Against the Motion: Nil.

## 9.16 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 – PLANNING PROPOSAL TO HERITAGE LIST THE WOW TREE AND AMEND HERITAGE MAPPING LOT 1170 DP 820161

File Number: RPT/24/406

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: George Kenende - Acting Director Health & Planning

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.1 Consistently engage and consult the whole community to

ensure that feedback is captured and considered as part of

decision-making and advocating processes

#### **Summary**

Wentworth Shire Council has received a Planning Proposal from Cadell Consulting Services on behalf of Australian Inland Botanic Gardens Inc.

The Planning Proposal seeks to:

- 1. Amend Schedule 5 of the Wentworth Local Environmental Plan 2011 by adding a 2,500 year old Eucalyptus Oleosa tree, also known as or commonly referred to as the 'Wow Tree'.
- Amending the Wentworth Local Environmental Plan 2011 mapping Heritage Map Sheet HER\_004 Item - General

#### **Recommendation**

That Council:

- a) Submit the Planning Proposal to the Department of Planning Housing and Infrastructure for consideration of a Gateway Determination to amend the Wentworth Local Environmental Plan 2011 in accordance with Section 3.34 of the *Environmental Planning and Assessment Action 1979*.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

#### **Council Resolution**

That Council:

- a) Submit the Planning Proposal to the Department of Planning Housing and Infrastructure for consideration of a Gateway Determination to amend the Wentworth Local Environmental Plan 2011 in accordance with Section 3.34 of the *Environmental Planning and Assessment Action 1979*.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

#### Moved Cr. Nichols, Seconded Cr Rodda

#### CARRIED UNANIMOUSLY

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

For the Motion : Clr.s Beaumont, Cooper, Crisp, Elstone, Linklater, Nichols

and Rodda.

Against the Motion: Nil.

## 9.17 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 PLANNING PROPOSAL TO REDUCE MINIMUM LOT SIZE FROM 3,000SQM TO 2,000SQM LOT 2 DP 875018

File Number: RPT/24/422

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: George Kenende - Acting Director Health & Planning

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.1 Consistently engage and consult the whole community to

ensure that feedback is captured and considered as part of

decision-making and advocating processes

#### **Summary**

Wentworth Shire Council resolved to proceed with a Planning Proposal to amend planning provisions in the Wentworth Local Environmental Plan 2011 (WLEP) that specifically relate to amendment to the Minimum Lot Size (MLS) mapping.

The Department of Planning, Housing and Infrastructure (DPHI) issued a Gateway Determination to proceed on 26 February 2024.

The Planning Proposal sought to amend the following provisions:

- Reduce the Minimum Lot Size (MLS) from 3,000sqm to 2,000sqm of Lot 2 DP 875018 (Lot Size Map - Sheet LSZ 004G)

Public exhibition consultation was conducted in accordance with the Gateway Determination. Five (5) public submissions were received, with 2 of the submissions

being duplicates of each other.

No amendments have been made to the Planning Proposal as an outcome of public exhibition.

This report seeks Council endorsement of the Planning Proposal and approval to proceed with finalisation of the amendment to the Wentworth Local Environmental Plan 2011 as Council are the plan-making authority.

#### Recommendation

That Council:

- a) Endorse the post exhibition documentation as outlined in this report.
- b) Support and resolve to proceed with the finalisation of the Planning Proposal in accordance with section 3.36 of the *Environmental Planning and Assessment Act* 1979.
- c) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

#### Motion

That Council defer the item for further consultation with the community.

#### Moved Cr. Rodda, Seconded Cr Beaumont

**LOST** 

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

For the Motion: Clr.s Beaumont, Cooper and Rodda.

Against the Motion: Clr.s Crisp, Elstone, Linklater, and Nichols.

#### **Council Resolution**

That Council:

- a) Endorse the post exhibition documentation as outlined in this report.
- b) Support and resolve to proceed with the finalisation of the Planning Proposal in accordance with section 3.36 of the *Environmental Planning and Assessment Act* 1979.
- c) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

Moved Cr. Elstone, Seconded Cr Crisp

**CARRIED** 

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

For the Motion: Clr.s Beaumont, Crisp, Elstone, Linklater and Nichols.

Against the Motion: Clr.s Cooper and Rodda.

#### 9.18 PROJECT & WORKS UPDATE - JULY 2024

File Number: RPT/24/344

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Jamie-Lee Kelly - Administration Officer

Objective: 3.0 Wentworth Shire is a community that works to enhance and

protect its physical and natural environment

Strategy: 3.2 Ensure that community assets and public infrastructure are

well maintained

#### **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 months of June 2024 and the planned activities for July 2024.

#### **Recommendation**

That Council receives and notes the major works undertaken in June 2024 and the scheduled works for the following month.

## **Council Resolution**

That Council receives and notes the major works undertaken in June 2024 and the scheduled works for the following month.

Moved Cr Rodda, Seconded Cr Crisp

CARRIED UNANIMOUSLY

## 10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

Cr Beaumont requested if the Council street sweeper can operate more ofter in the CBD area due to leaves and debris on the road.

Cr Crisp asked about the position of the ramp at the new jockey room at the Wentworth Showgrounds.

The Director of Roads and Engineering advised he would take the question on notice.

# 11 CONFIDENTIAL BUSINESS – ADJOURNMENT INTO CLOSED SESSION

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

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

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

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

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

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

#### **Recommendation**

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

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

# 12.1 Plant Replacement - Approval for Tenders for Replacement Plant 531 Eleven Cubic Meter Tipping Truck & Plant 771 Twelve Meter Dog Tipping Trailer - VR2324/531&771. (RPT/24/337)

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

#### 12.2 Dareton Sewer Pump Station No.2 Upgrade - PT2324/21. (RPT/24/339)

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 Rose Street Stormwater - PT2324/10. (RPT/24/338)

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

# 12.4 Buronga Riverfront Toilet Block Civil and Electrical Works - PT2324/20. (RPT/24/340)

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.

## 12.5 Disposal of Council Chambers and Library to Murray House. (RPT/24/396)

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) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. 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.

#### 12.6 Fibre Optic Symphonic Orchestra (FOSO) Funding. (RPT/24/345)

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) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. 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.

#### **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 Crisp, Seconded Cr Rodda

CARRIED UNANIMOUSLY

#### 12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

12.1 PLANT REPLACEMENT - APPROVAL FOR TENDERS FOR REPLACEMENT PLANT 531 ELEVEN CUBIC METER TIPPING TRUCK & PLANT 771 TWELVE METER DOG TIPPING TRAILER - VR2324/531&771

File Number: RPT/24/337

Responsible Officer: Jarrod Roberts - Manager Works

Responsible Division: Roads and Engineering

Reporting Officer: Samantha Wall - Projects Administration

Objective: 3.0 Wentworth Shire is a community that works to enhance and

protect its physical and natural environment

Strategy: 3.4 Use and manage our resources wisely

#### 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 accepted the tender from Johnsons Truck & Coach Services for the supply of one UD Quon GW 26460 for the sum of \$330,000.00 inc GST, and one YLZ Tri Dog Tipper for the sum of \$140,000.00 inc GST and accepted the trade in prices of \$70,000.00 inc GST for the Council owned 2016 Isuzu Truck, Registration: CI05AN, & \$20,000 inc GST for the Council owned 2016 Hercules Dog Tipper, Registration: TB90TE, with a changeover price of \$380,000.00 inc GST

#### 12.2 DARETON SEWER PUMP STATION NO.2 UPGRADE - PT2324/21

File Number: RPT/24/339

Responsible Officer: Jarrod Roberts - Manager Works

Responsible Division: Roads and Engineering

Reporting Officer: Scott Barnes - Manager Engineering Services

Objective: 3.0 Wentworth Shire is a community that works to enhance and

protect its physical and natural environment

Strategy: 3.2 Ensure that community assets and public infrastructure are

well maintained

#### 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 2021, Section 178(1) (a) accepted the tender from Waters Excavations Pty Ltd, and subsequently authorised the Mayor and General Manager to sign the contract documentation and affix the seal for the recommended contract documentation and affix the seal for the recommended contractor to carry out all works specified for PT2324/21 for \$389,643.77 (GST inc).

#### 12.3 ROSE STREET STORMWATER - PT2324/10

File Number: RPT/24/338

Responsible Officer: Jarrod Roberts - Manager Works

Responsible Division: Roads and Engineering

Reporting Officer: Scott Barnes - Manager Engineering Services

Objective: 3.0 Wentworth Shire is a community that works to enhance and

protect its physical and natural environment

Strategy: 3.2 Ensure that community assets and public infrastructure are

well maintained

#### 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 2021, Section 178(1) (a) accepted the tender from Capogreco Excavations Pty Ltd, and subsequently authorised the Mayor and General Manager to sign the contract documentation and affix the seal for the recommended contractor to carry out all works specified for PT2324/10 for \$233,422.00 (GST inc).

# 12.4 BURONGA RIVERFRONT TOILET BLOCK CIVIL AND ELECTRICAL WORKS - PT2324/20

File Number: RPT/24/340

Responsible Officer: Jarrod Roberts - Manager Works

Responsible Division: Roads and Engineering

Reporting Officer: Scott Barnes - Manager Engineering Services

Objective: 3.0 Wentworth Shire is a community that works to enhance and

protect its physical and natural environment

Strategy: 3.2 Ensure that community assets and public infrastructure are

well maintained

#### 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 2021, Section 178(1) (a) accepted the tender from Capogreco Excavations, and subsequently authorize the Mayor and General Manager to sign the contract documentation affix the seal for the recommended contractor to carry out all works specified for PT2324/20 for \$418,686.40 (GST inc) and that Council allocates an amount of \$530,000 (GST Inc) from the Wentworth Shire Council General Fund Reserves towards the Buronga Riverfront Toilet Block Project.

#### 12.5 DISPOSAL OF COUNCIL CHAMBERS AND LIBRARY TO MURRAY HOUSE

File Number: RPT/24/396

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

Reporting Officer: Gayle Marsden - Executive Assistant

Objective: 2.0 Wentworth Shire is a great place to live

Strategy: 2.2 Work together to solve a range of social and health issues

that impact community wellbeing and vulnerable people

#### 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) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. 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.

That General Manager advised that Council accepted the request from the Murray House Board to pay a \$50,000 refundable deposit as well as allowing an extension of time until January 2025 to finalise the purchase.

#### 12.6 FIBRE OPTIC SYMPHONIC ORCHESTRA (FOSO) FUNDING

File Number: RPT/24/345

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

Objective: 1.0 Wentworth Shire is a vibrant, growing and thriving Region Strategy: 1.2 Promote the Wentworth Region as a desirable visitor and

tourism destination

#### 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) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. 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.

The General Manager advised that Council approved up to \$2,750,000 in capital works upgrades to the Log Bridge Road site and approved the following loan parameters between Wentworth Shire Council and Mildura Tourism and Economic Development Ltd (known as Mildura Regional Development) for the establishment of FOSO project funding. Council approved financing of a loan of up to \$550,000 to Mildura Regional Development to be paid out by 28 February 2031 with no additional fees for early repayment of loan and the ability to pay larger repayment amounts when possible. The first payment is due February 2026. Interest rates are to be determined in line with New South Wales Treasury Corporation's fixed interest rates and have the ability to switch between interest-only, and principal and interest repayments. An Annual review of interest rates as at 31 December to set rates for the following 12 months in accordance with current economic conditions. Council also will seek an appropriate level of security guarantee from Mildura Rural City Council. Council approved the loan being conditional upon Wentworth Shire Council negotiating a service level agreement with Mildura Regional Development for the use of economic benefits achieved from the project for the benefit of both Local Government Areas.

# 13 CONCLUSION OF THE MEETING

The meeting closed at 9:15PM.

# **NEXT MEETING**

14 August 2024

CHAIR

#### **6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS**

#### 6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/24/523

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

Reporting Officer: Hannah Nicholas - Business Support Officer

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

**Summary** 

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

#### **Officer Recommendation**

That Council receives and notes the list of outstanding matters as at 6 August 2024.

#### **Attachments**

1. Outstanding actions as at 6 August 2024 U.

# 7 MAYORAL AND COUNCILLOR REPORTS

#### 7.1 MAYORAL REPORT

File Number: RPT/24/522

#### **Summary**

The purpose of this report is to advise Council of meetings, conferences and appointments undertaken by Mayor Linklater for the period of 18 July 2024 – 14 August 2024.

### **Recommendation**

That Council receives and notes the information contained in the Mayoral report

#### Report

The following table lists the meetings attended by Mayor Linklater for the period of 18 July 2024 – 14 August 2024.

Date	Meeting	Location
18 Jul 2024	Opening of 2024 National Australian Blind Bowlers Association	Dareton
23 Jul 2024	Mayoral Meeting	Wentworth
23 Jul 2024	Presentation for Bill Wheeldon at Pioneer Homes	Wentworth
24 Jul 2024	2024 National Australian Blind Bowlers Association Medal Presentation	Dareton
25 Jul 2024	Wentworth Tourism & Events Strategy - Councillor Session	Wentworth
4 Aug 2024	Mildura Rural City Council Tourism Event	Mildura
6 Aug 2024	Mayoral Meeting	Wentworth
8 Aug 2024	Meeting with The Hon. Bob Nanva MLC	Sydney
9 Aug 2024	Country Mayors Association – August Meeting	Sydney
9 Aug 2024	Meeting with The Hon. Stephen Kamper MP	Sydney
12 Aug 2024	Tristate Student Muster Opening Event	Mildura
13 Aug 2024	Mayoral Meeting	Wentworth
13 Aug 2024	Region 4 MDA Ordinary Meeting	Video Conference
14 Aug 2024	Pre Meeting Briefing	Wentworth
14 Aug 2024	Ordinary Council Meeting	Wentworth

#### **Attachments**

Nil

#### 8 REPORTS FROM COMMITTEES

#### 8.1 HERITAGE AND HISTORY ADVISORY COMMITTEE - 24 JULY 2024

File Number: RPT/24/537

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

Reporting Officer: Hannah Nicholas - Business Support Officer

Objective: 2.0 Wentworth Shire is a great place to live

Strategy: 2.5 To have a strong sense of place

#### Summary

A meeting of the Heritage and History Advisory Committee was held on 24 July 2024 and the Minutes of the meeting are attached to this report for the information of Councillors.

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

- Endorse Cr Nichols as Chair for the Wentworth Heritage and History Advisory Committee until after the upcoming NSW Local Government Elections
- Apply to Heritage NSW to have PS Ruby registered as a State Heritage Item
- Investigate funding opportunities to support the future preservation of the PS Ruby.

#### Officer Recommendation

That Council:

- a) Receives and notes the minutes of the Heritage and History Advisory group for the 24 July 2024 meeting
- b) Endorse Cr Nichols as Chair for the Wentworth Heritage and History Advisory Committee until after the upcoming NSW Local Government Elections
- c) Apply to Heritage NSW to have PS Ruby registered as a State Heritage Item
- d) Investigate funding opportunities to support the future preservation of the PS Ruby.

#### **Attachments**

Heritage and History Advisory Committee Minutes 24 July 2024



24 JULY 2024

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24 JULY 2024

# 1 OPENING OF MEETING

The Meeting opened at 5:30pm

#### 2 PRESENT

#### **MEMBERS**

Greg Harrison Nikita Vanderbyl Robert Hannaford Tony Bruce-Mullins Cr Susan Nichols Cr Brian Beaumont

#### STAFF (non-voting members)

Ken Ross (General Manager) George Kenende (Acting Director Health and Planning) Hannah Nicholas (Business Support Officer)

#### 3 APOLOGIES

Cr Jane MacAllister and Russell James.

#### **Committee Resolution**

That the Committee notes the apologies.

Moved Cr. Nichols, Seconded T Bruce-Mullins

**CARRIED UNANIMOUSLY** 

4 DECLARATIONS OF PECUNIARY INTEREST AND CONFLICTS OF INTEREST

Nil

5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

Nil

**6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS** 

Nil

#### 7 REPORTS

#### 7.1 HERITAGE AND HISTORY ADVISORY COMMITTEE CHARTER

File Number: RPT/24/333

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Report Author: George Kenende - Acting Director Health & Planning

#### **Summary**

Wentworth Shire Council has established a Heritage and History Advisory Committee, with this being the inaugural meeting of the committee. The Charter sets out the Committee's objectives, authority, composition, roles and responsibilities, reporting and administrative arrangements.

#### Recommendation

The Committee reviews and notes the report and attached charter.

#### **Committee Resolution**

That the Committee reviews and notes the report and attached charter.

Moved Cr Beaumont, Seconded N Vanderbyl

**CARRIED UNANIMOUSLY** 

# 7.2 ELECTION OF THE CHAIR AND DEPUTY CHAIR OF THE HERITAGE AND HISTORY ADVISORY COMMITTEE

File Number: RPT/24/334

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Report Author: George Kenende - Acting Director Health & Planning

#### **Summary**

As per the previous item relative to the Charter of this committee the Wentworth Heritage and History Advisory Committee is required to elect a Chair to preside over the meetings of the committee. In the chairs absence a Deputy Chair will preside over the meetings.

#### **Recommendation**

That the committee elects a Chair and Deputy Chair from the Councillor representatives for the Wentworth History and Heritage Advisory Committee by nominations from the floor and a show of hands.

#### **Committee Resolution**

That the committee elects Cr Nichols as the Chair for the Wentworth History and Heritage Advisory Committee until after the upcoming NSW Local Government Elections.

#### Moved G Harrison, Seconded R Hannaford

#### **CARRIED UNANIMOUSLY**

Nominations were called from the floor Cr Beaumont nominated himself. Cr Nichols nominated herself as Councillor Beaumont was the alternate Council delegate for the Committee and she is the Council delegate. It was decided Cr Nichols would chair the meeting as the Council delegate to the committee.

#### 7.3 PS RUBY

File Number: RPT/24/382

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: 2.1 Grow visitation to the Shire by developing a quality visitor

experience and promoting our destination

#### **Summary**

This report was presented to an Advisory Meeting of Wentworth Shire Council in July 2023.

PS RUBY is iconic to the Port of Wentworth theme which has been part of our visitor attraction strategy for quite some time. PS Ruby has in recent time been sitting idle and in doing so still has cost implications to Council.

#### **Recommendation**

The Committee recommends that Council:

- a) Apply to Heritage NSW to have PS Ruby registered as a State Heritage Item
- b) Investigate funding opportunities to support the future preservation of the PS Ruby.

#### **Committee Resolution**

The Committee recommends that Council:

- a) Apply to Heritage NSW to have PS Ruby registered as a State Heritage Item
- b) Investigate funding opportunities to support the future preservation of the PS Ruby.

Moved G Harrison, Seconded R Hannaford

**CARRIED UNANIMOUSLY** 

#### 7.4 MATTERS RAISED FOR DISCUSSION

File Number: RPT/24/335

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Report Author: George Kenende - Acting Director Health & Planning

#### **Summary**

This report is for the purpose of having the committee members identify future items for consideration. It should be recognised that this committee is newly formed and the members should raise awareness to what items they identify to be considered at future meetings, giving the officers the opportunity to provide detail and reports.

#### Recommendation

The Committee notes the report and raises items for future consideration, subject to Council allocation of resources.

#### **Committee Resolution**

The Committee notes the report and raises items for future consideration, subject to Council allocation of resources.

Moved G Harrison, Seconded T Bruce-Mullins

**CARRIED UNANIMOUSLY** 

#### 7.5 LIST OF HERITAGE ITEMS

Cr Brian Beaumont requested a list of the local and state Heritage Items be provided to Committee members.

Heritage Items list has been provided to Committee.

#### 7.6 TOUR OF HERITAGE SITES

Greg Harrison requested a tour of local Heritage sites for the Committee members.

# 7.7 REVIEW OF EXISTING HERITAGE SITES IN THE WENTWORTH LOCAL ENVIRONMENTAL PLAN

In conjunction with 7.5 above, Nikita Vanderbyl requested a review of existing Heritage sites listed in the Wentworth Local Environmental Plan.

# 7.8 NOMINATING ADDITIONAL SITES OF ABORIGINAL SIGNIFICANCE AND PROVIDE A REGISTER OF SIGNIFICANT TREES VIA THE NATIONAL TRUST

Nikita Vanderbyl requested consideration of sites of aboriginal significance be added to Schedule 5 of the Wentworth Local Environmental Plan and a review of National Trust Items for the inclusion of significant trees.

24 JULY 2024

## 8 ACTIONS

Committee to meet bimonthly.

# 9 NEXT MEETING

Late October or early November (Date TBC).

## 10 CLOSURE

The meeting was declared closed at 6:53pm.

#### 9 REPORTS TO COUNCIL

#### 9.1 GENERAL MANAGERS REPORT

File Number: RPT/24/513

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

Reporting Officer: Hannah Nicholas - Business Support Officer

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic

leadership with all activities conducted in an open,

transparent and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

#### Summary

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

#### 1. OLG Circulars

Circular 24-13.

#### Meetings

As listed.

#### 3. Upcoming meetings or events

As listed.

#### 4. Other items of note

Nil.

#### Recommendation

That Council receive and note the information contained within the report from the General Manager.

#### **Detailed Report**

#### 1. Circulars

#### Circular 24-13 - Annual reporting of Labour Statistics

14 February 2024 has been chosen as the "relevant day" for councils to report on their labour statistics in their annual reports under section 217 of the Local Government (General) Regulation 2021 (the Regulation).

#### **Key points**

- The "relevant day" is for the purpose of reporting labour statistics under section 217 of the Regulation and is required to be fixed by the Secretary of the Department of Planning, Housing and Infrastructure after the end of each financial year. This date is to be a different day to the one fixed by the Secretary for the previous year.
- This information assists in the compilation of labour force data across the sector, including understanding the numbers of apprentices and trainees.
- The data will also assist in developing programs to deliver on the Government's election commitment of increasing the numbers of apprentices and trainees.

#### 2. Meetings

Following is a list of meetings or events attended by the General Manager for the period of 18 July 2024 – 14 August 2024.

Date	Meeting	Location
18 Jul 2024	Waste Meeting with Mildura Rural City Council	Mildura
19 Jul 2024	RAMJO - General Managers	Video Conference
23 Jul 2024	Mayoral Meeting	Wentworth
24 Jul 2024	Heritage and History Advisory Committee	Wentworth
25 Jul 2024	Wentworth Tourism & Events Strategy - Councillor Session	Wentworth
31 Jul 2024	Lightstate & FOSO meeting	Mildura
1 Aug 2024	Land Acquisition and Compensation Claims - Councillor Session	Wentworth
2 Aug 2024	Designated Area Migration Agreement Meeting	Video Conference
4 Aug 2024	Mildura Rural City Council Tourism Event	Mildura
5 Aug 2024	Bruce Munro meeting	Wentworth
6 Aug 2024	Mayoral Meeting	Wentworth
6 Aug 2024	Lightstate & FOSO meeting	Mildura
7 Aug 2024	Audit, Risk & Improvement Committee	Wentworth
7 Aug 2024	Copi Mineral Sands Project: Meeting with Department of Planning, Housing and Infrastructure	Wentworth
8 Aug 2024	Meeting with The Hon. Bob Nanva MLC	Sydney
9 August 2024	Country Mayors Association – August Meeting	Sydney
9 August 2024	Meeting with The Hon. Stephen Kamper MP	Sydney
13 August 2024	Mayoral Meeting	Wentworth
14 August 2024	Local Emergency Management Meeting	Buronga
14 August 2024	Pre Meeting Briefing	Wentworth
14 August 2024	Ordinary Council Meeting	Wentworth

## 3. Events

Following is a list of upcoming events, conferences, or committee meetings, including out of region meetings where the Shire has been requested to attend in an official capacity from 15 August 2024 – 13 September 2024.

Date	Meeting	Proposed Attendees	Location
15 Aug 2024	Department of Planning, Housing and Infrastructure Workshop: Compulsory Acquisitions by Councils	Mayor Linklater and General Manager	Broken Hill
16 Aug 2024	RAMJO Board Meeting	Mayor Linklater and General	Video Conference

		Manager	
18 Aug 2024	50 years Celebration Feast of St Rocco	Cr Crisp	Buronga
26 Aug 2024	EnergyConnect Project Update Meeting	Mayor Linklater and General Manager	Wentworth
27 Aug 2024	Regional Emergency Management Committee	General Manager	Broken Hill
28 Aug 2024	Renewable Energy Zones Meeting	General Manager	Hay
28 Aug 2024	EnergyCo and South West REZ LGA Roundtable	General Manager	Нау
2 Sept 2024	Wentworth Regional Tourism Inc Meeting	Cr Rodda	Dareton
4 Sept 2024	Full Zone Meeting: Public Libraries NSW	Cr Nichols	Video Conference
6 Sept 2024	Project Control Group LightState FOSO	General Manager	Wentworth

#### 4. Other Items of Note

#### **Tourism Report**

#### **Tourism + Events Strategy**

The updated draft copy of the Wentworth Region Tourism & Events Strategy 2024-2029 will be presented to Council during this meeting, inclusive of the changes suggested at the recent Councillors workshop. If endorsed by Council, community consultation will take place for 28 days.

#### Signage Audit

A full signage audit has been allowed for within this financial years budget. Quotes have been received through the appropriate procurement process and Wayfound was selected as the successful business. The owner of Wayfound visited the Shire during July and conducted the signage audit. The signage audit will form part of a strategy for Wentworth Shire Council, to recognise where way-finding signage needs to be introduced, which signage needs to be replaced and where signage can be re-branded into the new corporate or tourism branding.

#### **Wentworth Visitors Centre Opening**

With the opening of the new Visitors Centre fast approaching, discussions on how the project will be opened have been taking place. With a date yet to be confirmed, the tourism & events team have been seeking feedback from other Councils on how to best conduct the event. Current ideas include a mid-morning official opening followed by a lunch and a community open day, inclusive of demonstrations and activities.

#### **Event Funding Policy & Guidelines**

A proposed draft Event Funding Policy & Procedure has been put together and is currently sitting with the procurement team for evaluation and further discussion. This has been put together to encourage local organisations, groups, and individuals to apply for funding to run major or minor events within the Wentworth Shire. It applies to both new events which may take place in the region, as well as providing structure and guidance for existing events who seek yearly funding.

#### **Welcome to Buronga Mural**

After receiving feedback from a visitor, an area which features the old bridge structure at the Buronga Riverfront area has been identified as the perfect place for a 'Welcome to Buronga' mural. Early discussions have taken place with a local artist to produce this.

## **Attachments**

1. Circular 24-13.

Item 9.1 - Attachment 1 Circular 24-13

# Department of Planning, Housing and Infrastructure Office of Local Government



# **Circular to Councils**

Subject/title	Annual Reporting of Labour Statistics
Circular Details	Circular No 24-13/ 23 July 2024/ A907664
Previous Circular	23-08 Annual Reporting of Labour Statistics
Who should read this	Councillors / General Managers / Human Resources
Contact	Council Governance Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Council to Implement

## What's new or changing?

 Wednesday, 14 February 2024 has been chosen as the "relevant day" for councils to report on their labour statistics in their annual reports under section 217 of the Local Government (General) Regulation 2021 (the Regulation).

#### What will this mean for council?

- In their 2023/24 annual reports, councils must publish a statement of the total number of persons who performed paid work for them on Wednesday, 14 February 2024 including, in separate statements, the total number of the following:
  - o the number of persons directly employed by the council:
    - on a permanent full-time basis
    - on a permanent part-time basis
    - on a casual basis
    - under a fixed-term contract
  - the number of persons employed by the council who are "senior staff" for the purposes of the *Local Government Act* 1993
  - the number of persons engaged by the council, under a contract or other arrangement with the person's employer, that is wholly or principally for the labour of the person

T 02 4428 4100 TTY 02 4428 4209, E olg@olg.nsw.gov.au Locked Bag 3015 NOWRA NSW 2541 www.olg.nsw.gov.au

Item 9.1 - Attachment 1 Circular 24-13



o the number of persons supplied to the council, under a contract or other arrangement with the person's employer, as an apprentice or trainee.

#### **Key points**

- The "relevant day" for the purpose of reporting labour statistics under section 217 of the Regulation is required to be fixed by the Secretary of the Department of Planning, Housing and Infrastructure after the end of each financial year. This date is to be a different day to the one fixed by the Secretary for the previous year.
- This information assists in the compilation of labour force data across the sector, including understanding the numbers of apprentices and trainees.
- The data will also assist in developing programs to deliver on the Government's election commitment of increasing the numbers of apprentices and trainees.

## Where to go for further information

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

Brett Whitworth
Deputy Secretary
Office of Local Government

Circular to Councils

#### 9.2 UNION PICNIC DAY

File Number: RPT/24/384

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

Reporting Officer: Glen Norris - Manager Human Resources

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.3 An effective and efficient organisation

#### **Summary**

Union Picnic Day is an entitlement under the Local Government (State) Award for employees who are financial members of Union(s) only. Council is required to determine which day shall be regarded as the Union Picnic Day and the arrangements for the non-union members on the determined Union Picnic Day.

#### Recommendation

That Council:

- a) Approves Tuesday 5 November 2024 as the Award holiday known as Union Picnic Day for those employees who are financial members of the United Services Union
- b) Authorise the closure of Council Offices, Council Depots, Libraries, Landfills and Visitor Information Centre
- c) Requires Non-union members to apply for 5 November 2024 from leave entitlements to enable the above arrangements

#### **Detailed Report**

#### **Purpose**

The purpose of this report is to inform Council of the provisions under the Award to enable a resolution of Council to be made regarding the Union Picnic Day.

#### Background

Under section 22B of the Local Government (State) Award 2023:

- i. Union Picnic Day shall for the purposes of this Award be regarded as a holiday for employees who are financial members of the union(s). The Union Picnic Day shall be on such day as is agreed between the employer and the union(s).
- ii. The union(s) shall advise the employer of financial members as at the time of the Union Picnic Day. Such advice must be given at least two weeks prior to the Union Picnic Day.
- iii. Employees who are not financial members of the union(s) and who are required to work on Union Picnic Day, shall be paid ordinary pay for their normal working day.
- iv. Employees who are not financial members of the union(s) and who are not required to work on Union Picnic Day, may apply to the employer to take annual leave, long service leave, time off in lieu of overtime, leave without pay, such other leave as may be approved by the employer, or may be required by the employer to make up time.

Council is requested to make a determination about which day is granted as the Union Picnic Day. Historically, Melbourne Cup Day has been the nominated day to fall in line with the Victorian Public Holiday and the Wentworth Races.

The United Services Union have respectfully requested that Council abide by Clause 22B of the Local Government (State) Award 2023 and ask Council to require non-union members to apply for leave if they wish to have the Union Picnic Day off. This effectively leaves areas of work under resourced and accordingly the previous arrangements have been to close the offices, depot libraries, landfills and Visitor Information Centre with those non-members of a Union being requested to take leave on that day.

#### Matters under consideration

As required by the Award, the Union is to advise management of the staff who are entitled this day. This will equate to 33 staff having the day off in accordance with the award. Up until and including 2022, the Council of the day resolved to endorse the Union Picnic Day on Melbourne Cup day and additionally grant a free good will day to all non-members. This was not accepted by the United Services Union due to the union members not having their entitlement respected. This inadvertently led to a good will Melbourne Cup Day Holiday being granted in accordance with the resolution of Council to all staff and an additional day granted separately to the Union Members

#### Conclusion

Union members have traditionally nominated Melbourne Cup Day as the preferred day for Union Picnic Day. All non-members of a Union have previously been requested to take leave on that day due to Council being under resourced with 33 staff having the Union Picnic Day off. As such the office, depot, libraries, landfills and Visitor Information Centre have been closed on that day. This report provides the opportunity for Council to consider its position on this matter.

#### **Attachments**

Nil

#### 9.3 CHRISTMAS LEAVE ARRANGEMENTS

File Number: RPT/24/385

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

Reporting Officer: Glen Norris - Manager Human Resources

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.3 An effective and efficient organisation

#### **Summary**

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

#### Recommendation

That Council approves the Christmas and New Year holiday arrangements.

#### **Detailed Report**

#### **Purpose**

Christmas Day in 2024 falls on a Wednesday, as does New Year's Day 2025.

The approved public holidays for 2024/25 Christmas/New Year period are Wednesday 25 December 2024, Thursday 26 December 2024 and Wednesday 1 January 2025.

It is proposed that the Christmas close-down occurs at the close of business on Friday 20 December 2024 with Council Libraries, Main Office and Midway Centre to re-open on Monday 30 December 2024. The detailed list of arrangements is on the following table.

Council Area	
Main Administration Office, Midway Service Centre, Council Libraries and Workshop	<ul> <li>Closed from close of business Friday 20 December 2024.</li> <li>Re-open Monday 30 December 2024.</li> <li>Closed Wednesday 1 January 2025.</li> <li>Normal operating hours from Thursday 2 January 2025.</li> </ul>
Visitor Information Centre	<ul> <li>Closed Wednesday 25 December and Thursday 26 December 2024.</li> <li>Normal operating hours between public holidays.</li> <li>Closed Wednesday 1 January 2025.</li> <li>Normal operating hours from Thursday 2 January 2025.</li> </ul>
Council Landfill sites	<ul> <li>Closed Wednesday 25 December 2024, Thursday 26 December 2024 and Wednesday 1 January 2025.</li> </ul>
Depot Store	<ul> <li>Closed Wednesday 25 December 2024, Thursday 26 December 2024 and Wednesday 1 January 2025.</li> </ul>

In addition to the above mentioned arrangements, Council's roads team traditionally have annual leave in the month of January.

Alternate arrangements are made for any staff member that does not have sufficient leave to cover these holiday arrangements.

# **Attachments**

Nil

#### 9.4 DRAFT WENTWORTH REGION TOURISM & EVENTS STRATEGY 2024-2029

File Number: RPT/24/524

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

Reporting Officer: Lexi Stockman - Manager Tourism and Promotion

Objective: 1.0 Wentworth Shire is a vibrant, growing and thriving Region Strategy: 1.2 Promote the Wentworth Region as a desirable visitor and

tourism destination

#### **Summary**

The draft Wentworth Region Tourism & Events Strategy 2024-2029 has been developed after it was identified that Wentworth Shire Council does not currently have an updated Tourism & Events Strategy, with the last strategy completed in 2012.

The draft Wentworth Region Tourism & Events Strategy 2024-2029 provides a framework to provide direction and consistency to all organisations and businesses within the tourism sector. The strategy includes a high-level plan that identifies the challenges currently faced within the local tourism industry as well as the main priorities and aspirations for the future, and how to achieve these goals.

The draft Wentworth Region Tourism & Event Strategy 2024-2029 was presented at the 26 June Council meeting. It was requested that a Councillors workshop was to be held with Customer Frame for Councillors to review and discuss the strategy in more detail before community consultation commenced. The workshop was held on Thursday 25 July with Customer Frame and subsequently, the requested changes discussed have been made.

#### **Recommendation**

That Council endorses the updated draft *Wentworth Region Tourism & Events Strategy* 2024-2029 for community consultation for 28 days.

#### **Detailed Report**

#### **Purpose**

The purpose of this report is for Council to consider the updated draft *Wentworth Region Tourism & Events Strategy 2024-2029* produced by Customer Frame in conjunction with Wentworth Shire Council staff and endorse it for community consultation,

#### Background

Council staff have been working with Customer Frame, the consultants who were successful in the panel review completed in November 2023. The completed draft was presented to Council at the 26 June Council meeting and subsequently, it was requested by Councillors, that a workshop be held to discuss and review the draft strategy before going to community consultation.

#### Report Detail

At the workshop, several changes to the strategy were suggested by Councillors. These changes were mostly within the Action Plan, in regard to responsibilities for completing the KPI's listed for each initiative.

All changes have been reflected within the updated draft strategy, except for one suggestion. The suggestion to change the wording to 'Wentworth Shire' when discussing Wentworth as a region, rather than a town, remains as 'Wentworth region'. It was acknowledged that 'Wentworth Shire' is a Council LGA related term, rather than a tourism term. All parts of the

strategy which acknowledge Wentworth as a region have been modified to say 'Wentworth region'.

#### Conclusion

In conclusion, the updated draft of the *Wentworth Region Tourism & Events Strategy 2024-2029* should be endorsed for community consultation, to move toward the finalisation and implementation of the strategy within this financial year. Endorsing the new strategy will create consistency, work towards overcoming the current challenges faced and improve processes within the tourism sector.

#### **Attachments**

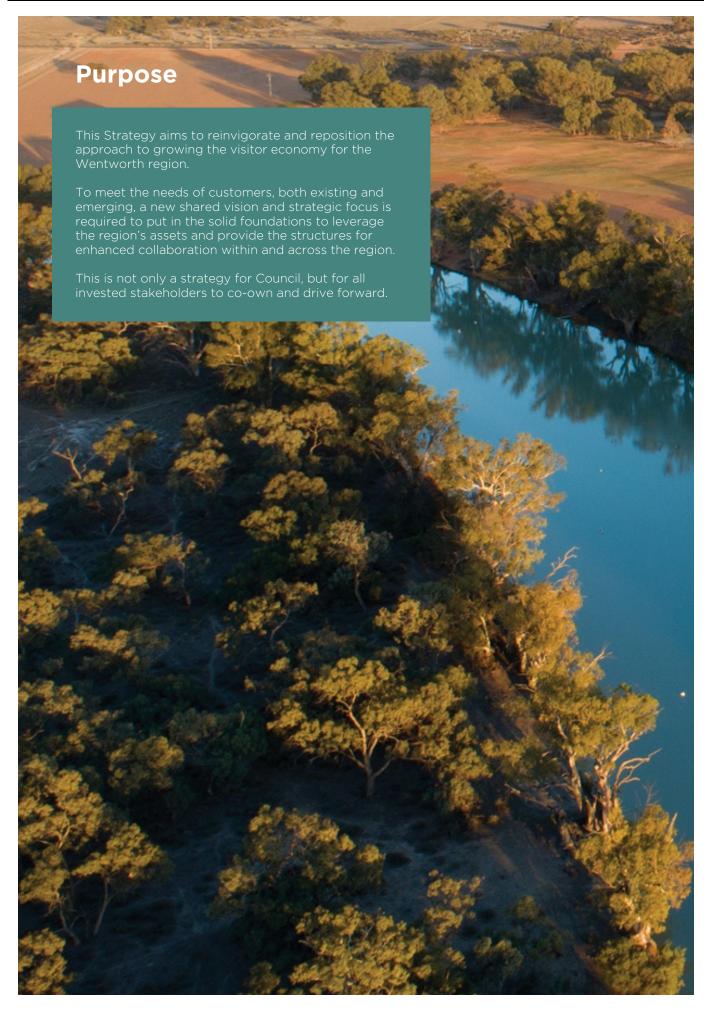
Draft Wentworth Region Tourism & Events Strategy 2029



# Wentworth Region Tourism & Events Strategy 2029

**JULY 2024** 





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WENTWORTH, WENTWORTH REGION & LOCAL GOVERNMENT AREA (LGA)

Any reference to 'Wentworth' or 'Wentworth region' throughout this document represents all towns within the Wentworth Shire LGA, unless otherwise specified.

# IMAGE CREDIT

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C ¬

# Introduction

This Tourism and Events Strategy is designed to unlock and elevate the unique charm and allure of the Wentworth region, enticing visitors to explore its hidden treasures and participate in exciting events.

Through strategic partnerships, focused actions and innovative initiatives, this strategy seeks to position the Wentworth region as a must-visit destination, fostering sustainable tourism growth while preserving the region's authenticity and charm.

# **Background**

### **ABOUT THE REGION**

The Wentworth region in New South Wales, Australia, is a captivating blend of history, natural beauty, and vibrant community life. Situated at the confluence of the Murray and Darling Rivers, the Wentworth region offers a unique glimpse into Australia's pioneering past while embracing modern amenities and recreational opportunities.



At its heart lies the town of Wentworth, a charming settlement with a rich heritage dating back to the mid-19th century. Named after the colonial explorer and politician William Charles Wentworth, the town boasts well-preserved historic buildings, including the iconic Old Wentworth Gaol, which once housed convicts and now serves as a museum detailing the area's convict history.

The region's natural splendour is evident in its vast landscapes, characterised by sweeping riverbanks, lush wetlands, and expansive national parks. The junction of the Murray and Darling Rivers forms a picturesque backdrop for outdoor activities such as boating, fishing, and birdwatching.

The nearby Perry Sandhills, a striking expanse of sand dunes resembling a desert oasis, offers further opportunities for exploration and photography.

The Wentworth region's agricultural sector plays a vital role in the region's economy, with citrus orchards, vineyards, and pastoral land dotting the countryside. Visitors can sample locally grown produce or indulge in fine wines at cellar doors scattered throughout the area. Cultural events and festivals add vibrancy to the Wentworth region's community spirit, with annual celebrations like the Wentworth Show showcasing the region's agricultural prowess and fostering a sense of camaraderie among residents and visitors alike.

In addition to its historical and natural attractions, the Wentworth region serves as a gateway to the iconic Outback, with nearby attractions including World Heritage-listed Mungo National Park.

Whether exploring its storied past, immersing oneself in its natural wonders, or simply enjoying the warmth of its community, the Wentworth region offers a memorable experience that captures the essence of rural Australia.

∟ F

# THE APPROACH TO STRATEGY DEVELOPMENT

Collaboration has been central to the development of the Tourism & Events Strategy for the region. Through an intentional process of key stakeholder engagement, the approach has included elements to engage both widely across the stakeholder landscape, then focusing in on key areas with relevant parties to explore the nuances.

Each part of the strategy development process included representatives from:

- Wentworth Shire Council (WSC)
- Wentworth Regional Tourism Incorporated (WRTI)
- Mildura Rural City Council (MRCC)
- Murray Regional Tourism (MRT)
- Destination Riverina Murray (DRM)
- Local tourism operators across accommodation, hospitality, experiential, arts and cultural providers

A list of those involved are included in the Thank you and Acknowledgement section on page 22.



The key steps of strategy development have included:

- An expert review of existing strategies, plans and documents relevant to the region
- An input survey was shared with the entire region, live in field from 31 January 2024 to 14
  February 2024, with the results heuristically analysed to reveal sentiment, key themes and
  needs for the strategy to address
- An industry input workshop, conducted in region with relevant representatives from across the stakeholder community, held on 12 March 2024 in Coomealla.
- An action workshop, building on the foundations of the strategy, conducted virtually to enhance reach, engagement, input and buy-in to the strategic actions required to make the vision and strategy a reality.

# **REVIEW OF RELATED STRATEGIES & DOCUMENTS**

In developing the new Tourism & Events Strategy to support the growth of the Wentworth region visitor economy, the following documents were reviewed and are considered central to the main 'library' for reference and input:

- Wentworth region VIC statistics
- National Visitor Survey & Regional Expenditure Model, TRA (09/23)
- Mildura Region Events Strategy (2020)
- Murray Region Visitor Servicing Strategy (2019)
- Murray Region Visitor Servicing Transformation Blueprint (2019)
- Murray Region Customer Journey Map (2019)

These documents are available from their relevant source publisher.

As the primary author and architect of the visitor servicing and tourism transformation work across the Murray region, the Customer Frame team also brought subject matter knowledge and expertise to enrich the width and depth of thinking.



# STAKEHOLDER PERCEPTIONS & INPUT SURVEY

Open to all industry delegates across a range of operations and geographies, the input survey was designed to understand the perceptions of where we are today, what's holding the region back in terms of growing the visitor economy and where to focus effort in the future.

# Key points:

- In field from 31 January 2024 to 14 February 2024
- 36 responses
- Range of perspectives from Council, tourism organisations and operators (accommodation, attractions, food and beverage, events), non-tourism businesses and Visitor centre team
- Covered the challenges, strengths, weaknesses, perceptions of current approach and insights into where the issues are and where to focus next
- Responses gave insight into the some of the specific internal and external strategic gaps facing the region.

The survey outcomes indicated a range of consistent issues, both common to other regions as well as some specific challenges within the Wentworth region.

The outcomes from the survey provided a solid foundation for robust discussions in the subsequent interactive 'input' and 'action' workshops.

### STRATEGY INPUT WORKSHOP

The strategy input workshop was conducted on 12 March 2024, with a range of representatives across industry and the region.

The input workshop focused on setting a clear vision for where stakeholders want tourism and events to be, with a view to gaining a clear alignment and consistency on the overall context and direction.

Set within the context of a common vision, the group of cross-industry representatives explored the four strategic questions that surfaced from the input survey findings.

These outcomes then formed the basis of refining the vision for Wentworth region's tourism and events approach and the shape of the overall strategy.



Strategic questions arising from input survey for input workshop

# STRATEGY ACTION WORKSHOP

This final step of the strategy development process, conducted on 17 April 2024, presented the draft vision, strategy focus and strategic initiatives. Then the stakeholder group worked collaboratively with these to discuss the implications and actions required to close the gap between strategy and reality.

The outcomes of the action workshop formed the basis for the implementation actions that form a part of this strategy.



# **Challenges & strategic considerations**

Whilst there is a level of positive sentiment towards the existing approach, throughout the strategy process a range of issues were raised by stakeholders.

These included perceptions of:

- No shared and clear customer value proposition for the region
- Lack of shared understanding of what the whole region offers
- Limited resources / structures in place to share knowledge
- No clear target customer groups (scattered)
- Special interest tourism is an opportunity for the region
- Customer experience is not of a consistent standard across the region
- Limited shared knowledge of what is available to increase referrals
- Some assets in region require investment to become sought after attractions

- Indigenous product is limited and is a big opportunity
- Events are good, but not fully integrated with local businesses
- A need to define Council's role in delivering and fostering events for the region
- Single-product, disconnected experience
- Opportunity for greater impact through multi-region partnerships (Far West etc)
- Limited representation of region with clear CVP at all levels of tourism value chain

In processing the key findings from the survey, the perspectives and views were clustered together to present the following topics to be addressed within the strategy:

- Knowledge knowing what we have internally and externally
- Customers who they are and their needs
- Latent opportunities existing assets and new ones (indigenous)
- Cross-region sharing information, scheduling and consistency
- Joined-up and working together WSC, WRTI, DRM, MRT, MRCC, VIC, Events, Industry and Community
- Variability in service delivery across industry with room for improvement
- Experience product focus, not integrated
- Vision where are heading = not a shared view

Overall, there is a need to create a strong region identity and solid customer foundations to direct industry collaboration and aligned activity.

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# Vision, mission, goals & strategic approach

# **VISION FOR TOURISM & EVENTS**

# "To be the meeting point where people and place come together."

The vision is one of synergy between pristine natural beauty and curated experiences, where every visitor finds their own unforgettable journey. We envision a destination that celebrates its rich history, diverse culture, and stunning landscapes, inviting visitors to immerse themselves in authentic encounters and create lasting memories.

The Wentworth region will own its place as the 'meeting point' within the Darling and Murray River regions, with 'meeting point' grounded in the confluence of Australia's two iconic rivers. Visitors, industry and community will be connected, with each playing their part in delivering a vibrant, sustainable and growing visitor economy.

## **MISSION**

# "To drive economic gains for the region by expanding the visitor economy"

Through our tourism and events activities, we engage with every visitor who considers the Wentworth region with the intent to a valued, long-term relationship - not a one-off transaction - to generate high customer advocacy and drive growth.

# STRATEGIC GOALS

Whilst the vision sets out where we are heading, the following four strategic goals underpin the commercial and cultural impacts that need to be met.

- 1. **Increase visitation** provide more reasons for day-tripper and overnight visitors to choose the Wentworth region
- 2. **Increase visitor spend within the region** enable a greater level of spend through increased engagement by aligning customer needs with region offerings
- 3. **Enhance industry collaboration** improve partnership opportunities and ability to leverage resources through a shared vision, strategy and common working model
- 4. **Improve customer advocacy** ensure more visitors leave with positive sentiment towards the Wentworth region, telling others of their experience to drive greater volume of visitation.

# STRATEGIC APPROACH

The strategic approach is to create a shared foundation, leveraging existing efforts in a more coordinated manner with stakeholders across the region and beyond.

The focus is to build a solid industry foundations that establish the Wentworth region with, and alongside, partnering regions to enhance the overall tourism proposition.

# STRATEGIC APPROACH

- ✓ Get clear on the offering
- ✓ Understand target customers and their needs
- ✓ Engage proactively with industry through partnerships
- Expand industry capability to amplify connection

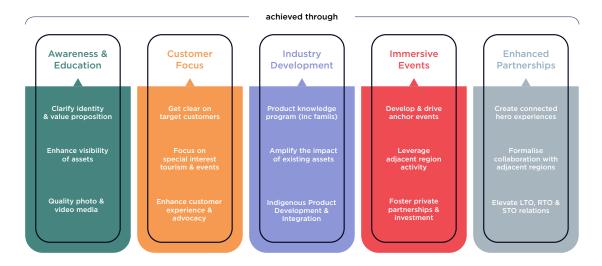


# Realising the vision: Strategy focus for Tourism & Events

To realise the vision, a transformational strategy is required to align existing activities and focus on closing the strategic gaps from where the region is today and where it wants to be in the future. The strategy is focused on five core areas to help invigorate the growth of the visitor economy across the short, medium and long-term.

### **OUR VISION**

To be the meeting point where people and place come together



For success, it requires a new level of thinking using existing resources, whilst providing for targeted and focused investment to fill the gaps that meet customer needs and drive region prosperity. It presents a range of new opportunities, founded in a greater level of industry participation, collaboration and partnership. It is a reinvention of sorts, with each strategy pillar combining to drive collective growth and success.

Specifically, the five strategy areas are focused on:

AWARENESS & EDUCATION	Gain a clear, shared value proposition for the region to own a unique space across the Darling/Murray offerings and have that shared across the region
CUSTOMER FOCUS	Get clear on who our customers are, what they need and improve our connection to drive advocacy
INDUSTRY DEVELOPMENT	Improve industry knowledge and collaboration to create new experiences to meet the needs of customers
IMMERSIVE EVENTS	Elevate existing efforts in using events to drive region awareness, engagement and growth of the visitor economy
ENHANCED PARTNERSHIPS	Extend region impact and awareness through defining and owning its place, using this to raise awareness at greater scale for greater reach

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# 1. Awareness & Education

Gain a clear, shared value proposition for the region to own a unique space across the Darling/Murray offerings and have that shared across the region.

Responding to stakeholder issues of: *No shared and clear customer value proposition for the region; lack of shared understanding of what whole region offers; limited resources / structures in place to share knowledge.* 



# CLARIFY IDENTITY & VALUE PROPOSITION

One of the largest strategic challenges for the region is to be collectively clear on what the region offers and how it is positioned alongside neighbouring regions and the wider tourism landscape across State and National levels.

By investing in a process to define and develop the identity and customer value proposition for the region, the Wentworth region will be able to own a unique position that is valued by customers and take its place within 'family portrait' of the Murray, Darling and Far West regional areas.

By codifying the identity, it helps stakeholders internally and externally to make informed decisions that impact investment choices, co-promotional opportunities with adjacent regions and helps the right customer audiences to find and value the region for what it can provide for them.

As such, a clear identity is the key foundation piece to build from and set the region up for sustainable, long-term success.

# **ENHANCE VISIBILITY OF ASSETS**

The Wentworth region is adorned with a large volume and variety of natural, cultural, indigenous and historical assets, with stakeholders clearly expressing a need to improve the awareness and physical visibility of what is available throughout the region.

Customers are seeking multi-point experiences and will choose a region that is perceived to have 'more to see and do' over another.

By reviewing and doing a 'stocktake' of what is available, and the current level of customer engagement afforded by each experience, it is possible to increase the collective awareness and, in turn, open up new opportunities for connected experiences throughout the region.

### **QUALITY PHOTO & VIDEO MEDIA**

The Wentworth region has some amazing and enticing scenery, with some of the most iconic and unique views to share with the world.

Whilst some resources exist for photo and video media, stakeholders have suggested that there is variability in the quality and consistency of imagery used to promote the visitor economy to intermediaries and customers.

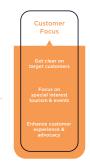
The opportunity is to create a shared library of quality resources that can be curated and added to for use by all stakeholders in promoting the region.

The intent is not to 'lock down' to a select few images that then get repeated, overused and exhausted, but to create a quality library of images that tell the Wentworth region story – the people and the place – that align to the core identity and value proposition.

# 2. Customer Focus

Get clear on who our customers are, what they need and improve our connection to drive advocacy

Responding to stakeholder issues of: *No clear target customer groups (scattered);* special interest tourism is an opportunity for the region; customer experience is not a consistent standard across the region.



# **GET CLEAR ON TARGET CUSTOMERS**

Customers are the backbone of every visitor economy, for without them, there would be no revenue flow. Trying to attract 'everyone' to the region is proven to be ineffective in growing yield and sustainability and requires a targeted approach.

Whilst there are a range of customers currently visiting the region, stakeholders expressed that there are no clear target customer groups that have been defined or shared. As such, it makes alignment and the multiplied effect of collaborative marketing and experiences somewhat limited.

The strategy aims to codify the target customer groups, enabling the region to align efforts to maximise impact and depth of connection, increasing tourism revenue and overall customer advocacy to drive referral visitation.

# FOCUS ON SPECIAL INTEREST TOURISM & EVENTS

Working in harmony alongside the region's offerings, the Wentworth region is well placed to attract and retain the custom of special interest tourism groups. For example, the region is well placed for 'dark sky' tourism offerings, as well as nature, history and indigenous culture.

The strategy seeks to begin this journey of focus by identifying and aligning the region's offerings with the needs of special interest groups.

This focused approach will require a shift in collective and collaborative experience development and marketing, focusing in to reach specific groups through their various associations and membership organisations.

# ENHANCE CUSTOMER EXPERIENCE & ADVOCACY

Customers expect more and have seemingly infinite choice for spending their tourism dollars. No longer is it enough to simply fall back on the features of tourism product – customers are seeking integrated experiences (product and service) that meet and exceed their needs and expectations.

Basic customer service principles are no longer enough. These are a given. The baseline expectation needs to not only be met but exceeded through 'delight moments' for customers. The are moments that are consciously engineered into the whole customer experience to drive satisfaction and advocacy.

It is through intentionally creating these delight moments with customers that leads to improved customer satisfaction, that forms the basis for high levels of customer advocacy for the region and its operators.

The strategy seeks to address this by helping operators understand who their customers are, what they need, and how they can create delight moments to foster advocacy for the region.

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# 3. Industry Development

Improve industry knowledge and collaboration to create new experiences to meet the needs of customers

Responding to stakeholder issues of: Limited knowledge of what is available to increase referrals; some assets in region require investment to become sought after attractions; indigenous product is limited and is a big opportunity.



# PRODUCT KNOWLEDGE PROGRAM (INC FAMILS)

The region has a lot to offer. To create the best experience for visitors, operators need to be armed with the knowledge of the breadth and depth of experiences available to share this with visitors to enhance their experience of the region.

Familiarisation programs (famils) have been a foundation of the tourism industry for many decades, used successfully to elevate the Queensland tourism industry in the 1990s. The need to experience it for yourself is something that reading brochures and informal discussions simply cannot achieve.

By constructing and formalising a knowledge and famil program, the Wentworth region can begin to build a new layer of understanding for the region's offerings, across operators, visitor servicing operations, region marketing and inter-business partnership opportunities. This approach would be initially inward facing, with the key purpose of building a deep knowledge and appreciation within the various stakeholder groups.

External famil programs would be specifically out of scope at this stage and would be seen as a logical progression for inclusion in the next strategy wave.

# AMPLIFY THE IMPACT OF EXISTING ASSETS

In the region, stakeholders suggested that some offerings could be taken from

'good' to 'great' with focused resources and investment.

By improving these 'anchor assets', it is possible to influence the perceived customer experience of that attraction, providing a halo-effect on other operators and the region a whole.

This strategic focus aims to identify those attractions that can be levelled up through a targeted experience development program.

# INDIGENOUS PRODUCT DEVELOPMENT & INTEGRATION

The opportunity to leverage indigenous history across the region is immense. This is a largely untapped, dormant asset for the region, with a range of unique, compelling stories and experiences available to be unlocked and developed.

With Mungo National Park and a variety of natural features, a deep history can be unlocked to bring a new type of visitor to the region, and, to give previous visitors a reason to return.

The primary strategic challenge at this stage is to locate, engage and encourage first nations people to partner on this initiative from across the Wentworth region and adjoining regions.

A product development roadmap can then be developed to bring a new depth of genuine experiences to compliment the region's offerings.



# 4. Immersive Events

Elevate existing efforts in using events to drive region awareness, engagement and growth of the visitor economy

Responding to stakeholder issues of: Events are good, but not fully integrated with local businesses; A need to define Council's role in delivering and fostering events for the region.



# DEVELOP & DRIVE ANCHOR EVENTS

Events play a pivotal role in tourism regions, acting as magnets that draw visitors and revenue. They inject vitality into local economies, driving business for hotels, restaurants, and shops.

Beyond economic impact, events enhance a region's cultural appeal, showcasing its heritage, traditions, and creativity.

Leveraging on the success of existing efforts in this space, the strategy poses to create a series of 'anchor events' that support the region identity and bolster the overall value proposition.

It is proposed that Council will play a critical role in delivering these events, in partnership with local suppliers and businesses. Furthermore, these main events will set the calendar and create space for new investments for complimentary events to flourish.

# LEVERAGE ADJACENT REGION ACTIVITY

As a tourism destination today, the Wentworth region does not have the scale of resources to compete with some other larger competitor destinations.

However, it is well placed to partner with adjacent regions and leverage their activities to economic advantage.

The strategy seeks to create the specific linkages with adjacent regions to align events activities and find new opportunities.

By ensuring minimal cannibalisation of the tourism dollar, with complimentary events that support both regions, the overall economic pie will increase to the betterment of all involved.

Furthermore, customers will perceive even greater reasons to visit the region and surrounds, meeting the strategic objective of increased visitation.

# FOSTER PRIVATE PARTNERSHIPS & INVESTMENT

The role of Council in managing and delivering events was raised by stakeholders.

The consensus view was that there are a set of core events for which Council will provide support and leadership to bolster confidence in the private sector to run additional events that complement the realisation of the vision and value proposition, in line with the identity.

The strategy seeks to address this by creating a partnership framework for cooperative events, with support either monetary, skills or in-kind being made available to those supporting the events calendar.

# 5. Enhanced Partnerships

Extend region impact and awareness through defining and owning its space, using this to raise awareness at greater scale for greater reach

Responding to stakeholder issues of: Single-product, disconnected experience;

Opportunity for greater impact through multi-region partnerships (Far West etc.);

Limited representation of region with clear CVP at all levels of tourism value chain.



# CREATE CONNECTED HERO EXPERIENCES

Hero experiences play a crucial role in tourism by creating memorable moments that resonate deeply with customers. These experiences often revolve around unique encounters, adventurous activities, or cultural immersion that leave a lasting impact. They serve as powerful storytelling tools, inspiring others to embark on similar journeys and explore new destinations.

The opportunity for the Wentworth region is to connect up stand-alone single-product offerings into immersive 'hero experiences'.

The strategy seeks to put in the forum for these innovations to grow. These hero experiences would align to support the identity and value propositions, bringing the efforts of multiple smaller operators together to make a far greater impact.

# FORMALISE COLLABORATION WITH ADJACENT REGIONS

Formalising collaboration with adjacent tourism regions will help maximise the economic, social, and environmental benefits of tourism.

It allows for the pooling of resources, expertise, and marketing efforts, amplifying the visibility and appeal of the entire area.

By working together, the region can create more comprehensive and attractive tourism packages, enticing visitors to explore a wider range of experiences and activities.

The Wentworth region is in an ideal position to foster positive collaborations across three states, reaching up and across the whole area to create new synergies and leverage collective resources. The strategy seeks to identify and engage with key partners to make this possible and open up a range of new untapped opportunities.

# ELEVATE LOCAL, REGIONAL & STATE REGIONAL TOURISM ORGANISATION RELATIONS (LTO, RTO, STO)

With a clear identity and customer value proposition, combined with having positive cross-region partnerships in place, the Wentworth region will be able to elevate its awareness and position in the wider tourism landscape.

By investing in relationships with upline tourism organisations, the region will gain new levels of insight and access to resources and opportunities.

These organisations serve as vital sources of information and support for the region, offering insights into market trends, visitor preferences, and industry standards.

By staying connected and more embedded with these bodies, the region can continue to adapt its offerings to meet evolving visitor demands and stay ahead of competitors.



# Implementation for action plan

The following Action Plan outlines the priority implementation of critical success initiatives for the Wentworth Region Tourism & Events Strategy to be enacted. It is intended as a working document that is regularly reviewed and updated.

# **TIMEFRAMES**

The timeframes used for the suggested implementation actions are based on three primary timing groups:

Short-range
 Mid-range
 Long-range
 2024 - 2025
 2025 - 2026
 2027 - 2029

Notionally based on calendar year, these timeframes overlap to enable compatibility with Council and other partner budgetary cycles. The Long-range planning window is intentionally longer in duration, enabling greater flexibility for actions that are much further in the future and subject to greater estimation and unintended impacts.

# CRITICAL STRATEGIC INITIATIVES FOR SUCCESS

1. AWARENESS & EDUCATION	2. CUSTOMER FOCUS	3. INDUSTRY DEVELOPMENT	4. IMMERSIVE EVENTS	5. ENHANCED PARTNERSHIPS
Clarify identity & value proposition	Get clear on target customers	Product knowledge program	Develop & drive anchor events	Create connected hero experiences
Enhance visibility of assets	Focus on special interest tourism & events	Amplify the impact of existing assets	Leverage adjacent region activity	Formalise collaboration with adjacent regions
Quality photo & video media	Enhance customer experience & advocacy	Indigenous Product Development & Integration	Foster private partnerships & investment	Elevate LTO, RTO & STO relations

# **ABBREVIATIONS**

WSC - Wentworth Shire Council

WVIC - Wentworth Visitor Information Centre

WRTI - Wentworth Regional Tourism

Incorporated

MRCC - Mildura Rural City Council MRT - Murray Regional Tourism

DRM - Destination Riverina Murray

DNSW - Destination New South Wales

VV - Visit Victoria

VTIC - Victorian Tourism Industry Council

LTO - Local Tourism Organisation

RTO - Regional Tourism Organisation

STO - State Tourism Organisation

The bolded organisation identified in the stakeholder column of the Action Plan is the lead agency, with other key stakeholders identified as potential partners to help facilitate the action.



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Aim: Gain a c	Aim: Gain a clear, shared value proposition for the region to own a unique space across the Darling/Murray offerings that is shared across the region	Darling/Murray offeri	ngs that is shared across the region			
INITIATIVE	ACTION	STAKEHOLDERS	KPI'S	2024-25	2025-26	2027-29
	Reveal the unique identity for the Wentworth region and codify a clear customer value proposition	ner value proposition				
Clarify identity &	Undertake a collaborative process industry to reveal and document the region identity and share the identity back to the region	WSC WRTI Industry	Unique identity for Wentworth region Industry rollout comms plan			
customer value proposition (CVP)	Work with industry to define the customer value proposition (CVP) for the Wentworth region	<b>WSC</b> Industry	Documented CVP for target customers (linked to focus #2)			
	Upskill industry leaders on how to apply the identity and CVP to their own businesses and operations to drive consistency in application	WSC WRTI Industry	Online/offline program for industry			
	Amplify the impact of assets across the region to engage with customers and provide more reasons to visit	provide more reasons	to visit			
() () () ()	Do a stocktake of existing tourism assets across the region and gather this information into one place for review	WSC, WVIC WRTI MRCC Industry	WSC Tourism Assets Register			
visibility of assets	Examine the assets on the register, examining ways to improve the awareness and customer engagement potential for each asset (inc ATDW listings)	wsc WVIC Industry	Tourism Asset Visibility Improvements plan			
	Identify and prioritise key signage and signposting opportunities to direct visitor traffic to significant assets throughout the region	wsc WVIC	Tourism Wayfinding Improvements plan			
	Create an ongoing industry library of quality images to showcase the region to drive quality and consistency in operations	o drive quality and con	sistency in operations			
, #:I	Create an images/video bank for industry use, where anyone can use the high quality images for marketing, gathered from existed sources	WSC WVIC Industry	Wentworth Region Images Portal			
duanty photo & video media	Media Capture course/resources for industry - how to capture great images, what images create impact and emotion in viewers	WSC WRTI Industry	Media Course / resources rolled out			
	Photography competition (possibly annual) to showcase the region, engaging pro-am photographers to the region and release their images into the portal	WSC Event Organisers	Photography Competition Event			



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2. CUSTOMER FOCUS Aim: Get clear on who our c	<b>2. CUSTOMER FOCUS</b> Aim: Get clear on who our customers are, what they need and improve our connection to drive advocacy					
INITIATIVE	ACTION	STAKEHOLDERS	KPI'S	2024-25	2025-26	2027-29
	Reveal the target customer groups for the region and share this knowledge across the industry	he industry				
Get clear on	Review existing customer profiles developed by MRT to identify matches and gaps in the existing and near-term visitor groups	WSC WRTI	Gap analysis			
target customers	Partner with local university/TAFE to undertake visitor research to qualify primary customer data for the region (partner with MRCC)	WSC MRCC WRTI LaTrobe/TAFE	Primary Customer Research Findings			
	Gather existing data from industry and other sources to create the target customer profile set for the Wentworth region (aim for 5-6 profiles)	WSC WRTI Industry	Wentworth Region Customer Profiles Set			
	Identify special interest groups that align with the region's offerings, now and for the future, to grow visitation	e future, to grow visitati	no			
Focus on	Research what special interests draw people to the region, using primary and secondary data from past events and other benchmarking	WSC WRTI MRT	Special interest tourism target list			
special interest tourism & events	Identify top 3 special interest groups to create integrated campaigns for across events and direct tourism	WSC	Special Interest Campaign			
	Work with industry to create new experiences to serve the needs of the chosen special interest markets	WSC WRTI Industry	3x special interest offerings			
	Improve the level of customer experience across the industry, with a clear focus on driving customer advocacy for the region	driving customer advoca	ıcy for the region			
Enhance	Undertake an assessment of current customer sentiment using online reviews as the primary data source and share with industry. (Second time to re-benchmark)	WSC	Sentiment analysis report			
customer experience & advocacy	Deploy an integrated online training program for industry to upskill in the areas of customer service and customer experience	WSC WRTI Industry	CX Online Training Program			
	Deliver a workshop/masterclass on customer service, how to handle complaints, how to make people feel welcome, how to be open and collaborate	WSC WRTI Industry	Masterclass delivery			



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3. INDUSTE Aim: Improve	<b>3. INDUSTRY DEVELOPMENT</b> Aim: Improve industry knowledge and collaboration to create new experiences to meet the needs of customers	needs of customers				
INITIATIVE	ACTION	STAKEHOLDERS	KPI'S	2024-25	2025-26	2027-29
	Develop a product knowledge and famil program to support knowledge sharing across the industry to enhance the customer experience	ss the industry to enha	nce the customer experience			
† 1	Host industry networking events that showcase businesses in the region, what they have been doing to improve their offerings and encourage working together	WSC WRTI Industry	Quarterly networking events, shared around the region			
rroduct knowledge program (inc famils)	Leverage the Visitor Inspiration Program format from MRCC to help educate and integrate all businesses in the tourism value chain, including newsletter	<b>WSC</b> MRCC Industry	VIP points set up within region			
	Construct a formal famil (familiarisation) program for operators and industry colleagues to experience each other's offerings, using existing best practice models	WSC WRTI Industry	Famil Program			
	Identify and improve existing assets to level up from 'good' to 'great'					
41. 41.	Assess existing assets (survey) to identify specific operational gaps and training needs, benchmarking where appropriate	¥8C ≪RTI	Target List			
Ampliry the impact of existing assets	Create a training package for existing businesses, focused on taking the top 5 assets from 'good' to 'great' and level up their operations	WSC WRTI	Training package			
	Undertake external onsite 360 degree assessment to further refine. Create case studies to share back to the wider industry to engender growth and change	¥8 ≪RTI	Case studies × 5			
	Reveal and develop the stories from indigenous heritage to create valued, unique, new experiences that bolster the region	w experiences that bols	ster the region			
<u>.</u>	Identify target groups, reach out to Elders, to enable further empowerment over their heritage, and the opportunity to work together to share the stories	WSC	Indigenous Stakeholder Engagement Plan			
indigenous Product Development & Integration	Create an Indigenous Tourism forum in which the Indigenous Community can create their own "Indigenous Tourism Strategy" within this strategy, that also stands alone	<b>WSC</b> WRTI Industry	Indigenous Tourism Strategy			
	Identify 3x primary indigenous tourism offerings to develop, sourcing support funding where required, then integrating back into the wider region offering	WSC WRTI Industry	New indigenous tourism experiences			



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4. IMMERSI Aim: Elevate e	<b>4. IMMERSIVE EVENTS</b> Aim: Elevate existing efforts in using events to drive region awareness, engagement and growth of the visitor economy	wth of the visitor eco	nomy			
INITIATIVE	ACTION	STAKEHOLDERS	KPI'S	2024-25	2025-26	2027-29
	Build on the current events structure to create a robust platform aligned with the identity and proposition	entity and proposition				
	Identify existing major events within region and adjacent regions to find gaps in the calendar and offerings that align with the region identity	WSC MRCC DRM MRT Industry	Events gap analysis			
Develop & drive anchor events	Define the parameters of anchor events for Wentworth region, consider combining smaller events and growing existing events to meet the needs	<b>WSC</b> Industry	Anchor events defined			
	Publish the annual events plan in close consultation with neighbouring regions to ensure alignment and low overlap for competing over tourism spend	WSC MRCC DRM MRT WRTI	Events calendar published to stakeholders			
	Connect up with neighbouring regions, aligning to their events calendars to maximise reach and impact	e reach and impact				
_	Actively participate in and initiate meetings with key parties in neighbouring regions including Mildura, Broken Hill, Balranald, Swan Hill and Riverland sharing knowledge between regions	WSC DRM	Quarterly meeting with comms back to the industry			
Leverage adjacent region activity	Create a consolidated calendar for industry to understand what events are happening where. This is to be a live document that is electronic and updated as required.	WSC MRCC WRTI Industry	Live events calendar shared cross- region			
	Identify co-operative event opportunities that have potential to be multi-region and cross-funded that support low visitation periods and in line with the overall identity	<b>DRM</b> MRT MRCC WSC	New multi-region event			
	Council to provide facilitation and support where needed for private events to increase private investment in tourism events and infrastructure	ise private investment in	tourism events and infrastructure			
; ;	Define the supporting event funding application process and policy to be shared with industry and investors	<b>WSC</b> Industry	Policy document			
Foster private partnerships & investment	Provide mentoring, leadership and in-kind support to co-partnered events that are supported by Council, ensuring their quality, consistency and success	<b>WSC</b> Industry	Industry satisfaction measure			
	Develop a prospectus for attracting event investment into the region as the destination for regional events (the meeting point)	<b>WSC</b> Industry	Prospectus			



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	25 2025-26												
	2024-25							7				i S	
	KPI'S	reater in-region spend	Annual internal expo event	3x new hero experiences	Connected Heroes Case Study	entum	Group established with Terms of Reference	3x cross region packages developed	Secured funding for 3x projects	ess of the Wentworth region	Completed roadshow	Wentworth region offerings included in upline TO campaigns and promotions	External famil program for TOs
	STAKEHOLDERS	oduct focus and drive g	WSC WRTI Industry	MRT WSC WRTI MRCC	MRT WSC WRTI MRCC	tivities for greater mom	WSC DRM MRT Media	WSC DRM MRT MRCC Media	<b>0</b> 777 ⊢777	osystem to raise awarer	WSC WRTI, MRT, DRM, DNSW, VV, VTIC	WSC WRTI, MRT, DRM, DNSW, VV, VTIC	WSC WRTI RTOS, STOS
<b>5. ENHANCED PARTNERSHIPS</b> Aim: Extend region impact and awareness through defining and owning its space, using this	ACTION	Foster industry collaboration to create connected experiences, beyond the single-product focus and drive greater in-region spend	Host an industry expo event, where operators can share with industry what they offer. Facilitated to generate active outcomes and new connections	Identify three (3x) connected hero experiences that align with the region's identity and story, and codify them through an experience development process	Monitor the development and implementation of hero experiences, using these as a template and case study to apply across the region/s	Connect in with neighbouring regions to formalise collaborative partnerships and activities for greater momentum	Establish collaboration with neighbouring regions including Far West NSW, Darling River Run trail, Mildura, Riverland and Swan Hill, connecting the key stakeholders to a common vision for growing the collective visitor economy	Create cross region packages for short, medium- and longer-term tourism stays. Share these back to each respective region to improve knowledge and spark innovation	Collectively advocate for funding from state and other bodies to assist in cooperative tourism developments	With a clear identity and CVP, invest in relationships with TOs across the tourism ecosystem to raise awareness of the Wentworth region	Share the Identity and customer value proposition (CVP) with LTO, RTO and STO in a roadshow format to raise awareness of where the destination is today and where it is going	Engage in key Tourism operator meetings and distribute information up and back from meetings to connect the Wentworth region with the wider tourism landscape, influencing the agenda to include region offerings	Invite higher level organisations into famil programs to showcase latest experiences and developments
<b>5. ENHANG</b> Aim: Extend r	INITIATIVE		Create	connected hero experiences			0 2 2 2 2 2 2	collaboration with adjacent regions			(  -  -  -  -  -	Elevate LTO, RTO & STO relations	



# **Thanks & acknowledgements**

A special thank you to the people who gave time, input and advice into the development and creation of this collaborative strategy.

Aaron Hawkins	Mildura Rural City Council
Alison Stone	Discover Mildura
Ashton McKenzie	Mildura Paddlesteamers
Brian Beaumont	Wentworth Regional Tourism Incorporated
Cherie Timmis	Fosseys Gin / Smoke on the Water
Cindy Heley	Monak Wine Co
Mayor Daniel Linklater	Wentworth Shire Council
David Fry	Wentworth Shire Council
Donna Scopelliti	Wentworth Regional Tourism Incorporated
Glenis Beaumont	Went Weaving
Hannah Gebert	Wentworth Visitor Information Centre
Hodi Beauliv	Department of Regional NSW
Jade Millard	The Van
Jo Lucas	Mildura Regional City Council
Jo Rodda	Wentworth Shire Council
Lexi Stockman	Wentworth Shire Council
Lyn McKenzie	Mildura Paddlesteamers
Mandip Khatri	Wentworth Central Motor Inn
Marina Durban	Mildura Houseboats
Matilda Szentpaly	Wentworth Shire Council
Russell James	Wentworth Military Collection
Sara Munday	Lock 10 Restaurant
Sarah Gilmore	Mildura Airport
Sarah Hope	Destination Riverina Murray
Sharon Morrell	Murray Regional Tourism
Susan Nichols	Wentworth Shire Council
Yvette Myhill	Destination Riverina Murray

And a final thank you to those across the industry who responded to initial input survey, in addition to those above. It is with your collective support that the Wentworth region can build a sustainable and prosperous visitor economy.

Developed in collaboration with industry for & on behalf of:



By the team at:

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# 9.5 MONTHLY FINANCE REPORT - JULY 2024

File Number: RPT/24/521

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 July 2024 were \$818,775.21. After allowing for pensioner subsidies, the total levies collected are now 7.97%. For comparison purposes 9.34% of the levy had been collected at the end of July 2023. Council currently has \$47,975,228.09 in cash and investments.

# **Recommendation**

That Council receives and notes the Monthly Finance Report.

# **Detailed Report**

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

# Reconciliation and Balance of Funds held as at 31 July 2024

The reconciliation has been carried out between the Cash Book of each fund and the Bank Pass Sheet as at 31 July 2024.

	Comb	oined Bank Account
Cash Balance as at 1 July 2024	\$	8,228,547.02
Add: Receipts for the Period Ending 31 July 2024	\$	6,741,345.42
Rates, Debtors, Miscellaneous		
Less: Payments for the Period Ending 31 July 2024		
Cash Book entries for this Month	\$	11,248,760.42
Cash Balance of Operating A/C as at 31 July 2024	\$	3,721,132.02
Trust Fund Balance	\$	1,718,643.15
Total Investments as at 31 July 2024	\$	42,535,452.92
TOTAL FUNDS AVAILABLE	\$	47,975,228.09

# Collection of Rates and Charges

Rates and Charges collections for the month of July 2024 were \$ 818,775.21. After allowing for pensioner subsidies, the total levies collected are now 7.97%. A summary of the Rates and Charges situation as at 31 July 2024 is as follows:

Note: For comparison purposes 9.34% of the levy had been collected at the end of July 2023.

LEVIES	RATES & CHARGES	
Balance Outstanding at 30 June 2024 - Rates / Water	673,790.42	
Rates and Charges Levied 22 July 2024	11,066,559.48	\$ 11,740,349.90
+ Additional Water Charges	580,784.54	
+ Supplementary Rates and Charges	940.28	
+ Additional Charges	4,981.44	
- Credit Adjustments	164.76	
- Abandonments	116.00	\$ 12,326,775.40
DEDUCTIONS		
- Payments	818,775.21	
- Less Refunds of Payments	4,437.06	\$ 814,338.15
		\$ 11,512,437.25
- Pensioner Subsidy		
Government Subsidy	92,333.16	
Council Subsidy	75,545.32	\$ 167,878.48
RATES/WATER CHARGES OUTSTANDING 31 JULY 2024		\$ 11,344,558.77

# Rates/Water write offs and adjustments

The following rates or charges have been written off or adjusted under the delegated authority of the General Manager for the month of July 2024.

Account	Date	Ar	nount	Comment
Rates				
672-01	21/07/2024	ć	1 127 04	Waive interest due to issues with sewer plant near property
			-	
1927-2	22/07/2024	\$	74.45	Write off interest - Paid rates into incorrect rate account through Bpay
1787-5	2/07/2024	\$	3.38	Write off interest - Paid rates into incorrect rate account through Bpay
1462	2/07/2024	\$	21.57	Write off interest - Paid rates into incorrect rate account through Bpay
2347-4	1/07/2024	\$	1.07	Write off interest - Paid rates into incorrect rate account through Bpay

# Council Loans Report

Name	Institution	Purpose	Interest Rate	1	oan Amount		Amount Outstanding	Due Date
Loan 201	National Australia Bank	Buronga Landfill	4.55% Fixed	\$	920,000.00	5	82,535.04	30/01/2025
Loan 202	ANZ Bank	Civic Centre	3.47% Fixed	5	850,000.00	5	520,707.31	21/10/2026
Loan 203	National Australia Bank	Midway Centre	3.586% Fixed	\$	1,900,000.00	\$	1,286,085.42	1/06/2033
Loan 204	Bendigo Bank	Buronga Landfill	5.29% Fixed	5	1,500,000.00	5	1,130,089.57	12/05/2037
CFWC310604	T-Corp	Trentham Cliffs Sewer	1.82% Fixed	\$	750,000.00	\$	538,872.45	4/06/2031
CFWC310624	T-Corp	Burong/Gol Gol Stormwater	1.79% Fixed	\$	1,250,000.00	\$	871,480.51	24/06/2031
Loan 205	National Australia Bank	Willowbend Caravan Park	2.2% Fixed	\$	1,500,000.00	\$	1,162,058.57	25/01/2027
Loan 206	Bendigo Bank	Buronga Landfill #3	1.85% Fixed	5	900,000.00	5	565,472.39	25/09/2028
Loan 207	National Australia Bank	Willowbend Caravan Park	1.933% Fixed	5	1,500,000.00	\$	1,272,549.41	31/03/2028
Loan 207	National Australia Bank	Civic Centre	1.933% Fixed	\$	1,500,000.00	5	1,500,000.00	31/03/2028
CFWC440209	T -Corp	Civic Centre	5.45% Fixed	\$	4,000,000.00	5	4,000,000.00	9/02/2044
CFWC440523	T-Corp	Stormwater	5.73% Fixed	5	2,000,000.00	5	2,000,000.00	23/05/2044
					TOTAL	\$	14,929,850.67	

# Overtime and Travelling

Month	July	Pay Periods	1 & 2						
Overtime from	22 June 20	024 to 19 July 2024							
Overtime									
	Tim	e and a Half	Do	ubl	le Time	1	otal		2024/25
								Ac	cumulative
Department	Hours	Amount	Hours		Amount				Total
Animal Services	29.00	1,432.85	23.50	\$	1,564.27	\$	2,997.12	\$	2,997.12
Civil	7.50	414.67	14.00	\$	1,079.35	\$	1,494.02	\$	1,494.02
Finance	4.00	308.27				\$	308.27	\$	308.27
GM's Office	9.00	610.54	4.50	\$	407.04	\$	1,017.58	\$	1,017.58
Indoor Engineers	9.75	769.44	0.50	\$	54.28	\$	823.72	\$	823.72
Landfill Transfer Stations	2.00	136.65	6.50	\$	592.15	\$	728.80	\$	728.80
Library			5.00	\$	374.37	\$	374.37	\$	374.37
Parks & Gardens	8.00	376.84	12.00	\$	753.70	\$	1,130.54	\$	1,130.54
Council Roads	317.50	15,410.52	100.00	\$	6,465.59	\$	21,876.11	\$	21,876.11
Water & Waste Water	33.00	1,812.69	52.50	\$	3,762.81	\$	5,575.50	\$	5,575.50
Workshop Manager	6.00	365.12				\$	365.12	\$	365.12
Workshop/Mechanics	2.50	118.96				\$	118.96	\$	118.96
Total	428.25	21,756.55	218.50		15,053.56	\$	36,810.11	\$	36,810.11
Travel Allowance									
Department	Kms	Amount							
Water & Waste Water	240	228							
Total	240	\$ 228.00							
Grand Total		\$ 36,810.11							

# **Conclusion**

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

# **Attachments**

Nil

# 9.6 MONTHLY INVESTMENT REPORT - JULY 2024

File Number: RPT/24/533

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Bryce Watson - Accountant

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.5 Adopt practices of prudent asset, financial and human

resource management across Council to ensure long-term

sustainability and efficiency

# Summary

As of 31 July 2024, Council had \$42 million invested in term deposits and \$5,975,228.09 in other cash investments. Council received \$131,098.63 from its investments for the month of July 2024.

In July 2024 Council investments averaged a rate of return of 5.06% and it currently has \$7,675,628.75 of internal restrictions and \$33,592,340.22 of external restrictions.

# Recommendation

That Council receives and notes the monthly investment report.

# **Detailed Report**

# **Purpose**

The purpose of this report is to update Council on the current status of its investments as required by the *Local Government Act 1993* (NSW) and the associated regulation.

# Matters under consideration.

As of July 2024, Council had \$47,975,228.09 invested with Eleven (11) financial institutions and One (1) Treasury Corporation. This is a decrease of \$1,504,423.48 from the previous month.

The investment of surplus funds remains in line with Council's Investment Policy. This ensures sufficient working capital is retained and restrictions are supported by cash and investments that are easily converted into cash.

# Interest Received from Cash Investments in July 2024

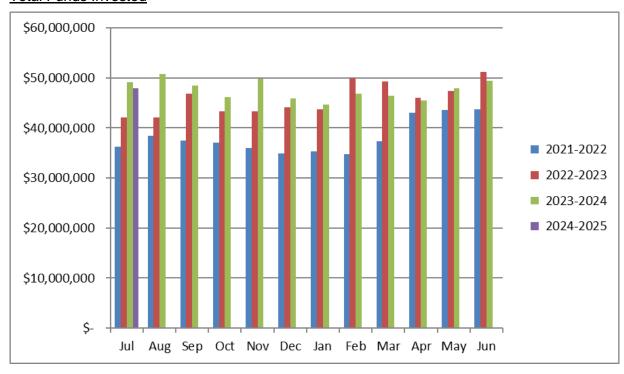
Two (2) deposits and One (1) other account matured or provided interest in July earning Council \$131,098.63 in interest. The budget for July was \$166,667. Year to date Council has received \$131,098.63 in interest based on cash accounting. Expired investments are now shown in the attached report along with a summary of accrued interest. The budget for the financial year was set at \$2,000,000.

\*Note the difference in interest received between this report and the Yield Hub report is from Council's at-call cash account which is paid monthly.

# Restrictions

Internal Restrictions		
- Employee Entitlements	\$2,300,920.90	,
- Doubtful Debts	\$47,730.00	
- Future Development Reserve	\$1,076,217.20	
- Trust Account	\$1,750,760.65	
- Capital Projects	\$1,000,000.00	
- Plant Replacement Reserve	\$1,500,000.00	\$7,675,628.75
External Restrictions		
- Water Fund	\$11,243,389.02	
- Sewer Fund	\$5,820,970.11	
- T-Corp Loan Balance	\$541,934.32	
- Developer Contributions Reserve	\$983,097.38	
- Unexpended Grants	\$14,211,933.67	
- Crown Reserves Reserve	\$208,296.22	
- Loan Guarantee Reserve	\$187.69	
- Prepayments Cemeteries	\$582,531.81	\$33,592,340.22
Day to Day Liquidity		\$6,707,259.12
Total Funds Available		\$47,975,228.09

# **Total Funds Invested**



# Summary – Unexpended Grants as at 31 July 2024

Grant	Amount
Crown Reserve Improvement Fund Astronomy Park	\$656,000.21
Fixing Local Roads Grants - Stage 3	\$211,305.90
Transport for NSW Pothole Repair Program	\$168,352.80
Resources for Regions Round 9	\$2,171,275.07
Rural Local Road Repair Program	\$7,582,380.39
NSW Office of Local Government Flood Grants	\$651,777.80
Strong Start Cadetship Program Grant	\$20,536.00
JEV Mosquito Eradication Grant	\$22,013.56
Local Roads & Community Infrastructure Program Phase 4	\$509,994.94
RRUPP Arumpo 24km Upgrade	\$2,218,297.00
Total	\$14,211,933.67

# **Conclusion**

The Director Corporate Services has certified that all investments have been made in accordance with the *Local Government Act 1993* (NSW), Local Government (General) Regulations 2021 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**

1. Yield Hub July 2024 Investment Report.







31 July 2024 Wentworth Shire Council - Monthly Report

Yes

Compliant Portfolio

Report Date: 31 July 2024

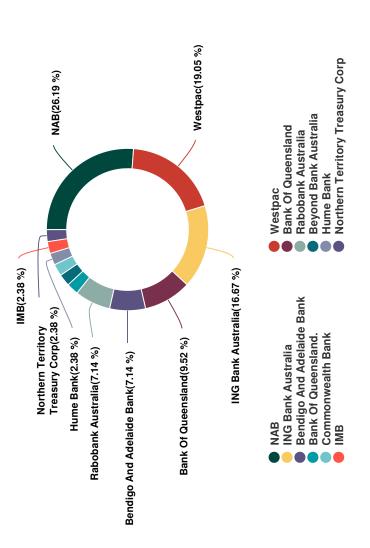
# Wentworth Shire Council - Monthly Report

# Summary

Total Cost	\$42,000,000.00
Total Portfolio Value	\$43,053,768.52
Weighted Average Term	204
Weighted Average Yield	5.08%
90 day BBSW	4.49%
Unrealised Capital Gain/Loss	\$0
Total Monthly Accrued Interest	\$181,337.26
Total Interest Received this month	\$105,776.99
Total Interest Received this FY	\$105,776.99
Total Interest Expected this FY	\$2,116,406.04
Interest Payments this month	2
Matured Investments this month	2
Total Funds Matured this month	\$2,000,000.00
Investments this month	3
Total Funds Invested this month	\$5,000,000.00

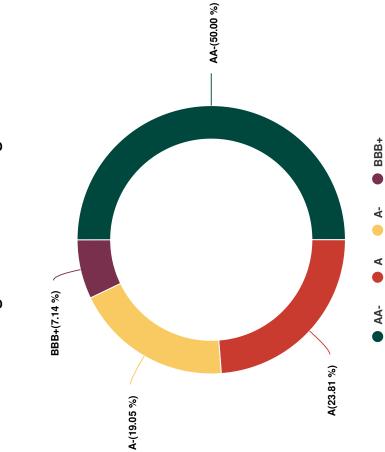
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# Counterparty



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# Wentworth Shire Council - Monthly Report

Investment Type	ADI/Security Name	Amount	Settlement Date	Maturity Date	Term in Days	Yield	Short Term Rating Long Term Rating	Long Term Rating
Term Deposit	Westpac	\$1,000,000	24/08/2023	26/08/2024	368	5.100 %	A-1+	AA-
Term Deposit	Westpac	\$1,000,000	24/08/2023	26/08/2024	368	5.100 %	A-1+	AA-
Term Deposit	NAB	\$1,000,000	29/08/2023	28/08/2024	365	5.200 %	A-1+	AA-
Term Deposit	NAB	\$1,000,000	07/03/2024	03/09/2024	180	% 2005	A-1+	AA-
Term Deposit	NAB	\$1,000,000	04/09/2023	03/09/2024	365	5.12 %	A-1+	AA-
Term Deposit	NAB	\$1,000,000	05/09/2023	04/09/2024	365	5.17 %	A-1+	AA-
Term Deposit	IMB	\$1,000,000	11/06/2024	09/09/2024	06	5.14 %	RN	NR
Term Deposit	Bank Of Queensland	\$1,000,000	14/03/2024	10/09/2024	180	5.12 %	A-2	Α-
Term Deposit	Beyond Bank Australia	\$1,000,000	11/09/2023	10/09/2024	365	5.200 %	A-2	BBB+
Term Deposit	Bank Of Queensland	\$1,000,000	03/10/2023	02/10/2024	365	5.200 %	A-2	Α-
<b>Term Deposit</b>	Hume Bank	\$1,000,000	05/10/2023	04/10/2024	365	5.25 %	N N	NB
Term Deposit	Bank Of Queensland	\$1,000,000	09/02/2024	05/11/2024	270	2.0 %	A-2	Α-
Term Deposit	Bendigo And Adelaide Bank	\$1,000,000	07/03/2024	20/11/2024	258	5.03 %	A-2	Α-
Term Deposit	Bendigo And Adelaide Bank	\$1,000,000	23/02/2024	20/11/2024	271	5.02 %	A-2	Α-
Term Deposit	Westpac	\$1,000,000	27/11/2023	27/11/2024	366	5.47 %	A-1+	AA-
<b>Term Deposit</b>	NAB	\$1,000,000	04/12/2023	03/12/2024	365	5.28 %	A-1+	AA-
Term Deposit	NAB	\$1,000,000	15/12/2023	16/12/2024	367	5.100 %	A-1+	AA-
Term Deposit	ING Bank Australia	\$1,000,000	19/12/2023	18/12/2024	365	5.23 %	A-1	۷
Term Deposit	Bendigo And Adelaide Bank	\$1,000,000	22/12/2023	23/12/2024	367	2.0 %	A-2	Α-
Term Deposit	Bank Of Queensland	\$1,000,000	01/07/2024	28/01/2025	211	2.300 %	A-2	Α-
Term Deposit	Commonwealth Bank	\$1,000,000	30/01/2024	29/01/2025	365	5.02 %	A-1+	AA-
<b>Term Deposit</b>	NAB	\$1,000,000	09/02/2024	10/02/2025	367	5.100 %	A-1+	AA-
<b>Term Deposit</b>	Westpac	\$1,000,000	12/02/2024	12/02/2025	366	5.15 %	A-1+	AA-
Term Deposit	Westpac	\$1,000,000	12/02/2024	12/02/2025	366	5.15 %	A-1+	AA-
Term Deposit	NAB	\$1,000,000	20/02/2024	19/02/2025	365	5.14 %	A-1+	AA-
<b>Term Deposit</b>	Westpac	\$1,000,000	27/02/2024	27/02/2025	366	5.14 %	A-1+	AA-
Term Deposit	Westpac	\$1,000,000	29/02/2024	28/02/2025	365	5.14 %	A-1+	AA-

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# Wentworth Shire Council - Monthly Report

Investment Type	ADI/Security Name	Amount	Settlement Date	Maturity Date	Term in Days	Yield	Short Term Rating Long Term Rating	Long Term Rating
Term Deposit	Westpac	\$1,000,000	11/03/2024	11/03/2025	365	5.03 %	A-1+	AA-
Term Deposit	ING Bank Australia	\$1,000,000	19/03/2024	19/03/2025	365	5.13 %	A-1	4
<b>Term Deposit</b>	ING Bank Australia	\$1,000,000	02/04/2024	02/04/2025	365	2.0 %	A-1	۷
Term Deposit	ING Bank Australia	\$2,000,000	04/04/2024	04/04/2025	365	2.0 %	A-1	4
<b>Term Deposit</b>	NAB	\$2,000,000	01/07/2024	14/05/2025	317	5.37 %	A-1+	AA-
Term Deposit	Rabobank Australia	\$1,000,000	24/05/2024	23/05/2025	364	5.33 %	NR	4
<b>Term Deposit</b>	ING Bank Australia	\$1,000,000	27/05/2024	27/05/2025	365	5.27 %	A-1	۷
Term Deposit	Rabobank Australia	\$2,000,000	01/07/2024	25/06/2025	359	5.43 %	NR	4
<b>Term Deposit</b>	NAB	\$1,000,000	27/06/2024	26/06/2025	364	5.47 %	A-1+	AA-
Term Deposit	ING Bank Australia	\$1,000,000	04/01/2024	05/01/2026	732	5.14 %	A-1	4
<b>Term Deposit</b>	Bank Of Queensland	\$1,000,000	04/12/2023	03/12/2026	1,095	5.25 %	A-2	Α-
Term Deposit	Northern Territory Treasury Corp	\$1,000,000	16/09/2021	15/12/2026	1,916	1.35 %	NR	RN
		\$42,000,000						

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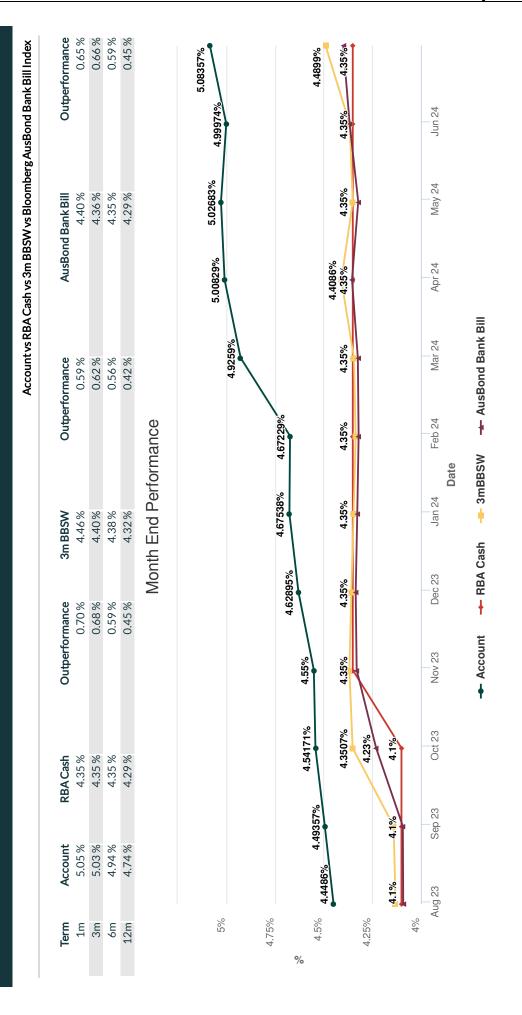
# Wentworth Shire Council - Monthly Report

	-	-	
ecurity Name Type Amount Credit/Debit Long Term Rating Designation Comments Maturity Date	29/07/2024	26/07/2024	
Comments			
Designation	Unclassified	Unclassified	
Long Term Rating	AA-	AA-	
Credit/Debit	Debit	Debit	
Amount	Interest \$53,133.15	Interest \$52,643.84 Debit	\$105,776.99
Туре	Interest	Interest	
	066391 Westpac	066349 Westpac	
ansaction Date Contract Number ADI/S	066391	066349	
Transaction Date	29/07/2024	26/07/2024	Total

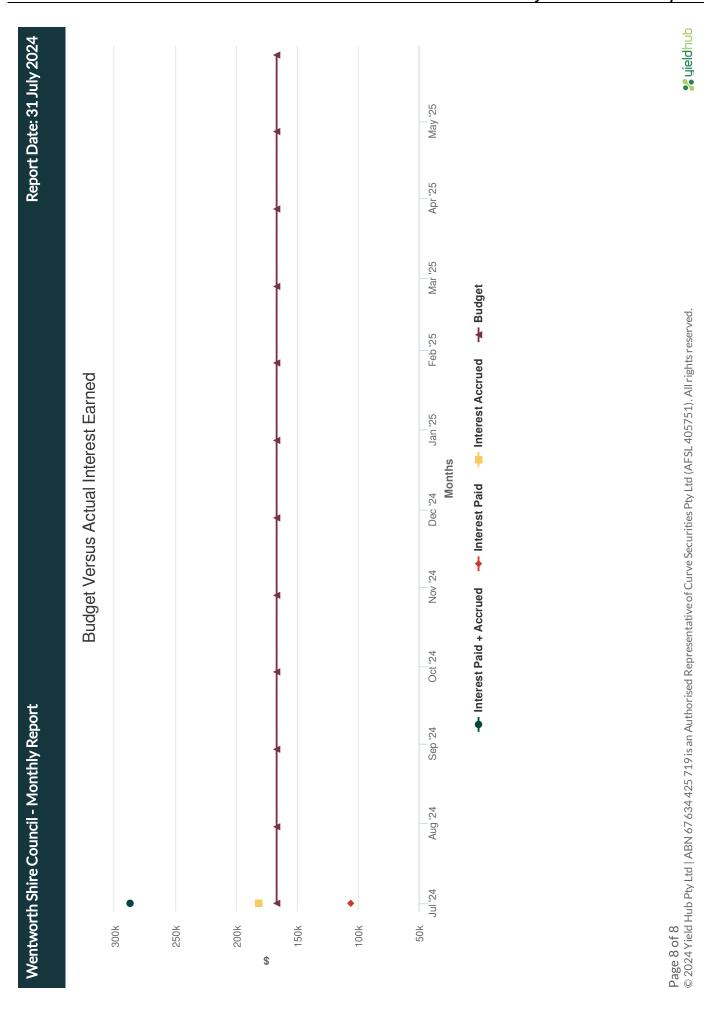
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Report Date: 31 July 2024

### Wentworth Shire Council - Monthly Report



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### 9.7 QUARTERLY OPERATIONAL PLAN PROGRESS REPORT

File Number: RPT/24/486

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 Shire is supported by strong and ethical civic

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

### **Summary**

In accordance with the Local Government Integrated Planning and Reporting Framework, Council develops a Four Year Delivery Program and a One Year Operational Plan, which details the actions to be undertaken by Council to implement the strategies established in the Community Strategic Plan.

The Local Government Act 1993 requires that progress is reported to Council with respect to the principal actions detailed in its Operational Plan at least every six months. To better align with the Quarterly Budget Review Process, the Operational Plan progress report is also complied on a quarterly basis.

During the 4th the Quarter the following has occurred:

- No New Specific Actions were added.
- 64 Annual Actions were completed.
- 7 Specific Actions were completed.
  - Deliver a program of Community Events (1.2.6)
  - Flood Recovery Parks, Gardens, Open Spaces (2.5.10)
  - Buronga Wetlands Sharedway (3.2.11)
  - Wentworth Showgrounds Female Change Rooms (3.2.13)
  - George Gordon Oval Female Change Rooms (3.2.18)
  - Fixing Local Roads Round 4 Keenans Drive/Old Wentworth Road (3.2.29)
  - Finalise Civic Centre Project Solar Installation (LRCIP) (3.5.13)
- 36 Specific Actions remain in progress.

The majority of these had already been reallocated to the 2024-2025 Operational Plan, any outstanding action that has yet to be reallocated to the 2024-2025 Operational Plan will be done via the first quarter progress report.

### Recommendation

That Council receives and notes the report.

### **Detailed Report**

**Purpose** 

The purpose of this report is to detail Council's progress on implementing the 2023-2024 Operational Plan.

### **Background**

In accordance with the Local Government Integrated Planning and Reporting Framework, Council develops a Four Year Delivery Program and a One Year Operational Plan which details the actions to be undertaken by Council to implement the strategies established in the Community Strategic Plan.

The Local Government Act 1993 requires that progress is reported to Council with respect to the principal actions detailed in its Operational Plan at least every six months. To better align with the Quarterly Budget Review Process, the Operational Plan progress report is also complied on a quarterly basis.

### Matters under consideration

Council's 2023-2024 Operational Plan commenced with 122 actions aligned with the four themes of:

- A vibrant, growing and thriving region
- A great place to live
- A community that works to enhance and protect its physical and natural environment
- Is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner.

Each action has been allocated to a Department who is accountable for its progress. The responsible officer is required to assess the status of the action as follows:

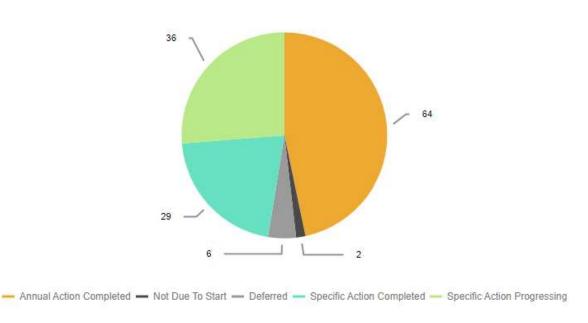
<b>Status Option</b>	Definition	Legend
Annual Action Completed	Annual Action completed for the year	
Specific Action Completed	Specific Action completed for the year	
Annual Action Progressing	Annual Action underway and is progressing as planned	
Specific Action Progressing	Specific Action underway and is progressing as planned	
Stalled	There is an issue that has delayed progress with this action	
Not due to start	Action not scheduled to start until later in the year	
Deferred	Action will not happen this year	

The Wentworth Shire Council's Quarterly Operational Plan Progress Report (refer attachment 1) the progress for the period July 2023 to June 2024 is as follows:

Status Option	Action Status – 1 <sup>st</sup> Quarter	Action Status – 2 <sup>nd</sup> Quarter	Action Status – 3 <sup>rd</sup> Quarter	Action Status – 4 <sup>th</sup> Quarter
Annual Action Completed	0	0	0	64
Specific Action Completed	6	15	22	29
Annual Action Progressing	48	62	64	0
Specific Action Progressing	58	47	44	36
Stalled	1	0	0	0
Not due to Start	14	7	3	6
Deferred	1	5	4	6

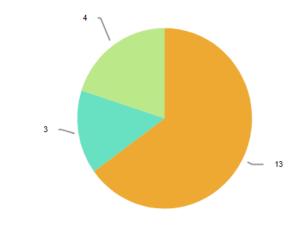
### Actions added during the quarter: 0

### **All Actions**



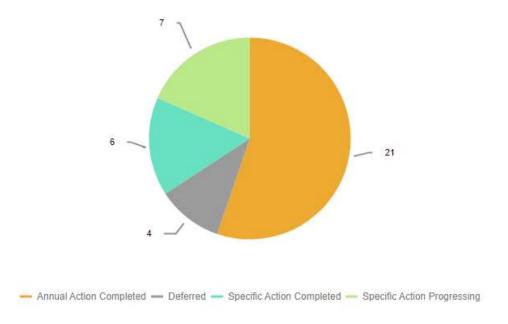
### **Strategic Direction**

Our Economy

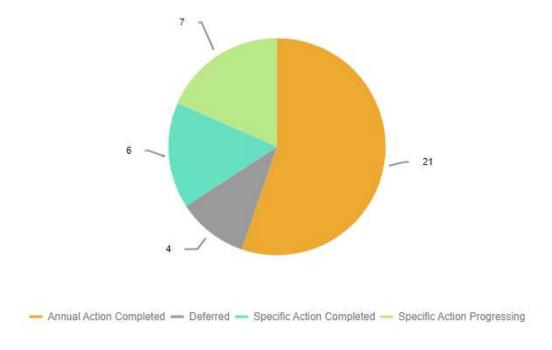


— Annual Action Completed — Specific Action Completed — Specific Action Progressing

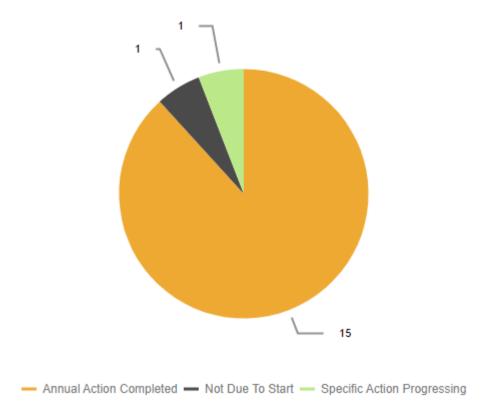
Our Community



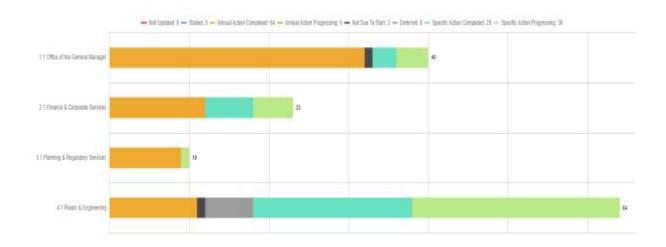
### Our Environment



### Our Leadership



### **Department**



### Quarterly Highlights

- No New Specific Actions were added.
- 64 Annual Actions were completed.
- 7 Specific Actions were completed.
  - Deliver a program of Community Events (1.2.6)
  - Flood Recovery Parks, Gardens, Open Spaces (2.5.10)
  - Buronga Wetlands Sharedway (3.2.11)

- Wentworth Showgrounds Female Change Rooms (3.2.13)
- George Gordon Oval Female Change Rooms (3.2.18)
- Fixing Local Roads Round 4 Keenans Drive/Old Wentworth Road (3.2.29)
- Finalise Civic Centre Project Solar Installation (LRCIP) (3.5.13)
- 36 Specific Actions remain in progress

### Legal, strategic, financial or policy implications

By tabling this report Council is complying with its legislative requirements

### **Conclusion**

The Quarterly Operational Plan Progress report details Council's overall progress against all 137 Operational Plan actions for the period July 2023-June 2024.

### **Attachments**

Quarterly Operational Plan Progress Report - June 2024



# Operational Plan Quarterly Progress Report June 2024



### About this report

Government Act 1993, (NSW) which states that the General Manager must ensure that regular progress reports are provided to the Council, reporting as to its progress with This progress report is for the six-month period 1 July 2023 to 31 March 2024 and has been prepared in accordance with the requirements of Section 404(5) of the Local respect to the principal activities detailed in its delivery program. Progress reports must be provided at least every 6 months.

Each action has been allocated to a Department who is accountable for its progress. The responsible officer is required to assess the status of the action as follows:

Status Option Definition	Definition	Legend
Annual Action Completed	Annual Action completed for the year	
Specific Action Completed	Specific Action completed for the year	
Annual Action Progressing	Annual Action underway and is progressing as planned	
Specific Action Progressing	Specific Action underway and is progressing as planned	
Stalled	There is an issue that has delayed progress with this action	
Not due to start	Action not scheduled to start until later in the year	
Deferred	Action will not happen this year	



## Strategic Direction: Our Economy

Wentworth Shire is a vibrant, growing and thriving Region.

3 | P a g e



Comments

Responsible Officer Position

Status

Action Action Name Code

Objective Objective Code

**4** | P a g e

T T S S S S S S S S S S S S S S S S S S	
The new Minister for Regional & Western NSW visited the region in December. Visit has been coordinated by local Department contact. Council staff and Councillors attended the Cross-Border Future Industry Workforce Forum at the Euston Club in December. Ongoing meetings taking place with prospective renewable energy and critical minerals developments.  Consultation for Economic Development Strategy took place during the third agreed to enter into a lease with a business to operate the	Park following the completion of the upgrade project. Regional Development Australia Murray held a business forum at Buronga in April attended by the Mayor and the General Manager.
General Manager	
Annual Action Completed	
Advocate for local businesses on issues which further business and career opportunities for all	
Promote the Shire as an ideal location for investment and the establishment of innovative, sustainable and diversified industries.	
1.1	



: 10						SHIRE	SHIRE COUNCIL
Objective Objective Code	Овјеспуе	Action Code	Action Action Name Code	Status	Kesponsible Officer Position	Comments	Iramic Lights
		1.1.2	Ensure that land is suitably zoned, sized and located to facilitate a variety of development that is supported by strategic and affordable infrastructure.	Annual Action Completed	Acting Director Health & Planning	The Rural Land Study has progressed as far as it can until the Flood Study Hydrological data collection and analysis has been completed. Council continues to progress planning proposals that update/amend the LEP. This is an ongoing annual action.	
		1.1.3	Develop, review and update Strategic Planning documents as required.	Annual Action Completed	Acting Director Health & Planning	Planning has commenced regarding updating the Buronga Gol Gol Strategic Plan, Local Strategic Planning Statement.	

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Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		4.1.1	Drought Resilience Plan	Specific Action Completed	Director Corporate Services	An additional round of the community consultation and engagement occurred in early February. Updates to the draft plan were made to reflect additional information gathered during additional consultation period. Plan has been endorsed by the Project Control Group and submitted to the Department of Regional NSW for approval. This component of the Plan. Should the plan be approved there is the opportunity to access additional funding to implement actions identified in the	
						Plan.	

**7** | P a g e



					THIS	SHIRE COUNCIL
Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
Promote the Wentworth Region as a desirable visitor and tourism destination.	1.2.1	Provide Visitor Information Centre Services	Annual Action Completed	Team Leader Visitor Information Centre	This is an ongoing annual action.	
	1.2.2	PS Ruby	Annual Action Completed	General Manager	See action 1.2.9	
	1.2.3	Continue to engage with and support the activities of Murray Regional Tourism, Destination NSW Riverina-Murray, Mildura Regional Development and Wentworth Regional Tourism Inc.	Annual Action Completed	Manager Tourism & Promotion	The Murray Regional Tourism CEO briefed Councillors in November. Council resolved to renew the MOU with MRT for a further three years. In January Council agreed to contribute \$30,000 to Wentworth Regional Tourism Inc for the production of the Wentworth & Darling Outback Official Visitor Information Guide.	



Objective Code	Objective Objective	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		1.2.4	Willowbend Caravan Park Redevelopment - Civil Works	Specific Action Progressing	Manager Engineering Services	Project is 90% compete at the end of June. Final completion occurring through July before the site is commissioned and handed over to the new lessee's.	
		1.2.5	Willowbend Caravan Park Redevelopment - Ablution Block Upgrade	Specific Action Progressing	Manager Engineering Services	Amenities blocks have been delivered to site and is awaiting connection to services for final completion.	

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	- Mildura Wentworth Music Festival - Gol Gol Twilight Markets - Wentworth Races - Murray Darling 110 Ski Race	- Wentworth Twilight Christmas Markets - Dareton Christmas Markets - Gol Gol Christmas Carols with a Twist - Wentworth Christmas Eve Street Party - Australia Day	- Ausrly rry rn - Junction Junk - Australian Mounted Games - Anzac Day - Dareton/Coomealla 100th Centenary Celebrations. Draft Tourism and Events Strategy to be
In the period to April 2024 has helped facilitate are organise the events:  - Smoked M Festival,  - Winter Arts  - Wentworth  - Wentworth  - Wentworth  - Sunraysia \$	- Mildura Wen Music Festival - Gol Gol Twili, Markets - Wentworth R - Murray Darlir Ski Race	- Wentworth Twi Christmas Marka - Dareton Christ Markets - Gol Gol Christ Carols with a Tw - Wentworth Ch Eve Street Party - Australia Day	- Austry rry rry - Junction Junk - Australian Mor Games - Anzac Day - Dareton/Coor 100th Centenal Celebrations. Draft Tourism ar Events Strategy
Manager Tourism & Promotion			
Specific Action Completed			
Deliver a program of Community Events			
1.2.6			



						SHIR	SHIRE COUNCIL
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
						reviewed by Council prior to going on Public Consultation.	
		1.2.7	Early Settlers Museum Business Case	Specific Action Completed	Director Corporate Services	This Action has been completed.	
		1.2.8	Regional Tourism Activation Project - Wentworth Light State.	Specific Action Progressing	General Manager	Due Diligence and Governance around site selection has been completed, with a preferred site being selected. Works on Development Application and other approvals has commenced. Grant application to the Growing Regions Program was unsuccessful. Project Steering Committee working on a revised funding arrangement for presentation to Council in July.	



Objective	itive	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		1.2.9	Review PS Ruby Operational Model	Specific Action Progressing	General Manager	Council is currently investigating the option of having the PS Ruby included on the State Heritage List. Once the investigation has been completed the matter will be referred to the Heritage and History Committee for consideration.	
High	High qualify connectivity across the region.	1.3.1	Advocate for the ongoing provision of quality transport and freight links	Annual Action Completed	General Manager	This is an ongoing annual action of Council. Advocacy is undertaken as required and when opportunities present themselves. The Mayor and General Manager attending a forum in June regarding Mildura Heavy	



						IHS	SHIRE COUNCIL
Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		1.3.2	Advocate for improved regionwide internet and mobile connectivity	Annual Action Completed	General Manager	This is an ongoing annual action of Council. Advocacy is undertaken as required or when opportunities present themselves.	

						SHIRE	SHIRE COUNCIL
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
4.	encourage lifelong learning opportunities.	1.4.1	Undertake a program of activities and services that facilitate learning opportunities at Council's library services	Annual Action Completed	Team Leader Library Services	Council libraries continue to run regular programs such as Toddler Story Time, Social Sewing, Book Clubs, Baby Bounce, Pre-School visits and Outreach services. The following specific activities/events were held during the quarter: - Kids Paint in Sip - Story in the Park - Midday Movie - Seniors Midday Movie - Little Bookworms - Dini Disco - Uni Disco - In Movie - Little Bookworms - Muday Movie - Comealla High School Careers Expo. Overall there have been 3,401 visitations to Councils libraries	

						SHIRE	SHIRE COUNCIL
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		1.4.2	Advocate for the development and provision of local education, training and lifelong learning opportunities	Annual Action Completed	General Manager	This is an ongoing annual action of Council. Advocacy is undertaken when required or when opportunities present themselves. The Mayor and General Manager attended the launch of the Northern Mallee Leaders Program during the June quarter.	
		1.4.3	Advocate for improved school services across the Wentworth Shire	Annual Action Completed	General Manager	This is an ongoing annual action of Council. Advocacy is undertaken when required or when opportunities present themselves.	
<del>2</del> .	Encourage and support initiatives that improve local employment opportunities.	1.5.1	Promote Wentworth Council as an employer of choice including offering apprenticeships and traineeships	Annual Action Completed	Manager Human Resources	This is an ongoing annual action of Council. Council had a stand at the Coomealla High School Careers Expo.	

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						SHI	SHIRE COUNCIL
Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		1.5.2	Encourage businesses to	Annual Action Completed	Manager Human Resources	This is an ongoing annual action of	
			erripicy people of all abilities and different backgrounds				



### Strategic Direction: Our Community

Wentworth Shire is a great place to live.

Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
2.1	Continue to create opportunities for inclusion where all people feel welcome and participate in community life.	2.1.1	Acknowledge and celebrate Seniors Completed Week and International Day of People with Disabilities	Annual Action Completed	Director Corporate Services  Council actively promoted and acknowledged International Day People with Disabilities in December and Seniors Week in March with a Sel Morning Tea hos by the Wentwort Library at Curlwort Hall.	Council actively promoted and acknowledged International Day of People with Disabilities in December and Seniors Week in March with a Seniors Morning Tea hosted by the Wentworth Library at Curlwaa Hall.	



Objective Code	Objective Objective Code	Action	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Liahts
			Support the community to develop a range of community activities that focus on diversity, access, inclusion and capacity building.	Annual Action Completed	Director Corporate Services	Council helped support a community group to run the Gol Gol Markets. Council staff worked with school students at Coomealla High School to plan, organise and deliver a youth week event in April. Council staff provided support to the organising committee of the Dareton/Coomealla Centenary	



						SHIR	SHIRE COUNCIL
Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		2.1.3	Identify opportunities to promote and celebrate Wentworth Shire as a welcome and inclusive community.	Annual Action Completed	Director Corporate Services	Council held a citizenship ceremony in August and has another one planned for Australia Day. Council has been actively promoting the various Australia functions across the Shire including the annual Australia Day awards. Council shares community information on its various communication platforms in a variety of different languages. Council celebrated International Women's Day in March and actively promoted Disability Workshops being conducted by the Physical Disability Council of NSW and Safer Internet Day.	

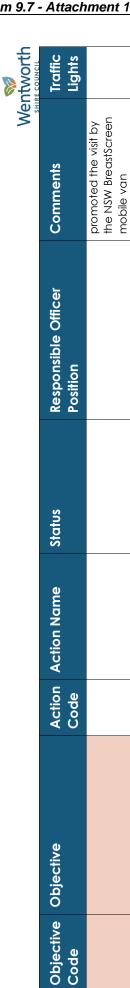


						SHIRE	SHIRE COUNCIL
Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		2.1.4	Actively engage with and include the perspectives and knowledge of the local indigenous community	Annual Action Completed	General Manager	Consultation with the local indigenous community was undertaken as part of the new Interpretive Space for the civic Centre. The General Manager has also had a number of meetings with the Dareton Aboriginal Land Council in regards to the Roads to Home program work being proposed at Namatjira. Council staff attended a training session hosted by the Dareton Aboriginal Lands Council in relation to the operations of the Aboriginal Land Council in relation to the operations Act.	



						3	
Objective Code	Objective Objective Code	Action Action   Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
2.2	Work together to solve a range of social and health issues that may impact community wellbeing and vulnerable people.	2.2.1	Deliver a program Annual Action of activities and services that facilitate opportunities for vulnerable members of the community at Council's library services.	Annual Action Completed	Team Leader Library Services	See action 1.4.1	

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Council continues to	support the work of the Wentworth Shire Interagency Group in advocating and collaborating for the provision of health	commenced negotiations with Broken Hill University Department of Rural Health to lease the current Council administration building once Council has relocated to the new Civic Centre. This arrangement once finalised will result in significant training opportunities and overall health outcomes for the community. Council also supported the	funding application to refurbish the building which saw the opening of the Wentworth District Community Medical Centre. Council agreed to donate \$50,000 to the Mildura Health Foundation's cancer accommodation project. Council
General Manager			
Annual Action	Completed		
Continue to	collaborate with Government Agencies and other organisations to support the	services across the Region	
2.2.2			



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Council continues to support the work of the Wentworth Shire Interagency Group to advocate for the	provision of social services that meet the needs of the	community. The Mayor and General Manager	Housing Minister to discuss potential	funding for an upgrade	precinct in Wentworth.	A range of school	noliday activities were undertaken in January	utilising funding	received from the	Office of Regional	activities took place	during the April School	Holidays. Council has	been working with the	Wentworth Pioneer	Homes on an MOU to	formalise arrangement	between the two	parties to enable to	Committee to continue	seeking funding for	improved housing	outcomes in Wentworth.
General Manager																							
Annual Action Completed																							
Advocate for the provision of social servces that meet the needs of all	our community including familes, children, youth,	people with disability and the	ָ ט ט ט ט ט																				
2.2.3																							



Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		2.2.4	Promote and foster an accessible community that encourages access by people of all abilities	Annual Action Completed	Director Corporate Services	see action 2.2.6	
		2.2.5	Promote the benefit of healthy eating and an active lifestyle	Annual Action Completed	Director Corporate Services  This is an ongoing annual action of Council. During the June quarter Council added a Healthy Lifestyle page to the Community section its website.	This is an ongoing annual action of Council. During the June quarter Council added a Healthy Lifestyle page to the community section of its website.	



Annual Action Annual Action Services Specific Action Specific Action Specific Action Services Services Services Services							SHIRE COUNCIL
Our buildings and Annual Action spaces are designed to be inclusive and accessible to all community members  Implement recommendations of the Pedestrian Access Mobility Plan - Get Active NSW Projects - Pine	Objective Code	Objective	1	Action Name	Status	Responsible Officer Position	Comments Traffic Lights
Implement Specific Action Manager Engineering recommendations Completed Services of the Pedestrian Access Mobility Plan - Get Active NSW Projects - Pine			2.2.6	Our buildings and spaces are designed to be inclusive and accessible to all community members	Annual Action Completed	Manager Engineering Services	Council is undertaking a number of new footpath/sharedway projects across the Shire as part of the Get Active NSW program. These paths have been specifically designed to cater for the use of wheelchairs, mobility scooters and prams. Council has submitted a number of addtional projects for funding under the next round of the program.
Kodd sharedway			2.2.7	Implement recommendations of the Pedestrian Access Mobility Plan - Get Active NSW Projects - Pine Road Sharedway	Specific Action Completed	Manager Engineering Services	This Action has been completed.



Action Action Name Code
2.2.8 Implement recommendations of the Pedestrian Access Mobility Plan - Get Active NSW Projects - Wood Street Sharedway
2.2.9 Implement recommendations of the Pedestrian Access Mobility Plan - Get Active NSW Projects - Wood Street and Gol Gol North Road Sharedway
2.2.10 Implement recommendations of the Pedestrian Access Mobility Plan - Get Active NSW Projects - Silver City Highway Dareton Sharedway

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Action Code
2.3.1
2.3.2
2.3.3

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Objective Code	Objective Objective Code	Action Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic
		2.3.4	In partnership with the RFS undertake hazard reduction works	Annual Action Completed	Manager Works	This is an ongoing annual action of Council.	
		2.3.5	Continue to engage with the Local Area Command on key community safety issues	Annual Action Completed	General Manager	This is an ongoing annual action of Council. Meetings take place as required.	
		2.3.6	Facilitate the Local Emergency Management Committee to ensure a coordinated approach by all agencies having responsibilities and functions in emergencies	Annual Action Completed	General Manager	The Committee meets quarterly as required, The General Manager also attended a Regional Emergency Management Committee meeting in Balranald.	



Objective	Objective Objective	Action	Action Action Name	Status	Responsible Officer	Comments Traffi	Traffic
Code	Code	Code	Code		Position	Light	Lights
		2.3.7	In partnership with Transport for NSW continue to identify and resolve road and pedestrian safety issues	Annual Action Completed	Manager Works	A new Road Safety Officer has been appointed and commenced in June. In June the speed limit in high pedestrian areas of the town of Wentworth was reduced to 40kph following lobbying by Council.	



Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Comments	SHIRE COUNCIL Traffic Lights
		2.3.8	Develop and implement strategies to embed NSW Child Safe Standards across the organisation.	Specific Action Progressing	Director Corporate Services	The Child Safe Working Committee meets quarterly to progress and monitor strategies across the organisation including ongoing review and monitoring of our Child Safety Risk Management Plan. Further training and awareness actions undertaken including participation of Library Staff in the Office of the Children's Guardian online training and preparation of Tool Box sessions for Parks and Gardens staff.	
		2.3.9	RFS Para Fire Station	Specific Action Completed	Director Corporate Services	This Action has been completed.	
		2.3.10	RFS Boree Spring Hill Station	Specific Action Progressing	Director Corporate Services	Contractor has been engaged. Construction works commenced in January.	



Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
2.4	A well informed, supported and engaged community	2.4.1	Consistently communicate the role of Council to the community	Annual Action Completed	Media & Communications Officer	Council's Media & Communications Officer produces and promotes the quarterly Council Connects news update. Council staff are currently investigating additional online platforms to enhance our community engagement	



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Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		2.4.2	Provide regular updates of Council's achievements, strategic objectives and actions utilising a variety of platforms and communication channels.	Annual Action Completed	General Manager	Council utilises its various communication channels to provide regular updates to the community on Council's achievements, strategic objectives and actions. A copy of the quarterly operational plan progress report is placed on Council's website after it has been tabled at the relevant Council meeting. During the quarter Council promoted more than 40 Community. Announcements through its communication channels.	

2.4.3

ltem 9.7 -	Attachment 1	Quarterly Operational Plan Progress Report -
orth		
Wentworth	Council's Economic & Community Development Officer worked with the Wentworth Shire Interagency Group to successfully apply for funding to run school holiday activities in January and April. Council continues to work on grant opportunities with the Wentworth Showgrounds Users	opportunity discussion has been held with the Wentworth Football/Netball Club. Council staff have been worked with students at Coomealla High School to plan, organise and run an event utilising Youth Week funding. Council has also forwarded NAIDOC Grant opportunities to local Aboriginal organisations.
	Director Corporate Services	
	Annual Action Completed	
	Communicate funding opportunities available for the community	

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Wentworth
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Traffic Lights		of for k k k e e sst.	σ
Comments	This is an ongoing annual action of Council.	Procurement of materials and commencement of installation and construction works for the James King Park project. Works to be completed in August. Junction Island pathway works have been completed	Toilet blocks construction has been completed pending final installation. Tender for installation of connection of services to awarded at July Council Meeting.
Responsible Officer Position	Team Leader Parks & Garden	Manager Engineering Services	Manager Engineering Services
Status	Annual Action Completed	Specific Action Progressing	Specific Action Progressing
Action Name	Maintain and update the amenity of the Shire to meet community expectations for clean and well-presented public spaces and townships	Undertake specific public spaces capital works projects - Reserves Upgrades	Undertake specific public spaces capital works projects - Buronga Riverfront Toilet Block
Action Code	2.5.1	2.5.2	2.5.3
Objective	To have a strong sense of place.		
Objective Code	2.5		

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Wentworth
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Objective	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
	2.5.4	Undertake specific public spaces capital works projects - Pooncarie Toilet Block	Specific Action Progressing	Manager Engineering Services	Toilet block construction has been completed. contract for installation has been awarded. Currently procuring contractor for connection to services.	
	2.5.5	Undertake specific public spaces capital works projects - Ski Reserve Rehabilitation project	Deferred	Manager Engineering Services	This project does not need to be completed till 30 June 2026. Initial site rehabilitation to be undertaken before 30 June 2024.	
	2.5.6	Undertake specific public spaces capital works projects - Buronga Pump Track Stage	Deferred	Manager Engineering Services	This project does not have to be completed till June 2025.	
	2.5.7	Undertake specific public spaces capital works projects - Open Spaces Development	Deferred	Manager Engineering Services	This project does not have to be completed till 30 June 2025.	



Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		2.5.8	Undertake specific public spaces capital works projects - Greater Junction Viewing Platform	Deferred	Manager Engineering Services	This project does not have to be completed till 30 June 2025.	
		2.5.9	Undertake specific public open spaces capital works projects - James King Park Riverfront	Specific Action Progressing	Manager Engineering Services	Works to commenced in June and will be completed in August.	
		2.5.10	Flood Recovery - Parks, Gardens, Open Spaces	Specific Action Completed	Manager Engineering Services	This action has been completed.	
		2.5.11	O'Donnell Toilet Block Repair	Specific Action Completed	Manager Works	This Action has been completed.	



## **Strategic Direction: Our Environment**

Wentworth is a community that works to enhance and protect its physical and natural environment.

Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
3.1	Ensure our planning decisions and controls ensure the community benefits from development.	3.1.1	Deliver timely services for the assessment of Development Applications and planning proposals.	Annual Action Completed	Acting Director Health & Planning	This is an ongoing annual action of Council.	
		3.1.2	Develop, review and update Strategic Planning documents as required.	Annual Action Completed	Acting Director Health & Planning	See action 1.1.3	
3.2	Ensure that community assets and public infrastructure are well	3.2.1	Land Tenure Program	Annual Action Completed	Property & Land Tenure Officer	This is an ongoing annual action of Council.	
	maintained.	3.2.2	Maintain transport network including Roads, Bridges & Footpaths	Annual Action Completed	Team Leader Roads	This is an ongoing annual action of Council.	



Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	SHIRE COUNCIL  Traffic  Lights
		3.2.3	Maintain community facilities including halls, ovals, pools and other sporting facilities	Annual Action Completed	Manager Works	This is an ongoing annual action of Council.	
		3.2.4	Prioritise and implement recommendations of Asset Management Plans - Fixing Local Roads - Log Bridge Road	Deferred	Manager Works	This project has been deferred and will be completed later in the year in line with works to be completed for the FOSO project.	
		3.2.5	Prioritise and implement recommendations of Asset Management Plans - Pooncarie-Menindee Road	Specific Action Completed	Manager Works	This Action has been completed.	

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						SHIRE	SHIRE COUNCIL
Objective Objective Code	Objective	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		3.2.6	Prioritise and implement recommendations of Asset Management Plans - Flood Recovery Activities - Roads, Bridges, Footpaths	Specific Action Progressing	Manager Works	All 9 of the projects have been approved by Transport for NSW with 6 of those projects have been completed, with the remaining 3 to be completed after the Arumpo Road projects has been completed.	
		3.2.7	Prioritise and implement recommendations of Asset Management Plans - Remote Roads Pilot Upgrade Program - Arumpo Road Upgrade	Specific Action Progressing	Manager Works	Construction works to commenced in May and will be completed by November. Project is on schedule.	



						SHIKE	SHIRE COUNCIL
Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		3.2.8	Prioritise and implement recommendations of Asset Management Plans - Regional & Local Road Repair Program	Specific Action Completed	Manager Works	This program has been changed and merged into a new program by the State Government called the Regional Roads Emergency Road Repair Fund. Schedule of Works has been submitted and approved. Works to commence in the new financial year. This action has been completed for the year.	
		3.2.9	Prioritise and implement recommendations of Asset Management Plans - George Gordon Oval Car Park	Specific Action Completed	Manager Works	This project has been completed.	



Objective Code         Action Name Code         Status Code         Responsible Officer         Coordinations (Company)         Specific Action (Company)         Responsible Officer         Coordinations (Company)         Completed (Company)         Company (Compan							SHIRE	SHIRE COUNCIL
Prioritise and implement Progressing Progressing Progressing of Asset Management Plans - Pothole Repair Program Prioritise and implement recommendations of Asset Management Plans - Buronga Wetlands Sharedway Prioritise and implement Plans - Buronga Wetlands Sharedway Prioritise and implement Plans - Buronga Wetlands Sharedway Progressing Services Sharedways Progressing Services Sharedways & Sharedways & Sharedways	Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
Prioritise and implement Completed Services of Asset Management Plans - Buronga Wetlands Sharedway Prioritise and implement Progressing Services Ananagement Progressing Services Management Plans - Footpaths & Sharedways				Prioritise and implement recommendations of Asset Management Plans - Pothole Repair Program	Specific Action Progressing	Manager Works	Council is working through the approved schedule of works.	
Prioritise and Specific Action Manager Engineering implement Progressing Services of Asset Management Plans - Footpaths & Sharedways			3.2.11	Prioritise and implement recommendations of Asset Management Plans - Buronga Wetlands	Specific Action Completed	Manager Engineering Services	This action has been completed.	
202				Prioritise and implement recommendations of Asset Management Plans - Footpaths & Sharedways	Specific Action Progressing	Manager Engineering Services	A concept design for the proposed footpath treatment in Darling Street has commenced. Community consultation in relation to the concept design took place in April and May. The Gol Gol project has been deferred till 2024/2025.	

Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
	3.2.13	Prioritise and implement recommendations of Asset Management Plans - Wentworth Showgrounds Female Change Rooms	Specific Action Completed	Manager Engineering Services	This project has been completed.	
	3.2.14	Prioritise and implement recommendations of Asset Management Plans - Wentworth EDS	Specific Action Completed	Manager Engineering Services	EDS has been completed, commissioned and is now operational. This action has been completed.	
	3.2.15	Prioritise and implement recommendations of Asset Management Plans - Wentworth Rowing Club Extension	Specific Action Progressing	Manager Engineering Services	Final designs have been completed. Project has been approved by funding body, awaiting finalisation of funding	

Action Name
Prioritise and implement recommendations of Asset Management Plans - Showgrounds Kitchen Upgrade
Prioritise and implement recommendations of Asset Management Plans - George Gordon Oval



		3 ( )		Charles			SHIRE COUNCIL
Ubjective Code	Objective Objective	Action	Action Action Name Code	Status	responsible Officer Position	Comments	Lights
		3.2.18	Prioritise and implement recommendations of Asset Management Plans - George Gordon Oval Female Change Rooms	Specific Action Completed	Manager Engineering Services	This project has been completed.	
		3.2.19	Prioritise and implement recommendations of Asset Management Plans - Pooncarie Reserve Kitchen Upgrade	Specific Action Progressing	Manager Engineering Services	Design has been completed. This project will be tendered in August/September in conjunction with the Wentworth Showgrounds project. As per the funding requirements this project doesn't have to be completed till 30 June 2025.	



						SHIR	SHIRE COUNCIL
Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		3.2.20	Prioritise and implement recommendations of Asset Management Plans - Sporting Complex Bowling Green	Specific Action Completed	Director Corporate Services	This project has been completed.	
		3.2.21	Prioritise and implement recommendations of Asset Management Plans - Dareton Main Street	Specific Action Progressing	Director Corporate Services	Construction of the toilet block has been completed. Works on demolishing to old toilet block in Kuhn Square and beautification of the square to commence in August. As per the funding requirements this project doesn't have to be completed till 30 June 2025.	



						SHIRE COUNCIL	SHIRE COUNCIL
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		3.2.22	Prioritise and implement recommendations of Asset Management Plans - Alcheringa Tennis Courts.	Specific Action Completed	Director Corporate Services	This Action has been completed.	
		3.2.23	Prioritise and implement recommendations of Asset Management Plans - Carramar Drive Sporting Complex Cricket Nets	Specific Action Completed	Director Corporate Services	This Action has been completed.	
		3.2.24	Prioritise and implement recommendations of Asset Management Plans - Pooncarie Aerodrome Lighting	Specific Action Completed	Team Leader Civil Projects	This Actions has been completed.	
		3.2.25	Pooncarie Race Tower Upgrade	Specific Action Completed	Manager Engineering Services	This Action has been completed.	
		3.2.26	Wood Street Kerb & Channel	Specific Action Completed	Manager Works	This Action has been completed.	

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Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
3.2.27	Wentworth Bowling Club Green Replacement	Specific Action Completed	Manager Engineering Services	This Action has been completed.	
3.2.28	George Gordon Oval Lighting Upgrade	Specific Action Progressing	Manager Engineering Services	Recently approved Local Roads & Community Infrastructure Round 4 project. Contractor to be appointed prior to June 2024 with the works commence after the football season finishes in September. Temporary works to be undertaken so the lights can be used during the Dareton Centenary Celebrations.	
2.2	3.2.29 Prioritise and implement recommendations of Asset Management Plans - Fixing Local Roads Round 4 - Keenans Drive/Old Wentworth Road.	Specific Action Completed	Manager Works	This Action has been completed.	

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						SHIRE	SHIRE COUNCIL
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		3.2.30	Dareton Men in a Shed Fire Services Upgrade (LRCIP)	Specific Action Progressing	Manager Engineering Services	Recently approved Local Roads and Community Infrastructure Program project. Contractors have been engaged and works have commenced. Water connections have been completed and the fire services are currently being installed.	
3.3	Minimise the impact on the natural environment	3.3.1	Undertake actions identified in the Western Weeds Action Plan	Annual Action Completed	Manager Works	New Bio-Security Officer to commenced in January.	
		3.3.2	Monitor and investigate Illegal Dumping Activities as required	Annual Action Completed	Acting Director Health & Planning	This an ongoing annual action.	
		3.3.3	Support the activities of the Murray Darling Association	Annual Action Completed	General Manager	This is an ongoing annual action. Council continues to support to work of the Murray Darling Association.	

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Dbjective	Objective Objective	Action	Action Name	Status	Responsible Officer	Comments	Traffic
Code					Position		Lights
		3.3.4	Advoacte for the	Annual Action	General Manager	This is an ongoing	
			sustainable	Completed	)	annual action.	
			management of			Council continues	)
			the Darling-Barka			to advocate for the	
			River and the			sustainable	
			Menindee Lakes			management of the	
						Darling-Barka River	
						and the Menindee	
						Lakes. Council	
						successful lobbied	
						the State and	
						Federal Water	
						Ministers, the NSW	
						Fisheries	
						Department and	
						the Commonwealth	
						Environmental	
						Water Holder to	
						have 45GL of	
						environmental	
						water flushed down	
						the river to clear up	
						a significant blue	
						green algae alert	
						that has been in	
						place for 3 months.	



						SHIRE	SHIRE COUNCIL
Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments 1	Traffic Lights
		3.3.5	Promote environmental activities for community participation.	Annual Action Completed	Director Corporate Services	Council has promoted the Yabby Trap Round Up initiative run by the NSW Department of Fisheries and Clean Up Australia Day on March 3rd. Council is working with the Murray Wetlands Working Group, NSW Fishers and the Commonwealth Environmental Water Holder to explore options around the preservation of native fish in Thegoa Lagoon.	

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Consultant has	commenced data	collection and	analysis in order to	inform flood	modelling. This is	expected to take 12	months in line with	the schedule of	works agreed to	with the funding	body. At the Flood	Risk Management	Committee held on	27 March it was	discussed about	possibly expanding	the scope of the	study to include	overland flows, this	has been discussed	with the	Department who	have indicated that	this might be eligible	for additional	funding, therefore	an application has	been submitted. If	successful a	variation to the	project scope will	be agreed to with	the consultant.
Acting Director Health &	Planning																																
Specific Action	Progressing																																
Wentworth Shire	Flood Study																																
3.3.6																																	
	Wentworth Shire Specific Action Acting Director Health &	Wentworth ShireSpecific ActionActing Director Health &Flood StudyProgressing	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Plandy Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Planding Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Planding Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Planding Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Planding Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Planding Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Progressing Planning Planning	Wentworth Shire Specific Action Acting Director Health & Plandy Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Plood Study Progressing Planning	Wentworth Shire Specific Action Acting Director Health & Progressing Progressing Planning	Wentworth Shire Specific Action Action Progressing Progressing Planning	Wentworth Shire Specific Action Action Briedth & Flood Study Progressing Planning Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning Planning	Wentworth Shire Specific Action Acting Director Health & Flood Study Progressing Planning Planning	Wentworth Shie Specific Action Acting Director Health & Flood Study Progressing Planning Planning



Objective Code	Objective Objective Code	Action Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
4.6	Use and manage our resources wisely.	3.4.1	Provide best practice water, waste water and stormwater management infrastructure	Annual Action Completed	Manager Engineering Services	This is an ongoing action of Council.	

Wentworth
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						SHIRE	SHIRE COUNCIL
Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		3.4.2	Provide and promote resource recovery and recycling initiatives.	Annual Action Completed	Director Roads & Engineering	At the August Council meeting, Council approved an option to trial providing the Kerbside Hardwaste Collection across the whole year instead of at a dedicated time each year. This was rolled out in January with 110 eligible properties registering for a collection. 292 Green Waste vouchers have been cashed in at waste facilities during the course of the financial year. Council actively promoted Clean Up Australia Day. Council in parthership with Riverina & Murray Joint Organisation has secured \$149k in funding to commence education process around the introduction of a Food & Organics Bin for residents and	
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						SHIRE	SHIRE COUNCIL
Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		3.4.3	Encourage businesses and the community to be socially and environmentally responsible	Annual Action Completed	Media & Communications Officer	See actions 3.3.5 & 3.4.2	
		3.4.4	Identify strategic partnerships in order to introduce cost-effective recycling and green waste collections services - Progress Buronga Landfill Expansion	Specific Action Progressing	Manager Engineering Services	Tenders for the construction and project management of the Landfill expansion were approved by Council at its June meeting. Loan application has been submitted to NSW T-Corp for approval.  Application to vary the Licence for the landfill in line with the approved DA has been submitted to the EPA.	



						SHIRE	SHIRE COUNCIL
Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		3.4.5	Undertake a review of energy efficiency and the use of renewable resources across Council facilities and assets.	Specific Action Progressing	Director Corporate Services	An application is being prepared to the Community Energy Upgrades Fund Round 1. Installation of Solar on the Civic Centre has been completed. A number of EV Charging Stations grant applications have been submitted. Council is currently participating in a joint Council tender being conducted by NSW LG Procurement to secure a 7 year renewable energy supply contract. Council is also looking into Virtual Energy Networks as option to offset usage at sites that are unable to have solar panels	
						connected.	



Objective Objective Code	Objective	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		3.4.6	Prioritise and implement recommendations of the Integrated Water Cycle Management Plan	Specific Action Progressing	Manager Engineering Services	Council is has submitted applications to the Safe & Secure Water fund to progress designs for 4 key water projects.	
		3.4.7	Darling Street Sewer Main Repair	Specific Action Completed	Manager Engineering Services	This action has been completed.	
		3.4.8	Melaleuca Street Sewer manhole upgrade	Specific Action Completed	Manager Engineering Services	This action has been completed.	
		3.4.9	Water Leakage & District Metering Program	Specific Action Progressing	Manager Engineering Services	Bulk flow meters have been delivered. Installation plan is being finalised.	
		3.4.10	Beverly Street Sewer Main Repair	Specific Action Completed	Manager Engineering Services	This action has been completed.	



Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	SHIRE COUNCIL  Traffic  Lights
స స	Infrastructure meets the needs of our growing Shire.	3.5.1	Advocate to the Federal and State governments for adequate funding for the delivery of key projects and the provision of essential infrastructure for the region.	Annual Action Completed	Director Corporate Services	The Mayor and the General Manager have advocated to the NSW Water Minister, NSW Roads Minister and the NSW Housing Minister in relation to funding of key projects and the provision of essential infrastructure.	
		3.5.2	Plan for appropriate infrastructure and services that support current and future needs	Annual Action Completed	Director Roads & Engineering	Currently considering applications to the Safe & Secure Water Fund for some water infrastructure design works. Work has commenced on formulating a Community Planning Framework.	





Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
3.5.4 Progress actions from the Buronga/Gol Gol Structure Plan - Pink Lake Stormwater	Progress ac from the Buronga/Ge Structure Pk Pink Lake Stormwater	tions ol Gol an -	Deferred	Manager Engineering Services	Final designs have been completed. Tender process to commence in May with an approval of a preferred contractor to go to Council in July.	
3.5.5 Progress actions from the Buronga/Gol Gol Structure Plan - Rose Street Storwater	Progress ac from the Buronga/G Structure P Rose Street Storwater	ctions iol Gol lan -	Specific Action Progressing	Manager Engineering Services	Tender to appoint a preferred contractor to be presented to the July Council meeting for approval.	
3.5.6 Progress actions from the Buronga/Gol Gol Structure Plan - 3 Sisters Stormwater	Progress ac from the Buronga/G Structure P Sisters Storr	stions ol Gol Ian - 3 nwater	Specific Action Progressing	Manager Engineering Services	Final design and installation of inrigation to occur this financial year. Remainder of the project to be completed in 2024/2025.	



Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		3.5.7	Progress actions from the Buronga/Gol Gol Structure Plan - Kingfisher Road Stormwater & Sewer Pump Station	Not Due To Start	Manager Engineering Services	This project is no longer required due to changes made to the subdivision by the developer.	
		3.5.8	Local Roads & Community Infrastructure Round 4 projects	Specific Action Progressing	Manager Engineering Services	Schedule of works has been approved by the funding body. Once all the individual projects have commenced this action will be made inactive and new actions will be created for all the individual projects.	



Objective Code	Objective Objective	Action Actior Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		3.5.9	Wentworth Aerodrome Facilities Upgrade	Specific Action Progressing	Team Leader Civil Projects	Painting and Power Upgrades have been completed. Awaiting CASA approval for the installation of the RNAV system. CASA approved fly over to test the RNAV system scheduled for September with a final certification expected by the end of November.	
		3.5.10	OLG Flood Recovery Projects	Specific Action Progressing	Manager Engineering Services	See 2.5.10	

Wentworth	
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						SHIRE	SHIRE COUNCIL
Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		3.5.11	Undertake a review of current and future sporting needs within the Shire - Buronga/Gol Gol Sporting Master Plan	Specific Action Progressing	Director Corporate Services	Consultant has bee appointed and initial data gathering has commenced. On site consultation took place in April. Feedback from the first round of community consultation presented to Council in June. Further work being done to refine preferred options before the draft is placed on community consultation.	
		3.5.12	Crane Drive Stormwater	Specific Action Progressing	Manager Engineering Services	Stage 1 works have been submitted to Transport for NSW for approval to bore under the Sturt Highway.	
		3.5.13	Finalise Civic Centre Project - Solar Installation (LRCIP)	Specific Action Completed	General Manager	Installation of Solar System has commenced.	

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Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		3.5.14	3.5.14 Finalise Civic Centre Project - Footpath Replacement (LRCIP)	Specific Action Progressing	General Manager	The project has commenced.	



# **Strategic Direction: Our Leadership**

Wentworth Shire is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner.

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Comments

Responsible Officer Position

Status

Action Action Name Code

Objective Objective Code

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Community engagement and consultation was undertaken during the quarter in relation to the following: - Interpretive Centre Project at the Wentworth Civic Centre, - the FOSO/LightSTATE project - Wentworth Tourism & Events Strategy - Wentworth Economic Development Strategy - Wentworth Economic Development Strategy - Wentworth Flought Resilience Plan - Community feedback about Outdoor fitness equipment and playground at Junction Park - Youth Week Event (Coomealla High School) - Wentworth Flood Study - James King Park - Retaining Wall and Path Upgrade - Buronga Gol Gol Sporting Masterplan - Darling Street Footpath Upgrade - Wentworth Flood Study The Mayor also hosted a "Cuppa with the Mayor" in Pooncarie on March 18
General Manager
Annual Action Completed
Undertake community engagement activities and provide opportunities for participation in decision making where appropriate, in- line with Council's adopted Community Engagement Strategy
1.1.4
Consistently engage and consult the whole community to ensure feedback is captured and considered as part of decision making and advocating processes.
1.4



Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		4.1.2	Implement actions outlined in the Disability Inclusion Action Plan	Annual Action Completed	Director Corporate Services	New sliding doors have being added to the Dareton Senior Citizens and Library Building. New footpaths/Sharedways have been installed in Buronga and Gol Gol.	
4.2	A strong, responsible and representative government.	4.2.1	Ensure that Council is accountable to the community, meets legislative requirements and supports the Councillors to undertake their civic responsibilities	Annual Action Completed	General Manager	This is an ongoing annual action of Council. The Mayor and General Manager meet the NSW Governor during a recent visit to Mungo.	

Councils Conference

in Cobar in June.

Wester Division of

**Action Name** 

Action Code

Objective

Objective

Code

Councillors to

Support

4.2.2

undertake ongoing

development professional





Objective Objective	Objective	Action	Action Action Name	Status	Responsible Officer	Comments	Traffic
٤. د:	An effective and efficient organisation.	4.3.1	Engage the community on a regular basis to ensure that Council is providing services that deliver value for money and are relevant in meeting the changing needs of the community.	Annual Action Completed	Director Corporate Services	The options assessment for the ongoing operations of the Buronga Landfill has been completed and endorsed by Council.	
		4.3.2	Staff are supported to deliver high quality services to the community	Annual Action Completed	General Manager	This is an ongoing annual action. As part of updating the IT Strategic Plan a staff survey was undertaken with 39 responses received.	



						SHIR	SHIRE COUNCIL
Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		 	Ensure the organisation is well led and managed through the implementation of Good Governance, Risk Management and Compliance Frameworks	Annual Action Completed	Director Corporate Services	New Data Breach Policy was adopted by Council at the November Council Meeting. The Audit Risk and Improvement Committee met four times during the year. The Annual Report was completed on time. The Internal Audit Function has completed the IT Internal Controls Audit and the Project and Contract Management Audit and commenced the Work Health and Safety Audit.	



						SHIRE COUNCIL	OUNCIL
Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments 1	Traffic Lights
		4.3.4	Continue to monitor compliance with NSW Modern Slavery obligations	Specific Action Progressing	Director Corporate Services	Council has commenced using the Inherent Risk Identification Tool (IRIT) in accordance with Guidance on Reasonable Steps (GRS) issued by the Office of the Anti-Slavery Commissioner in December 2023 to identify the risk associated with specific procurement and the level of due diligence to apply. Review of tender and contract clauses continue with a view to including different versions based on the identified due diligence level. Continuing to review the GRS and its application to Council's procurement activities.	



						SHIR	SHIRE COUNCIL
Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
4.	Provide strong leadership and work in partnership to strategically plan for the future.	4.4.1	Continue to support the work of the Wentworth Interagency Group	Annual Action Completed	General Manager	See actions 2.2.2 & 2.2.3	
		4.4.2	Foster strong partnerships with all levels of government, peak bodies, agencies and the community	Annual Action Completed	General Manager	See action 3.5.1	
		4. 4. c.	Support cultural, recreational and community interaction opportunities through the Financial Assistance Program	Annual Action Completed	Team Leader Customer Service	Council approved \$12,168 of Financial Assistance during the June Quarter.	





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SHIRE COUNCIL																																	
The following activities	have taken place	recently	Training - 12 Courses	(342 attendees)	- Asbestos awareness	training for water	industry operators	- Child Safe Councils	- Drug & Alcohol	testing information	sessions (all staff)	- First Aid - provide first	aid	- First Aid - CPR	refresher	- Respect at work -	general staff	- Respect at work -	managers/supervisors	- Safe working near	traffic & mobile plant	- Transport for NSW	Worker on foot	- Traffic Control	- Working safety in the	vicinity of live	electrical apparatus	as a non-electrical	worker	:	Medical surveillance	- Hearing screening x	51 - Skin cancer
Manager Human	Resources																																
Annual Action	Completed																																
Implement	actions outlined	in the Workforce	Management	Plan																													
4.5.4																																	

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Objective Objective	Action	Action Action Name	Status	Responsible Officer	Comments	Traffic
	Code			Position		Lights
					screening x 86 - Flu Vaccinations x 80	
					workshops - Riverina West Risk	
					Group Meeting (Hay)	
					- StateCover regional	
					workshop (Hay)	
					- Psychosocial risk	
					assessment workshop	
					As at 30 June Council's	
					workforce	
					demographics are as	
					follows:	
					Male - 66%	
					Female - 34%	
					7% of staff identify as	
					Aboriginal/Torres Strait	
					Islander (NSW State	
					Avg - 3.44%)	

Action Code

Objective

Objective

Code

4.5.5



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4.5.6

### 9.8 JUNE QUARTERLY BUDGET REVIEW - FOURTH QUARTER 2023-2024

File Number: RPT/24/535

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Bryce Watson - Accountant

Objective: 4.0 Wentworth Shire is supported by strong and ethical civic

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.5 Adopt practices of prudent asset, financial and human

resource management across Council to ensure long-term

sustainability and efficiency

### Summary

A full analysis of Council's Income, Operating Expenditure and Capital Expenditure has been undertaken. Several variations have been identified against the original budget as outlined in this report. Council's revenue and expenditure is reviewed on a quarterly basis to identify any potential areas requiring a variation.

In the June Quarter the result of net variances if approved are an unfavourable operational variance of \$1,035,000 and a favorable capital variance of \$1,035,000. Note all June figures are prepared prior to accruals posting and prepared on a cash basis for budget purposes only.

### Recommendation

That Council:

- a) Note the 2023/2024 Fourth Quarter Budget Review
- b) Approve the proposed revised 2023/2024 Changes to Operational and Capital Expenditure Budgets.

### **Detailed Report**

### **Introduction**

The purpose of this report is to provide the Audit, Risk and Improvement Committee with information on the 2023/2024 Budget position, proposing amendments where required and providing an overview of Council's current year financial performance in relation to the adopted budget and key indicators.

This report is prepared in accordance with S407 (1) of the *Local Government Act* 1993, Clause 203(1) of the *Local Government (General) Regulation* 2021 and Council's 2023/2024 Operational Plan. This report complies with the format required by the Office of Local Government.

### Report Detail

As required by the Office of Local Government the quarterly budget review statement is attached and includes the following documents in order. All reports are presented in a consolidated view of all funds (General, Water and Sewer).

- 1. Consolidated Income Statement (containing operating income and expenses)
- 2. Proposed Variations to the Income Statement
- 3. Consolidated Capital Budget
- 4. Proposed Capital Budget Variations
- 5. Cash and Investments Position and Reserve Balance
- 6. Register of Material Contracts
- 7. Consultancy and Legal Expense Report

### 1. Consolidated Income Statement

Income & expenses budget review statement

Budget review for the quarter ended 30 June :	2024												
Income & expenses - Council Consolidate	ed												
·	Original		Approve	d Chang	es		Revised	Variations		Projected	Actual	varianc	%
(\$000's)	budget	Carry	Other than	Sep	Dec	Mar	budget	for this	Notes	year end	YTD	<b>e</b> Surplus	Actuals by
	2023/24	forwards	by QBRS	QBRS	QBRS	QBRS	2023/24	Jun Qtr		result	figures	(Deficit)	Projected
Income													
Rates and annual charges	10,187				109		10,296			10,296	10,314	18	100.17%
User charges and fees	7,089				1,937	650	9,676			9,676	7,179	(2,497)	74.19%
Other revenues	1,104						1,104			1,104	1,149	45	104.08%
Grants and contributions - operating	14,311		(3,725)	33			10,619			10,619	11,133	514	104.84%
Grants and contributions - capital	26,314		3,725	(450)	(1,469)	(5,514)	22,606	(1,035)		21,571	12,921	(9,685)	59.90%
Interest and investment revenue	1,693						1,693			1,693	1,981	288	117.01%
Net gain from disposal of assets	100						100		g	100		(100)	0.00%
Total income from continuing operations	60,798	-	-	(417)	577	(4,864)	56,094	(1,035)		55,059	44,677	(11,417)	
Expenses													
Employee benefits and on-costs	11,078						11,078			11,078	11,249	(171)	101.54%
Borrowing costs	473						473			473	342	131	72.30%
Materials and services	7,449			33	1,937	650	10,069			10,069	9,532	537	94.67%
Depreciation and amortisation	8,465						8,465			8,465	8,465	-	100.00%
Other expenses	3,698					250	3,948			3,948	4,769	(821)	120.80%
Net Loss from disposal of assets							-			-		-	
Total expenses from continuing operations	31,163	-	-	33	1,937	900	34,033	-		34,033	34,357	(324)	
Net operating result from continuing operation	29,635	-	-	(450)	(1,360)	(5,764)	22,061	(1,035)		21,026	10,320	(11,741)	
Discontinued operations - surplus/(deficit)									n			_	
							1						
Net operating result from all operations	29,635	-	-	(450)	(1,360)	(5,764)	22,061	(1,035)		21,026	10,320	(11,741)	
			(							(= .=)			
Net Operating Result before Capital Items	3,321	-	(3,725)	-	109	(250)	(545)	-		(545)	(2,601)	(2,056)	

The net result of operations as of 30 June was a deficit of \$2,601 million before capital income. There are \$1,035,000 in proposed variations to income and no proposed variations to operational expenditure. The net result if approved is an unfavorable operational variance of \$1,035,000.

Note: capital grant income in the operational income statement does not reflect grant amounts paid in advance and those held in external restrictions it only reflects cash amounts received to date this financial year. A reconciliation will be performed as of 30 June 2024 to recognise these amounts as income.

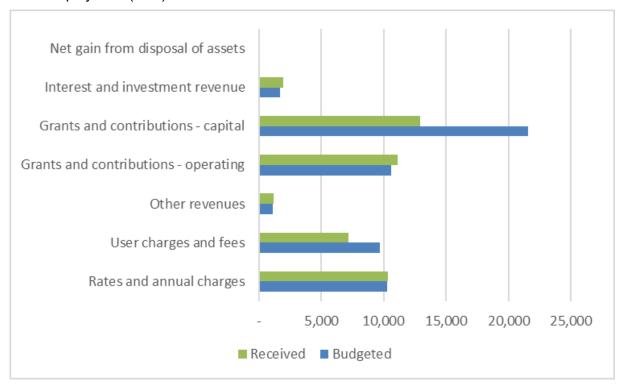
For the quarter to 30 June there was \$14,211 million of operational income. Some of the notable income for the 4th quarter is listed below.

- General Financial Assistance Grant \$6,714,766
- Roads to Recovery Program \$1,750,610
- Landfill Tipping Fees \$1,132,288
- RMCC Contracts & Ordered Works \$507,504
- Investment Interest \$477,973

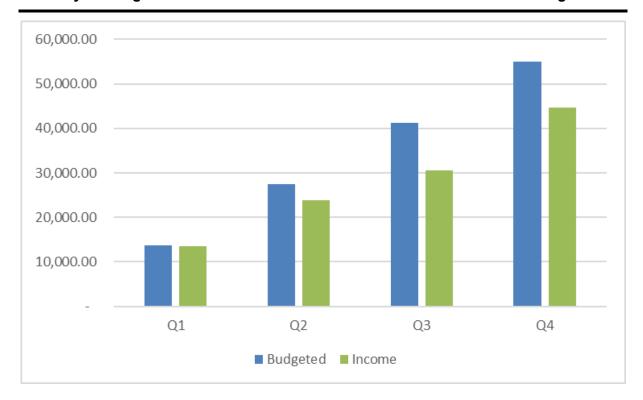
For the quarter to 30 June there was \$11,632 million of operational expenditure. Some of the notable expenditure for the 4th quarter is listed below.

- Water Fund Expenditure \$1,384,359
- RMCC Contracts & Ordered Works \$1,280,137
- Roads Expenditure \$1,002,416
- Buronga Landfill Expenditure \$624,614
- Sewer Fund Expenditure \$433,705

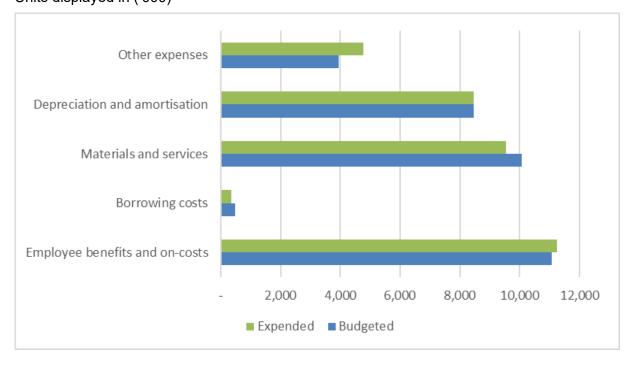
### <u>Income Recognised vs Budgeted Income – 30 June 2024</u> Units displayed in ('000)



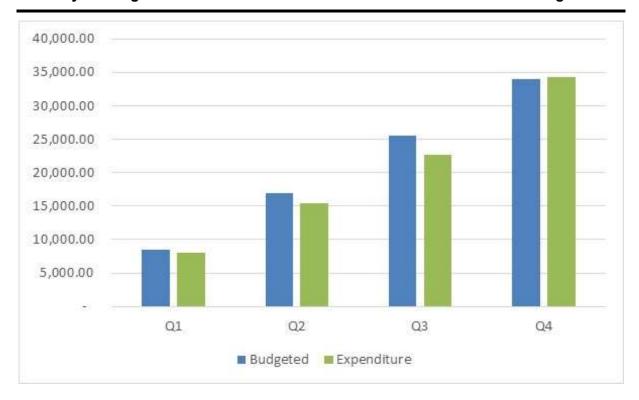
<u>Consolidated Income Recognised vs Budgeted – 30 June 2024</u> Units displayed in ('000)



Expenditure to date vs Budgeted Expenditure – 30 June 2024
Units displayed in ('000)



<u>Consolidated Expenditure vs Budgeted Expenditure – 30 June 2024</u> Units displayed in ('000)



### 2. Proposed Variations to the Income Statement

The sum of the proposed variations if approved is an unfavourable variance of \$1,035 Million.

### 3. Consolidated Capital Budget

Capital budget review statement													
Budget review for the quarter ended 30 June 2024 Capital budget - Council Consolidated										1			
	Original			ved chan				Variations		Projected	Actual	Variance	%
(\$000's)	budget 2023/24	Carry forwards	Other than by QBRS	Sep QBRS	Dec QBRS	Mar QBRS	budget 2023/24	for this Jun Qtr	Notes	year end result	YTD figures	Surplus (Deficit)	Actuals by Projected
Capital expenditure	2020/24	ioiwaids	by QDITO	QDITO	QDITO	QDITO	2020/24	ouii Qu		resurt	nguics	, , , ,	Trojecteu
New assets													
- Plant & equipment	-		45				45		а	45	45	-	
- Land & buildings	2,360	190			(302)	85	2,333			2.333	1.891	442	81.05%
- Other	6.095	80			(1,600)	(3,245)	1,330			1,330	1,163	167	87.44%
- Roads, bridges, footpaths	2,596				(486)	65	2,175	(180)		1,995	1,326	849	66.47%
Renewal assets (replacement)	,				( /		, -	( /					
- Plant & equipment	3,132						3.132		е	3,132	2,990	142	95.47%
- Land & buildings	13,865		(45)		(453)	(400)	12,967			12,967	11.009	1.958	84.90%
- Roads, bridges, footpaths	13,452		,		(373)	(1,369)	11,710	(725)		10,985	8,344	3,366	75.96%
- Other	2.113	75			723	( ,,	2,911	(130)		2,781	2,689	222	96.69%
Loan repayments (principal)	1,135						1,135	(/		1,135	984	151	86.70%
Water Fund	729	475			50	250	1,504	(30)		1,474	1.745	(241)	118.39%
Sewer Fund	1,196				70		1,266	(30)		1,236	1,118	148	90.45%
Total capital expenditure	46,673	820	-	-	(2,371)	(4,614)	40,508	(1,095)	•	39,413	33,304	7,204	84.50%
On Wald of Burn													
Capital funding	0.540	475			428	900	4 000	(00)		4.000	0.440	(074)	00.000/
Rates & other untied funding	2,519	4/5	0.705	(450)			4,322	(60)		4,262	3,448	(874)	80.90%
Capital grants & contributions Reserves:	26,314		3,725	(450)	(1,469)	(5,514)	22,606	(1,035)	m	21,571	12,921	(9,685)	59.90%
- External restrictions/reserves	8.340	345		450	120		9.255		n	9,255	8.935	(320)	96.54%
- Internal restrictions/reserves	0,040	343		450	120		3,233			9,200	0,555	(320)	30.3470
New loans	9.500				(1,450)		8.050			8.050	8,000	(50)	99.38%
Receipts from sale of assets	3,300				(1,430)		3,030			5,050	0,000	(50)	33.3070
Total capital funding	46,673	820	3.725		(2,371)	(4,614)	44.233	(1,095)	-ч	43.138	33.304	(10,929)	77.20%
Total capital fallaling	40,073	020	3,723		(2,371)	(-,014)	77,233	(1,093)		40,130	55,504	(10,323)	11.2070
Net capital funding - surplus/(deficit)	-	-	3,725	-	-	-	3,725			3,725	-	(3,725)	

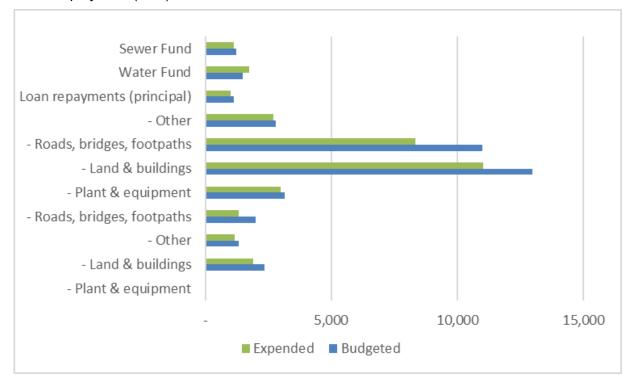
The net result of capital activities as of 30 June is total expenditure of \$33,304 Million. The sum of proposed capital variations if approved is a favorable variance of \$1,035 Million.

Some of the notable expenditure for the June quarter is listed below. Note that this is prior to the allocation of any year end accruals.

- Wentworth Civic Centre Upgrade \$1,813,160
- Wentworth Caravan Park Upgrade \$1,250,713
- Dareton to Namatjira Shared Way \$435,948
- Buronga Landfill Entry Upgrade \$257,524
- Wentworth EDS \$216,958
- Keenans Drive Construction \$165,649

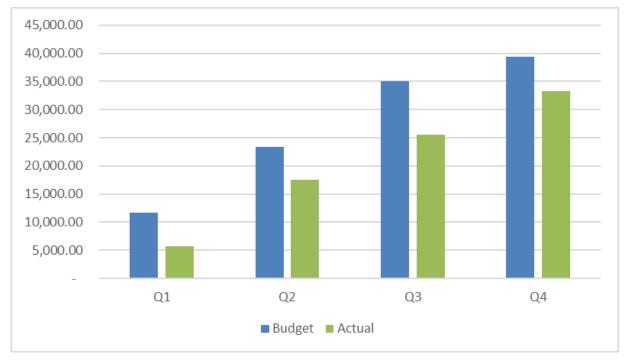
### <u>Capital Works Expenditure vs Budgeted Expenditure – 30 June 2024</u>

Units displayed in ('000)



### Consolidated Capital Works Expenditure vs Budgeted – 30 June 2024

Units displayed in ('000)



### 4. Proposed Capital Budget Variations

The breakdown of proposed variations to the capital budget statement are now listed in the attachment below. For the June quarter all variations related to carry-forward movements to re-budget continuing projects to the 2024-2025 financial year.

### 5. Cash and Investments Position and Reserve Balance

Reserve Balance at 30 June 2024

Internal Restrictions	Balance	Restriction
- Employee Entitlements	\$2,308,162.00	
- Doubtful Debts	\$47,730.00	
- Future Development Reserve	\$1,076,217.20	
- Trust Account	\$1,718,643.15	
- Caravan Park Loan Facility	\$0	
- Capital Projects	\$1,000,000.00	
- Plant Replacement Reserve	\$1,500,000.00	\$7,650,752.35
External Restrictions		
- Water Fund	\$10,958,096.38	
- Sewer Fund	\$5,673,494.77	
- T-Corp Loan Balance	\$541,934.32	
- Developer Contributions Reserve	\$1,034.643.30	
- Unexpended Grants	\$21,469,801.16	
- Crown Reserves Reserve	\$208,296.22	
- Loan Guarantee Reserve	\$187.69	
- Prepayments Cemeteries	\$580,199.09	\$40,466,652.93
Day to Day Liquidity		\$1,362,246.29
Total Funds Available		\$49,479,651.57

### Investments by Timeframe as of 30 June 2024

Council is currently complying with its investment strategy which notes the preference of keeping cash invested for the short term (12 months or less). Cash needs to be accessed as needed due to the large amount of capital works currently being undertaken and the need for readily accessible cash flow to pay for these Capital Works.

Currently Council has less holdings for the long term than their strategy recommends however, this is due to current needs for cash flow for the large amounts of budgeted capital expenditure. Council had a larger than normal at-call account balance at 30 June due to the prepayment of the Financial assistance grant.

Term	Amount	% of	Strategy	Difference
		Portfolio		
Long Term 12mths+	\$3,000,000.00	6.06%	15.00%	8.94%
Short Term <12mths	\$36,000,000.00	72.76%	75.00%	2.24%
At-Call	\$10,479,651.57	21.18%	10.00%	-11.18%
TOTAL	\$46,471,329.59			

### 6. Register of Material Contracts

Contracts over \$50k are disclosed in the report below. As of 30 June 2024, Council had not materially varied any of the contracts included in the register or ceased any of the agreements.

Attached upon request from the previous Audit Committee Meeting is a summary of all open contracts class one and above as of 30 June 2024.

For future reference any material variations, cancellations or other disclosures to these contracts will be listed within this report.

### 7. Consultancy and Legal Expense Report

### Consultancies paid YTD - 30 June 2024

Consultant	Q1	Q2	Q3	Q4	Totals	
AEC Group	\$ 12,369.50	\$ -	\$ 30,508.50	\$ -	\$ 42,878.00	Landfill Expansion Advice
Anderson Group	\$ -	\$ -	\$ 2,872.65	\$ -	\$ 2,872.65	Building Surveyors
Airport Surveys Pty Ltd	\$ 4,180.00	\$ -	\$ -	\$ -	\$ 4,180.00	Aerodrome Surveys
Australian Corrosion Consultants	\$ 7,689.00	\$ -	\$ -	\$ 5,205.48	\$ 12,894.48	Cathodic Protection Survey
Civil Test	\$ 4,441.80	\$ -	\$ -	\$ -	\$ 4,441.80	Soil & Compaction Testing
Exact Survey Group	\$ 2,640.00	\$ 34,012.00	\$ 7,890.25	\$ -	\$ 44,542.25	Pooncarie Road Survey
James Golsworthy Consulting	\$ -	\$ -	\$ 3,168.00	\$ 12,980.00	\$ 16,148.00	Landfill Consulting
GreenEdge Environmental	\$ 37,180.00	\$ 30,591.00	\$ 12,727.00	\$ 54,806.40	\$ 135,304.40	Environmental Impact Assessments
GSD Archetects	\$ 39,528.50	\$ 59,620.00	\$ 40,975.00	\$ 29,480.00	\$ 169,603.50	Project Management
Lyall & Associates	\$ -	\$ -	\$ 12,457.50	\$ 18,122.50	\$ 30,580.00	Flood Study
McMahon Consultancy	\$ -	\$ -	\$ 3,899.50	\$ 5,575.90	\$ 9,475.40	Workplace Investigations
MH2 Engineering	\$ 26,088.00	\$ 45,662.11	\$ -	\$ -	\$ 71,750.11	Engineering & Archetectural Services
Morrison Low Consultants	\$ -	\$ 2,310.00	\$ -	\$ -	\$ 2,310.00	Internal Reviews
Northern Land Solutions	\$ -	\$ -	\$ 4,950.00	\$ -	\$ 4,950.00	Title Surveys
Outerspace Landscape Architects	\$ -	\$ -	\$ 2,750.00	\$ 10,428.00	\$ 13,178.00	Architectural Design
Public Works Advisory	\$ 56,039.39	\$ 57,721.69	\$145,388.55	\$ 88,166.57	\$ 347,316.20	Engineering & Project Management
RSD Audit	\$ 9,240.00	\$ 5,390.00	\$ 13,090.00	\$ 16,170.00	\$ 43,890.00	Internal Audit
Simon Leisure Consulting	\$ -	\$ -	\$ -	\$ 14,602.50	\$ 14,602.50	Buronga Sporting Strategy
Tonkin Consulting	\$ -	\$157,172.42	\$117,754.18	\$ 82,471.40	\$ 357,398.00	Landfill Design & REF for Arumpo Road
Waste & Management Services	\$ -	\$ -	\$ -	\$ 46,481.40	\$ 46,481.40	Landfill Consulting
Zenith Town Planning	\$ 18,711.00	\$ 4,950.00	\$ -	\$ -	\$ 23,661.00	Rural Residential Strategy
	\$218,107.19	\$397,429.22	\$398,431.13	\$384,490.15	\$ 1,398,457.69	

### Notes to Consultancies

Council is currently experiencing higher than normal consultancy fees due to the design and environmental compliance of major capital works projects such as; Arumpo Road, Wentworth Civic Centre and Buronga Landfill Expansion.

### <u>Legal Expenses paid YTD – 30 June 2024</u>

Legal Service	Q1	Q2	Q3	Q4	Total	
Bartier Perry Pty Ltd	\$ 2,930.44	\$ 7,170.03	\$ 3,251.50	\$ 6,722.07	\$ 20,074.04	Sundry Legal Services
CGM Planning	\$ -	\$ -	\$ 3,960.00	\$ -	\$ 3,960.00	Plans of Management
Davies Watson Lawyers	\$ 2,500.00	\$ -	\$ -	\$ -	\$ 2,500.00	Property Easements
Iron Mountain	\$ 289.50	\$ 299.13	\$ 303.96	\$ 756.16	\$ 1,648.75	Secure Storage
John Irwin Legal	\$ -	\$ -	\$ 907.50	\$ -	\$ 907.50	Property Easements
Kells the Lawyers	\$ 1,443.92	\$ 2,275.32	\$ -	\$ 2,126.59	\$ 5,845.83	<b>Property Easements</b>
Maloney Anderson Legal	\$ 8,185.07	\$ -	\$ 346.14	\$ 553.26	\$ 9,084.47	<b>Property Easements</b>
Marsdens Law Group	\$17,487.55	\$48,013.58	\$10,690.39	\$ 5,376.20	\$ 81,567.72	Legal Representation
Martin Irwin Richards	\$ 2,809.68	\$ -	\$ -	\$ -	\$ 2,809.68	Property Easements
Mills Oakley	\$ -	\$ 426.80	\$ -	\$ -	\$ 426.80	GIPA Reviews
NAVITAS Legal	\$ 270.00	\$ -	\$ -	\$ -	\$ 270.00	Property Sales
Norton Rose Fulbright	\$10,997.80	\$30,890.18	\$ 9,075.00	\$ -	\$ 50,962.98	Land Acquisitions
NV Lawyers	\$ 721.16	\$ 3,244.22	\$ 364.10	\$ 9,915.22	\$ 14,244.70	Debt Collection
Outstanding Collections	\$13,395.46	\$ -	\$ -	\$ -	\$ 13,395.46	Debt Collection
Peterson Westbrook Cameron	\$ -	\$ 5,730.05	\$ -	\$ -	\$ 5,730.05	Property Easements
	\$61,030.58	\$98,049.31	\$28,898.59	\$25,449.50	\$213,427.98	

### Notes to Legal Expenses

No major changes to note.

### Conclusion

In the June Quarter the result of net variances if approved are an unfavourable operational variance of \$1,035,000 and a favorable capital variance of \$1,035,000. Note all June figures are prepared prior to accruals posting and prepared on a cash basis for budget purposes only.

This report is prepared in accordance with S407 (1) of the *Local Government Act 1993, Clause 203(1)* of the *Local Government (General) Regulation 2021* and Council's 2023/24 Operational Plan. This report complies with the format required by the Office of Local Government.

### **Attachments**

- 1. June Quarter QBRS Statement
- 2. Contracts Register for Contracts over \$50,000 U

### **Quarterly Budget Review Statement**

Date: 30/07/2024

for the period 01/04/24 to 30/06/24

### Report by responsible accounting officer

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

### 30 June 2024

It is my opinion that the Quarterly Budget Review Statement for Wentworth Shire Council for the quarter ended 30/06/2024 indicates that Council's financial position will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:

Simon Rule

Responsible Accounting Officer

Comin lat

**Quarterly Budget Review** 

for the period 01/04/24

Income & expenses budget review statement

Wentworth Shire Council

Budget review for the quarter ended 30 June 2024 Income & expenses - Council Consolidated

Solution of the color of the co													
	Original		Approve	Approved Changes	Si		Revised	Variations		Projected	Actual	Variance	
(\$.000\$)	budget 2023/24	Carry forwards	Other than by QBRS	Sep QBRS	Dec QBRS	Mar QBRS	budget 2023/24	for this Jun Qtr	Notes	year end result	YTD figures	Surplus (Deficit)	
Income											)		
Rates and annual charges	10,187				109		10,296		ಹ	10,296	10,314	18	
User charges and fees	7,089				1,937	650	9,676		q	9,676	7,179	(2,497)	
Other revenues	1,104						1,104		O	1,104	1,149	45	
Grants and contributions - operating	14,311		(3,725)	33			10,619		ъ	10,619	11,133	514	
Grants and contributions - capital	26,314		3,725	(420)	(1,469) (5,514)	(5,514)	22,606	(1,035)	Φ	21,571	12,921	(9,685)	
Interest and investment revenue	1,693						1,693		<u>_</u>	1,693	1,981	288	
Net gain from disposal of assets	100						100		D	100	1	(100)	
Total income from continuing operations	60,798	•	•	(417)	22.2	(4,864)	56,094	(1,035)		55,059	44,677	(11,417)	
Expenses													
Employee benefits and on-costs	11,078						11,078		L L	11,078	11,249	(171)	
Borrowing costs	473						473		-	473	342	131	
Materials and services	7,449			33	1,937	650	10,069			10,069	9,532	537	
Depreciation and amortisation	8,465						8,465		<b>×</b>	8,465	8,465	•	
Other expenses	3,698					250	3,948		_	3,948	4,769	(821)	
Net Loss from disposal of assets	•						-		E	-		-	
Total expenses from continuing operations	31,163	•	•	33	1,937	006	34,033	•		34,033	34,357	(324)	
Net operating result from continuing operations	29,635	•		(450)	(450) (1,360) (5,764)	(5,764)	22,061	(1,035)	I	21,026	10,320	(11,741)	
Discontinued operations - surplus/(deficit)							•		ㅁ	•			
Net operating result from all operations	29,635			(450)	(1,360)	(5,764)	22,061	(1,035)	1 1	21,026	10,320	(11,741)	
Net Operating Result before Capital Items	3,321		(3,725)	•	109	(250)	(545)	•		(545)	(2,601)	(2,056)	

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended 30/06/2024 and should be read in conjuction with the total QBRS report

### **Quarterly Budget Review Statement**

for the period 01/04/24 to 30/06/24

### Income & expenses budget review statement Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Notes	Details	
	June Qtr Variations	
	Carry Forwards	
е	Grants and contributions - capital	
	Capital Grants Carried Forwards	
	Get Active NSW	-\$180,000
	Funding for the Dareton to Namatjira Shared Path	
	Resources for Regions Round 9	-\$130,000
	Funding for the Dareton Main Street Upgrades	
	Remote Roads Pilot Upgrade Program	-\$725,000
	Funding for the Arumpo Road 24.5km Upgrade	

**Quarterly Budget Review Statemen** for the period 01/04/24 to 30/06/2.

Capital budget review statement

Budget review for the quarter ended 30 June 2024 Capital budget - Cou

Capital budget - Council Consolidated												
	Original		Appro	Approved changes	s		Revised	Variations	Projected	ed Actual	l Variance	%
(\$,000\$)	budget 2023/24	Carry forwards	Other than by QBRS	Sep QBRS	Dec QBRS	Mar QBRS	budget 2023/24	for this Jun Qtr	Notes year end result	nd YTD		Actuals by Projected
Capital expenditure										1		•
New assets												
- Plant & equipment	•		45				45		r r	45 45	'	
- Land & buildings	2,360	190			(302)	85	2,333		b 2,333	33 1,891	442	81.05%
- Other	6,095	80			(1,600)	(3,245)	1,330		د 1,330	30 1,163	167	87.44%
- Roads, bridges, footpaths	2,596				(486)	65	2,175	(180)	d 1,9	1,995 1,326	849	66.47%
Renewal assets (replacement)												
- Plant & equipment	3,132						3,132		е 3,132	32 2,990	142	95.47%
- Land & buildings	13,865		(45)		(453)	(400)	12,967		12,967			84.90%
- Roads, bridges, footpaths	13,452				(373)	(1,369)	11,710	(725)	10,985			75.96%
- Other	2,113	75			723		2,911	(130)	h 2,7	81 2,689		
Loan repayments (principal)	1,135						1,135			35 984		86.70%
Water Fund	729	475			20	250	1,504	(30)	1,474	_	(241)	118.39%
Sewer Fund	1,196				70		1,266	(30)	1,2			90.45%
Total capital expenditure	46,673	820	•		(2,371)	(4,614)	40,508	(1,095)	39,413	13 33,304	7,204	84.50%
Capital funding												
Rates & other untied funding	2,519	475			428	006	4,322	(09)	4,262	62 3,448		80.90%
Capital grants & contributions	26,314		3,725	(450)	(1,469)	(5,514)	22,606	(1,035)	m 21,571		(9,685)	%06.65
Reserves:												
<ul> <li>External resrtictions/reserves</li> </ul>	8,340	345		450	120		9,255		n 9,255	55 8,935	(320)	96.54%
- Internal restrictions/reserves	•						'		0	-	'	
New Ioans	9,500				(1,450)		8,050		р 8,050	50 8,000	(09)	99.38%
Receipts from sale of assets									q			
Total capital funding	46,673	820	3,725		(2,371)	(4,614)	44,233	(1,095)	43,138	38 33,304	(10,929)	77.20%
Net capital funding - surplus/(deficit)		•	3,725				3,725	•	3,725	25	. (3,725)	

This statement forms part of Council's Quarterly Budget Review Statement (QBRS) for the quarter ended 31/03/2024 and should be read in conjuction with the total QBRS report

### **Quarterly Budget Review Statement**

for the period 01/04/24 to 30/06/24

### Capital budget review statement Recommended changes to revised budget

Budget variations being recommended include the following material items:

Notes	D-4-!I-
NATAR	Detaile

June Qtr Variations

**Carry Forwards** 

New Assets - Roads, bridges & footpaths

**GNA Dareton to Namatjira** 

-\$180,000

Construction of a Shared Pathway and Solar Lighting from Namatjira to Dareton.

Project delayed due to negotiations on lighting with Essential Energy.

Renewal Assets - Roads, bridges & footpaths g

**Arumpo Road Construction 24.5km** 

-\$725,000

level of expected expenditure not reached in 2024FY due to project start being delayed to accommodate the construction of the Landfill Turning Lane.

To be re-budgeted to 2025FY.

h Renewal Assets - Other Assets

**Dareton Main Street Upgrade** -\$130,000

Demolition of Kuhn Square toilet block to be scheduled in 2025FY to expend

the remaining funds for this project.

Water Fund Assets j

> SCADA & 4G Upgrades -\$30,000

4G upgrade completed with SCADA upgrades to be completed early 2025FY

**Sewer Fund Assets** k

SCADA & 4G Upgrades -\$30,000

4G upgrade completed with SCADA upgrades to be completed early 2025FY

June Qtr Variations

Capital Funding - Carry Forwards

Rates & Other Untied Funding

SCADA & 4G Upgrades -\$60,000

Funded from general water and Sewer fund rating income.

**Capital Grants & Contributions** m

Get Active NSW -\$180,000

Funding for the Dareton to Namatjira Shared Path

**Resources for Regions Round 9** -\$130,000

Funding for the Dareton Main Street Upgrades

Remote Roads Pilot Upgrade Program -\$725,000

Funding for the Arumpo Road 24.5km Upgrade

### **Quarterly Budget Review Statement**

for the period 01/04/24 to 30/06/24

### Cash & investments budget review statement Reconciliation status

The YTD cash & investment figure reconciles to the act	ual balances held as follows:	\$ 000's
Cash at bank (as per bank statements) Investments on hand		10,479 39,000
less: unpresented cheques add: undeposited funds	(Timing Difference) (Timing Difference)	-
Reconciled cash at bank & investments	=	49,479
Balance as per QBRS review statement:	_	49,479
Difference:		-
Recommended changes to revised budget		
Budget variations being recommended include the follo	wing material items:	
Notes Details		

### **Quarterly Budget Review Statemen** or the period 01/04/24 to 30/06/2.

Key performance indicators budget review statement - Industry KPI's (OLG)

Wentworth Shire Council

Budget review for the quarter ended 30 June 2024

21/22 prior periods Actuals Original budget 23/24 **Current projection** Amounts Indicator 23/24 23/24 (\$,000\$)

NSW local government industry key performance indicators (OLG):

1. Operating performance 2020/21 2.4 % 20.0 % 0.0% -20.0 % 40.0% -40.0 % Ratio (%) 8.6 % 10.6 % 9.4 % ils ratio measures Council's achievement of containing operating expenditure -8.2 % perating revenue (excl. capital) - operating expenses perating revenue (excl. capital grants & contributions)

45.0 % 2020/21 140.0 % 100.0 % 80.0 % 60.0 % 20.0 % 0.0 % Ratio (%) 50.1% is ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating 42.4 % 58.4 % 46.2 % 20623 4467 perating revenue (excl. ALL grants & contributions) otal Operating revenue (incl. capital grants & cont) Own source operating revenue ants & contributions.

4.76 2.82 p assess the adequacy of working capital and its ability to satisfy obligations in the short term for the 1.50 3.19 urrent assets less all external restrictions restricted activities of Council. Unrestricted current ratio



## **Quarterly Budget Review Statemen**

or the period 01/04/24 to 30/06/2.

Key performance indicators budget review statement - Industry KPI's (OLG)

Wentworth Shire Council

Budget review for the quarter ended 30 June 2024

21/22 prior periods Actuals Original budget 23/24 **Current projection** Amounts Indicator 23/24 23/24 (\$,000\$)

NSW local government industry key performance indicators (OLG):

12.36 11.62 2.00 14.17 perating result before interest & dep. exp (EBITDA) ncipal repayments + borrowing interest costs

4. Debt service cover ratio

30.00 25.00

> and lease the availability of operating cash to service debt including interest, principal ratio measures yments

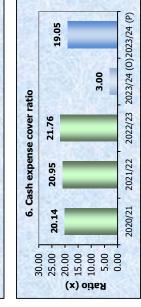
12.3 % 10.0% 5.2 % ges, interest & extra charges outstanding ates, annual & extra charges outstanding tes, annual & extra charges collectible

assess the impact of uncollected rates and annual charges on Council's liquidity and the adequacy of sovery efforts.

urrent year's cash & cash equivalents (incl.term deposits) financing activities cash flow payments is liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses thout additional cash inflow.

2023/24 (O) 2023/24 (P) 2023/24 (P) 14.17 5. Rates, annual charges, interest & extra charges outstanding 5.2 % 2023/24 (0) 10.0% 2.00 12.3 % 2022/23 2022/23 11.62 12.8 % 2021/22 2021/22 12.36 2020/21 13.0 % 2020/21 14.41 (%) oitsЯ
20.0 %
0.0 %
0.0 % % 0.09 80.0% 0.00

12.8 %



95

20.

21.76

3.00

19.05

Page 211

## Quarterly Budget Review Statemen for the period 01/04/24 to 30/06/2-

Key performance indicators budget review statement - Industry KPI's (OLG)

Wentworth Shire Council

Budget review for the quarter ended 30 June 2024

prior periods Actuals Original budget 23/24 **Current projection** Amounts Indicator 23/24 23/24 (\$,000\$)

NSW Local Government Infrastructure Asset Performance Indicators (OLG):

7. Building and infrastructure renewals ratio

162.1% 174.7 % 100.0% relative to the rate at 25032 295.7 % assess the rate at which these assets are being renewed sset renewals (building, infrastructure & other structures)

10.5 % 11.2 % 11.2% 11.2 % stimated cost to bring assets to a satisfactory condition otal value of infrastructure, building, other structures & epreciable land improvement assets rastructure backlog ratio

ils ratio shows what proportion the backlog is against the total value of a Council's infrastructure

Ratio (%) 100.0% 100.0% ompares actual vs. required annual asset maintenance. A ratio above 1.0 indicates Council is investing 100.0% 0.0% lough funds to stop the Infrastructure Backlog growing. ctual asset maintenance

295.7 % 2023/24 (P) 2023/24 (P) 2023/24 (P) % 0.0 11.2% 100.0 % 100.0 % 100.0 % 100.0 % 2023/24 (0) 2023/24 (0) 2023/24 (0) 11.2% 11.2% 8. Infrastructure backlog ratio 9. Asset maintenance ratio 162.1 % 174.7 % 2022/23 2022/23 2022/23 2021/22 2021/22 10.5 % 2021/22 203.9 % 2020/21 2020/21 5.3 % 2020/21 (%) 300.0 % 200.0 % 0.0 140.0 % 80.0 % 80.0 % 20.0 % 20.0 % 0.0 % 0.0 % 0.0 % 400.00% 2.0 % 10.0% 15.0 % 0.0% Ratio (%)

**Quarterly Budget Review Statemen** for the period 01/04/24 to 30/06/2.

Key performance indicators budget review statement - Industry KPI's (OLG)

Budget review for the quarter ended 30 June 2024

	10. Cost to bring assets to agreed service level 10.0 % 8.0 % 6.0 % 4.0 % 20.0 % 2020/21 2021/22 2022/23 2023/24 (P) (O)	2.5 2.1 2.6 3.9 0.0 0.0 2021/22 2022/23 2023/24 (P)
Actuals prior periods 22/23 21/22	7.4 % 7.0 % otal value of	2.6 2.1 ooth new
Original budget 23/24	7.5 % pared to the to	5.4 penditure on b
Current projection Amounts Indicator 23/24 23/24	ance Indicators (OLG):  50003 671336 7.4 % tanding renewal works comp	33304 3.9 8465 sets.
(\$,000\$)	NSW Local Government Infrastructure Asset Performance Indicators (OLG):  10. Cost to bring assets to agreed service level  Estimated cost to bring assets to an agreed  service level set by council  Gross replacement cost  This ratio provides a snapshot of the proportion of outstanding renewal works compared to the total value of assets under Council's care and stewardship.  No Benchmark	11. Capital expenditure ratio33304 Annual depreciation33304 84653.95.42.6To assess the extent to which a Council is expanding its assets and the replacement and renewal of existing assets.

### Quarterly Budget Review Statement for the period 01/04/24 to 30/06/24

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Contracts budget review statement

Wentworth Shire Council

Budget review for the quarter ended 30 June 2024

Part A - Contracts listing - contracts entered into during the quarter	entered into during the quarter						
			Contract	Start	Duration Budgeted	udgeted	Notes
Contractor	Contract detail & purpose		value	date	of contract	(X/N)	
Xylem Water Solutions Aus	Purchase of 2x Sewer Pumps for Dareton Pump Station #6	s	65,945.01	24/06/2024	Purchase Only	z	
Carter Linemarking	Various Linemarking for Transport for NSW Ordered Works	↔	133,027.00	18/06/2024	to 30/06/2024	>	
B & S Earthworks	Construction of Bluestone Paths on Junction Island	↔	67,876.60	12/06/2024	To Completion	>	
XCAV8	Vegetation Removal from Existing Culverts for Transport for NSW Routine Works	s	60,500.00	11/06/2024	to 30/06/2024	>	
KW Earthmoving & Concreting	Civil Stormwater Upgrade - Fletchers Lake Road Transport for NSW Ordered Works	s	102,558.50	29/05/2024	To Completion	>	
Mildura Regional Development	FOSO Payment to Bruce Munro	↔	342,438.95	27/05/2024	To Completion	>	
Blue Lion Moving Services	Relocation of Council Offices, Library, Historical Society and VIC	↔	62,166.50	24/05/2024	12/08/2024	>	
PY Timber Warehouse	Timber for Retaining Wall at James King Park	↔	51,395.20	24/05/2024	To Delivery	>	
Gregg & Sons Steel Pty Ltd	Steel for Retaining Wall at James King Park	↔	58,603.16	15/05/2024	To Delivery	>	
Sunraysia Pipes and Products	Supply & Delivery of Drainage Material - Arumpo Road	↔	54,999.40	13/05/2024	To Delivery	>	
Fulton Hogan Industries Pty Ltd	Stage 3 - Court Bowl Asphalt Program	s	124,222.20	9/05/2024	to 30/06/2024	>	
Omega Chemicals	Chemicals for Gol Gol & Wentworth Water Treatment Plant	↔	150,000.00	6/05/2024	LGP Contracts	>	
Bott Earthmoving	Hire of Water Trucks - Arumpo Road	↔	240,000.00	1/05/2024	10 Weeks	>	
Bott Earthmoving	Hire of Land Planes & Scoops - Arumpo Road	↔	272,000.00	1/05/2024	10 Weeks	>	
Mallee Earthmoving & Excavation	Road Base Material Screening	↔	1,073,600.00	1/05/2024	120,000 Tonne Crushing	>	
Coates Hire Operations	Bulldozer Hire - Arumpo Road	↔	92,400.00	29/04/2024	4 Months	>	
Bigfoot Civil Pty Ltd	Installation of Stormwater in Kingfisher Reserve 40% Contribution as per Subdivision Agreement	↔	94,496.60	26/04/2024	To Completion	>	
Dell Computers Pty Ltd	Teams Room Software & Hardware for Civic Centre and Midway	↔	76,501.70	16/04/2024	To Delivery	>	
Fulton Hogan Industries Pty Ltd	Buronga Landfill Intersection Upgrade - Asphalt Installation	↔	134,433.09	16/04/2024	to 30/06/2024	>	
KW Earthmoving & Concreting	Buronga Landfill Intersection Upgrade - Supply of Road Base Material	↔	56,950.00	16/04/2024	to 30/06/2024	>	
A2Z AV	Civic Centre Audio Visual Fit Out	↔	99,825.38	9/04/2024	To Completion	>	
Riverina Stabilisers	Pooncarie Heavy Road Patching	<del>(</del>	94,944.00	5/04/2024	to 30/06/2024	>	

### Notes:

Minimum reporting level is 1% of estimated income from continuing operations of Council or \$50,000 - whatever is the lesser.
 Contracts listed are those entered into during the quarter being reported and exclude contractors on Council's Preferred Supplier list.
 Contracts for employment are not required to be included.

Wentworth Shire Council

#### **Quarterly Budget Review Statement**

for the period 01/04/24 to 30/06/24

#### Consultancy & legal expenses budget review statement

Consultancy & legal expenses overview

Expense	YTD expenditure (actual dollars)	Bugeted (Y/N)
Consultancies	1,398,457	Υ
Legal Fees	213,427	Υ

#### **Definition of a consultant:**

**Comments** 

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision making by management. Generally it is the advisory nature of the work that differentiates a concultant from other contractors.

Expenditure included in the above YTD figure but not budgeted includes:
Details

	for al or sce				
GIDAA		o z	o z	o z	o z
GIDAA	Provision for Re- Negotiation or Variation of Contract	NO N	Q <sub>V</sub>	No	O <sub>N</sub>
GIDAA	Olivan Criteria of Contract Evaluation	Tender Lump Sum     De Eiver Yill ask Methodology     Technical Skills     Relevant Experience     Local Benefit	Price Program Capability Experience WH5, risk management and quality Prical Benefit Local Benefit	Price     Program     Capability & Experience     WHS, risk management and quality     Environment & Community     Local Benefit	Price     Program     Capability & Experience     WHS, risk management and quality     Environment & Community     Local Benefit
GIPAA			647,148.00 Public Tender	Public Tender	Public Tender
GIDAA	Contract Amount (including GST)	5.25% of Total Project Cost (Ex GST)	\$ 647,148.00	\$ 11,239,256.45	\$ 1,784,794.40
Contract Register 2023-24	Ontract Description	Project Management of Civic Centre Redevelopment	Wentworth Gvic Centre Redevelopment – Stage 1 Court Yard	Reconstruction of Wentworth Civic Centre	Interpretive Space Construction at Wentworth Givic Centre
GIDAA	Contract Duration	15 Months	4 Months	Until 30 June 2024	Until 30 June 2024
GIDAA	encement Date	11/03/2020 15 Months	4/04/2022 4 Months	27/11/2022 Until 30	11/09/2023 Until 30
GIDAA	Contract Partners	92	<u>0</u>	O <sub>N</sub>	O <sub>N</sub>
SIBAA	Contractor Name and Business Address	GSD ARCHITECTS, 111 MADDEN AVENUE, MILDURA VIC 3500	CPM Building Contractors Pty Ltd Contractors Pty Ltd IB Madden Ave Mildura Vir. 3500	CPM Building Contractors Pty Ltd 18 Madden Ave Mildura Vic 3500	BRANDI PROJECTS, 5/209 ROBINSON ROAD EAST GEBUNG QLD 4034
SHIRE COUNCIL	Contract Class		Class 1	Class 1	Class 1

Wentworth	£				Contract Register 2023-24					
GIPAA		GIPAA	GIPAA	GIPAA		GIPAA	GIPAA	GIPAA	GIPAA	GIPAA
Contract Class		Contract Partners	Commencement Date	t Duration		Contract Amount (including GST)	Method of Contract Procurment	Eriteria of Contract Evaluation	Provision for Re- Negotiation or Variation of Contract	Provision for Operational or Maintenance Service
Class 1	Sunraysia Petroleum Pty   N Ltd PO Box 817 IRYMPLE VIC 3498	O <sub>N</sub>	23	5 Years		Based on approved schedule of rates per location	Public Tender		0	o N
Class 1	Regional Power Services IN Pry Ltd 2468 Silver City Highway Curlwaa NSW 2648	Q.	8/02/2023 12 W	12 Month Extension period	orth Shire Council Bridge Lifts and Maintenance – 12 month	\$410.00 per lift	Public Tender	the capacity ial capacity agement and in place Sum todology Experience agement and anodology	O <sub>N</sub>	Yes
Class 1	6	ON.	30/06/2023 6 Months	nths	mities Blocks (Shire Wide)	\$ 907,715.05	907,715.05 Public Tender	Price  - Delivery Times  - Previous Berformance  - Experience of Tenderer and  personne I proposed  - Methodology  - Compilance with Conditions  of Tendering  - Compilance with Conditions  - Local Content	No	No
Class 1	0	ON.	16/08/2023   12 M		Wentworth Flood Study	\$ 181,555.00	181,555.00 Public Tender	Tender Lump Sum     De livery Time & Methodology     Technical Skills     Relevant Experience     Local Benefit	ON	ON
Class 1	Belgravia Leisure 20 Longstaff Road BAYSWATER VIC 3153	<b>ο</b>	30/06/2023	30/06/2023 5 years with an Mana option for a further 5 Pool Years	gement and Operations of Dareton & Wentworth Swimming	\$ 1,560,669.00 Public Tender	Public Tender	Price  • Pool Program Offered  • Capability & Experience • OH&S, Rick Management & Quality Systems • Environment & Community • Local Benefit	Yes	Yes
Class 1	Mallee Earthmoving & N Excavations 733- 735 Koolong Avenue RYMPLE VIC 3498	o N	7/05/2024	7/05/2024 120,000 Tonnes in A line with Council Extraction	Arumpo Road Reconstruction - Supply Road Base Material	\$ 1,073,600.00 Public Tender	Public Tender	Price  Capability and Experience  WH&S, Risk Management and Quality  Local Benefit	O <sub>Z</sub>	o <sub>Z</sub>

Wentworth	£.				Contract Register 2023-24					
GIPAA		GIPAA	GIPAA	GIPAA		GIPAA	GIPAA	GIPAA	GIPAA	GIPAA
Contract Class	Contractor Name and Business Address	Contract Partners	Commencement Date / Amendment Date C	Contract Duration	Contract Description (1	Contract Amount (including GST)	Method of Contract Procurment	Criteria of Contract Evaluation	Provision for Re- Negotiation or Variation of Contract	Provision for Operational or Maintenance Service
Class 1	RBEIN		24		struction - Hire of Land Plane / Earth Scoops	72,000.00	5			No.
Class 1	Bott Earthmoving PO Box 494 MERBEIN VIC 3505	ON.	13/05/2024 10 Weeks			\$ 240,000.00	240,000.00 Public Tender	ge of Plant J Experience Aanagement and	O <sub>N</sub>	ON.
Class 1	KARYM CLEANING PO BOX 2596 MILDURA VIC 3502	92	1/07/2024 3 Years		Provision of Geaning Services for Public Amerities and Transport for \$\ NSW Rest Areas	\$ 243,573.60	Public Tender	Price     Capability and experience     OH&S, Risk management and Quality     Environment and Community     Local Benefit	rres	Yes
Class 1	WASTE AND MANAGEMENT RESERVICES PO BOX 394 WALKERVILLE SA 5081	No.	23/07/2024 3	3 Years		Rate for Service	Public Tender	• Price - Capability and experience - OH&S, Risk management and Quality - Local Benefit	fes	Yes
Class 1		O <sub>N</sub>	25/03/2024 12 Weeks		AT MWB with Crane and	\$ 146,536.50	146,536.50 Public Tender	Price     FIF For Purpose     Fleet Standardisation     Local Serviceability     Previous Delivery Performance	ON.	ON
Class 1	SA TRACTORS, 12/160 Churchill Road North Cavan SA 5094	No N	25/03/2024 12 Weeks		Supply and Delivery of one CASE 821G Loader	\$ 528,000.00	528,000.00 Public Tender	ose ardisation eability ilivery	No	No
Class 2	es ay	No	1-Feb-23 16 weeks		ining Electrical Scope at Wentworth Caravan Park 24)	\$ 300,816.56	Direct Negotiation	Continuation of Works	res	No
Class 1	DOWNER EDI WORKS PTY LTD, PO Box 1823 North Ryde NSW 2113	No	14/03/2024 P	14/03/2024 Panel Contract \$	Supply of Emulsion	\$ 192,000.00	192,000.00 Public Tender	LGP Approved Panel	No	No

Wentworth	orth				Contract Register 2023-24					
GIPAA		GIPAA	GIPAA	GIPAA	GIPAA	GIPAA	GIPAA	GIPAA	GIPAA	GIPAA
Contract Class	Jame and dress	Contract Partners	Commencement Date	Contract Duration	Contract Description	Contract Amount (Including GST)	Method of Contract Procurment	Criteria of Contract Evaluation	Provision for Re- Negotiation or Variation of Contract	Provision for Operational or Maintenance Service
Class 2	, s, wn MN IGON	O <sub>N</sub>	21		Integrated Water Cycle Management Plan	\$ 500,870,30 Direct	Direct Negotiation			o <sub>N</sub>
Class 1	JOHNSON'S TRUCK & COACH SERVIC, PO BOX 1700CP MILDURA VIC 3501	O <sub>N</sub>	12/08/2022 6 Months		Replacement of Plant 504 Specialised Road Maintenance Truck	\$ 349,500.00	349,500.00 Public Tender	Price     Fit for Purpose     Previous delivery     performance     Local serviceability     Fieet standardisation	2	O N
Class 1	Meridian Urban 93 White Street Wavell Heights QLD 4012	ON	21/09/2023 9 Weeks		Regional drought resiliance plan	\$ 161,590,00 Requestfor Quotation	Request for Quotation	Price     Demonstrated Experience     Gapacity & Capability     Local Content	O <sub>N</sub>	o S
Class 2	Peter & Maureen Atkinson PO Box 187 WENTWORTH NSW 2648	No	Pending Signing	3 Months	Purchase of 152 Log Bridge Road	\$ 850,000.00 Direct	Direct Negotiation	N/A	- ON	ON
Class 2	Murray House Aged Care 31-37 Murray Street Wentworth NSW 2648	ON	Pending Signing	15	Sale of Library and Council Chambers	\$ 577,500.00 Direct	Direct Negotiation	N/A	No	No
Class 2	Buronga Bridge Mooring No Pty Ltd 234 Deakin Avenue Mildura VIC 3500	ON	1/05/2023 10 years		Lease of Lot 2 DP 1032974 known as Reserve No. 63988 For the business purpose of mooring recreational watercraft & placement of certain permitted buildings	\$16,993.68 PA plus GST (CPI review on each anniversary date)	Direct Negotiation	N/A	ON	ON O

#### 9.9 AF003 REQUESTS FOR FINANCIAL ASSISTANCE

File Number: RPT/24/530

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Annette Fraser - Team Leader Customer Service

Objective: 2.0 Wentworth Shire is a great place to live

Strategy: 2.4 A well informed, supported and engaged community

#### **Summary**

Council has provided an allocation of \$200,000.00 for the 2024/25 financial year for the funding of requests from the community for financial assistance. In this financial year, \$110,337.00 has been granted to a variety of organisations through the annual fees and charges "Exemptions from the Application" process.

The total value of requests granted this financial year so far under delegated authority is \$2,000.00.

The total value of requests approved at the March 2024 Council Meeting for payment this financial year as event (Wentworth Christmas Eve Street Party) is happing this financial year, is \$7,700.00.

The total value of requests for this August 2024 funding application period totals \$29,342.22 which, if granted in full, would leave a balance in the financial assistance program of \$50,620.78.

Financial Assistance Program starting balance 2023/24	\$200,000.00
Annual fees & charges annual exemptions granted	\$110,337.00
Granted under delegated authority to 1 - 31 July 2024	\$ 2,000.00
Wentworth Regional Community Project Association Inc granted \$7,700.00 March 2024 Council Meeting	\$ 7,700.00
Available balance as at 1 August 2024	\$ 79,963.00
Financial request applications received 1 July – 31 July 2024	\$ 29,342.22
Remaining balance if all approved	\$ 50,620.78

#### Recommendation

That Council having considered the current requests for financial assistance, makes appropriate recommendations on the level of funding to be provided to each of these applications from the Financial Assistance program.

#### **Options**

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

- (a) Granting the full value of all requests for a total of \$29,342.22 or
- (b) Consider partially funding the applications

#### **Detailed Report**

#### **Purpose**

The purpose of this report is to consider requests for financial assistance that have been received within the current application period.

#### Background

Council's ability to make financial contribution and/or in-kind assistance are set out in Section 356 of the *Local Government Act 1993*. To assist Council in its compliance requirement, Council has adopted a Financial Assistance Policy (AF003) and has provided a funding allocation of \$200,000.00 for the 2024/25 financial year.

#### Report Detail

In this current application period, there has been six (6) requests for assistance received from community organisations. The total value of the requests under consideration is \$29,342.22

The Financial Assistance Policy (AF003) allows for requests for fee waivers up to the value of \$2,000 to be determined under delegated authority by either the Director Corporate Policy, or the General Manager.

During this application period the following one (1) request totalling \$2000.00 was approved under delegated authority.

\$2,000.00 - Buronga Saint Rocco Club Inc - hire of Midway Stadium & Function Room Buronga, plus bins for the Festival of Saint Rocco

#### Legal, strategic, financial or policy implications

If the requested total of \$29,342.22 is approved this would leave a balance of \$50,620.78 for the remaining period of the financial year.

#### Conclusion

Council has received requests for financial assistance under this round of the program to the value of \$29,342.22. The sum of \$2,000.00 worth of fee waivers have been approved under delegated authority.

#### Matters under consideration

Community Organisations receiving indirect Financial Assistance from Council.

An indirect amount of \$15,448.41 was provided by Council between 1 July 2024 – 31 July 2024 to the Wentworth Junction Rally.

#### **Attachments**

- Financial Assistance Program Request Applications (Under Separate Cover)
   August 2024
   —
- 2. Financial Assistance Applications List.

#### FINANCIAL ASSISTANCE APPLICATIONS RECEIVED AUGUST 2024

Organisation/Recipient	Type of Request	Request Value \$	\$ Amounts granted in 2023/2024	Details of Request
Wentworth Show Society Inc	Grant	\$ 5,000.00	\$ 5,000.00	requesting financial support to run the 2024 Wentworth Show
Wentworth District Racing Club Inc	Grant	\$5,000.00	\$5,000.00	Requesting funding to go towards equipment hire for race day
Wentworth Pioneer Homes Inc	Rate	\$4,342.22		Request for Rate Reduction of \$17,638.90 Request to be presented to Council as 25% of 2022/23 Annual Rates \$4342.22 in line with Financial Assistance category limitations outlined on application form.
Pomona Public School	Grant	\$5,000.00	\$300.00	Pomona Hall change room screens
Pooncarie Racing Club Inc	Grant	\$5,000.00	\$5,000.00	Requesting financial support towards the costs of health & safety requirements & promotion of the 2024 Pooncarie Races
RFDS Operation Pelican Inc	Grant	\$5,000.00	\$5,000.00	Flying Doctor Rowathon
		\$29,342.22		

## 9.10 DA2023/031 BOATING FACILITY WITH VERANDAH SHED, BOATSHED, JETTY AND PONTOON 185 BOEILL CREEK ROAD LOT 1 DP 1215859 BOEILL CREEK

File Number: RPT/24/405

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Kerrie Copley - Planning Officer

Objective: 3.0 Wentworth Shire is a community that works to enhance and

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

#### **Summary**

A development application (DA2023/031) was received by Council on 17 March 2023 for a boating facility including a verandah shed, boatshed, jetty and pontoon to be located at 185 Boeill Creek Road Lot 1 DP 1215859 Boeill Creek on the outside bend of the Murray River.

Under the *Wentworth Local Environmental Plan 2011* (*WLEP 2011*), this type of development is permitted with consent when located within the RU1 Primary Production and W1 Natural Waterway zones.

The proposed development is to be located on site as ancillary development to the existing dwelling and other supporting structures. The proposed developments consist of a verandah shed to be located 30m from the Murray River, a boat shed located approximately 9.15m from the edge of the Murray River and a jetty with a pontoon on the river, facilitating access to and from the facilities. The proposed development does not meet the required criteria under clause 7.8 the WLEP 2011 as it occurs on the outside bend of the Murray River. Due to this non-compliance, a variation to the standard is required (usually referred to as a 4.6 variation).

Due to the variation being a non-numerical variation, the application cannot be determined under delegated authority, and must be determined by Council.

#### **Recommendation**

That Council:

- 1. Approve DA2023/031 being for a boating facility with verandah shed, boatshed, jetty and pontoon located at 185 Boeill Creek Road Lot 1 DP 1215859 Boeill Creek.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

#### **Detailed Report**

#### **Purpose**

The purpose of this report is to provide information to Council to determine Development Application DA2023/031, having consideration to the detail provided both within this report and the attachments provided.

#### Background

A Development Application was lodged with Council on 17 March 2023 seeking consent for a boating facility with verandah shed, boatshed, jetty and pontoon on the subject lot.

The subject lot is located in the RU1 Primary Production and W1 Natural Waterway zone under the Wentworth Local Environmental Plan (WLEP 2011). The proposal seeks consent for a boating facility with verandah shed, boatshed, jetty and pontoon to be located within the

river front area on an outside bend of the Murray River. Under Clause 7.8(4) of the WLEP 2011, structures on the riverbed or banks of the Murray River are not permitted on an outside bend of the Murray River unless the consent authority is satisfied that the development meets requirements.

Under Clause 7.8 (2) development on river bed and banks of the Murray River front area is defined as:

"This clause applies to land comprising the bed of the Murray River and up to the top of the bank of that River".

The definition of the Murray River in the WLEP2011 is as follows:

"Murray River includes the Darling River and the Great Darling Anabranch."

Based on the definition under clause 7.8 above, the proposed development does not meet clause requirements as the proposed development is located on the outside bend of the Murray River.

Where an application cannot achieve the development standards required by a Local Environmental Plan, the applicant may apply to vary the development standards.

An application to vary a development standard is made under clause 4.6 of the WLEP 2011.

Under clause 35B of the Environmental Planning and Assessment Regulation 2021, applications involving contravention of development standards must be accompanied by a document that sets out the grounds on which the applicant seeks to demonstrate that –

- compliance with the development standard is unreasonable or unnecessary in the circumstances, and
- there are sufficient environmental planning grounds to justify the contravention of the development standard.

The consent authority must keep a record if its assessment carried out under subclause (3).

The variation proposed is a non-numerical variation. Due to changes made by the NSW Government, Clause 4.6 of the Standard Instrument LEP has been reformed to make the planning system faster, simpler, and more transparent. The reform came into effect on 1 November 2023 and removes the requirement to obtain the Planning Secretary's concurrence for a variation with new reporting framework. As such, council has authority to approve or refuse 4.6 variation applications.

The WLEP2011 states that development consent must not be granted located on an outside bend of the Murray River unless the consent authority is satisfied that the zone objectives can be met, the development will not increase erosion, will not cause adverse effects to riverine fauna or flora habitats, and will adversely impact drainage or flow patterns. Elements of the proposed boating facility with verandah shed, boatshed, jetty and pontoon will be located on the outside bend of the Murray River, having been assessed, this non-numeric variation cannot be determined under delegated authority and is presented to Council for consideration.

Refer to attachment 1 – Development Application

Refer to attachment 2 – Statement of Environment Effects

Refer to attachment 3 - Plans

#### 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 and did not fully comply with relevant provisions of Chapter 5 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.

The proposed boating facility with verandah shed, boatshed, jetty and pontoon is development permitted with consent and meets the zone objectives of the RU1 Primary Production zone, as well as the W1 Natural Waterways zone under the WLEP 2011.

The proposed boating facility with verandah shed, boatshed, jetty and pontoon includes structures on the water located on an outside bend of the Murray River, this being non-compliant with the standard under clause 7.8, however, the clause 4.6 variation request provided by the applicant provides justification for the contravening of development standards contained in Clause 7.8.

Due to the zoning and WLEP 2011 mapping impacting the land, the development application was assessed against clauses 5.21, 7.1, 7.4, 7.5, 7.6, 7.7, and 7.8. The development application was able to satisfy the matters for consideration under these clauses.

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

Public notification of the development application was conducted as per Council Community Participation Plan for 14 days. No submissions were received during the public notification period.

Based on the assessment of the application, it is determined that the proposed development is compliant with the relevant objectives of the RU1 Primary Production and W1 Natural Waterway zones, and consistent with planning matters for consideration of the Wentworth Local Environmental Plan 2011. Although the development is inconsistent with relevant provisions of the Wentworth Development Control Plan (DCP) 2011, and the State Environmental Planning Policy (Biodiversity and Conservation) 2021, this non-compliance is acceptable and will be managed through conditions of consent.

Refer to attachment 4 – 4.15 Assessment report

Refer to attachment 5 – 4.6 Variation Assessment report

Refer to attachment 6 - Conditions of consent

#### **Options**

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

Approve Development Application DA2023/031 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 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**

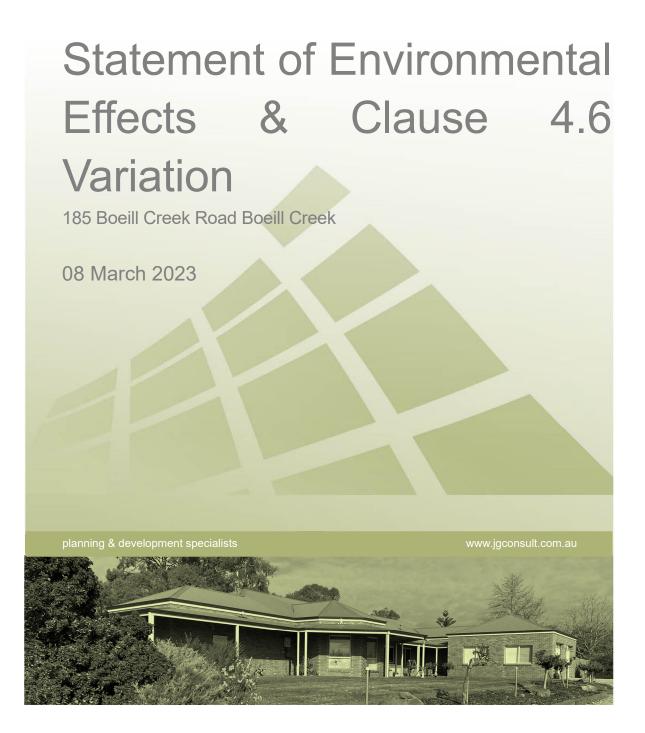
Having consideration of the content of this report it is concluded that the appropriate course of action is to approve DA2023/031.

#### **Attachments**

- 1. Development Application (Under separate cover)⇒
- 2. Statement of Environment Effects !

- 3. Plans<u>↓</u>
- 4. 4.15 Assessment
- 5. 4.6 Assessment Report
- 6. Conditions of consent.







James Golsworthy Consulting 140 Pine Avenue Mildura VIC 3500 PO Box 1650 Mildura VIC 3502

t 03 5022 8411

e admin@jgconsult.com.au

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#### Introduction

This Statement of Environmental Effects (SEE) is submitted to Wentworth Shire Council as part of a Development Application (DA) under part 4 of the Environmental Planning and Assessment Act 1979 (EP&A Act). This SEE seeks approval for the following development at 185 Boeill Creek Road Boeill Creek NSW 2739 (the site), legally described as Lot 1 DP1215859. The proposal is an ancillary development to the existing dwelling, that includes:

- Installation of a boat shed associated with a jetty for pontoon boat.
- Establishment of a Pavilion shed- ancillary development to existing dwelling.

This SEE addresses all relevant matters for consideration under section 4.15(1) of the EP&A Act, Wentworth Local Environmental Plan 2011 (LEP) and Development Control Plan 2011 (DCP) and other relevant state policies.

The supporting documentation accompanying this SEE includes:

- Site and elevation plans
- Certificate of title
- Title plan
- AHIMS search
- · Crown Lands Presumptive Titles confirmation letter



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## **Proposal**

Development approval is sought for the construction of ancillary structures to the existing dwelling at 185 Boeill Creek Road Boeill Creek NSW 2739. The proposal includes:

- Boatshed
- Verandah Shed (Ancillary to the existing dwelling)
- A bush court area (outdoor leisure area) with a firepit (ancillary to the existing dwelling)
- A jetty; and
- Boating facility Pontoon

The landowner intends to establish a boating facility for their pontoon boat to berth abutting their property where they live and to safely store the equipment within the proposed boat shed and secure it when not in use.

The proposal will not result in the removal of vegetation.

The numerical measurements of the proposal are described below and in the attached plans (refer to figures 1 to 3) in support of this SEE.

Table 1 Proposed numerical specifications

Description	Length in M	Width in M	Height in M	Area sq.m
Boatshed	6.97	4.71	4.5	32.8
Bridge	14.7	1.95	NA	28.66
Jetty	7.8	1.5	NA	11.7
Ramp	8.42	1.56	NA	13.14
Pontoon	4.8	2.6	NA	12.48
Verandah Shed	14.4- 17.96	4.5	4.7	71.36
Bush court	NA	NA	NA	68.02
Total Area				238.16

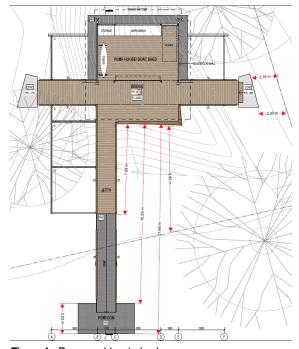


Figure 1 Proposed boat shed

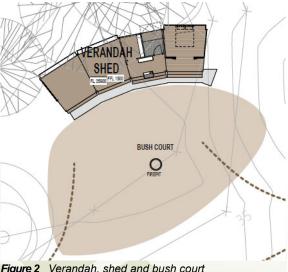


Figure 2 Verandah, shed and bush court

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## Planning controls

#### **Definition**

The works are defined as <u>boating facilities</u>, <u>jetty</u> for which the LEP provides the definition as:

a wharf or any of the following facilities associated with a wharf or boating that are not port facilities—

(a)facilities for the embarkation or disembarkation of passengers onto or from any vessels, including public ferry wharves,

(b)facilities for the loading or unloading of freight onto or from vessels and associated receival, land transport and storage facilities,

(c)wharves for commercial fishing operations,

(d)refuelling, launching, <u>berthing, mooring, storage or maintenance facilities for any vessel</u>,

(e)sea walls or training walls,

(f)administration buildings, communication, security and power supply facilities, roads, rail lines, pipelines, fencing, lighting or car parks.

<u>Boat shed</u> means a building or other structure used for the storage and routine maintenance of a boat or boats and that is associated with a private dwelling or non-profit organisation, and includes any skid used in connection with the building or other structure.

<u>Jetty</u> means a horizontal decked walkway providing access from the shore to the waterway and is generally constructed on a piered or piled foundation.

The proposed Pavilion Shed structure is an ancillary structure to the existing dwelling as per LEP no definition was specified for ancillary structures.

#### Zoning

In accordance with the Wentworth LEP zoning maps the land is contained within zone RU1 Primary Production and W1 Natural waterways.

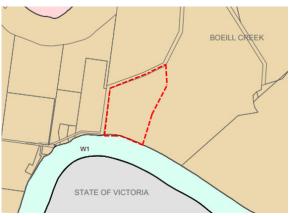


Figure 3 Zone map

Source: Wentworth Local Environmental Plan, 2013

#### **RU1** Primary Production

#### Objectives

To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.

To encourage diversity in primary industry enterprises and systems appropriate for the area.

To minimise the fragmentation and alienation of resource lands.

To minimise conflict between land uses within this zone and land uses within adjoining zones.

To ensure the protection of both mixed dryland and irrigation agricultural land uses that together form the distinctive rural character of Wentworth.

To ensure land is available for intensive plant agricultural activities.

To encourage diversity and promote employment opportunities related to primary industry enterprises, including those that require smaller holdings or are more intensive in nature.

Development consent is required under zone RU1 for the installation of ancillary development to the dwelling (Verandah Shed and Bush Court with fire-pit), Boat Shed and Jetty.

#### W1 Natural Waterways

#### Objectives

To protect the ecological and scenic values of natural waterways.

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To prevent development that would have an adverse effect on the natural values of waterways in this zone.

To provide for sustainable fishing industries and recreational fishing.

Development consent is required under zone W1 for the Boating Facility.

#### Other Clauses of LEP, 2011

Other relevant clauses of LEP that applies this development are as follows:

#### 5.21 Flood Planning

To minimise the flood risk to life and property associated with the use of land,

To allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change, To avoid adverse or cumulative impacts on flood behaviour and the environment.

To enable the safe occupation and efficient evacuation of people in the event of a flood.

Pursuant to 5.21(2 and 3) flood planning, consent is required from the relevant authorities. The considerations of the 5.21 clause are detailed in the planning assessment chapter below.

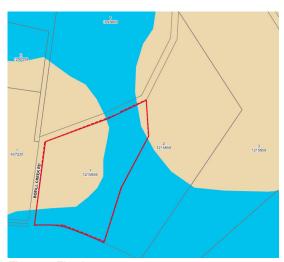


Figure 5 Floodway

#### 7.4 Terrestrial biodiversity

#### Objectives

Protecting native fauna and flora, and

Protecting the ecological processes necessary for their continued existence, and

Encouraging the conservation and recovery of native fauna and flora and their habitats.

The considerations of the 7.4(3 and 4) clause are detailed in the planning assessment chapter below.



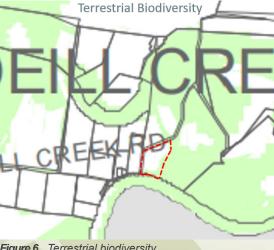


Figure 6 Terrestrial biodiversity

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#### 7.5 Wetlands

#### Objective

To ensure that natural wetlands are preserved and protected from the impacts of development

The site area abuts the wetlands area, and no structures are proposed abutting the river. Thus, this clause does not apply.



Figure 7 Natural resource- Wetlands

#### 7.6 Development on riverfront areas

#### Objectives

To support natural riverine processes, including the migration of the Murray River's channels,

To protect and improve the bed and bank stability of the Murray River,

To maintain and improve the water quality of the Murray River.

To protect the amenity, scenic landscape values and cultural heritage of the Murray River and to protect public access to its riverine corridors,

To conserve and protect the riverine corridors of the Murray River, including wildlife habitat.

The considerations of 7.6 (2 and 3) clause are detailed in the planning assessment chapter below.

## 7.7 Riparian land and Murray River and other watercourse

#### Objectives

Water quality within the Murray River and other watercourses,

The stability of the bed and banks of the Murray River and other watercourses,

Aquatic riparian habitats,

Ecological processes within the Murray River and other watercourses and riparian areas.

The considerations of 7.7 (2, 3 and 4) clause are detailed in the planning assessment chapter below.

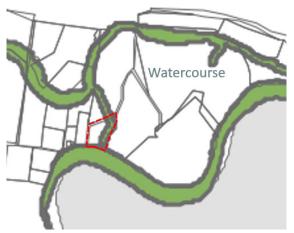


Figure 8 Watercourse

## 7.8 Additional provisions – development on riverbed and banks of Murray River

#### Objectives

To manage and maintain the quality of water in the Murray River.

To protect the environmental values, scenic amenity and cultural heritage of the Murray River,

To protect the stability of the bed and banks of the Murray River,

To limit the impact of structures in or near the Murray River on natural riverine processes and navigability of the River.

The justifications of Clause 7.8 (2, 3, 4 and 5) are detailed under clause 6.4 variation and planning assessment chapter below.



# State Environmental Planning Policy (SEPP) (Biodiversity and Conservation) 2021 -

As per Chapter 5 River Murray lands of SEPP (Biodiversity and conservations), 2021 the provisions and requirements of this plan apply to the area covered by the Murray River in the Wentworth Shire Council and is applicable in the assessment of this proposal. The objectives of this plan under clause 5.2 of SEPP are:

To ensure that appropriate consideration is given to development with the potential to adversely affect the riverine environment of the River Murray, and

To establish a consistent and co-ordinated approach to environmental planning and assessment along the River Murray, and

To conserve and promote the better management of the natural and cultural heritage values of the riverine environment of the River Murray.

The plan outlines specific principles and planning controls that apply to this proposal and consultation which is required under this policy. Clause 5.11 does not specifically identify consultation for a water supply system. Clause 5.13 provides direction for the setback of development. The justification against this policy is provided under clause 4.6 variation chapter below.

## Wentworth Shire Development Control Plan 2011

Chapter 3 General Development Controls

#### 2 Biodiversity Management

The below biodiversity attributes apply to the proposal

- 2.1 Murray River and Darling River
- 2.2 Mooring
- 2.3 Erosion Control Murray River and Darling River
- 2.4 Vegetation protection Riverfront

#### 4. Flood Affected Land

Objective

To minimise the impacts of flooding on development within the flood planning area of Buronga and Gol Gol.

#### 5.8 Rural land use conflict

Objective

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

The considerations of all DCP clauses are detailed in the planning assessment chapter below.

#### Aboriginal cultural heritage

All Aboriginal cultural heritage is protected by the NSW National Parks and Wildlife Regulation 2019. Responsibility rests with the proponent of development to demonstrate that due care and diligence have been taken to identify and avoid impacts on archaeological sites through construction works.

Division 2 of part 5 of Aboriginal land, objects and places and exempts for Aboriginal People of the NSW National Parks and Wildlife Regulations (NPWR) 2019 lists a number of low-impact activities that remove the need to follow the due diligence process. Maintenance of existing services including water and electrical utilities on land that has already been disturbed and construction of buildings and the erection of other structures are defined as low-impact activities under Clause 58 of NPWR, 2019. Thus the development is under Subclause 58 Defence of low impact acts or omissions to the offence of harming an Aboriginal objects.

In addition, as per the Due diligence Code of Practice for the proception of Aboriginal Objects in NSW (DECCW), 2010:

- The boating facilities are predominantly within the lot boundary and are considered a low-impact activity as per NPWR, 2019.
- The proposed floating pontoon will result in the free flow of the Murray River and not result in impacting river erosion.
- The proposed jetty and floating pontoon and the Murray River have inextricable links, hence it will be located at the Murray River.
- The proposed floating pontoon facilities will be residing upon the Murray River and are temporary structures.

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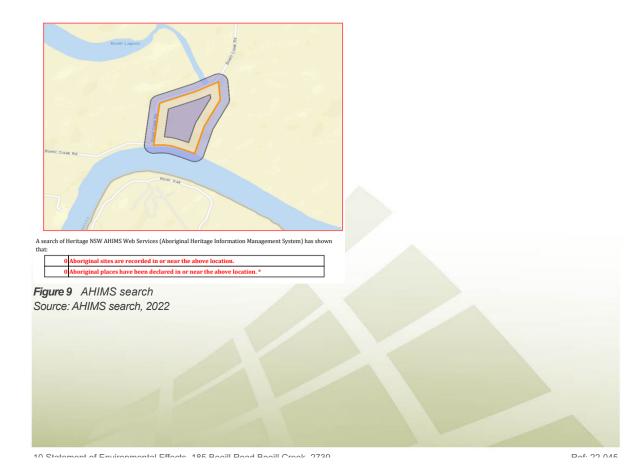
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As the development is a low-impact activity and does not harm the Aboriginal place, as the proposed structure is a floating pontoon, removes the requirement for the provision of an Aboriginal Heritage Impact Permit (AHIP) and to follow the Due Diligence Code of Practice process for the Protection of Aboriginal Projects in New South Wales (DECCW) 2010 (refer section 7.5 of DECCW, 2010).

The part of the riverbank that is subject to this application has a slight gradient only and is on land which is low lying and subject to flooding. This makes it unlikely that cultural heritage objects will be located within the activity area.

An AHIMS search has been undertaken which confirms there are <u>no aboriginal sites and places</u> on the land or within 50m buffer distance from the land (Refer to figure 5 and accompanying AHIMS report). The proposed land is not listed within the heritage conservation area in LEP, 2013 (Refer to Wentworth LEP Heritage Map HER\_005A to HER\_005D).





## Site and surrounding area

#### Subject site

The site, 185 Boeill Creek Road, Boeill Creek is legally described as Lot 1 DP1215859. The total site area is 9.36ha with a width of 603.18m at the Boeill Creek Road to the northwest portion as the subjective lot is a corner lot

The site's topography is flat ranging from 42m to the north and 43m to the south.

The existing development at the site consists of a dwelling and four sheds ancillary to the dwelling. The lot is accessed from the driveway to the west connected to Boeill Creek Road (refer to figures 4 to 6).

Vegetation at the site consists of a scattered trees to the south and east within the lot.

The figures below and the accompanying plans illustrate existing development within the site.



Figure 10 Aerial image of the site Source: Google maps, 2022



Figure 11 Existing dwelling on the lot



Figure 12 Existing shed to the north of the dwelling



Figure 13 Existing shed to the east of the dwelling

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Figure 14 Existing mooring site



Figure 15 Accessway to the dwelling



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#### Locality

The locality is predominantly under the RU1-primary production zone. The locality includes dwellings, which are associated with agricultural activity.

Boeill Creek currently includes primary production land with scattered dwellings and sheds. The Boeill Creek Road, Amaroo Road and River Road are the major connecting sealed roads from Boeill Creek.

The site immediately adjoining land to the north and west are primary production lots with ancillary developments. Murray River is located to the south and the vacant lot is to the east.

The locality of the site and surrounding areas are described in the following photographs (refer to figures 16 to 18).



Figure 16 Aerial image of the locality

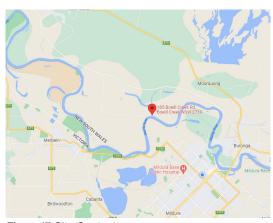


Figure 17 Site Context



Figure 18 Boeill creek looking north from land



Figure 19 Murray River to the south

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### Planning assessment

#### Policy context

In relation to the assessment of the Wentworth Local Environmental Plan, 2011 (WLEP) identifies that Council consent is required for the proposal of a bank and/or bed works and Marina (small) each of which must be advertised. The proposal involves works to establish boating facilities including berthing the pontoon and other associated infrastructure.

The proposal will provide the landowner to safely secure the boat and store the boat equipment in the Boat Shed and the proposed ancillary structure to the dwelling includes a verandah shed, bed and ensuite facilities. The purpose of the shed is to accommodate guests away from the existing dwelling. The verandah shed does not include all human habitation facilities such as a kitchen and living area. The proposal will not negatively impact on this policy or environmental planning instruments.

# State Environmental Planning Policy (SEPP) (Biodiversity and Conservation) 2021

As outlined in chapter 5 of *Clause 5.9* of State Environmental Planning Policy (Biodiversity and Conservation) 2021: Specific Principles; River related uses:

Only development which has a demonstrated, essential relationship with the river Murray should be located in or on land adjacent to the River Murray. Other development should be set well back from the bank of the River Murray.

The Murray River and proposed boating facilities (jetty and floating pontoon) have an essential relationship. Other developments such as the boat shed and Verandah Shed is maintain appropriate setbacks from the river bank, as shown in the plans.

#### Wentworth LEP. 2011

The proposal is considered acceptable and does not impact upon the intent of the zone as the subject land is freehold. The proposal is in fact supported by the zone through its objectives. The objective of the proposal is to congregate like uses on a site identified for such adjoining

the river and supported through the proximity of the development to the owner's land and dwelling.

The proposal has considered the LEP requirements and respects the clauses by:

Requesting consent authority for permitting to build a
boat facility with associated structures and to develop
ancillary structures to the existing dwelling that
includes verandah shed, bush court and fire-pit within
the subject lot.

#### 5.21 Flood Planning

The portion of the development to the southeast is within the floodway zone (refer to figure 5) and the entire proposed development is within the flooding zone (refer to figure 4), however, the proposal is compatible with the flood function and will not affect the flood behaviour due to the following:

- The proposed structures are limited to a minimal scale within the subject lot.
- The proposed structures and boating facility are designed at the Reduced Level (RL) 35.9 and 34.4 respectively (refer to whole site plan), which is higher than the surface level of the land i.e., 35.6 and 34 respectively (refer to feature level survey plans) to minimise the life risk and to reduce the structural damage during flood events.
- All the proposed structures are limited to ground level that demonstrates that life risk will be minimal and can safely evacuate from the flood events.
- Boeill Creek Road to the west is the existing emergency accessway during flood risk events.
- The proposal does not vary vehicle entry or exit to and from the site.
- The proposed boat shed is located 9.15m away from the river to the north and is considered appropriate as the proposed wall structure of the boat shed includes a hardwood weatherboard. The boat shed will be positioned at RL34.4 (refer to elevation plans) to mitigate and address the risk of flood events.
- The floating pontoon will not impact the floodway during flood events as the pontoon will adjust as per the river level as specified above and will be positioned at RL34.4 (refer to elevation plans).



 The proposed verandah shed will be located 30.56m away from the river to the north, which will not disturb or impact the stability of riverbanks and erosion.

#### 7.4 Terrestrial biodiversity

The land in part is affected by the Natural Resource – Terrestrial Biodiversity map (refer to figure 6). Clause 7.4 requires Council to consider a number of matters prior to making a determination regarding the land affected. In response to such the following is offered:

- The development proposed will not have an impact on the flora and fauna on the land.
- The proposed structures will not remove the vegetation on the land.
- The proposed floating pontoon will not interrupt to the water flow or biodiversity or ecological value of the locality.
- The proposed Verandah shed and boat shed structures will be within the proponent's property.
- The proposed ancillary structure to the dwelling includes verandah, bed and ensuite facilities. The purpose of the verandah shed is to accommodate guests away from the existing dwelling which will result in not interrupting individual privacy.
- In addition, the proposal does not include all human habitation facilities such as a kitchen and living area, thus this application is worth responsible authority support.
- No additional modification will take place to land that has not already been modified outside of the existing land use and associated activities.

#### 7.6 Development on riverfront areas

Development on riverfront areas is considered under Clause 7.6 of the LEP, 2011. The objectives relate to the River Murray and associated channels, bed and bank stability, water quality, and scenic and cultural values. The proposal has considered the clause and respects its content by:

- The new development is restricted to the construction of the boating facility upon the riverfront.
- The only development within the setback is that of the handrail pathway to access the pontoon boat, which is appropriate based on the inextricable links to the river.

The establishment of the pontoon is considered appropriate for the following reasons when considering the satisfaction matters of clause 7.6 and detailed below:

- The appearance of the boating facilities is minimal and will be almost unrecognisable either from the river or the land when not in use.
- The development will be limited to where the facility is proposed. The boat will not be permanently moored within the area identified.
- The proposal is limited to the development of a boating facility abutting the river, which is not intrusive to the environment.
- No pollution will result from the proposal as the development will be located on the owner's land and the River for a limited time only.
- Flora and fauna impacts have been considered through the siting of the proposal and the methods used to berth the boat (refer to elevation plans).
- No loss of scenic amenities or loss of important vegetation systems will occur, as a result of the development, nor will there be any impact upon the water quality as no facilities for repairs and fuelling are offered at this location.
- The proposed waste treatment tank to bath change is located 50m away from the river to the north, thus no wastewater will be disposed of the river and will not result in impacting the river water quality.

The location of the boating facility is appropriate as view lines both upstream and downstream are not obscured ensuring houseboats can manoeuvre safely. Berthing sites and boating facilities are not uncommon within the River Murray given that house boating is a significant attraction for immediate area and the surrounding districts.

The development of the proposal will be small-scale with the use of the berthing site a low-intensity development and associated activities. The location of such boating facility and berth will be sited so that no native vegetation will be impacted.

7.7 Riparian land and Murray River and other watercourse



Clause 7.7 relates to Riparian land and the Murray River/other water courses and seeks to protect and maintain the water quality, stability of banks and aquatic habitats within the nominated water bodies. This clause applies to the land as the portion of the development is located within the 40m setback from the watercourse area (refer to figure 8). The proposed development is appropriate due to:

- No impediment will be proposed through the application to the passage of fish or other aquatic organisms within the river.
- The stability of the bed, shore and banks of the river will be maintained consistently as the proposal will include a floating pontoon.
- Other development structures within the 40m setback are of minor in nature (i.e., the boat shed that has inextricable links to the boating facility and ancillary structures to the existing dwelling) and are designed and sited appropriately from the river, which will create no impact on the environment including the river.

#### Development Control Plan, 2011 Chapter 3 General development controls

#### 2 Biodiversity Management

This clause is intended to provide bed and bank stability, to maintain water quality and to provide connectivity to the Murray River. The development complies with this clause by

- The proposal is not a major development such as residential accommodation or tourist spot within the 40m setback
- All wastewater will be captured by a water treatment tank upon the site located within beyond 40m setback (refer to whole site plan).
- No vegetation will be removed as part of this proposal.
- No adverse effects on water quality or riparian corridor, as the proposal is limited to proponent land.
- The floating pontoon will create zero impact on the riparian corridor.
- The development land is a freehold land.
- After installation of mooring with council consent, the proponent will be applying for a licence as per NSW Maritime requirements including Threatened Species Conservation Act and Fisheries Management Act.

 No vegetation will be removed as part of this proposal at the Riverfront.

#### 2.2 Mooring

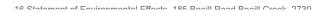
The mooring development consent is issued per lot, effectively consent to run with the adjoining land.

The existing mooring pole will be retained within the proposed lot to safely secure the vessel and the proposed jetty and floating pontoon will be utilised to get in and out of the vessel.

#### 4. Flood Affected Land

- The response to flood liable land under LEP 2011 is addressed above.
- Pier and beam method is used for construction of the boat shed and verandah shed (refer to elevation plans).
- No cut and fill are proposed on the proposed land.
- All the proposed materials are resilient during and after the flood events.
- The construction materials are flood compatible.
- The untreated water will be disposed into the proposed wastewater treatment tank to support the bath change facility in the verandah shed facility (refer to site plan).
- The proposed sewer tank will be installed above flood level to prevent the entry of floodwater and all switch gear and electrics.

The Wentworth Shire Development Control Plan 2011 requires site planning to integrate with the surrounding developments and landscape character.



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# Application Development Clause 4.6

## to vary nt Standard

In addition to the Statement of Environmental Effects, Wentworth LEP 2011 Clause 4.6 - Exceptions to developments standards applies to this application, this application responds to varying the development standards utilising subclass 3 of Clause 4.6 as below.

- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—
- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
- (b) that there are sufficient environmental planning grounds to justify contravening the development standard.

As outlined in Clause 7.8 of the Wentworth LEP 2011: Additional provisions - Development on riverbeds and banks of Murray River:

7.8 Additional provisions – development on riverbed and banks of Murray River

As outlined in Clause 7.8 of the Wentworth LEP 2011: Development on riverbeds and banks:

- (4) Development consent must not be granted for the erection of a structure on land to which this clause applies unless the consent authority is satisfied of the following:
  - a) that the proposed structure will not be located on an outside bend of the river.

The proposed boating facility will be constructed on an outside bend of the Murray River. However, the boating facility will be on the riverbank and located on the outside of the bend. With the minimalist construction design as

specified in the architectural plans and there will be only minor impact and disturbance to the bank of the Murray River. The construction methodology will result in minimal disturbance to the area as the proposal is a floating pontoon.

The proposed construction will not have an adverse effect on the natural values of the Murray River allowing water to flow as the vessel is hinged and designed to float with the rise and fall of the water. Management of the vessel during variations of river levels will also be undertaken through the alteration of the lengths to the tether which will ensure minimal movement of the vessel on the bank.

The bank where the vessel is located on whilst being the outside bend of the river and it is marginal in the bend of the river and the bend is a meander with low velocities, generally experienced at the location which will minimise any negative impacts from the proposal to the bank.

C) that the development does not involve, and will not result in, the erection of more than one mooring per lot or per lots owned by the same owner or owners

Councils have granted development approval for other boat moorings in this stretch of the river and at various other locations along the Murray River within the Swan Hill/Murray Downs environs. The existing mooring pole on the lot will be retained and used while the proposed pontoon facilities are not in use. The existing and proposed boating facilities are for short-stay purposes only.

## SEPP (Biodiversity and Conservation) 2021

As outlined in chapter 5 of *Clause 5.9* of State Environmental Planning Policy (Biodiversity and Conservation) 2021: Specific Principles; Access:

a) The waterway and much of the foreshore of the River Murray is a public resource. Alienation or obstruction of this resource by or for private purposes should not be supported.

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Having the boating facility in the proposed location will not hinder or alienate the resource for the public to access and enjoy the Murray River. All the associated boating facility infrastructure will be on the bank of the river and will be positioned to ensure optimum operation to secure the vessel. The development will have no negative impact on the public access available to the river or the ability to traverse the bank of the river. The location currently experiences low levels of public access with all access where the development is proposed and the river being pedestrian rather than vehicles. The proposal therefore not impede access or alienate the land or its locality.

b) Development along the main channel of the River Murray should be for public purposes. Moorings in the main channel should be for the purposes of short stay occupation only.

The proponent's property has direct access to the Murray River and has a suitable waterbody for the vessel wishing permanent private mooring. The securing of the vessel will not result in permanent occupation of the vessel, as this application is prepared for short-stay purposes only.



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#### Conclusion

In conclusion, it is considered for the reasons outlined above the development responds well to the opportunities and constraints of the site and is generally consistent with the relevant provisions.

The proposal is considered appropriate for the site for the following reasons:

- The proposal is consistent with Wentworth LEP 2011.
- The proposal is consistent with the Development Control Plan.
- The proposal complies and provides justification for SEPP 2021.
- The proposal does not remove any trees or vegetation.
- The proposal considers the constraints of the floodway and flooding-prone area requirements and responds well as per above.

The proposal responds to the site characteristics and opportunities and has considered the potential impacts on the locality.



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#### James Golsworthy Consulting

140 Pine Avenue Mildura VIC 3500 PO Box 1650 Mildura VIC 3502

telephone 03 5022 8411 email admin@jgconsult.com.au

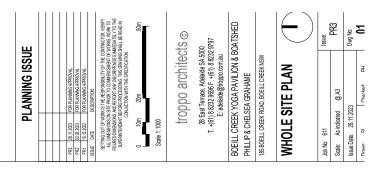
www.jgconsult.com.au

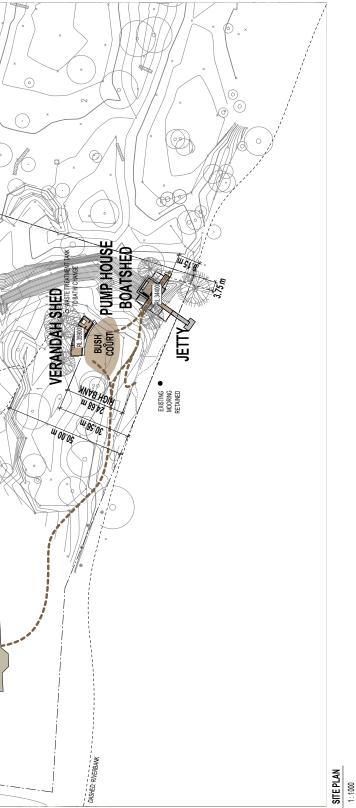


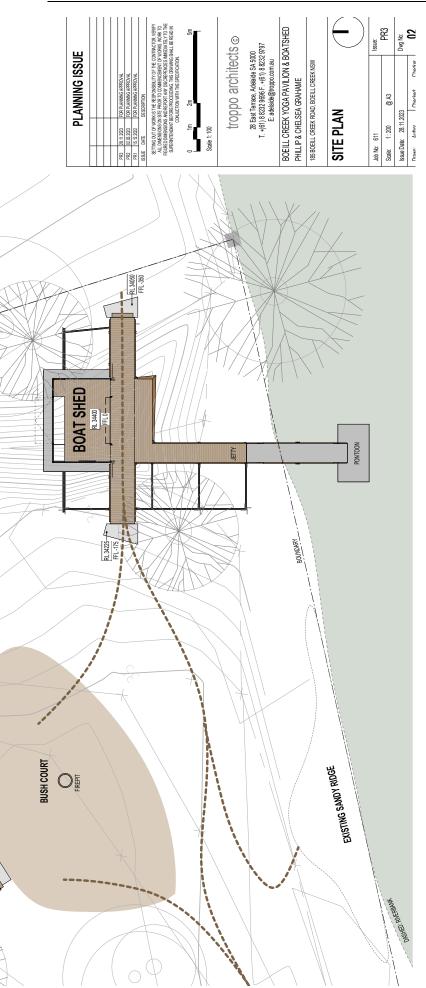
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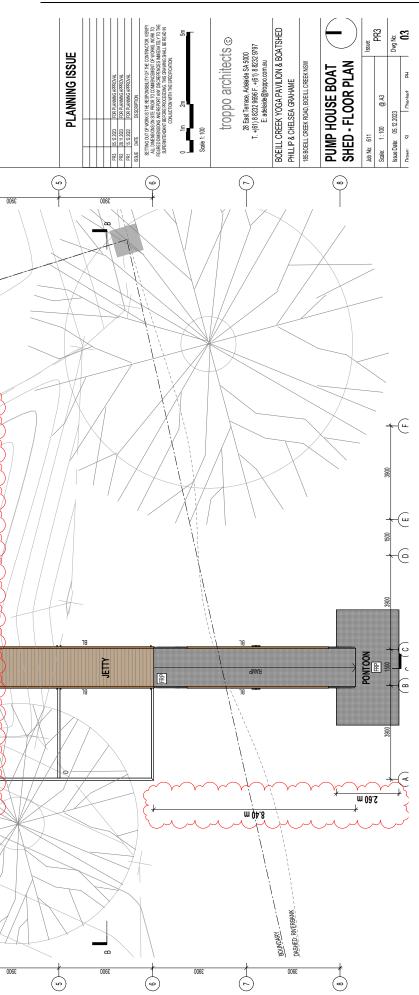


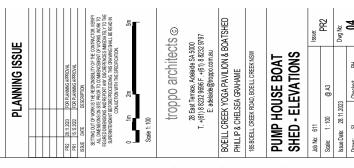
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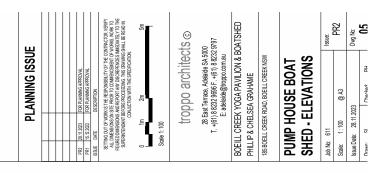


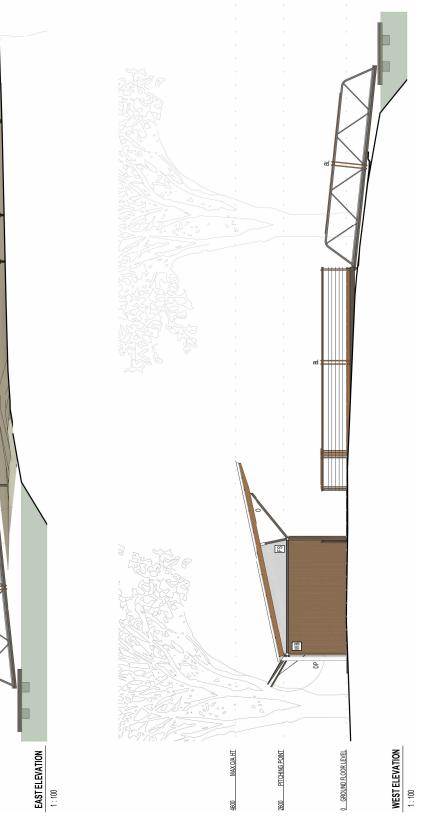


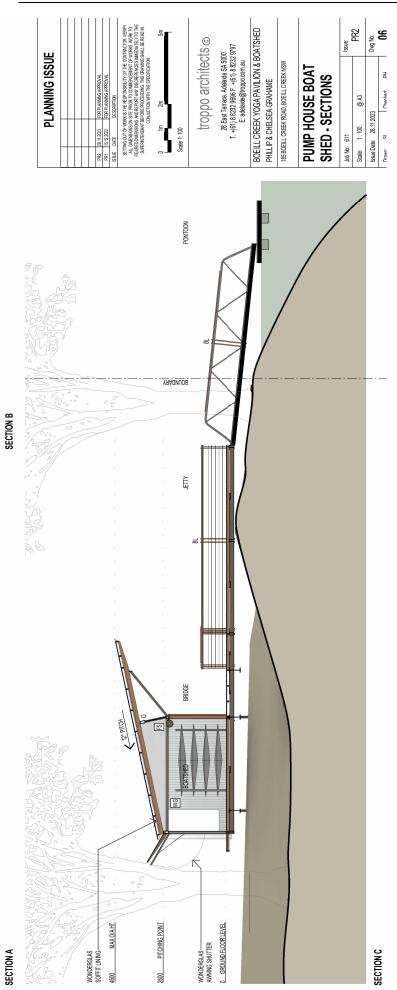


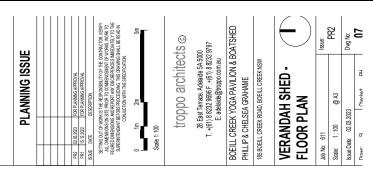


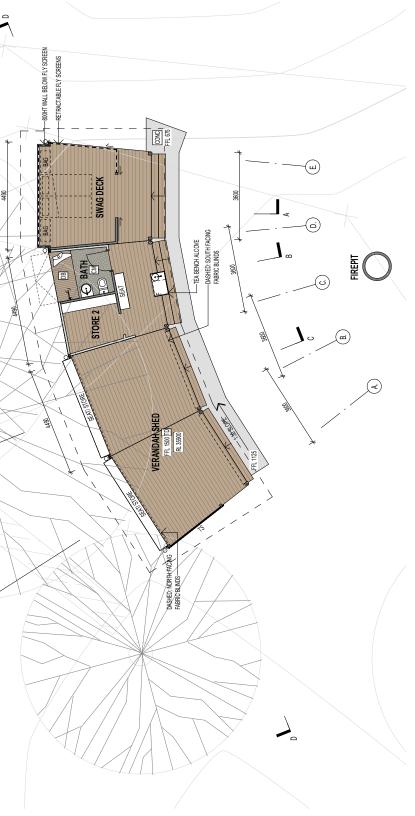






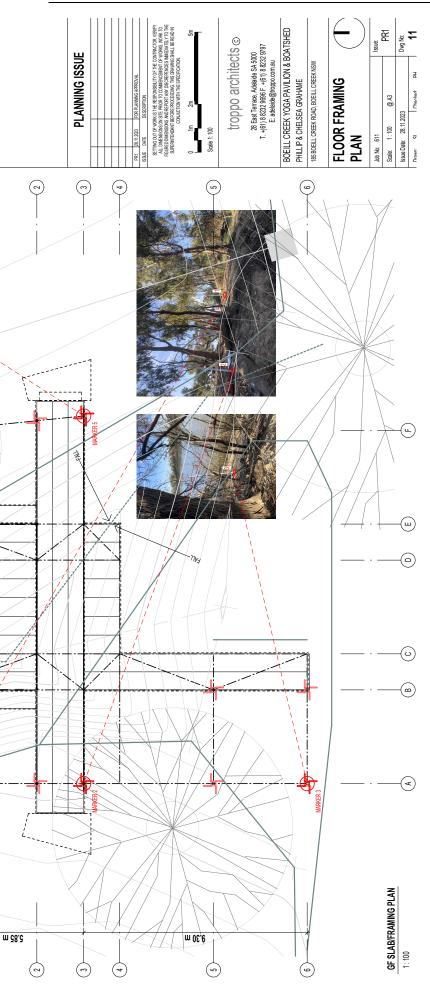












Item 9.10 - Attachment 4 4.15 Assessment



**Health & Planning Department** 26-28 Adelaide Street PO Box 81

**WENTWORTH NSW 2648** 

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

DA Assessment Report Section 4.15 Evaluation

Environmental Planning & Assessment Act 1979 as amended

**File Reference:** DA2023/031 & PAN-312217

Property Title & Address: Lot 1 DP 1215859 & 185 Boeill Creek Road Boeill Creek

Property owner(s): Chelsea Grahame

**Applicant(s):** James Golsworthy Consulting – James Golsworthy **Proposal:** Boating facility with verandah shed, boatshed, jetty and

pontoon

**Previous DAs:** DA13/073 Three Lot Subdivision

DA2019/162 Mooring site

DA2020/128 Swimming pool

Cost of proposed development: \$385,000.00

# SITE AND SURROUNDING DEVELOPMENT

The subject site comprises of Lot 1 DP 1215859 & 185 Boeill Creek Road located in Boeill Creek, NSW. The lot has an area of 9.36ha and connects to Boeill Creek Road to the North, which links the property to the surrounding area.

The subject site is located within the RU1 Primary Production zone and W1 Natural Waterways under the Wentworth Local Environmental Plan 2011 (WLEP 2011). The subject site is an irregular shaped lot with no existing residential & associated structures on site to support primary production. Surrounding lots contain residential dwellings with associated structures. The site does not contain a heritage item and is not located within the heritage conservation area. The site is located within a floodway, wetland, area, terrestrial biodiversity, and flood planning area. The site is not within bushfire or urban release area.

The site has presumptive title, as such LOC from Crown lands was not required.

# **DESCRIPTION OF PROPOSAL**

The proposal seeks development consent for a boating facility with verandah shed, boat shed, jetty and pontoon as detailed below.

Boatshed 6.97m x 4.71m with a height of 4.5m giving a floor area of 32.8m<sup>2</sup>

Bridge 14.7m x 1.95m

Jetty 7.8m x 1.5m

Ramp 8.42m x 1.56m

Pontoon 4.8m x 2.6m

Verandah Shed 14.4m- 17.96m x 4.5m with a height of 4.7m and a total floor area of 71.36m<sup>2</sup>

Bush court 68.02m<sup>2</sup>

Total Area of all proposed development 238.16m<sup>2</sup>

#### HISTORY RELEVANT TO THE DEVELOPMENT APPLICATION

n/a

## **SECTION 4.15-MATTERS FOR CONSIDERATION**

# (1) The provisions of any environmental planning instrument and development control plan

# **State Environmental Planning Policy (Biodiversity and Conservation) 2021**

The proposed development is located on land over the prescribed 1ha in size, however, no vegetation is anticipated to be removed to accommodate the proposed development. As such no assessment against Chapter 3 & 4 of the SEPP is required.

An assessment against Chapter 5, Clause 5.9 principles of the SEPP are as follows:

#### 1. Access

Land is freehold with no existing public access to the river. The development will not change this access to the river.

# 2. Bank Disturbance

Part of the proposed development will be sited inside the 30m distance from the high bank of the river, however, this development consists of a boat shed and is permitted within the river front setback as development with a direct relationship to the river. Minimal bank disturbance is anticipated from the development and no vegetation is anticipated to be cleared.

# 3. Flooding

The development is located on flood liable land. An assessment against related principles is as follows:

- a). The area has been disturbed through the process of establishing agricultural and residential dwelling and supportive associated structures, no change to the riverine ecosystems is anticipated.
- b). The land is flood liable with risk of flooding during flood events. With an increase in extreme weather events caused by climate change, this clause is especially relevant. The attached image demonstrates the extent to which the area was recently subject to flood impact.
- c). The proposed developments are to be elevated above the earth. Conditions of consent can be put in place to ensure habitable areas are built above the 1 in 100 floor level and facilitate free flow of water during flood events (2022).
- d). The entire Lot is within the flood planning area, therefore other suitable land in the locality is not an option.
- e). As the entire lot is flood affected access for essential facilities and services is not an option.

- f). The land is currently used for residential purposes, the additional associated structures proposed present minimal risk of pollution during riverine flood event, as residents have time to prepare and prevent possible issues.
- g). The proposed recreational use structures will be elevated on concrete piers with floor levels raised above the 1 in 100 year flood event level.
- h). Noted. Due to the generally slow nature of riverine flood, residents should be able to plan and prepare with adequate time for evacuation.

# 4. Land Degradation

The proposed development will be conditioned to minimise any detrimental effects on the land through erosion, land degradation, pollution, etc.

## 5. Landscape

No vegetation removal is anticipated allowing for the proposed development to occur on the site. Landscaping will be conditioned to include native species for revegetation.

#### 6. River Related Uses

Some elements of the proposed development demonstrate an essential relationship to the river, and as such, development in close proximity to the Murray River is essential. Other aspects should be located a reasonable distance from the river.

## 7. Settlement

The proposed development is not for expanding settlement.

### 8. Water Quality

The proposed development and continued use will be conditioned to ensure measures are applied to reduce pollution of the waterway.

## 9. Wetlands

The proposed site is located in wetland area as per WSC mapping. The location where the development is be sited has been designed & sited to minimise impact to the natural riverine environment.

An assessment against **Clause 5.13** principle of the SEPP are as follows:

- **Building setback:** Aspects of the proposed development that do not demonstrate an essential relationship to the river, meet the WLEP 2011 setback requirement of being situated on site 30m from the high bank line of the river.

## - Matters to be considered

- Effluent disposal: Connection to councils reticulated sewer system is not available at this site. Effluent must be managed via an onsite waste water treatment system.
   Conditions of consent regarding the type of system and requirements will be included.
- Landscaping: To be conditioned recommending use of local native vegetation species.

Item 9.10 - Attachment 4 4.15 Assessment





The application was referred to Transport for NSW and the department of Planning, Industry and Environment – Water as per clause 5.11 and 5.12

The application was also referred to Department of Primary Industries – Fisheries as development within the waterway.

Responses to these referrals can be found further on in this report.

# Wentworth Local Environmental Plan (LEP) 2011

The proposed boating facility with verandah shed, boatshed, jetty and pontoon are **permitted** with consent within land zoned RU1 Primary Production under the Wentworth LEP 2011, development consent is also required for the boating facility under the W1 Natural Waterways zone with the nature of the proposed development meeting the land use zone objectives to which the site is located.

## Standard being varied

The proposed boating facility (verandah shed) with wash area will be located 30m from the high bank of the river, while the (pump house boatshed) including jetty and pontoon will be located approximately 9.15m from the Murray River, the development occurs on an outside bend of the river.

It should be noted that aspects of this development identified as having no permitted use within the river front area were amended to comply with the river front area 30m setback following design amendment requests from external agencies. The development remains in the same location on the outside bend of the Murray River.

Under Clause 7.6(2) the following land uses are permitted within the river front area:

- a) boat building and repair facilities, boat launching ramps, boat sheds, charter and tourism boating facilities or marinas,
- b) the extension or alteration of an existing building that is wholly or partly in the river front area, but only if the extension or alteration is to be located no closer to the river bank than the existing building,
- c) environmental protection works,
- d) extensive agriculture and intensive plant agriculture,
- e) walking trails, cycleways, picnic facilities, recreation facilities and recreation facilities (outdoors),
- f) water recreation structures.

Under Clause 7.8 (2) development on river bed and banks of the Murray River front area is defined as:

"This clause applies to land comprising the bed of the Murray River and up to the top of the bank of that River".

The proposed development meets the criteria Under Clause 7.6 of the WLEP 2011, as only the list of uses documented are permitted within the river front area. As the application is for a boat shed this criterion is met. The application to vary a development standard (4.6 variation) is however, required under Clause 7.8 (4. (a) of the WLEP 2011 as the proposed development will be located on the outside bend of the Murray River.

Under Clause 7.8(4) the following additional provisions for development on riverbed and banks of the Murray River must be considered:

- (4) Development consent must not be granted for the erection of a structure on land to which this clause applies unless the consent authority is satisfied of the following—
- (a) that the proposed structure will not be located on an outside bend of the Murray River,
- (b) that the appearance of the proposed structure, from both the Murray River and any adjacent land, will be compatible with the surrounding area,
- (c) that the development does not involve, and will not result in, the erection of more than one mooring per lot or per lots owned by the same owners.

The proposed development, therefore, does not comply with the principles within the Wentworth Local Environmental Plan 2011. Notable non-compliance being that the development proposed is to be sited on an outside bend of the Murray River. It should be noted that a mooring site for this property exists and was approved under DA2019/162.

## **Approving 4.6 variations**

Under clause 35B of the *Environmental Planning and Assessment Regulation 2021*, applications involving contravention of development standards must be accompanied by a document that sets out the grounds on which the applicant seeks to demonstrate that -

- compliance with the development standard is unreasonable or unnecessary in the circumstances (cl 4.6(3)(a)), and
- there are sufficient environmental planning grounds to justify the contravention of the development standard (cl 4.6(3)(b)).

The consent authority must keep a record if its assessment carried out under subclause (3).

The requirement of this written document places the responsibility on the applicant to demonstrate that they understand these requirements.

The variation proposed is a non-numerical contravention of the development standard, due to changes made by the NSW Government, Clause 4.6 of the Standard Instrument LEP has been reformed to make the planning system faster, simpler, and more transparent. The reform came into effect on 1 November 2023 and removes the requirement to obtain the Planning Secretary's concurrence for a variation with new reporting framework. As such, this application will be presented to council (elected) as the consent authority to make a determination to approve or refuse this 4.6 variation application, as council are the determining body council (elected) for both numerical and non-numerical development standard variations.

## Clause 4.6 Exceptions to development standards.

Written request for consideration has been presented by the applicant with reasons for justifying the contravention of this standard and allow the development.

- 2. Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- 3.(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
- 3.(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

# Note-

The Environmental Planning and Assessment Regulation 2021 requires a development application for development that proposes to contravene a development standard to be accompanied by a document setting out the grounds on which the applicant seeks to demonstrate the matters in paragraphs (a) and (b).

4. The consent authority must keep a record of its assessment carried out under subclause (3).

# Applicant response:

The proposed boating facility will be constructed on an outside bend of the Murray River. However, the boating facility will be on the riverbank and located on the outside of the bend. With the minimalist construction design as specified in the architectural plans and there will be only minor impact and disturbance to the bank of the Murray River. The construction methodology will result in minimal disturbance to the area as the proposal is a floating pontoon.

The proposed construction will not have an adverse effect on the natural values of the Murray River allowing water to flow as the vessel is hinged and designed to float with the rise and fall of the water. Management of the vessel during variations of river levels will also be undertaken through the alteration of the lengths to the tether which will ensure minimal movement of the vessel on the bank.

The bank where the vessel is located on whilst being the outside bend of the river and it is marginal in the bend of the river and the bend is a meander with low velocities, generally experienced at the location which will minimise any negative impacts from the proposal to the bank.

Councils have granted development approval for other boat moorings in this stretch of the river and at various other locations along the Murray River within the Swan Hill/Murray Downs environs. The existing mooring pole on the lot will be retained and used while the proposed pontoon facilities are not in use. The existing and proposed boating facilities are for short-stay purposes only.

Does the written request adequately address those issues at Clause 4.6(4)

a. Although the development is cognisant with the zone objectives, the proposal is inconsistent with the objectives of clause 7.6 being varied.

Objectives of Clause 7.6	Applicants' response to objectives
To support natural riverine processes, including the migration of the Murray River's channels,	The proposal design has been undertaken as to ensure minimal impact upon the natural river processes with the design of the bridging structure atop the creek. The pontoon and associated jetty are both floating in design with no columns or supports into the Murray River.
To protect and improve the bed and bank stability of the Murray River,	As above, there are no bank works proposed in relation to the Murray River.
To maintain and improve the water quality of the Murray River	The structure is floating atop the river and therefore does not impose upon water quality.
To protect the amenity, scenic landscape values and cultural heritage of the Murray River and to protect public access to its riverine corridors,	The proposal is of a minimalistic design with materials and colours that are sympathetic to the natural character of the area.
To conserve and protect the riverine corridors of the Murray River, including wildlife habitat.	The proposal has demonstrated that based on the location and type of habitat it is unlikely to cause significant detriment to the riverine corridors.

#### 5 part test

1. The objectives of the standard are achieved notwithstanding noncompliance with the standard:

**Response from applicant:** The objectives of 7.8(4) are met by the proposal in relation to the maintenance and quality of the Murray River due to the type of

structure proposed and its limited scope for impacts. The scale and floating design of the structures allows the ongoing presence of the environmental values, scenic amenity and cultural heritage of the Murray River. The proposed structures do not pose significant impact to that of the bank stability or to the natural riverine processes of the Murray River.

**Officer comments**: The development has been designed with minimal impact to the bed or bank of the Murray River.

2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary:

**Response from applicant:** The extent of the type of structure and its demonstrated limited impact ensures minimal significance of the location of the proposal on the outside bank of the river.

**Officer comments**: Due to the type and nature of the development proposed on the site, impact from the development in relation to the location on the outside bend of the river is anticipated to be minimal.

3. The underlying objective or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable:

Response from applicant: Not applicable.

Officer comments: Noted.

4. The development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable:

**Response from applicant:** Based on the above, it is not pertinent to the proposal.

**Officer comments**: Noted. Applications are assessed and determined based on current legislation with individual site conditions and environmental impact forming part of the assessment.

5. That compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone:

Response from applicant: Not applicable.

Officer comments: Noted. The proposed development supporting water craft use and access to the waterway are familiar land uses along the river bank. External agencies did not object to this development being located on the outside bend of the river, although some modification from original design was necessary to be compliant.

The proposed variation is supported based on the results of the five (5) part test above.

Officer comments: The proposed variation to development standard 4.6 is supported based on the results of the five (5) part test – indicating that the development complies with the 5 part test. The minimal environmental impact anticipated from the development and the support of external

agencies indicates that the development can be approved with conditions with associated works not anticipated to cause any further significant impact to the river front area.

### **Clause 5.21 Flood Planning**

The proposed development is located on a site that is completely within the flood mapped area, therefore an alternative site within the property is not possible. Aspects of the proposed development demonstrate an essential association with the river so placement in close proximity is necessary. The proposed boating facility with verandah shed, boatshed, jetty and pontoon will be built on elevated footings with a finished floor level above the 1 in 100 flood level. The floating pontoon is on a pivot and will rise and fall with the changing pool level of the river. Materials used will be durable to withstand possible flooding and designed & placed on site so that minimal disturbance to natural water flow and flood water behaviour is caused. Access to nearby roads would also be impacted if flood waters exceeded the 1 in 100 flood event level.

## Clause 7.1 Earthworks

Any earthworks will form part of the conditions of consent, should the application be approved as ancillary to the main approval. Standards will apply for any associated earthworks.

## **Clause 7.4 Terrestrial Biodiversity**

An assessment of the proposed development against clause 7.4(3) is as follows:

- a). The proposed development will be ancillary to existing residential development on the site and will facilitate personal recreation water use. The proposed boating facility with verandah shed, boatshed, jetty and pontoon is unlikely to have any detrimental effects on fauna and flora existing on the site, as it is intended to be used for personal domestic purposes. No tree removal is expected, potential impacts will most likely be from construction. The development will be conditioned to minimise impact on existing biodiversity on the site and to encourage replanting of native species.
- b). The proposed development is unlikely to have any adverse impact on the importance of vegetation on the site, nor adverse impacts on the habitat and survival of native fauna. The site has minimal vegetation with larger native trees closest to the river bank. Approval would see conditions pertaining to vegetation removal and re-planting.
- c). The proposed development is unlikely to fragment, disturb, or diminish the biodiversity structure, function and composition of the land as it has already been disturbed as part of the previous residential use.
- d). The proposed development is unlikely to have any adverse impact on the habitat elements and connectivity. The development is to be placed with minimal impact on existing native vegetation that facilitates connectivity between the river and the surrounding area.

An assessment of the proposed development against clause 7.4(4) is as follows:

- a. The proposed boating facility with verandah shed, boatshed, jetty and pontoon has been designed, sited and will be managed to minimise any environmental damage.
- b. Noted

#### c. Noted

#### Clause 7.5 Wetlands

An assessment of the proposed boating facility with verandah shed, boatshed, jetty and pontoon against clause 7.5(3) is as follows:

- a. Not affect growth and survival of flora and fauna. Measures to be put in place to protect flora and fauna on the site during construction and use of the site.
- b. No vegetation to be removed as part of the construction. Tree protection measures to form part of the conditions of consent.
- c. No vegetation to be removed, as such no impacts on provision and quality of habitats for indigenous and migratory species
- d. Conditions of consent will put measures in place to ensure that surface and groundwater characteristics of the site, including water quality, natural water flows and salinity are protected
- e. Measures must be put in place to protect any wetland in the vicinity of the development area.

An assessment of the proposed boating facility with verandah shed, boatshed, jetty and pontoon against clause 7.5(4) is as follows:

 The site plans of the boating facility with verandah shed, boatshed, jetty and pontoon adequately show that the development is sited, designed and managed to avoid potential adverse environmental impacts including avoiding natural waterways and existing vegetation. Conditions of consent will provide further protection measures.

# Clause 7.6 Development on the river front areas

The proposed boating facility with verandah shed, boatshed, jetty and pontoon development is listed as one of the acceptable river front developments detailed below within the river front area.

- 2) Despite any other provision of this Plan, development consent may only be granted to development on land in a river front area for the following purposes—
- (a) boat building and repair facilities, boat launching ramps, boat sheds, charter and tourism boating facilities or marinas,
- (b) the extension or alteration of an existing building that is wholly or partly in the river front area, but only if the extension or alteration is to be located no closer to the river bank than the existing building,
- (c) environmental protection works,
- (d) extensive agriculture and intensive plant agriculture,
- (e) walking trails, cycleways, picnic facilities, recreation facilities and recreation facilities (outdoors),
- (f) water recreation structures

# Clause 7.7 Riparian land and Murray River and other watercourses – general principles

The proposed development is sited inside the designated distance of 40m from the top bank of a watercourse (Murray River), however, as the proposed development will have minimal anticipated environmental impacts, conditions of consent will manage & mitigate effects.

# Clause 7.7(3) assessment is as follows:

a. Adverse impact of the proposed:

- I. The verandah / shed structure will be set enough distance from the water body and is not anticipated to impact the flow.
- II. No impacts on aquatic and riparian species, habitats and ecosystem. The use of the land will be rural residential with no emissions likely to impact the environment anticipated from the development.
- III. There may be potential disturbance of the of the stability of the bed, shore and banks of the watercourse through the construction of the boatshed, jetty & pontoon. The determination will be conditioned to ensure the bed and bank is protected from any impacts from the development.
- IV. No impacts to the watercourse movement of aquatic fauna anticipated.
- V. Trees and any vegetation in along the bank must be protected and rehabilitated if so required to protect it from the development.
- b. A minimal increase is anticipated to extraction of water from the river due to this development containing a bathroom. The applicant emphasises that the area will only be used occasional for guests and only for domestic purposes.

An assessment of the proposed development against clause 7.7(4) is as follows:

- a. The proposed boating facility with verandah shed, boatshed, jetty & pontoon has been designed, sited and managed to avoid any environmental damage. As such a report by a qualified person must be provided to show how the final design will prevent significant impacts to the environment.
- b. If there are some impacts, a report from a qualified person must show how these impacts will be minimised.
- c. If the impacts cannot be minimised, it must be proven to the council how these environmental impacts will be mitigated to a reasonable level.

# Clause 7.8 Additional provisions – development on river bed and banks of the Murray River.

As previously indicated the proposed development contravenes one of these clauses and is the reason a variation to the standard has been applied to this application. In this instance it relates to clause (a) with justification provided.

- (4) Development consent must not be granted for the erection of a structure on land to which this clause applies unless the consent authority is satisfied of the following—
- (a) that the proposed structure will not be located on an outside bend of the Murray River,
- (b) that the appearance of the proposed structure, from both the Murray River and any adjacent land, will be compatible with the surrounding area,
- (c) that the development does not involve, and will not result in, the erection of more than one mooring per lot or per lots owned by the same owners.

## Wentworth Development Control Plan (DCP) 2011

Assessment against Chapter 5 of the Wentworth Development Control Plan (DCP) 2011 was carried out, and is acceptable, as shown below.

Wentworth DCP	Chapter	Acceptable	Not Acceptable	N/A	Reason
	Chapter 5			X	Development not for
	5.1				intensive agriculture.

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Intensive			
Agriculture			
5.2		X	No subdivision proposed
Subdivision		21	Two subdivision proposed
5.3		X	Development not for a
Rural			dwelling
Dwellings			Access to the property is
a). General			already existing
Controls			
b). Access			
5.3.1	X		Although application is
Water			not for a dwelling, water
			management including
			water storage will be
			conditioned as part of
			approval
5.3.2	X		As reticulated sewer is
Effluent			not available to the site,
Disposal			effluent disposal will be
			conditioned as part of
			approval via an onsite
			waste water management
			system.
5.3.3		X	Fencing not part of this
Fencing			application but should
			match that of the area and
			comply with relevant
			legislation
5.3.4	X		Part of the proposed
Dwelling			development is permitted
setback			within the 30m distance
from river			from the high bank of the
			Murray River. These are
			aspects that display an
			essential association to
			the river. Other aspects
			are to be located at 30m
			from the river. A 4.6
			variation applies to
			development located on
			the outside bend of the
-			river.
5.3.5		X	N/A as not for a dwelling
Land			
Capability			
5.4		X	Development consent is
Rural Sheds			not for a shed
5.5	X		Noted – conditions to be
Rural			included that mitigate and
industries			manage noise, access,

			landscaping, and land capability
5.6 – 5.6.10 Boarding and/or breeding kennels for dogs and cats in rural areas		X	If boarding or breeding check further conditions as listed
5.7 – 5.7.3 Hazardous chemical	X		Noted - proposal is for ancillary use associated with recreation activities as such minimal hazardous chemical use or storage anticipated
5.8 Rural land use conflict	X		Surrounding sites are used for agriculture with residential and other associated structures – no conflict of land use evident
5.8.1 Buffer distances	X		Noted
5.8.2 Variations to buffers	X		Noted
5.8.3 Vegetation buffers	X		Noted

# (2) The provisions of any draft environmental planning instrument

There is no Division 3.4 draft environmental planning instrument that affect the proposed development. (Post 1 July 2009 LEP amendments).

# (3) Any matters prescribed by regulations

There are no further matters prescribed by regulations.

# (4) The likely impacts of the development

There are no likely impacts from the proposal as discussed in the table below.

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Impact item				Comment
(insert an 'x' in the relevant section)	Acceptable	Not acceptable	Not relevant	
Context and setting	X			The site is surrounded by similar land uses (rural residential/agriculture). No land will be taken away from agricultural land, and no effect on adjoining lands.
Public domain & Streetscape	X			The siting of this development will facilitate adequate distance between the proposed development and the nearest road.
Landscaping	X			Future landscaping to be conditioned as part of development consent with use of native species encouraged.
Stormwater			X	N/A as stormwater managed onsite
Heritage	X			No heritage items or listing for this site
Soils & Soils Erosion	X			None expected from the proposed development, minimal site preparation anticipated, however, conditions of consent will be applied for construction.
Air and microclimate	X			None anticipated from this development as there is adequate open space between the proposed development and other related structures onsite.
Water Resources	X			The proposed development will not impede natural water courses within the property as directed through referral agency advice. Conditions of consent, if granted, will mitigate and manage impact of the proposed development.
Biodiversity (Flora & Fauna)	X			No native vegetation to be cleared for development.
Land Resources	X			None located on the site expected to impact the proposed development.
Utilities	X			Utilities are available to the lot – an approved waste water management system is to be installed following a LCA.
Access & Parking	X			Direct access to site available, space for parking available on site.
Roads & Traffic	X			No new road proposed, traffic will not be impacted by proposal.
Solar Access and Energy Efficiency			X	N/A as not a dwelling
Overshadowing			X	N/A as not a dwelling
Privacy & Overlooking			X	N/A
Flooding	X			Conditions of consent, if the proposed development is approved, will include flood mitigation and management
Bushfire Prone Area	X			Was not in a bushfire prone area when lodged, however, the area is within new bush fire mapping.

		The applicant provided a response in line with the <i>Planning</i> for Bushfire Protection – A guide for councils, planners, fire authorities and developers, November 2019 as follows:  The proposal will be designed in accordance with the relevant Australian standards and National Construction Code (NCC) of the structure and building classification types in accordance with the document Planning for Bushfire Protection. ω The property has direct road access from Boeill Creek Road as per the existing residential building on the property. ω The site has access to water as evident from the existing residential infrastructure upon the site. ω The proposal does not involve the storage of hazardous materials.  Measures to manage and mitigate bush fire threat have been included with the approved documentation for the application.
Noise	X	Possible significant noise increase expected during construction, residential noise anticipated following construction.
Technological hazards	X	None anticipated from the development, only rural residential activities anticipated from the site.
Safety, Security & Crime Prevention	X	Development will not affect the safety of the area.
Social and Economic Impacts	X	No negative social and economic impacts anticipated from the proposed development.

# (5) The suitability of the site for development

The site is suitable for the proposed boating facility with verandah shed, boatshed, jetty & pontoon as it will not have any adverse impact on the locality. The proposed development is permitted by the RU1 Primary Production zoning of the area under the Wentworth LEP 2011. The character and use of the proposed boating facility with verandah shed, boatshed, jetty & pontoon, is consistent with existing residential developments with associated structures and recreational water use facilities in the surrounding area. Some utilities are available for connection to the proposed development, while arrangements must be made for others, as per the conditions of consent.

# (6) Any submissions made in accordance with this Act or Regulation

The application was notified for 14 days as per the Wentworth Community Participation Plan. No submissions were received.

# (7) The public interest

The proposed development is consistent with public interest as it will have no detrimental effect on the surrounding area. Moreover, no objections were made by the surrounding neighbours.

# COMMENTS FROM COUNCIL INTERNAL DEPARTMENTS

Department	Referred	Comments
	Y/N	

Building	N
Subdivision	N
Engineer	
Roads &	N
Engineering	
Finance & Policy	N
Heritage Advisor	N
Environmental	N
Health	
Local Laws	N
Floodplain Mgt	N
Committee	
Sustainable	N
Infrastructure	

## **CONCLUSIONS**

- 1. General comments:
- 2. The proposal satisfies the points for consideration listed under Section 4.15 of the *Environmental Planning and Assessment Act*.
- 3. The proposal occurs on land zoned RU1 Primary Production and W1 Natural Waterways. The proposal is not considered to have detrimental impact on the site and surrounds.
- 4. The proposal is consistent with the Wentworth Shire Development Control Plan (Dec 2011). The proposal is consistent with the development controls in Chapter 5 of the Wentworth Shire Development Control Plan 2011.
- 5. The proposed boating facility with verandah shed, boatshed, jetty & pontoon accords with the relevant objectives and provisions of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.
- 6. There is no draft local environmental plan affecting the proposed development.

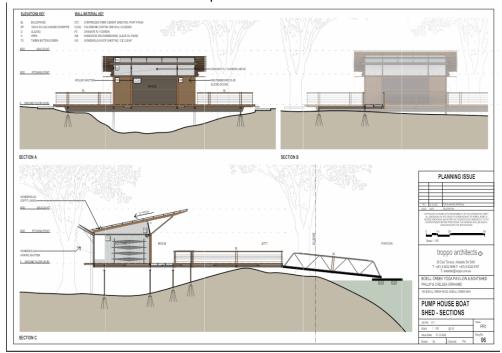
## **REFERRAL AGENCIES**

Transport for NSW – Approved with conditions 06/04/2023

Department of Planning & Environment Water – RFI sent – response uploaded 26/03/2024 Due to lack of response from agency (DPE water) within a reasonable timeframe (56 days) and matters having been addressed within the response provided to Fisheries, the applicant requested to proceed to determination without concurrence from this agency. On 21/05/2024 council uploaded a letter to the portal to DPE-Water, advising the agency of this decision, made by the applicant.

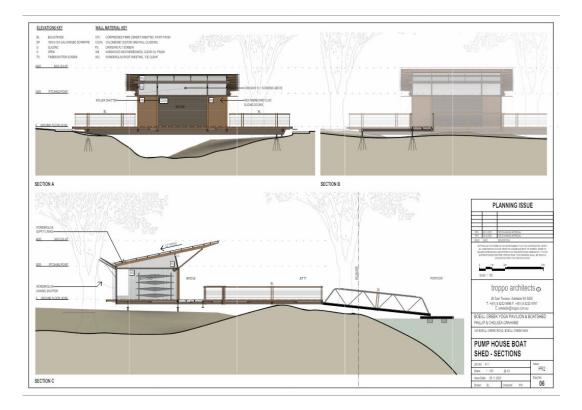
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During the assessment process the request to relocate the proposed support columns of the boat shed and the bridge outside of the bed and banks of Boeill Creek, or at least higher up the bank of Boeill Creek so as not to impede flow in the creek.



Original plans above.

The applicant responded with amended plans as follows.



**Department of Primary Industries Fisheries** – RFI sent – response to RFI provided 15 February 2024 GTA provided.

Due to the above response from DPI-Fisheries and the terms of the approval requirement of a permit under s198-202 the *Fisheries Management Act 1994* or a controlled Activity Approval under the *Water Management Act 2000* is to be obtained prior to the commencement of works. The requirement of obtaining further approval before commencement of works should also meet any approvals of other agencies involved.

# **Recommendation:**

# Approve the application subject to conditions

Delegate report author	Delegated approval and endorsement
Signature:	Signature:
Slogley	Grund
Kerrie Copley	George Kenende
Planning Officer	Acting Director Health & Planning
Date: 19/07/2024	Date: 25/07/2024



Health & Planning Department 26-28 Adelaide Street PO Box 81 WENTWORTH NSW 2648

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

## 4.6 Assessment report

Environmental Planning & Assessment Act 1979 as amended

## Standard being varied

The proposed boating facility (verandah shed) with wash area will be located 30m from the high bank of the river, while the (pump house boatshed) including jetty and pontoon will be located approximately 9.15m from the Murray River, the development occurs on an outside bend of the river.

It should be noted that aspects of this development identified as having no permitted use within the river front area were amended to comply with the river front area 30m setback following design amendment requests from external agencies. The development remains in the same location on the outside bend of the Murray River.

Under Clause 7.6(2) the following land uses are permitted within the river front area:

- a) boat building and repair facilities, boat launching ramps, boat sheds, charter and tourism boating facilities or marinas,
- the extension or alteration of an existing building that is wholly or partly in the river front area, but only if the extension or alteration is to be located no closer to the river bank than the existing building,
- c) environmental protection works,
- d) extensive agriculture and intensive plant agriculture,
- e) walking trails, cycleways, picnic facilities, recreation facilities and recreation facilities (outdoors),
- f) water recreation structures.

Under Clause 7.8 (2) development on river bed and banks of the Murray River front area is defined as:

"This clause applies to land comprising the bed of the Murray River and up to the top of the bank of that River".

The proposed development meets the criteria Under Clause 7.6 of the WLEP 2011, as only the list of uses documented are permitted within the river front area. As the application is for a boat shed this criterion is met. The application to vary a development standard (4.6 variation) is however, required under Clause 7.8 (4. (a) of the WLEP 2011 as the proposed development will be located on the outside bend of the Murray River.

Under Clause 7.8(4) the following additional provisions for development on riverbed and banks of the Murray River must be considered:

- (4) Development consent must not be granted for the erection of a structure on land to which this clause applies unless the consent authority is satisfied of the following—
- (a) that the proposed structure will not be located on an outside bend of the Murray River,
- (b) that the appearance of the proposed structure, from both the Murray River and any adjacent land, will be compatible with the surrounding area,

(c) that the development does not involve, and will not result in, the erection of more than one mooring per lot or per lots owned by the same owners.

The proposed development, therefore, does not comply with the principles within the Wentworth Local Environmental Plan 2011. Notable non-compliance being that the development proposed is to be sited on an outside bend of the Murray River. It should be noted that a mooring site for this property exists and was approved under DA2019/162.

## Approving 4.6 variations

Under clause 35B of the *Environmental Planning and Assessment Regulation 2021*, applications involving contravention of development standards must be accompanied by a document that sets out the grounds on which the applicant seeks to demonstrate that -

- compliance with the development standard is unreasonable or unnecessary in the circumstances (cl 4.6(3)(a)), and
- there are sufficient environmental planning grounds to justify the contravention of the development standard (cl 4.6(3)(b)).

The consent authority must keep a record if its assessment carried out under subclause (3).

The requirement of this written document places the responsibility on the applicant to demonstrate that they understand these requirements.

The variation proposed is a non-numerical contravention of the development standard, due to changes made by the NSW Government, Clause 4.6 of the Standard Instrument LEP has been reformed to make the planning system faster, simpler, and more transparent. The reform came into effect on 1 November 2023 and removes the requirement to obtain the Planning Secretary's concurrence for a variation with new reporting framework. As such, this application will be presented to council (elected) as the consent authority to make a determination to approve or refuse this 4.6 variation application, as council are the determining body council (elected) for both numerical and non-numerical development standard variations.

## Clause 4.6 Exceptions to development standards.

Written request for consideration has been presented by the applicant with reasons for justifying the contravention of this standard and allow the development.

- 2. Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- 3.(a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
- 3.(b) that there are sufficient environmental planning grounds to justify contravening the development standard.

#### Note-

The Environmental Planning and Assessment Regulation 2021 requires a development application for development that proposes to contravene a development standard to be accompanied by a document setting out the grounds on which the applicant seeks to demonstrate the matters in paragraphs (a) and (b).

4. The consent authority must keep a record of its assessment carried out under subclause (3).

# Applicant response:

The proposed boating facility will be constructed on an outside bend of the Murray River. However, the boating facility will be on the riverbank and located on the outside of the bend. With the minimalist construction design as specified in the architectural plans and there will be only minor impact and disturbance to the bank of the Murray River. The construction methodology will result in minimal disturbance to the area as the proposal is a floating pontoon.

The proposed construction will not have an adverse effect on the natural values of the Murray River allowing water to flow as the vessel is hinged and designed to float with the rise and fall of the water. Management of the vessel during variations of river levels will also be undertaken through the alteration of the lengths to the tether which will ensure minimal movement of the vessel on the bank.

The bank where the vessel is located on whilst being the outside bend of the river and it is marginal in the bend of the river and the bend is a meander with low velocities, generally experienced at the location which will minimise any negative impacts from the proposal to the bank.

Councils have granted development approval for other boat moorings in this stretch of the river and at various other locations along the Murray River within the Swan Hill/Murray Downs environs. The existing mooring pole on the lot will be retained and used while the proposed pontoon facilities are not in use. The existing and proposed boating facilities are for short-stay purposes only.

Does the written request adequately address those issues at Clause 4.6(4)

a. Although the development is cognisant with the zone objectives, the proposal is inconsistent with the objectives of clause 7.6 being varied.

Objectives of Clause 7.6	Applicants' response to objectives
To support natural riverine processes, including the migration of the Murray River's channels,	The proposal design has been undertaken as to ensure minimal impact upon the natural river processes with the design of the bridging structure atop the creek. The pontoon and associated jetty are both floating in design with no columns or supports into the Murray River.
To protect and improve the bed and	As above, there are no bank works proposed in
bank stability of the Murray River,	relation to the Murray River.
To maintain and improve the water	The structure is floating atop the river and therefore
quality of the Murray River	does not impose upon water quality.
To protect the amenity, scenic landscape values and cultural heritage of the Murray River and to protect public access to its riverine corridors,	The proposal is of a minimalistic design with materials and colours that are sympathetic to the natural character of the area.

	The proposal has demonstrated that based on the
riverine corridors of the Murray	location and type of habitat it is unlikely to cause
River, including wildlife habitat.	significant detriment to the riverine corridors.

## 5 part test

1. The objectives of the standard are achieved notwithstanding noncompliance with the standard:

**Response from applicant:** The objectives of 7.8(4) are met by the proposal in relation to the maintenance and quality of the Murray River due to the type of structure proposed and its limited scope for impacts. The scale and floating design of the structures allows the ongoing presence of the environmental values, scenic amenity and cultural heritage of the Murray River. The proposed structures do not pose significant impact to that of the bank stability or to the natural riverine processes of the Murray River.

**Officer comments**: The development has been designed with minimal impact to the bed or bank of the Murray River.

2. The underlying objective or purpose of the standard is not relevant to the development and therefore compliance is unnecessary:

**Response from applicant:** The extent of the type of structure and its demonstrated limited impact ensures minimal significance of the location of the proposal on the outside bank of the river.

**Officer comments**: Due to the type and nature of the development proposed on the site, impact from the development in relation to the location on the outside bend of the river is anticipated to be minimal.

3. The underlying objective or purpose would be defeated or thwarted if compliance was required and therefore compliance is unreasonable:

Response from applicant: Not applicable.

Officer comments: Noted.

4. The development standard has been virtually abandoned or destroyed by the council's own actions in granting consents departing from the standard and hence compliance with the standard is unnecessary and unreasonable:

**Response from applicant:** Based on the above, it is not pertinent to the proposal.

**Officer comments**: Noted. Applications are assessed and determined based on current legislation with individual site conditions and environmental impact forming part of the assessment.

5. That compliance with development standard is unreasonable or inappropriate due to existing use of land and current environmental character of the particular parcel of land. That is, the particular parcel of land should not have been included in the zone:

Response from applicant: Not applicable.

**Officer comments**: Noted. The proposed development supporting water craft use and access to the waterway are familiar land uses along the river bank. External agencies did not object to this development being located on the outside bend of the river, although some modification from original design was necessary to be compliant.

The proposed variation is supported based on the results of the five (5) part test above.

**Officer comments**: The proposed variation to development standard 4.6 is supported based on the results of the five (5) part test – indicating that the development complies with the 5 part test. The minimal environmental impact anticipated from the development and the support of external agencies indicates that the development can be approved with conditions with associated works not anticipated to cause any further significant impact to the river front area.



Health & Planning Department 26-28 Adelaide Street PO Box 81 WENTWORTH NSW 2648

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

# **TEMPLATE CONDITIONS**

# DA2023/031 BOATING FACILITY WITH VERANDAH SHED, BOATSHED, JETTY AND PONTOON 185 BOEILL CREEK ROAD LOT 1 DP 1215859 BOEILL CREEK

# **GENERAL CONDITIONS**

1.	Approved development
	Approval is for a boating facility with verandah shed, boatshed, jetty and pontoon.
	Reason: To ensure all parties are aware of the approved development
2.	Approved Plans and Documentation
	The development shall be in accordance with the following plans, documentation and recommendations made there in:
	• Location Plan by Troppo Architects; Job Number: 611; Drawing No: 00; Issue: PR3; Date: 28.11.2023.
	• <b>Site Plan</b> by Troppo Architects; Job Number: 611; Drawing No: 01; Issue: PR3; Date: 28.11.2023.
	• <b>Site Plan of proposed development</b> by Troppo Architects; Job Number: 611; Drawing No: 02; Issue: PR3; Date: 28.11.2023.
	• Floor Plan (pump house / boat shed) by Troppo Architects; Job Number: 611; Drawing No: 03; Issue: PR3; Date: 05.12.2023.
	• Elevations North & South (pump house / boat shed) by Troppo Architects; Job Number: 611; Drawing No: 04; Issue: PR2; Date: 28.11.2023.
	• Elevations East & West (pump house / boat shed) by Troppo Architects; Job Number: 611; Drawing No: 05; Issue: PR2; Date: 28.11.2023.
	<ul> <li>Pump house / boat shed sections by Troppo Architects; Job Number: 611; Drawing No: 06; Issue: PR2; Date: 28.11.2023.</li> </ul>
	• <b>Floor Plan (Verandah shed)</b> by Troppo Architects; Job Number: 611; Drawing No: 07; Issue: PR2; Date: 02.03.2023.
	• Elevations (Verandah shed) by Troppo Architects; Job Number: 611; Drawing No: 08; Issue: PR2; Date: 02.03.2023.
	• Material Board by Troppo Architects; Job Number: 611; Drawing No: 10; Issue: PR2; Date: 02.03.2023.
	• Footing Plan by Troppo Architects; Job Number: 611; Drawing No: 11; Issue: PR1; Date: 28.11.2023.

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

**Reason**: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

# 3. Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989

- It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
- It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.
- 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.
- 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
- 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
- 6. This section does not apply-
  - to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
  - to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

**Reason**: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.

# 4. Erection of signs

1. This section applies to a development consent for development involving building work, subdivision work or demolition work.

- 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out:
  - a. showing the name, address and telephone number of the principal certifier for the work, and
  - b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
  - c. stating that unauthorised entry to the work site is prohibited.
- 3. The sign must be
  - a. maintained while the building work, subdivision work or demolition work is being carried out, and
  - b. removed when the work has been completed.
- 4. This section does not apply in relation to
  - a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
  - b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

**Reason**: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

# 5. Lapsing of Approval

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 permit.

**Reason**: Ensure everyone is aware of the lapsing of the approval.

# 6. Works outside the property boundary

This development consent does not authorise works outside the property boundaries on adjoining lands.

**Reason**: To ensure all approved works occur within the property boundaries.

# 7. Conditions from Transport for NSW – Maritime

Each side of the jetty structure oriented in the direction of the navigable channel must be painted white and have white reflective material (e.g discs or strips), in full compliance with IALA System A, placed so they can be seen by any passing vessel.

**Reason:** To provide for safe navigation of vessels by providing visibility to passing vessels.

## 8. Conditions from DPI- Fisheries

- 1. The applicant is required to obtain a permit under s198-202 of the *Fisheries Management Act* or the *Water Management Act 2000* or a Controlled Activity Approval under the *Water Management Act 2000* prior to commencement of any works.
- 2. Machinery is not to enter, or work from the waterway unnecessarily.

  Reason To ensure minimal risk of water pollution from oil or petroleum products and to minimise disturbance to the streambed substrate.
- 3. If any ground disturbance is to take place, erosion and sediment mitigation devices are to be erected in a manner consistent with currently accepted Best Management Practice (ie Managing Urban Stormwater: Soils and Construction 4th Edition Landcom, 2004) to prevent the entry of sediment into the waterway prior to any earthworks being undertaken. These are to be maintained in good working order for the whole duration of the works and subsequently until the site has been stabilised and the risk of erosion and sediment movement from the site is minimal. Exposed soil is to be reseeded or turfed. Reason To ensure that sediment generated by the exposure of soil is not transported into the main water body.
- 4. On completion of the works, the site is to be rehabilitated and stabilised. Surplus construction materials and temporary structures (other than silt fences and other erosion and sediment control devices) installed during the course of the works are to be removed. Reason To ensure that habitats are restored as quickly as possible, public safety is not compromised and aesthetic values are not degraded.
- 5. No snags (tree trunks, root balls, limbs, branches or other woody debris) in the channel or on the bank of the river are to be moved, removed or otherwise interfered with either during the construction phase or at any time subsequently, without the concurrence of Department of Primary Industries Fisheries.
  - Reason "Removal of Large Woody Debris" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.
- 6. Native vegetation (including trees, shrubs, reeds and grasses) on or adjacent to the river bank is not to be cleared, modified or otherwise harmed at any time during the construction or at any time subsequently. This does not include control of noxious or other recognised weeds.
  - Reason "Decline in native riparian vegetation" is listed as a Key Threatening Process under the provisions of the Fisheries Management Act 1994 and there are significant penalties for harming the habitat of threatened species.
- 7. NSW Department of Primary Industries Fisheries is to be notified immediately if any fish kills occur in the vicinity of the works. In such a case all works are to cease until the issue is rectified and approval is given to proceed.
  - Reason Department of Primary Industries Fisheries needs to be aware of fish kills so that it can assess the cause and mitigate further incidents in consultation with relevant authorities.

# **BUILDING WORK**

# **BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE**

9.	7.12 Contribution
	Before the issue of the relevant construction certificate, the applicant must pay a total contribution of \$3,850.00 as calculated at the date of this consent to Wentworth Shire Council pursuant to the adopted Section 7.12 Development Contributions Plan.
	Note: The total amount payable may be adjusted at the time payment is made per clause 3.10 of the Section 7.12 Development Contributions Plan.
	<b>Reason</b> : To ensure the 7.12 Developer Contributions are paid.
10.	Access Point
	Before the issue of a Construction Certificate, the beneficiary of this consent must build a driveway crossing for the subject land (if one doesn't exist) to Council standards.
	Access during construction shall only be through the driveway crossing of the subject land.
	Reason: To control vehicular movement on road crossings.
11.	Building Material
	The proposed building/s and structure/s shall be clad in an approved non-reflective material e.g. colorbond.
	<b>Reason</b> : To ensure the materials of the building not impact the visual amenity of the surrounding character of the area.
12.	Building material and flooding
	Any building elements below the 1% AEP flood level must be of a durable nature suitable for prolonged periods of inundation.
	Reason: To ensure building materials suitable for inundation are used.
13.	Construction Site Management Plan
	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:
	<ul> <li>location and materials for protective fencing and hoardings to the perimeter on the site</li> <li>provisions for public safety</li> </ul>

- 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
- 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.

The applicant must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.

**Reason**: To ensure construction works are adequately managed to protect the surrounding amenity.

# 14. Erosion and Sediment Control

Before the issue of a construction certificate, the beneficiary of this consent 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:

- the guidelines set out in the NSW Department of Housing manual Managing Urban Stormwater: Soils and Construction Certificate (the Blue Book), and
- 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).

The applicant must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.

**Reason**: To ensure no substance other than rainwater enters the stormwater system and waterways.

# 15. Long Service Levy

Before the issue of a construction certificate, the beneficiary of this consent 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.

**Reason**: To ensure the long service levy is paid. **Payment of Security Deposits** 

#### 16.

This condition applies to all construction works \$25,001 and above.

Before the commencement of any works on the site or the issue of a construction certificate, the beneficiary of this consent must make all of the following payments to Council and provide written evidence of these payments to the certifier:

Infrastructure Bond (Security Deposit)	\$3,000.00
Infrastructure Protection Permit Fee (includes inspections)	\$232.00

The payments will be used for the cost of:

- making good any damage caused to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates,
- completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and
- any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.

The Infrastructure Bond will be returned on completion of the construction of the proposed development, subject to no damage being done to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates. The owner / developer is to arrange an inspection with an Officer of Wentworth Shire Council before any work commences on site. Any damage incurred to Council infrastructure will be repaired at the owners / developers expense and the balance of the Infrastructure Bond will be returned to the owner / developer on completion of the construction.

Note: The inspection fee includes Councils fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the Roads Act 1993). The amount payable must be in accordance with councils fees and charges at the payment date.

Reason: To ensure any damage to public infrastructure is rectified and public works can be created.

#### 17. **Stormwater Management Plan**

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 development. 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.

The plan is to include treatment measures for the water if it is to be discharged into a waterway.

**Reason**: To ensure stormwater run-off is appropriately managed.

#### 18. Plumbing and Drainage - AWTS

Before issuance of the Construction Certificate, a Plumbing and Drainage Approval Application under Section 68 of the Local Government Act NSW 1993, for an onsite Aerated Waste Water Treatment system (AWTS) sewerage management system with a Land Capability Assessment (LCA), is to be submitted to and approved by Council before carrying out any plumbing and drainage work (water and sewerage).

Note: All stormwater from the site is to be directed towards a legal point of discharge. A septic system will not be allowed due to the proximity to a waterway. 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.

**Reason**: To ensure plumbing and drainage works are carried out appropriately Plumbing and Drainage

#### 19. Waste management plan

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:

Details the following:

- 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

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.

**Reason**: To ensure resource recovery is promoted and local.

#### 20. Works in Road Reserve

A Road Opening Permit is required from the Wentworth Shire Council prior to any works or excavation within the road reserve including but not limited to: 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.

**Reason**: To control development in the road reserve.

#### **BEFORE BUILDING WORK COMMENCES**

#### 21. Construction Certificates and Appointment of Principal Certifier

Prior to the commencement of any building works, the following requirements must be complied with

- A Construction Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning & Session Acceptage (2017).
- A Principal Certifier must be appointed, and Council must be notified in writing of the
  appointment irrespective of whether Council or a Registered Certifier is appointed; and notify
  Council in writing of their intention to commence work (at least two [2] days' notice is
  required).

**Reason**: To ensure building works complies with relevant legislation and other codes.

#### 22. Contractor details notification

The certifying authority must advise Council, in writing of:

- 1. The name and contractor licence number of the licensee who has been contracted to do or intends to do the work, or
- 2. The name and permit of the owner-builder who intends to do the work.

If these arrangements are changed, or if a contract is entered into for the work to be done by a different licensee, Council must be immediately informed.

**Reason**: To ensure building work is carried out by licensed contractor.

#### 23. Dial before you dig

Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an

amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individuals responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities." **Reason**: To ensure existing infrastructure is identified. 24. Erosion and sediment controls in place Before the commencement of any site or building work, the developer must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by Council) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site). Reason: To ensure runoff and site debris do not impact local stormwater systems and waterways. 25. Notice of commencement of works Subject to approval to commence works two days before any site works, building or demolition begins, the beneficiary of this consent must: 1. Forward to Council notice of commencement of work and appointment of Principal Certifying Authority. 2. Notify the adjoining owners that work will commence. **Reason**: To provide notification of works commencing. 26. **Rubbish/Waste Management** Throughout the construction period, from commencement of work, a suitable rubbish containment structure is to be located on site and utilised. **Reason**: To ensure the construction site is kept clean and safe at all times. 27. **Storage of materials** Throughout the construction period, from commencement of work, the storage of materials is not permitted on footpaths, roadways or in reserves. Rubbish and building materials must be contained on the site. **Reason**: To ensure the construction materials are stored on site in a tidy & safe manner. 28. **Toilet facilities** 

Toilet facilities are to be provided on or in the vicinity of the building site. The toilet must be connected to a public sewer, or if connection to a public sewer is not practicable, an approved chemical closet. The toilet facility must be installed on-site prior to the commencement of any other work.

**Reason**: To ensure workers and contractors have access to amenities on site.

#### 29. Tree protection measures

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.

**Reason**: To protect and retain trees.

#### **DURING BUILDING WORK**

#### 30. Approved Plans

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.

**Reason**: To ensure all parties are aware of the approved works to be conducted.

#### 31. Contamination discovered during works

If during works on the land comprising the lot, the land is found to be contaminated, within the meaning of the Contaminated Land Management Act 1997:

- all works must stop immediately, and
- the Environment Protection Authority and the council must be notified of the contamination.
- Land is found to be contaminated for the purposes of this condition if the principal certifying authority knows or reasonably suspects the land is contaminated.

Note: Depending on the nature and level of the contamination, remediation of the land may be required before further work can continue.

**Reason**: To ensure contaminated land is managed appropriately.

#### 32. Cut and fill (if applicable)

While building work is being carried out, the principal certifier must be satisfied all soil

removed from or imported to the site is managed in accordance with the following requirements:

- All excavated material removed from the site must be classified in accordance with the EPAs
  Waste Classification Guidelines before it is disposed of at an approved waste management
  facility and the classification and the volume of material removed must be reported to the
  principal certifier.
- All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.

**Reason**: To ensure soil removal & replacement meets requirements.

#### 33. Encroachment of easements

No works are to encroach over any easements.

**Reason**: To ensure works are not carried out over easements.

#### 34. Hours of work

The developer must ensure that building work, demolition or vegetation removal is only carried out between:

- 7.00am to 6.00pm on Monday to Friday
- 8.00am to 1.00pm on Saturdays

The developer must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

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.

Note: Any variation to the hours of work requires Councils approval.

**Reason**: To protect the amenity of the surrounding area.

#### 35. Implementation of site management plans

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.

	<b>Reason</b> : To ensure the required site management measures are implemented during construction.
36.	Natural drainage
	Any works undertaken in the subject land including building and filling shall not cause alteration to the previous drainage in the subject land or adjacent land. Any remedies required to discharge drainage water caused to be accumulated by the works associated with this permit shall be the responsibility of the beneficiary of this consent.  Reason: To ensure natural drainage is maintained where possible.
37.	Noise and vibration
	While building or demolition 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.
	Reason: To protect the amenity of the neighbourhood.
38.	Procedure for critical stage inspections
	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.
	<b>Reason</b> : To require approval to proceed with building work following each critical stage inspection.
39.	Responsibility for changes to public infrastructure
	While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).
	<b>Reason</b> : To ensure payment of approved changes to public infrastructure.
40.	Security fencing
	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

**Reason**: To ensure the site is secured during construction.

#### 41. Tree protection

While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with:

- 1. The construction site management plan
- 2. The relevant requirements of any Australian Standard for the protection of trees on development sites

This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

**Reason**: To protect trees during site works.

#### 42. Uncovering relics or Aboriginal objects

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.

#### In this condition:

- "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
  - o 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.

**Reason**: To ensure protection of objects of potential significance during works.

#### 43. Waste management

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.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- 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.
   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.

**Reason**: To require records to be provided, during construction, documenting that waste is appropriately handled.

#### BEFORE THE ISSUE OF AN OCCUPATION CERTIFICATE

#### 44. Completion of landscape and tree works

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.

**Reason**: To ensure the approved landscaping works have been completed before occupation, in accordance with the approved landscaping plan(s).

#### 45. Completion of public utility services

Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority. Before the issue of the occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.

**Reason**: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements before occupation.

#### 46. Occupation Certificate

The structure shall not be occupied or used until an Occupation Certificate is issued either by council or by an accredited certifier.

Reason: To ensure development is accredited.

#### 47. Removal of waste upon completion

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.

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.

**Reason**: To ensure waste material is appropriately disposed or satisfactorily stored.

#### 48. Repair of infrastructure

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, subcontractors, 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.

Reason: To ensure any damage to public infrastructure is rectified.

#### **OCCUPATION AND ONGOING USE**

#### 49. Additional structures

No additional structures are to be built or installed on the site without permission from the Wentworth Shire Council.

**Reason**: To ensure only approved work is carried out.

#### 50. 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.		
	<b>Reason</b> : To ensure the amenity of the neighbourhood is not compromised unreasonably.		
51.	1. Maintenance of wastewater and stormwater treatment device		
	During occupation and ongoing use of the building, the beneficiary of this consent must		
	ensure all wastewater and stormwater treatment devices (including drainage systems,		
	sumps and traps, and on-site detention) are regularly maintained, to remain effective.		
	<b>Reason</b> : To protect sewerage and stormwater systems.		
52.	Ongoing use – Boat shed & verandah shed		
	The boat shed and verandah shed cannot be used for habitation.		
	Reason: To ensure appropriate use as per approval		
53.	Release of securities / bonds		
	When Council receives an occupation certificate from the principal certifier, the applicant		
	may lodge an application to release the securities held. Council may use part, or all of the		
	securities held to complete the works to its satisfaction if the works do not meet Councils		
	requirements.		
	<b>Reason</b> : To allow release of securities and authorise Council to use the security deposit to		
	complete works to its satisfaction.		
<u>+</u>			

## 9.11 DA2024/046 DEMOLITION OF EXISTING DWELLING AND REPLACEMENT DOUBLE STOREY DWELLING WITH SWIMMING POOL AND SAFETY BARRIER 175A WEST ROAD LOT 2 DP 1196467 BURONGA

File Number: RPT/24/323

Responsible Officer: George Kenende - Acting Director Health & Planning

Responsible Division: Health and Planning

Reporting Officer: Kerrie Copley - Planning Officer

Objective: 3.0 Wentworth Shire is a community that works to enhance and

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

#### Summary

A development application (DA2024/046) was received by Council on 11 April 2024 for demolition of the existing dwelling & replacement double storey dwelling with swimming pool and safety barrier to be located at 175A West Road Lot 2 DP 1196467 Buronga within the river front setback.

Under the *Wentworth Local Environmental Plan 2011* (*WLEP 2011*), this development is permitted with consent when located within the RU1 Primary Production zone, despite the lot being below the Minimum Lot Size of 10,000ha as the proposal is intended to replace the existing lawfully constructed dwelling on the site.

The proposed development is to be located within the same footprint as the existing dwelling, completely within the high bank or river front area of the Murray River. The high bank in this case being an artificial high bank located in the position of the existing dwelling. The proposed double storey dwelling and swimming pool with safety barrier is to be located no closer to the river than the existing dwelling. The required river setback under clause 7.6 the WLEP 2011 is 30m from the high bank of the river. As part of the 7.6 assessment, a variation to the 30m river setback standard was required (usually referred to as a 4.6 variation).

Due to the variation being greater than 10%, the application cannot be determined under delegated authority, and must be determined by Council.

#### Recommendation

That Council:

- 1. Approve DA2024/046 for the demolition of the existing dwelling and replacement with double storey dwelling and swimming pool with safety barrier located at 175A West Road Lot 2 DP 1196467 Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

#### **Detailed Report**

#### **Purpose**

The purpose of this report is to provide information to Council to determine Development Application DA2024/046, having consideration to the detail provided both within this report and the attachments provided.

#### Background

A Development Application was lodged with Council on 11 April 2024 seeking consent to demolish the existing dwelling and construct a double storey dwelling with swimming pool and safety barrier on the subject lot.

The subject lot is located in the RU1 Primary Production zone under the Wentworth Local Environmental Plan (WLEP 2011). The proposal seeks to demolish the existing dwelling and construct a double storey dwelling with swimming pool and safety barrier within the river front area. Under Clause 7.6 of the WLEP 2011, dwellings along with swimming pools and safety barriers are not developments permitted within 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."

The definition of the Murray River in the WLEP2011 is as follows:

"Murray River includes the Darling River and the Great Darling Anabranch."

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

Where an application cannot achieve the development standards required by a Local Environmental Plan, the applicant may apply to vary the development standards.

An application to vary a development standard is made under clause 4.6 of the WLEP 2011.

Under clause 35B of the Environmental Planning and Assessment Regulation 2021, applications involving contravention of development standards must be accompanied by a document that sets out the grounds on which the applicant seeks to demonstrate that –

- compliance with the development standard is unreasonable or unnecessary in the circumstances, and
- there are sufficient environmental planning grounds to justify the contravention of the development standard.

The consent authority must keep a record if its assessment carried out under subclause (3).

Due to changes made by the NSW Government, Clause 4.6 of the Standard Instrument LEP has been reformed to make the planning system faster, simpler, and more transparent. The reform came into effect on 1 November 2023 and removes the requirement to obtain the Planning Secretary's concurrence for a variation with new reporting framework. As such, council has authority to approve or refuse 4.6 variation applications.

The WLEP2011 provides a 30m riverfront setback. The application proposes to locate this development completely within the 30m setback, thus creating a variation of 100%. As this is greater than 10%, this application cannot be determined under delegated authority and is presented to Council for consideration.

Refer to attachment 1 – Development Application

Refer to attachment 2 – 4.6 Variation request

Refer to attachment 3 - Plans

#### 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 and did not fully comply with relevant provisions of Chapter 5 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.

The proposed development including demolition of the existing dwelling and replacement double storey dwelling with swimming pool and safety barrier is permitted with consent and meets the zone objectives of the RU1 Primary Production zone under the WLEP 2011, as a replacement of a lawfully constructed dwelling on a lot below the minimum lot size for the zoning.

The replacement double storey dwelling with swimming pool and safety barrier does not meet the setback standard under clause 7.6, however, the clause 4.6 variation request provided by the applicant provides adequate justification for the contravening of development standards contained in Clause 7.6.

Due to the zoning and WLEP 2011 mapping impacting the land, the development application was assessed against clauses 4.2B, 5.16, 5.21, 7.1, 7.4, 7.5, 7.6 and 7.7. The development application was able to satisfy the matters for consideration under these clauses.

Due to the nature of the proposed development, it was assessed against Chapters 3 and 5 of the Wentworth Development Control Plan (DCP) 2011. The development complies with provisions under Chapters 3 and 5.

Public notification of the development application was conducted as per Council Community Participation Plan for 14 days. No submissions were received during the public notification period.

Based on the assessment of the application, it is determined that the proposed development is compliant with the relevant objectives of the RU1 Primary Production zone, 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. Although the development is inconsistent with the State Environmental Planning Policy (Biodiversity and Conservation) 2021, this non-compliance is acceptable and will be managed through conditions of consent.

Refer to attachment 4 – 4.15 Assessment report

**Refer to attachment 5** – 4.6 Variation Assessment report

Refer to attachment 6 - Conditions of consent

#### **Options**

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

• Approve Development Application DA2024/046 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 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.* 

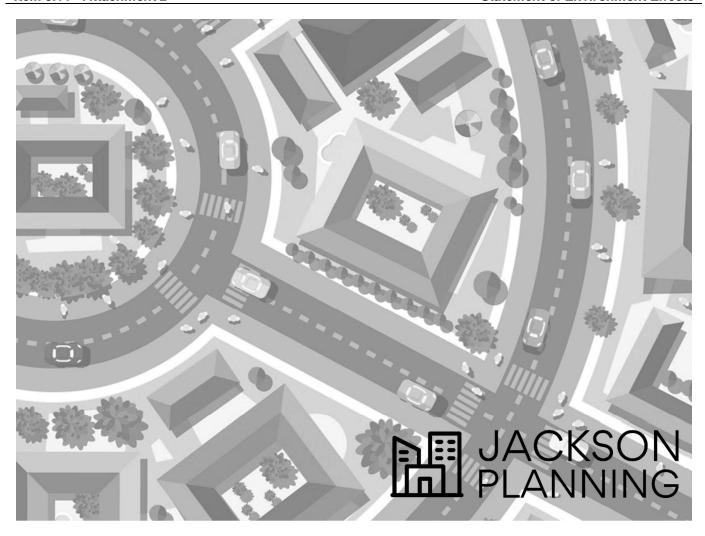
#### Conclusion

Having consideration of the consent of this report it is concluded that the appropriate course of action is to approve DA2024/046 subject to conditions.

#### **Attachments**

Development Application (Under seperate cover)

- 2. Statement of Environment Effects U
- 3. Plans (Under seperate cover) ⇒
- 4. 4.15 Assessment report<u>↓</u>
- 5. 4.6 Assessment report<u>↓</u>
- 6. Conditions of consent

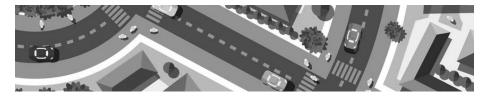


# Planning Submission

Replacement Dwelling and Swimming Pool

175A West Road Buronga, NSW, 2739







#### Introduction

The application proposes the development of a replacement dwelling at the site commonly known as 175A West Road, Buronga.

The existing dwelling has been used for an extended period of time until white ant damage was too significant to allow the building to be repaired. Therefore a dwelling (and swimming pool) has been proposed in the same location.

#### Subject site and surrounding area

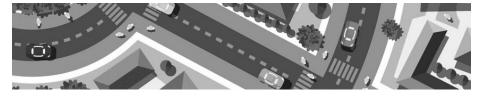
#### Site Description

The subject site, Lot 2 DP 1196467, is a 1.7 hectare allotment is an existing rural property located within the directly west from the Buronga Township. The subject land is irregular in shape and currently contains a dwelling (partially damaged) and associated structures, some of the land is partially planted with horticulture towards the east. Primary access to the site is achieved by an existing accessway located along West Road.

The surrounding area generally comprises of rural type allotments, with the majority within close proximity containing dwellings.

The subject site appears to have access to reticulated electricity, telecommunications, water and effluent is managed onsite with a septic system.







#### Aerial Image of the Site and Surrounding Area



Figure 1: Subject site and immediate surrounds - 9 August 2023 (site highlighted)

#### **Site Photos**



Figure 2: Existing Dwelling -22 August 2023



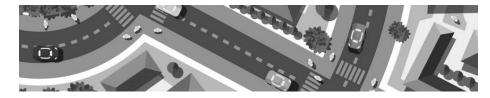






Figure 3: Existing Dwelling - 22 August 2023



Figure 4: West Road - 22 August 2023



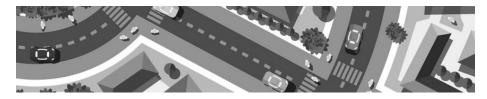






Figure 5: West Road - 22 August 2023

#### **Proposal**

This proposal seeks approval of a replacement dwelling (including demolition of previous dwelling) and swimming pool. The dwelling and pool are proposed to be located generally in the same location as the existing building.

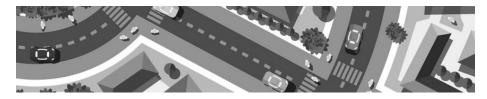
The key aspects of the proposal include:

- 824.85 m<sup>2</sup> Double story dwelling containing:
  - Five (5) bedrooms (including master bedroom)
  - Open plan kitchen/dining/family area
  - Outdoor living/decking area

Pursuant to the provisions of the Wentworth Local Environment Plan 2011, a Development Consent is required for the development of a replacement dwelling and swimming pool.

As this application proposes a dwelling that is within 30 metres of the highest bank line; a variation to Standard 7.6 (Development on river front areas) is also proposed.







#### Planning controls

Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and Wentworth Local Environmental Plan 2011 (LEP)

**Environmental Planning and Assessment Act 1979** 

#### Section 4.66 Continuance of and limitations on existing use

(1) Except where expressly provided in this Act, nothing in this Act or an environmental planning instrument prevents the continuance of an existing use.

#### Discussion

The following documents have been provided in support of this application:

- 1. Statutory Declarations from current land owner.
- 2. Rental tenancy agreement prior to white ant damage

#### **Environmental Planning and Assessment Regulation 2000**

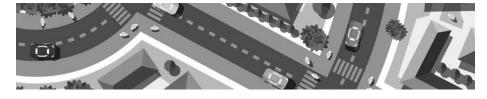
#### Section 44 Development Consent required for any rebuilding of buildings and works

- (1) Development Consent is required for any rebuilding of a building or work used for an existing use.
- (2) The rebuilding
  - a) Must be for the existing use of the building or work and for no other use, and
  - b) Must be carried out only on the land which the building or work was erected or carried out immediately before relevant date.

#### Discussion

This application only purposes the replacement of the existing dwelling (and works associated with a dwelling). No other use is proposed as part of this application.







#### Wentworth Local Environmental Plan 2011 (LEP)

The Subject site is within the RU1 - Primary Production

The objectives of the zone are:

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage and promote the growth and diversification of economic and employment opportunities in agriculture, horticulture and tourism.
- To enable the development of restaurants and cafes and kiosks as part of agritourism development.

As per the contents in this application, the dwelling enjoys exiting use rights; therefore the objectives that would normally discourage a dwelling cannot be considered. The dwelling is being located in a position that does not remove any further agricultural land which is located nearby the existing dwelling.

#### Clause 5.21 Flood planning

The objectives of this clause are as follows—

- to minimise the flood risk to life and property associated with the use of land,
- to allow development on land that is compatible with the flood function and behaviour on the land, taking into account projected changes as a result of climate change,
- to avoid adverse or cumulative impacts on flood behaviour and the environment,
- to enable the safe occupation and efficient evacuation of people in the event of a flood.







Development consent must not be granted to development on land the consent authority considers to be within the flood planning area unless the consent authority is satisfied the development—

- is compatible with the flood function and behaviour on the land, and
- will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and
- will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and
- incorporates appropriate measures to manage risk to life in the event of a flood, and
- will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

#### Discussion

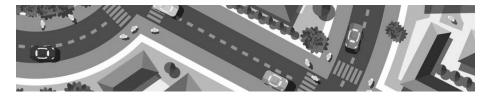
The subject land was previously raised at the point of the construction of the current dwelling; nonetheless it is acknowledged that the habitable areas of the dwelling will be required to be built at a level that prevents loss of life.

The proponents of the development understand that additional engineering controls will be implemented as this area will be potentially flood prone during a 1 in 100 flood event.

It is accepted that standard conditions relating to the construction of the building will be required to be certified by a qualitied structural engineer certifying that the design and structural adequacy of the building can withstand the effects of inundation in the event of a flood.

In conclusion it is considered that the proposed development will allow the safe and efficient evacuation of people in the event of a flooding event.







#### Variation to Standard 7.6

#### The Environmental Planning Instrument that applies to the land?

The Wentworth Local Environmental Plan 2011

#### **Development Standard to be Varied**

The 30-metre setback from the high bank of the Murray River.

#### <u>Is the standard to be varied a development standard?</u>

Yes, this standard is considered to be a development standard in accordance with the definition contained in section 1.4 of the Environmental Planning and Assessment Act 1979; and not a prohibition.

#### What are the objectives of the development standard?

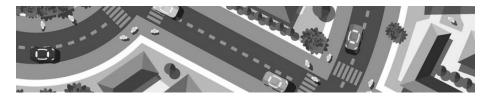
- (a) to support natural riverine processes, including the migration of the Murray River's channels,
- (b) to protect and improve the bed and bank stability of the Murray River,
- (c) to maintain and improve the water quality of the Murray River,
- (d) to protect the amenity, scenic landscape values and cultural heritage of the Murray River and to protect public access to its riverine corridors,
- (e) to conserve and protect the riverine corridors of the Murray River, including wildlife habitat.

Note: In the WLEP2011, a reference to the Murray River also includes the Darling River.

#### What is the proposed numeric value of the development you are proposing?

A High Bank Plan was been prepared that contains an original "Top of Bank" which is essentially along the western boundary. An "Artificial Top of Bank" has also been shown which demonstrates a high bank which has included fill (loam) over time. Nonetheless, the edge of current dwelling is the top of bank. This represents a variation of 100 % as the proposed development is proposed to be setback at the same location.







#### **Principles of Exceptions to Development Standards**

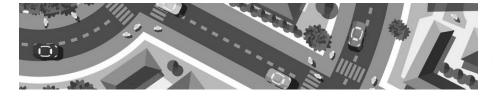
#### Clause 4.6 Exceptions to Development Standards

Clause 4.6 provides flexibility to vary the development standards specified within the Standard Instrument where it can be demonstrated that the development standard is unreasonable or unnecessary in the circumstances of the case, and where there are sufficient environmental grounds to justify the departure.

#### Clause 4.6 states the following:

- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- "(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—
  - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
  - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (4) Development consent must not be granted for development that contravenes a development standard unless—
  - (a) the consent authority is satisfied that—
  - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
  - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and







(b) the concurrence of the Planning Secretary has been obtained.

The requirement for consideration and justification of a Clause 4.6 variation necessitates an assessment of a number of criteria. It is recognised that it is not merely sufficient to demonstrate a minimisation of environmental harm to justify a Clause 4.6 variation, although in the circumstance of this case, the absence of any environmental impact is of considerable merit.

Accordingly, justification is set out in following assessment for the departure from the 30-metre setback control applicable under the WLEP2011. The purpose of the information provided is to demonstrate that strict compliance with this development standard is unreasonable or unnecessary in the circumstances of this particular case. It also demonstrates that there are sufficient environmental planning grounds for the departure from the 30-metre high bank setback as specified in the WLEP2011.

#### **Justification for Variation**

#### **The Five Part Test**

The Court has held that there are at least five different ways, and possibly more, through which an applicant might establish that compliance with a development standard is unreasonable or unnecessary (see *Wehbe v Pittwater Council* [2007] NSWLEC 827).

The five ways of establishing that compliance is unreasonable or unnecessary are:

- 1. The objectives of the development standard are achieved notwithstanding non-compliance with the standard;
- 2. The underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary;
- 3. The objective would be defeated, thwarted or undermined (Linfield Developments Pty Ltd v Cumberland Council [2019] NSWLEC 131 at [24]) if compliance was required with the consequence that compliance is unreasonable;







- 4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence the standard is unreasonable and unnecessary; and
- 5. The zoning of the land is unreasonable or inappropriate

It is sufficient to demonstrate only one of these ways to satisfy clause 7.6, 7.9 and the definition per Wehbe v Pittwater Council [2007] NSWLEC 827, Initial Action Pty Limited v Woollahra Municipal Council [2018] NSWLEC 118 at [22] and RebelMH Neutral Bay Pty Limited v North Sydney Council [2019] NSWCA 130 at [28]) and SJD DB2 Pty Ltd v Woollahra Municipal Council [2020] NSWLEC 1112 at [31].

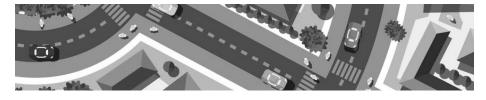
### TEST 1: The objectives of the development standard are achieved notwithstanding non-compliance with the standard

The following table considers whether the objectives of the development standard are achieved notwithstanding the proposed variation (Test 1 under Wehbe).

Table 1: Achievement of Objectives of Clause 7.6 of WLEP2011

Objective	Discussion/Comment
(a) to support natural riverine	The proposed development is no closer
processes, including the	to the existing riverbank than the current
migration of the Murray River's	dwelling.
channels,	
(b) to protect and improve the bed	There is no work proposed in this
and bank stability of the Murray	application that will affect the bed and
River,	bank stability of the river.
(c) to maintain and improve the	There is no work or land uses proposed
water quality of the Murray River,	in this application that will impact on the
	quality of the water in the river.
(d) to protect the amenity, scenic	Not applicable due to the subject land
landscape values and cultural	being privately owned to the riverbank.
heritage of the Murray River and	
to protect public access to its	
riverine corridors	
(e) to conserve and protect the	The proposed development will have no
riverine corridors of the Murray	further impacts on the Murray River.
River, including wildlife habitat.	







In this case, it is demonstrated below that Test 1 has been satisfied.

### TEST 2: The underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary

The underlying objective or purpose is relevant to the development and therefore this test is not relied upon.

### <u>TEST 3: The objective would be defeated, thwarted or undermined if compliance was required with the consequence that compliance is unreasonable</u>

The underlying objective or purpose is relevant to the development and therefore this test is not relied upon.

# TEST 4: The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence the standard is unreasonable and unnecessary

The standard has not been abandoned by Council actions in this case and so this reason is not relied upon.

#### TEST 5: The zoning of the land is unreasonable or inappropriate

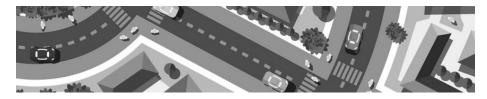
The zoning of the land is reasonable and appropriate and therefore this test is not relied upon.

#### SUFFICIENT ENVIRONMENTAL PLANNING GROUNDS

In Initial Action Pty Ltd v Woollahra Council [2018] NSWLEC 118, Preston CJ observed that in order for there to be 'sufficient' environmental planning grounds to justify a written request under clause 4.6 to contravene a development standard, the focus must be on the aspect or element of the development that contravenes the development standard, not on the development as a whole.

In Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90, Pain J observed that it is within the discretion of the consent authority to consider whether the environmental planning grounds relied on are particular to the circumstances of the proposed development on the particular site.







#### **PUBLIC INTEREST**

In this section it is explained how the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

It has demonstrated that the proposed development overall achieves the objectives of the development standard notwithstanding the variation of the development standard. The table below considers whether the proposal is also consistent with the objectives of the zone

Table 2: Consistency with Zone Objectives

Objective	Discussion/Comment
(a) To encourage sustainable primary	The proposed development has no
industry production by	relevance to this objective.
maintaining and enhancing the	
natural resource base.	This variation does not affect
	consistency with this objective.
(b) To encourage diversity in primary	The proposed development has no
industry enterprises and systems	relevance to this objective.
appropriate for the area.	
	This variation does not affect
	consistency with this objective.
(a) To minimize the fragmentation	The proposed development does not
(c) To minimise the fragmentation and alienation of resource lands.	The proposed development does not fragment the farming land.
and alienation of resource lands.	rragment the farming land.
	This variation does not affect
	consistency with this objective.
	,
(d) To minimise conflict between	Not applicable to this application.
land uses within this zone and	
land uses within adjoining zones.	This variation does not affect
	consistency with this objective.
(e) To encourage and promote the	Not applicable to this application.
growth and diversification of	







economic and employment	This variation does not affect
opportunities in agriculture,	consistency with this objective.
horticulture and tourism.	
(f) To enable the development of	Not applicable to this application.
restaurants and cafes and kiosks	
as part of agritourism	This variation does not affect
development.	consistency with this objective.

#### **State Environmental Planning Policies**

There are no state Environmental Planning Policies applicable for this application.

#### **Assessment**

#### **Visual Impacts**

Due to the scale and design of the dwelling, visual impacts are not considered applicable. Nonetheless, overshadowing plans have been supplied to for avoidance of doubt.

#### **Open Space**

Not applicable for this application

#### Overshadowing and Privacy

As mentioned previously, overshadowing is not a concern. Diagrams have been submitted in support of the application.

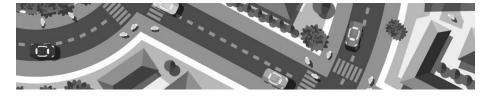
#### **Noise**

Not applicable for this application.

#### **Erosion Control Measures**

No erosion control measures are considered necessary for this development.







#### **Economic and Social Impacts**

Given the residential nature of this development, economic or social impacts on the locality are not envisaged.

#### **Environmental Benefits**

Due to the nature of this development, there are no significant environmental benefits predicted.

#### **Disabled Access**

Not applicable for this application

#### Security, Site Facilities and Safety

Not applicable for this application

#### Waste Management

The previous septic system will be removed as part of the demolition of the previous dwelling. Given the size of the site it is considered that the land can successfully sustain all effluent within the subject land.

#### **Building Code of Australia**

The Construction Certificate will be issued by a Building Surveyor who will review the structures compliance with the Building Code of Australia.

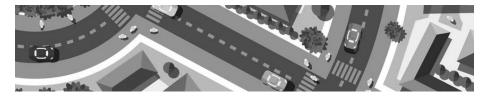
#### Traffic

Traffic will not be impacted on from the proposed development.

#### Stormwater/flooding

Given the nature of the design and size of the lot, it is considered that all drainage will be contained onsite.







#### Conclusion

This report demonstrates that the proposal is consistent with the relevant provisions of the Wentworth Local Environmental Plan 2011.

The proposed development is appropriate for the site as it:

- The site enjoys existing use rights.
- Is appropriately located at the subject site.
- Will have minimal impacts on the locality.
- Will not result in any detrimental impacts on the environment

It is therefore considered that the proposal is worthy of support, and it is therefore respectfully requested that the Wentworth Shire Council grant Development Consent for the Development of a replacement dwelling and swimming pool as described in this report at 175A West Road, Buronga.



**Health & Planning Department** 26-28 Adelaide Street PO Box 81

**WENTWORTH NSW 2648** 

Tel: 03 5027 5027

council@wentworth.nsw.gov.au

#### **DA Assessment Report Section 4.15 Evaluation**

Environmental Planning & Assessment Act 1979 as amended

File Reference: DA2024/046 & PAN 382378

**Property Title & Address:** P731/1 175A West Road Lot 2 DP 1196467 Buronga

Property owner(s): Ronald Morello

Applicant(s): JACKSON PLANNING MJJR PTY LTD – Matt Jackson Demolition of existing dwelling & construction of a Proposal:

double storey dwelling with garage & swimming pool

**Previous DAs:** DA76/91 Subdivision & Consolidation

> DA21/92 Rural Dwelling DA04/96 Dwelling

DA62/98 Bank and Bed Work DA123/98 Two Lot Subdivision

DA181/00 Proposed Two Lot Subdivision DA54/01 Proposed Two Lot Subdivision

DA10/136 2 Lot Subdivision DA13/056 Mooring Site

**Cost of proposed development:** \$2,617,659.17

#### SITE AND SURROUNDING DEVELOPMENT

The subject site comprises of Lot 2 DP 1196467 175A West Road, Buronga. The lot has an area of 1.7ha, with connection via West Road to the east. The subject site is zoned RU1 – Primary Production under the Wentworth Local Environmental Plan (WLEP 2011). The subject site is an irregularly shaped lot with frontage to the Murray River, with an existing dwelling on the site. The subject site has access to filtered water, and electricity, with an existing wastewater treatment system on the site (septic system). The site is impacted by flooding, terrestrial biodiversity, wetlands and is bush fire prone. The subject site is within the flood planning area. The subject site is not within the urban release, floodway areas and has no known heritage items or conservation areas.

#### **DESCRIPTION OF PROPOSAL**

The proposal is to demolish the existing house due to white ant damage and replace with a two storey dwelling with swimming pool and safety barrier in the footprint of the existing dwelling.

The floor area of the proposed development is 824.85m<sup>2</sup>, consisting of 5 bedrooms, open plan kitchen/dining/family area, outdoor living/decking area. The dwelling will be located within the 30m of the highest bank of the river.

The swimming pool will measure 10m x 3.5m with a safety barrier constructed of glass.

Due to the swimming pool being within the 30m setback of the Murray River and the proposed development not being a type of development permitted in this location an application to vary the development standard accompanies this application, a 4.6 variation applies of 100%.

#### HISTORY RELEVANT TO THE DEVELOPMENT APPLICATION

A site visit was conducted with site photos taken on 10 August 2023.











#### **SECTION 4.15-MATTERS FOR CONSIDERATION**

(1) The provisions of any environmental planning instrument and development control plan

#### State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004

The proposed development meets the requirements of the State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 as demonstrated by the BASIX certificate. BASIX Certificate 1742339S: Date of issue: 04 April 2024: Pages 1 to 10.

# State Environmental Planning Policy (Biodiversity and Conservation) 2021

The proposed development is located on land exceeding 1ha in size with no removal of native vegetation required. With no removal of native vegetation proposed, there is no treat to koala habitat, therefore the application will not be assessed against Chapter 3 or 4.

An assessment against **Chapter 5** - River Murray Lands, **Clause 5.9** principles of the SEPP are as follows:

- 1. Access The land is freehold land with no public access to the river. The development will not alter current access to the river.
- 2. Bank Disturbance The proposed double storey dwelling with swimming pool is to be located within the footprint of the existing dwelling to be replaced due to being unhabitable due to irreparable white ant damage. The dwelling itself will be located 11.2m from the site boundary (water's edge). The swimming pool with safety barrier will be sited in line with the existing high bank indicated on the site plan, encroaching within the 30m setback from the Murray River. Some earthworks will be required for the development in this location and although the location is within the river front area, the site has been developed significantly over the years with compacted loam creating a man made "high bank". The removal of native vegetation in this area in preparation for the development at this site is not necessary.
- 3. Flooding The development is located on flood liable land, however, the proposed development will be conditioned to minimise any detrimental effects on the land through erosion, land degradation, pollution, etc and minimise risk to human life through finished floor levels and access conditions.
- 4. Land degradation Development consent will be conditioned to minimise impact on the river front land, however, as noted the area has been significantly altered through historical practices.
- 5. Landscape No removal of trees or other vegetation identified on the site. Future landscaping and revegetation to match with local riparian species.
- River related use The proposed development does not demonstrate an essential relationship to the river, as such development should be located a reasonable distance from the river. In this instance the dwelling is replacing an existing dwelling and the site can be accepted.

- 7. Settlement The proposal is for a single residential dwelling and swimming pool with safety barrier on the site. No new residential settlement is proposed.
- 8. Water quality Any work and subsequent uses of the land must be managed and designed to not cause any pollution of the waterway. If approved, the determination will be conditioned to ensure water quality measures are in place before occupation of the dwelling and swimming pool.
- 9. Wetland The proposed site is located within the wetland area as per WSC mapping. The location where the swimming pool and safety barrier are to be sited has been disturbed through previous development, as has the entire site for the replacement dwelling.

An assessment against **clause 5.13** principles of the SEPP are as follows:

Building setback: The proposed dwelling with swimming pool and safety barrier do not meet the setback requirement of 30m from the high bank of the river of the WLEP 2011. This development is not a development type recognised as having an essential relationship to being close to the river, this development does not meet the prescribed setback distance from the bank high of the Murray River, and represents a 100% variation to the standard, as it is positioned in the same location on the site as the dwelling to be replaced.

#### Matters to be considered

- Effluent Disposal There is no reticulated sewer to the property. The
  wastewater system will need to be located 120m from the river (outside
  wetland area). The wastewater system may also need to be built 750mm above
  the 1 in 100 flood level.
- Landscaping To be conditioned recommending use of local native vegetation species.

The proposed development does not fully comply with the principles within the SEPP. Notable non-compliance being that the proposed development is **not** classified as having an essential relationship and is not listed as one of the items permitted within 30m of the river.

The 4.6 variation provided supports this application with justification for the location, and why the application should be approved.

# Wentworth Local Environmental Plan (LEP) 2011

# Zone objectives and permissibility

The proposed replacement dwelling with a double storey dwelling and swimming pool with safety barrier are **permitted with consent**, in this instance as the dwelling to be replaced had existing use rights on the site, thus, meeting the zone objectives of the RU1 Primary Production zone under which the subject site is located.

#### Standard being varied

The proposed replacement double storey dwelling with swimming pool with safety barrier will extend into the river front area, with the "high bank" of the Murray River, in this instance being an artificial high bank through previous deposits of loam on the site. Under clause 7.6 of the WLEP 2011, only a certain list of uses are permitted within the river front area (30m from the high bank) if there is no river front building line as per the definition.

Only the following land uses are permitted within the river front area as per clause 7.6:

- a) boat building and repair facilities, boat launching ramps, boat sheds, charter and tourism boating facilities or marinas,
- b) the extension or alteration of an existing building that is wholly or partly in the river front area, but only if the extension or alteration is to be located no closer to the river bank than the existing building,
- c) environmental protection works,
- d) extensive agriculture and intensive plant agriculture,
- e) walking trails, cycleways, picnic facilities, recreation facilities and recreation facilities (outdoors),
- f) water recreation structures.

River front area is defined as:

"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."

The proposed replacement of the existing dwelling with a double storey dwelling and swimming pool with safety barrier is a type of development **not** listed as a use permitted within the river front area. However, a 4.6 variation application was provided by the applicant seeking to vary this development standard and allow construction of the replacement dwelling and swimming pool and safety barrier to encroach within the river front area.

#### Approving 4.6 variations

Under clause 35B of the *Environmental Planning and Assessment Regulation 2021*, applications involving contravention of development standards must be accompanied by a document that sets out the grounds on which the applicant seeks to demonstrate that -

- compliance with the development standard is unreasonable or unnecessary in the circumstances, and
- there are sufficient environmental planning grounds to justify the contravention of the development standard.

The consent authority must keep a record if its assessment carried out under subclause (3).

The variation proposed is greater than 10% (100%). Due to changes made by the NSW Government, Clause 4.6 of the Standard Instrument LEP has been reformed to make the planning system faster, simpler, and more transparent. The reform came into effect on 1 November 2023 and removes the requirement to obtain the Planning Secretary's concurrence for a variation with new reporting framework. As such, council has authority to approve or refuse 4.6 variation applications.

#### Clause 4.6 Exceptions to development standards.

# Information provided by the applicant:

Clause 4.6 provides flexibility to vary the development standards specified within the Standard Instrument where it can be demonstrated that the development standard is unreasonable or unnecessary in the circumstances of the case, and where there are sufficient environmental grounds to justify the departure.

Clause 4.6 states the following:

- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—
  - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
  - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (4) Development consent must not be granted for development that contravenes a development standard unless—
  - (a) the consent authority is satisfied that—
  - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
  - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
  - (b) the concurrence of the Planning Secretary has been obtained. The requirement for consideration and justification of a Clause 4.6 variation necessitates an assessment of a number of criteria. It is recognised that it is not merely sufficient to demonstrate a minimisation of environmental harm to justify a Clause 4.6 variation, although in the circumstance of this case, the absence of any environmental impact is of considerable merit.

Accordingly, justification is set out in following assessment for the departure from the 30-metre setback control applicable under the WLEP2011. The purpose of the information provided is to demonstrate that strict compliance with this development standard is unreasonable or unnecessary in the circumstances of this particular case. It also demonstrates that there are sufficient environmental planning grounds for the departure from the 30-metre high bank setback as specified in the WLEP2011.

#### **Justification for Variation**

# The Five Part Test

The Court has held that there are at least five different ways, and possibly more, through which an applicant might establish that compliance with a development standard is unreasonable or unnecessary (see Wehbe v Pittwater Council [2007] NSWLEC 827).

The five ways of establishing that compliance is unreasonable or unnecessary are:

- 1. The objectives of the development standard are achieved notwithstanding noncompliance with the standard;
- 2. The underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary;
- 3. The objective would be defeated, thwarted or undermined (Linfield Developments Pty Ltd v Cumberland Council [2019] NSWLEC 131 at [24]) if compliance was required with the consequence that compliance is unreasonable;
- 4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence the standard is unreasonable and unnecessary; and
- 5. The zoning of the land is unreasonable or inappropriate.

It is sufficient to demonstrate only one of these ways to satisfy clause 7.6, 7.9 and the definition per Wehbe v Pittwater Council [2007] NSWLEC 827, Initial Action Pty Limited v Woollahra Municipal Council [2018] NSWLEC 118 at [22] and RebelMH Neutral Bay Pty Limited v North Sydney Council [2019] NSWCA 130 at [28]) and SJD DB2 Pty Ltd v Woollahra Municipal Council [2020] NSWLEC 1112 at [31].

TEST 1: The objectives of the development standard are achieved notwithstanding non-compliance with the standard

The following table considers whether the objectives of the development standard are achieved notwithstanding the proposed variation (Test 1 under Wehbe).

Table 1: Achievement of Objectives of Clause 7.6 of WLEP2011

Objectives of Clause 7.6	Applicants' response to objectives
To support natural riverine processes, including the migration of the Murray River's channels,	The proposed development is no closer to the existing riverbank than the current dwelling.
To protect and improve the bed and bank stability of the Murray River,	There is no work proposed in this application that will affect the bed and bank stability of the river.
To maintain and improve the water quality of the Murray River	There is no work or land uses proposed in this application that will impact on the quality of the water in the river.
To protect the amenity, scenic landscape values and cultural heritage of the Murray River and to protect public access to its riverine corridors,	Not applicable due to the subject land being privately owned to the riverbank.
To conserve and protect the riverine corridors of the Murray River, including wildlife habitat.	The proposed development will have no further impacts on the Murray River.

Response from applicant: In this case, it is demonstrated that Test 1 has been satisfied.

**Officer comments**: Due to the existing dwelling being in the same location as the proposed replacement dwelling and swimming pool with safety barrier, it can be considered that this development poses no further impact to the bed or bank of the Murray River than the previous development on the site.

TEST 2: The underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary

**Response from the applicant:** The underlying objective or purpose is relevant to the development and therefore this test is not relied upon.

**Officer comments**: Due to the existing residential development on the site and that on surrounding sites, the development is anticipated to be minimal.

TEST 3: The objective would be defeated, thwarted or undermined if compliance was required with the consequence that compliance is unreasonable

**Response from the applicant:** The underlying objective or purpose is relevant to the development and therefore this test is not relied upon.

**Officer comments**: Conditions of consent will indicate requirements to be complied with relative to legislation.

TEST 4: The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence the standard is unreasonable and unnecessary

**Response from the applicant:** The standard has not been abandoned by Council actions in this case and so this reason is not relied upon.

**Officer comments**: The previous development of a dwelling on the site, located within the river front area of the Murray River, is to be replaced. The replacement dwelling with swimming pool with safety barrier in this location is allowable under the WLEP 2011 clause 4.2B (4b) as the dwelling house to be erected is intended only to replace the existing dwelling house located within the river front area. All applications are assessed and determined based on individual merits and current legislation with individual site conditions and environmental impact forming part of the assessment.

TEST 5: The zoning of the land is unreasonable or inappropriate.

**Response from the applicant:** The zoning of the land is reasonable and appropriate and therefore this test is not relied upon.

**Officer comments**: The swimming pool and related earthworks are permitted as ancillary development under the land use zoning with surrounding allotments having similar developments.

**Justification for Variation:** provided by the applicant.

In Initial Action Pty Ltd v Woollahra Council [2018] NSWLEC 118, Preston CJ observed that in order for there to be 'sufficient' environmental planning grounds to justify a written request under clause 4.6 to contravene a development standard, the focus must be on the aspect or

element of the development that contravenes the development standard, not on the development as a whole.

In Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90, Pain J observed that it is within the discretion of the consent authority to consider whether the environmental planning grounds relied on are particular to the circumstances of the proposed development on the particular site.

**Public Interest:** provided by the applicant.

In this section it is explained how the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

It has demonstrated that the proposed development overall achieves the objectives of the development standard notwithstanding the variation of the development standard. The table below considers whether the proposal is also consistent with the objectives of the zone.

**Table 2: Consistency with Zone Objectives** 

Objective Objective	Discussion/Comment
(a) To encourage sustainable primary	The proposed development has no relevance
industry production by maintaining and	to this objective.
enhancing the natural resource base.	
	This variation does not affect consistency
	with this objective.
(b) To encourage diversity in primary	The proposed development has no relevance
industry enterprises and systems appropriate	to this objective.
for the area.	
(c) To minimise the fragmentation and	This variation does not affect consistency
alienation of resource lands. The proposed	with this objective
development does not fragment the farming	
land.	
(d) To minimise conflict between land uses	Not applicable to this application. This
within this zone and land uses within	variation does not affect consistency with this
adjoining zones.	objective.
(e) To encourage and promote the growth	Not applicable to this application.
and diversification of economic and	
employment opportunities in agriculture,	This variation does not affect consistency
horticulture and tourism.	with this objective.
(f) To enable the development of restaurants	Not applicable to this application.
and cafes and kiosks as part of agritourism	
development.	This variation does not affect consistency
	with this objective.

Officer comments: The development proposed does not pose any conflict of uses within the RU1 land use zone with agricultural development supported by residential dwellings and other associated structures in the surrounding area, not dissimilar to the replacement dwelling proposed, that had originally been sited on the site, making use of available land for agriculture and reducing fragmentation of land.

#### Clause 4.2B Erection of dwelling houses on land in Zones RU1, RU4, R5, C3 and C4

As previously discussed, the proposed dwelling with swimming pool and safety barrier is a replacement dwelling within the footprint of the existing dwelling on the site. The dwelling requires replacement due to white ant damage making repair inhabitable, as is acceptable within this zoning under section 4b of this clause.

#### Clause 5.16 Subdivision of, or dwellings on, land in certain rural, residential or conservation zones

Under this clause, existing uses and uses in the vicinity of the proposed development, are consistent with this site with agriculture supported by residential dwellings and other associated structures, including swimming pools. Residential dwellings are generally dispersed along the banks of the river, enjoying the leisure and lifestyle amenity afforded by this connection to the waterbody.

#### Clause 5.21 Flood planning

The proposed replacement dwelling and swimming pool with safety barrier is not anticipated to have any greater impact on flood behaviour than the development that currently exists on the site. Habitable areas of the proposed replacement dwelling will be conditioned to be above the 1:100 year flood floor level preventing threat to human life in the event of a flood. Other conditions of consent will be applied to manage and mitigate flood impacts.

#### **Clause 7.1 Earthworks**

Any earthworks will form part of this approval and will be ancillary to the main approval for a replacement dwelling and swimming pool with safety barrier. Due to the developments distance from the river bank, earthworks and any siteworks will be conditioned to minimise any detrimental impacts.

#### **Clause 7.4 Terrestrial biodiversity**

An assessment of the proposed dwelling and swimming pool with safety barrier and associated works against clause 7.4(3) is as follows:

- a. The proposed development is unlikely to have adverse impacts on the condition, ecological value and significance of the fauna and flora on the land. This is because the proposed development is for a replacement dwelling and swimming pool and safety barrier for domestic use only on the site. No native vegetation clearing is proposed as part of the construction. The site has been previously disturbed and altered through development of the existing dwelling.
- b. The proposed development is unlikely to have adverse impacts on the importance of the vegetation on the land to the habitat and survival of native fauna. The development is to be located on site between the existing dwelling and the river bank with native vegetation along the river bank. Conditions of consent will include the use of local native species for landscaping.
- c. The proposed development is unlikely to have any potential to fragment, disturb or diminish the biodiversity structure, function and composition of the land. The proposed development for a demolition and replacement of the existing dwelling with a new double storey dwelling and swimming pool with safety barrier for private purposes.
- d. The proposed development is unlikely to have adverse impacts on the habitat elements providing connectivity on the land as no native vegetation is to be removed as part of the application.

An assessment of the proposed replacement dwelling with swimming pool with safety barrier associated works against clause 7.4(4) is as follows:

 a. The replacement double storey dwelling with swimming pool and safety barrier is in the same footprint as the original dwelling that is to be demolished as part of this application. Siting of this development is consistent with the original dwelling, with no further encroachment toward the bank of the Murray River. This original siting was an artificial high bank enabling the location on site of the dwelling that is to be replaced. Due to there being no further encroachment toward the riverbank, it is anticipated that the development poses no greater adverse impacts to the bank of the river.

- b. Conditions of consent will be used to manage and mitigate impact to the environment.
- c. Noted

#### **Clause 7.5 Wetlands**

An assessment of the proposed replacement dwelling and swimming pool with safety barrier and associated works against clause 7.5(3) is as follows:

- a. The proposed replacement dwelling and swimming pool with safety barrier is not anticipated to impact growth and survival of flora and fauna.
- b. No vegetation is to be removed a part of the construction.
- c. The development site is well distanced from native trees minimising any potential impact from the development.
- d. Conditions of consent will be included to manage and mitigate potential impacts of the double storey dwelling and swimming pool with safety barrier being constructed, as well as the demolition and disposal of the existing dwelling on the site.
- e. The development is located within the wetland mapped area according to councils mapping. However, the land has been historically disturbed with the development of the existing dwelling and associated landscaping, not unlike other neighbouring development.

An assessment of the proposed demolition of the existing dwelling and replacement with a double storey dwelling, swimming pool with safety barrier and associated works against clause 7.5(4) is as follows:

- a) The location on site of the proposed development is acceptable in this instance as the nature of the development and adverse impacts to the riverbank are perceived to be minimal, due to there being no further encroachment than the existing dwelling on the site posed to the environment.
- b) Risk can be mitigated and managed through conditions of consent.

#### **Clause 7.6 Development in River Front Areas**

The proposed development **does not meet** the permitted use in the riverfront area as identified under clause 7.6(2).

An assessment of the proposed demolition of the existing dwelling and replacement with double storey dwelling with swimming pool and safety barrier and associated works against clause 7.6(3) is as follows:

- a. The development will be compatible with surrounding area as surrounding neighbourhood properties contain similar land uses with dwellings and associated structures, such as swimming pools, located at similar distances from the river front area.
- b. The development has been assessed and is unlikely to cause pollution of the river, impact to riverine habitat of flora or fauna, or changes to drainage patterns. Conditions of consent should the development be approved, will be used to mitigate and manage and adverse impact.
- c. As no removal of native vegetation is required to facilitate the proposed development, minimal visual disturbance to the existing landscape is anticipated. The use of glass screening forming the swimming pool safety barrier with further enhance the integration of the development into the landscape.

- d. The proposed swimming pool with safety barrier will not change current access arrangement to the river.
- e. There is no known historic, scientific, cultural, social, archaeological, architectural, natural, or aesthetic significance of the land to be impacted by the development.

Based on the above assessment, the development complies with the clause.

#### Clause 7.7 Riparian land and Murray River and other watercourses—general principles

An assessment of the proposed demolition of the existing dwelling and replacement with double storey dwelling with swimming pool and safety barrier and associated works against clause 7.7(3) is as follows:

- a. Adverse impact of the proposed:
  - i. The proposed development is located within the flood planning area but is not within the floodway. The proposed development is not anticipated to impact the flow of water any more than the existing dwelling (to be demolished) when in flood. The proposed development is located outside of flood impacted land with no anticipated impact during flood events.
  - ii. No impacts anticipated on aquatic and riparian species, habitats or ecosystems.
  - iii. Works are unlikely to impact bank stability as they are located away from the bank of the river.
  - iv. No impacts to the watercourse movement of aquatic fauna anticipated as no works proposed within the watercourse.
  - v. No impact anticipated to any future rehabilitation of a watercourse and/or riparian areas.
- b. Filtered water is available to the site and can be reconnected to the replacement dwelling when complete. The development does not propose an increase water extraction from the Murray River as the existing dwelling would likely have extracted water for use on the site.

An assessment of the proposed demolition and replacement of existing dwelling with new double storey dwelling and swimming pool with safety barrier against clause 7.7(4) is as follows:

- a). The location on site of the development encroaching on the river front area is acceptable in this instance as it intends to replace the existing dwelling with no further encroachment toward the river front area.
- b). Conditions of consent will be used to manage and mitigate impact on the environment.
- c). Noted.

Based on the above assessment, the development complies with this clause and is acceptable under the WLEP 2011 provisions.

# Wentworth Development Control Plan (DCP) 2011

The proposed development is acceptable against Chapter 3 provisions, the development does not completely comply with Chapter 5 provisions of the Wentworth Development Control Plan (DCP) 2011, most notably recommended setback from the Murray River.

Wentworth DCP	Chapters	Y	N	N/A	Further information
	Chapter 3	X			The proposed demolition of the existing dwelling and replacement

2.1 Murray			double storey dwelling with
River and			swimming pool and safety barrier do
Darling River			not meet the required setback from
			the bank of the Murray River,
			however, the proposed development
			is within the footprint of the existing
			dwelling to be demolished and
			replaced on this site, acceptable
			under Clause 4.2B(4B). The proposed
			setback is also in line with existing
			development on neighbouring
			properties. The proposed demolition
			of the existing dwelling and
			replacement double storey dwelling
			with swimming pool and safety
			barrier is proposed to encroach
			within the river front area of 30m
2.2 Mooring		X	entirely.  N/A not a mooring application
2.3 Erosion	X	Λ	The proposed development and
control	Λ		associated works indicate minimal
Control			potential for erosion of the riverbank.
			Conditions of consent will be used to
2.4 Vacatation	X		mitigate and manage impact.
2.4 Vegetation Protection -	$\Lambda$		The proposed development and
Riverfront			associated works pose no increased
Kivernont			impact to surrounding native
			vegetation with no vegetation to be cleared allowing for development to
			occur on the site.
3 Koala		X	
Habitat		Λ	N/A No known koala habitat on the
Protection			site
4 Flood	X		The site is flood liable land according
Affected Land	11		to councils mapping. Conditions of
			consent will be used to manage and
			mitigate impacts and threats to
			human life.
			Rec FFL 39.95m
			Plans indicate FFL of 40.35 in alfresco
			and 40.40 in dwelling
5 Vehicular	X		No change to access or parking
access and			, , , , , , , , , , , , , , , , , , ,
parking			
5.1 Parking	X		No changes to existing access or
 layout,			parking

	servicing and			
	manoeuvring			
	5.2 Specific	X		Requirements met
	land use			·
	requirements			
	6 Crime	X		No change anticipated from
	prevention			development
	through			
	environmental			
	design			
	7 Disability		X	N/A as development associated with
	Access			private residential dwelling
	Standards			F
	8		X	N/A as not within this zone
	Development			,
	in the			
	enterprise			
	corridor –			
	zone B6			
	9 Highway		X	N/A
	Promotion			
	signs			
	10 Design		X	N/A
	Assessment			
	Criteria			
	Chapter 5	X		The proposed demolition of the
	5.1			existing dwelling and replacement
	Intensive			double storey dwelling with
	Agriculture			swimming pool and safety barrier
				meets site context requirements,
				supporting the existing agricultural
				land use.
				Generally a dwelling would not be
				supported on under this zoning as the
				site is below the MLS, however, the
				proposed dwelling is to replace the
				legally constructed dwelling damaged
				by white ants and no longer habitable.
	5.2		X	No subdivision proposed.
	Subdivision			
	5.3	X		The dwelling will be located more
	Rural			than 15m from the front boundary of
	Dwellings			the property. The dwelling will be
	a). General			conditioned to be sited above the 1 in
	Controls			100 flood level and will utilise
	b). Access			appropriate building materials.
				Access to the property is already
1				existing.

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	5.3.1 Water	X			Access to filtered water exists to the site.
	5.3.2	X			As reticulated sewer is not available
	Effluent				to the site, effluent disposal will be
	Disposal				conditioned as part of approval via an
	•				onsite wastewater management
					system (subject to a land capability
					report).
					Decommissioning of the existing
					system will also form conditions of
					consent.
	5.3.3			X	Fencing not part of this application.
	Fencing		**		
	5.3.4		X		The proposed dwelling is located
	Dwelling				onsite within the 30m setback of the
	setback from				high bank of the river – in this
	river				instance the setback is acceptable as
					the two storey dwelling is proposed to
					replace the existing dwelling – in the
					existing dwellings footprint. The
					existing dwelling is to be removed as
					there is significant damage from
					white ants making the dwelling
					unhabitable.
	5.3.5	X			The proposed replacement dwelling is
	Land				to support the existing agricultural
	Capability				land use of this site.
	5.4			X	N/A as consent is not for a shed.
	Rural Sheds				
	5.5	X			Noted – conditions to be included that
	Rural				mitigate and manage noise, access,
	industries				landscaping, and land capability.
	5.6 - 5.6.10			X	If boarding or breeding check further
	Boarding				conditions as listed
	and/or				
	breeding				
	kennels for				
	dogs and cats				
	in rural areas				
	5.7 - 5.7.3			X	Noted - proposal is for a residential
	Hazardous				dwelling as such minimal hazardous
	chemical				chemical use or storage anticipated.
	5.8	X			Surrounding sites are used for
	Rural land use				agriculture with supporting residential
	conflict				dwellings and other supporting
					structures – no conflict of land use
					evident.
	5.8.1	X			Noted – as the proposed dwelling will
	Buffer				replace a dwelling that previously
	distances				existed on the property in the same
<u> </u>	aistailees	1	l		existed on the property in the same

		location, buffers are already in existence appropriate for the land use and associated residential development.
5.8.2 Variations to buffers	X	Noted – existing vegetation and current distances between proposed site and nearest residential area should mitigate the need to impose a buffer.
5.8.3 Vegetation buffers	X	Noted – existing vegetation and current distances between proposed site and nearest residential area should mitigate the need to impose a vegetation buffer.

# (2) The provisions of any draft environmental planning instrument

There is no Division 3.4 draft environmental planning instrument that affect the proposed development. (Post 1 July 2009 LEP amendments).

# (3) Any matters prescribed by regulations

There are no further matters prescribed by regulations.

# (4) The likely impacts of the development

There are no likely impacts from the proposal as discussed in the table below.

Impact item				Comment
(insert an 'x' in the relevant section)	Acceptable	Not acceptable	Not relevant	
Context and setting	X			The site is suitable for the proposed demolition of the existing dwelling and replacement double storey dwelling with swimming pool and safety barrier, most notably due to the preexisting dwelling located on this site. Residential dwellings with ancillary developments such as swimming pools with similar setbacks from the riverbank exist within the area.
Public domain & Streetscape	X			The proposed demolition of the existing dwelling and replacement double storey dwelling with swimming pool and safety barrier swimming pool with safety barrier is located between the artificial (manmade) high bank of the river within the river front area as such this development will have no bearing on the streetscape.
Landscaping			X	Landscaping plans do not form part of the approval.
Stormwater	X			Will be conditioned to be managed onsite
Heritage	X			No known heritage items on this site

Soils & Soils Erosion	X		Soil management to be conditioned as part of consent if approved
Air and microclimate	X		No impact anticipated
Water Resources	X		No impact to the waterway anticipated – adequate distance between the proposed development site and the Murray River.
Biodiversity (Flora & Fauna)	X		No native vegetation to be cleared
Land Resources	X		None located on the site expected to impact the proposed development.
Utilities	X		Utilities are available to the site to be connected as required.
Access & Parking	X		Direct access to site available, space for parking available on site
Roads & Traffic	X		No new road proposed, traffic will not be impacted by proposal
Solar Access and Energy Efficiency	X		Meets BASIX requirements
Overshadowing		X	N/A as no neighbouring dwellings nearby
Privacy & Overlooking		X	N/A as no neighbouring dwellings nearby
Flooding	X		Although the development will encroach on land identified as the river front area, it is replacing an existing dwelling on the site with no further impact from the new development to flood behaviour anticipated.
Bushfire Prone Area	X		The site is located within the buffer zone of the bushfire prone area. This is addressed within the completed NSW Rural Fire Service — Building in Bush Fire Prone Areas - Single Dwelling Application Kit document included as part of the documentation accompanying the application.  Conditions provided by RFS will be included in conditions of consent.
Noise	X		Possible noise increase during demolition and construction reducing to ongoing residential noises, noise will be addressed and managed through conditions of consent with hours listed for demolition/construction and attenuation of noise from swimming pool pumps and filters to be addressed.
Technological hazards	X		None anticipated from the development, only residential activities anticipated from the site.
Safety, Security & Crime Prevention	X		Development will not affect the safety of the area.
Social and Economic Impacts	X		No negative social and economic impacts anticipated from the proposed development. The development will provide a habitable dwelling on the site.

# (5) The suitability of the site for development

The site is suitable for the proposed demolition of the existing dwelling and replacement with a double storey dwelling with swimming pool and safety barrier. This development is not anticipated to increase adverse effects on the local environment. The proposed development is permitted in the RU1 Primary Production zoning under the Wentworth LEP 2011 as the dwelling to be demolished had existing land use rights within the RU1 zone. The proposed development is in character with existing residential dwellings and associated structures in the vicinity. The encroachment within the riverfront area of the Murray River under the WLEP 2011, is acceptable in this instance, as the development is to be located within the same footprint as the existing dwelling to be demolished as part of this approval. Existing residential development in the area have similar setbacks between high bank and the Murray River.

#### (6) Any submissions made in accordance with this Act or Regulation

The application was notified for 14 days as per the Wentworth Community Participation Plan. No submissions were received within the notification period.

# (6) Any submissions made in accordance with this Act or Regulation

The application was notified for 14 days. No submissions were received.

# (7) The public interest

The proposed development is consistent with public interest as it will have no detrimental effect on the surrounding area. Moreover, no objections were received during the notification period.

#### **COMMENTS FROM COUNCIL INTERNAL DEPARTMENTS**

Department	Referred	Comments
	Y/N	
Building	Y	BCA Classification/s: 1a, 10a, 10b
		Comments:
		Apply standard demolition conditions (AS 2601, Asbestos conditions etc.)
		<ul> <li>Existing septic tank must be removed or treated appropriately (pumped, hole punched in base, dusted with hydrated lime etc.) and backfilled.</li> </ul>
		<ul> <li>Essential Energy assets in the vicinity of the proposed new dwelling.</li> </ul>
		<ul> <li>No sewerage infrastructure adjacent to the site. Disposal of effluent to be via an Aerated Wastewater Treatment System (AWTS).</li> </ul>
		Approval under S68 of the Local Government Act must be obtained prior to the issue of a Construction Certificate in relation to:

		Carrying out of water supply work.
		Installation an onsite sewerage management system - Aerated Wastewater Treatment System (AWTS).
		02/07/2024 additional clarification regarding decommissioning of existing septic systems and application requirements and Bush Fire Attack Level (BAL)
Subdivision	N	
Engineer		
Roads &	N	
Engineering		
Finance & Policy	N	
Heritage Advisor	N	
Environmental	N	
Health		
Local Laws	N	
Floodplain Mgt	N	
Committee		
Sustainable	N	
Infrastructure		

#### **EXTERNAL AGENCIES**

Referred to Essential Energy under the TISEPP s2.48 16/05/2024 – Response received with general comments 06/06/2024.

Referred to Rural Fire Service under the *Environmental Planning & Assessment Act* s4.14 as the development was assessed as being in a flame zone 11/07/2024. Response received with Recommended Conditions 17/07/2024.

# **CONCLUSIONS**

- 1. General comments:
- 2. The proposal satisfies the points for consideration listed under Section 4.15 of the Environmental Planning and Assessment Act.
- 3. The proposal occurs on land zoned RU1 Primary Production. The proposal is not considered to have detrimental impact on the site and surrounds.
- 4. The proposal is inconsistent with Chapter 5 provisions of the Wentworth Shire Development Control Plan (2011). The proposal is consistent with development controls of Chapters 3 of the Wentworth Shire Development Control Plan (2011).

- 5. The proposed demolition of the existing dwelling and construction of a double storey dwelling with swimming pool and safety barrier accord with the relevant objectives, provisions, and principles of the State Environmental Planning Policy (Biodiversity and Conservation) 2021.
- 6. There is no draft local environmental plan affecting the proposed development.

# **Recommendation:**

# Approve the application subject to conditions

Delegate report author	Delegated approval and endorsement
Signature:	Signature:
Slotly	Jund
Kerrie Copley	George Kenende
Planning Officer	Acting Director Health & Planning
Date: 19/06/2024	Date: 25/07/2024



Health & Planning Department 26-28 Adelaide Street PO Box 81 WENTWORTH NSW 2648

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

#### 4.6 Assessment report

Environmental Planning & Assessment Act 1979 as amended

#### Standard being varied

The proposed replacement double storey dwelling with swimming pool with safety barrier will extend into the river front area, with the "high bank" of the Murray River, in this instance being an artificial high bank through previous deposits of loam on the site. Under clause 7.6 of the WLEP 2011, only a certain list of uses are permitted within the river front area (30m from the high bank) if there is no river front building line as per the definition.

Only the following land uses are permitted within the river front area as per clause 7.6:

- a) boat building and repair facilities, boat launching ramps, boat sheds, charter and tourism boating facilities or marinas,
- the extension or alteration of an existing building that is wholly or partly in the river front area,
   but only if the extension or alteration is to be located no closer to the river bank than the existing building,
- c) environmental protection works,
- d) extensive agriculture and intensive plant agriculture,
- e) walking trails, cycleways, picnic facilities, recreation facilities and recreation facilities (outdoors),
- f) water recreation structures.

River front area is defined as:

"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."

The proposed replacement of the existing dwelling with a double storey dwelling and swimming pool with safety barrier is a type of development **not** listed as a use permitted within the river front area. However, a 4.6 variation application was provided by the applicant seeking to vary this development standard and allow construction of the replacement dwelling and swimming pool and safety barrier to encroach within the river front area.

#### **Approving 4.6 variations**

Under clause 35B of the *Environmental Planning and Assessment Regulation 2021*, applications involving contravention of development standards must be accompanied by a document that sets out the grounds on which the applicant seeks to demonstrate that -

- compliance with the development standard is unreasonable or unnecessary in the circumstances, and
- there are sufficient environmental planning grounds to justify the contravention of the development standard.

The consent authority must keep a record if its assessment carried out under subclause (3).

The variation proposed is greater than 10% (100%). Due to changes made by the NSW Government, Clause 4.6 of the Standard Instrument LEP has been reformed to make the planning system faster,

simpler, and more transparent. The reform came into effect on 1 November 2023 and removes the requirement to obtain the Planning Secretary's concurrence for a variation with new reporting framework. As such, council has authority to approve or refuse 4.6 variation applications.

#### Clause 4.6 Exceptions to development standards.

# Information provided by the applicant:

Clause 4.6 provides flexibility to vary the development standards specified within the Standard Instrument where it can be demonstrated that the development standard is unreasonable or unnecessary in the circumstances of the case, and where there are sufficient environmental grounds to justify the departure.

# Clause 4.6 states the following:

- (2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.
- (3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating—
  - (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
  - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (4) Development consent must not be granted for development that contravenes a development standard unless—
  - (a) the consent authority is satisfied that—
  - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
  - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
  - (b) the concurrence of the Planning Secretary has been obtained. The requirement for consideration and justification of a Clause 4.6 variation necessitates an assessment of a number of criteria. It is recognised that it is not merely sufficient to demonstrate a minimisation of environmental harm to justify a Clause 4.6 variation, although in the circumstance of this case, the absence of any environmental impact is of considerable merit.

Accordingly, justification is set out in following assessment for the departure from the 30-metre setback control applicable under the WLEP2011. The purpose of the information

provided is to demonstrate that strict compliance with this development standard is unreasonable or unnecessary in the circumstances of this particular case. It also demonstrates that there are sufficient environmental planning grounds for the departure from the 30-metre high bank setback as specified in the WLEP2011.

#### **Justification for Variation**

#### The Five Part Test

The Court has held that there are at least five different ways, and possibly more, through which an applicant might establish that compliance with a development standard is unreasonable or unnecessary (see Webbe v Pittwater Council [2007] NSWLEC 827).

The five ways of establishing that compliance is unreasonable or unnecessary are:

- 1. The objectives of the development standard are achieved notwithstanding noncompliance with the standard;
- 2. The underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary;
- 3. The objective would be defeated, thwarted or undermined (Linfield Developments Pty Ltd v Cumberland Council [2019] NSWLEC 131 at [24]) if compliance was required with the consequence that compliance is unreasonable;
- 4. The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence the standard is unreasonable and unnecessary; and
- 5. The zoning of the land is unreasonable or inappropriate.

It is sufficient to demonstrate only one of these ways to satisfy clause 7.6, 7.9 and the definition per Wehbe v Pittwater Council [2007] NSWLEC 827, Initial Action Pty Limited v Woollahra Municipal Council [2018] NSWLEC 118 at [22] and RebelMH Neutral Bay Pty Limited v North Sydney Council [2019] NSWCA 130 at [28]) and SJD DB2 Pty Ltd v Woollahra Municipal Council [2020] NSWLEC 1112 at [31].

TEST 1: The objectives of the development standard are achieved notwithstanding non-compliance with the standard

The following table considers whether the objectives of the development standard are achieved notwithstanding the proposed variation (Test 1 under Wehbe).

Table 1: Achievement of Objectives of Clause 7.6 of WLEP2011

Objectives of Clause 7.6	Applicants' response to objectives
	The proposed development is no closer to the existing riverbank than the current dwelling.

To protect and improve the bed and bank stability of the Murray River,	There is no work proposed in this application that will affect the bed and bank stability of the river.
To maintain and improve the water quality of the Murray River	There is no work or land uses proposed in this application that will impact on the quality of the water in the river.
To protect the amenity, scenic landscape values and cultural heritage of the Murray River and to protect public access to its riverine corridors,	Not applicable due to the subject land being privately owned to the riverbank.
To conserve and protect the riverine corridors of the Murray River, including wildlife habitat.	The proposed development will have no further impacts on the Murray River.

**Response from applicant:** In this case, it is demonstrated that Test 1 has been satisfied.

**Officer comments**: Due to the existing dwelling being in the same location as the proposed replacement dwelling and swimming pool with safety barrier, it can be considered that this development poses no further impact to the bed or bank of the Murray River than the previous development on the site.

TEST 2: The underlying objective or purpose is not relevant to the development with the consequence that compliance is unnecessary

**Response from the applicant:** The underlying objective or purpose is relevant to the development and therefore this test is not relied upon.

**Officer comments**: Due to the existing residential development on the site and that on surrounding sites, the development is anticipated to be minimal.

TEST 3: The objective would be defeated, thwarted or undermined if compliance was required with the consequence that compliance is unreasonable

**Response from the applicant:** The underlying objective or purpose is relevant to the development and therefore this test is not relied upon.

**Officer comments**: Conditions of consent will indicate requirements to be complied with relative to legislation.

TEST 4: The development standard has been virtually abandoned or destroyed by the Council's own actions in granting consents departing from the standard and hence the standard is unreasonable and unnecessary

**Response from the applicant:** The standard has not been abandoned by Council actions in this case and so this reason is not relied upon.

**Officer comments**: The previous development of a dwelling on the site, located within the river front area of the Murray River, is to be replaced. The replacement dwelling with swimming pool with safety barrier in this location is allowable under the WLEP 2011 clause 4.2B (4b) as the dwelling house to be erected is intended only to replace the existing dwelling house located within the river front area. All

applications are assessed and determined based on individual merits and current legislation with individual site conditions and environmental impact forming part of the assessment.

# TEST 5: The zoning of the land is unreasonable or inappropriate.

**Response from the applicant:** The zoning of the land is reasonable and appropriate and therefore this test is not relied upon.

**Officer comments**: The swimming pool and related earthworks are permitted as ancillary development under the land use zoning with surrounding allotments having similar developments.

# Justification for Variation: provided by the applicant.

In Initial Action Pty Ltd v Woollahra Council [2018] NSWLEC 118, Preston CJ observed that in order for there to be 'sufficient' environmental planning grounds to justify a written request under clause 4.6 to contravene a development standard, the focus must be on the aspect or element of the development that contravenes the development standard, not on the development as a whole.

In Four2Five Pty Ltd v Ashfield Council [2015] NSWLEC 90, Pain J observed that it is within the discretion of the consent authority to consider whether the environmental planning grounds relied on are particular to the circumstances of the proposed development on the particular site.

#### **Public Interest:** provided by the applicant.

In this section it is explained how the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.

It has demonstrated that the proposed development overall achieves the objectives of the development standard notwithstanding the variation of the development standard. The table below considers whether the proposal is also consistent with the objectives of the zone.

**Table 2: Consistency with Zone Objectives** 

Objective	Discussion/Comment
(a) To encourage sustainable primary	The proposed development has no relevance
industry production by maintaining and	to this objective.
enhancing the natural resource base.	
	This variation does not affect consistency
	with this objective.
(b) To encourage diversity in primary	The proposed development has no relevance
industry enterprises and systems appropriate	to this objective.
for the area.	
(c) To minimise the fragmentation and	This variation does not affect consistency
alienation of resource lands. The proposed	with this objective
development does not fragment the farming	
land.	
(d) To minimise conflict between land uses	Not applicable to this application. This
within this zone and land uses within	variation does not affect consistency with this
adjoining zones.	objective.

(e) To encourage and promote the growth	Not applicable to this application.
and diversification of economic and	
employment opportunities in agriculture,	This variation does not affect consistency
horticulture and tourism.	with this objective.
(f) To enable the development of restaurants	Not applicable to this application.
(f) To enable the development of restaurants and cafes and kiosks as part of agritourism	Not applicable to this application.
* /	Not applicable to this application.  This variation does not affect consistency

Officer comments: The development proposed does not pose any conflict of uses within the RU1 land use zone with agricultural development supported by residential dwellings and other associated structures in the surrounding area, not dissimilar to the replacement dwelling proposed, that had originally been sited on the site, making use of available land for agriculture and reducing fragmentation of land.



Health & Planning Department 26-28 Adelaide Street PO Box 81 WENTWORTH NSW 2648

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

#### **TEMPLATE CONDITIONS**

# DA2024/046 DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF DOUBLE STOREY DWELLING WITH SWIMMING POOL AND SAFETY BARRIER 175A WEST ROAD LOT 2 DP 1196467 BURONGA

# **GENERAL CONDITIONS**

1.	Approved development
	Approval is for demolition of existing dwelling and construction of double storey dwelling with swimming pool and safety barrier.  Reason: To ensure all parties are aware of the approved development.
2.	Approved Plans and Documentation
	The development shall be in accordance with the following plans, documentation and recommendations made there in:
	• Location Plan by Aspire Architecture; Project Number: AA21 – 190; Sheet Number: WD – A01; Dated: 21 MARCH 2023.
	• Feature and Level Survey Plan by Exact Survey Group; Project Number: 22758; Drawing Reference: 22758_FL-001-A.DWG; Dated: 01.11.2022; Revision Number: 1.
	• <b>Site plan (with Demolition)</b> by Aspire Architecture; Project Number: AA21 – 190; Sheet Number: WD – A02; Dated: 15 AUGUST 2023; Revision Number: A.
	• <b>Site Plan</b> by Aspire Architecture; Project Number: AA21 – 190; Sheet Number: TP – A02; Dated: 06 MAY 2024; Revision Number: C.
	• <b>Ground Floor Plan</b> by Aspire Architecture; Project Number: AA21 – 190; Sheet Number: WD – A04; Dated: 21 MARCH 2023.
	• First Floor Plan by Aspire Architecture; Project Number: AA21 – 190; Sheet Number: WD – A05; Dated: 25 MAY 2023; Revision Number: A.
	• Elevations by Aspire Architecture; Project Number: AA21 – 190; Sheet Number: WD – A08; Dated: 25 MAY 2023; Revision Number: A.
	• <b>Pool Details</b> by Aspire Architecture; Project Number: AA21 – 190; Sheet Number: WD – A03; Dated: 25 MAY 2023; Revision Number: A.
	• BASIX Certificate provided by the applicant; Certificate Number: 1742339S; Dated: 04 April 2024; Page Numbers: 1 to 10.
	In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.
	Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the

relevant time.

**Reason**: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

# 3. Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989

- It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
- It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.
- 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.
- 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
- 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
- 6. This section does not apply-
  - to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
  - b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

**Reason**: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.

# 4. Erection of signs

- 1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
- 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out:
  - a. showing the name, address and telephone number of the principal certifier for the work, and
  - showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
  - c. stating that unauthorised entry to the work site is prohibited.
- 3. The sign must be-

a. maintained while the building work, subdivision work or demolition work is being carried out, and

- b. removed when the work has been completed.
- 4. This section does not apply in relation to
  - a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
  - b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

**Reason**: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

#### 5. Fulfilment of BASIX commitments

It is a condition of a development consent for the following that each commitment listed in a relevant BASIX certificate is fulfilled

- 1. BASIX development,
- 2. BASIX optional development, if the development application was accompanied by a BASIX certificate.

**Reason**: Prescribed condition under section 75 of the Environmental Planning and Assessment Regulation 2021.

# 6. Lapsing of Approval

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 permit.

**Reason**: Ensure everyone is aware of the lapsing of the approval

# 7. Notification of Home Building Act 1989 requirements

- 1. This section applies to a development consent for development involving residential building work if the principal certifier is not the council.
- 2. It is a condition of the development consent that residential building work must not be carried out unless the principal certifier for the development to which the work relates has given the council written notice of the following
  - a. for work that requires a principal contractor to be appointed
    - i. the name and licence number of the principal contractor, and
    - ii. the name of the insurer of the work under the Home Building Act 1989, Part6,
  - b. for work to be carried out by an owner-builder
    - i. the name of the owner-builder, and
    - ii. if the owner-builder is required to hold an owner-builder permit under the Home Building Act 1989 the number of the owner-builder permit.
- 3. If the information notified under subsection (2) is no longer correct, it is a condition of the development consent that further work must not be carried out unless the principal certifier has given the council written notice of the updated information.

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4. This section does not apply in relation to Crown building work certified to comply with the Building Code of Australia under the Act, Part 6. Reason: Prescribed condition under section 71 of the Environmental Planning and Assessment Regulation 2021. 8. Works outside the property boundary This development consent does not authorise works outside the property boundaries on adjoining lands. **Reason**: To ensure all approved works occur within the property boundaries 9. **Essential Energy - Conditions** The Lot and DP contains Low voltage 230/400 volt underground cables, a safe distance of 500mm measured horizontally is required to the located centre line of the Low voltage cable. If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment. • Any existing encumbrances in favour of Essential Energy (or its predecessors) noted on the title of the above property should be complied with. In addition, Essential Energy's records indicate there is electricity infrastructure located within close proximity of the property. Any activities within this location 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. Development Applications (essentialenergy.com.au) • 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. **Reason**: To ensure essential energy requirements are met

# BUILDING WORK BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

10.	Access – Property Access
	Property access roads must comply with the following requirements of Table 7.4a of Planning for Bush Fire Protection 2019:
	• property access roads are two-wheel drive, all-weather roads;
	• the capacity of road surfaces and any bridges/causeways is sufficient to carry fully loaded

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firefighting vehicles (up to 23 tonnes); bridges and causeways clearly, indicate load rating. • there is suitable access for a Category 1 fire appliance to within 4m of the static water supply where no reticulated supply is available; minimum 4m carriageway width; • a minimum vertical clearance of 4m to any overhanging obstructions, including tree branches; property access must provide a suitable turning area in accordance with Appendix 3; • curves have a minimum inner radius of 6m and are minimal in number to allow for rapid access and egress; • the minimum distance between inner and outer curves is 6m; • the cross fall is not more than 10 degrees; and, • maximum grades for sealed roads do not exceed 15 degrees and not more than 10 degrees for unsealed roads. Reason: The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities. 11. **Access Point** Before the issue of a Construction Certificate, the beneficiary of this consent must build a driveway crossing for the subject land (if one doesn't exist) to Council standards. Access during construction shall only be through the driveway crossing of the subject land. **Reason**: To control vehicular movement on road crossings. 12. **Building Material** The proposed building/s and structure/s shall be clad in an approved non-reflective material e.g. Reason: To ensure the materials of the building not impact the visual amenity of the surrounding character of the area. 13. **Building material and flooding** Any building elements below the 1% AEP flood level must be of a durable nature suitable for prolonged periods of inundation. Reason: To ensure building materials suitable for inundation are used 14. **Construction Standards** New construction must comply with Sections 3 and 8 (BAL 40) Australian Standard AS3959-2018 Construction of buildings in bushfire-prone areas or the relevant requirements of the NASH Standard - Steel Framed Construction in Bushfire Areas (incorporating amendment A - 2015). New

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construction must also comply with the construction requirements in Section 7.5 of Planning for Bush Fire Protection 2019.

**Reason:** The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

#### 15. **Construction Standards**

New construction for the proposed swimming pool and any associated decking must be undertaken using non-combustible materials.

**Reason:** The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

#### 16. Construction Site Management Plan

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:

- 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
- 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.

The applicant must ensure a copy of the approved construction site management plan is kept onsite at all times during construction.

**Reason**: To ensure construction works are adequately managed to protect the surrounding amenity.

#### 17. Erosion and Sediment Control

Before the issue of a construction certificate, the beneficiary of this consent 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:

- the guidelines set out in the NSW Department of Housing manual Managing Urban Stormwater: Soils and Construction Certificate (the Blue Book), and
- the 'Do it Right On-Site, Soil and Water Management for the Construction Industry';

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Conditions of consent

	(Southern Sydney Regional Organisation	of Councils and the Natural Heritage Trust).
	The applicant must ensure the erosion and sedin site works and construction.	nent control plan is kept onsite at all times during
	<b>Reason</b> : To ensure no substance other than waterways.	rainwater enters the stormwater system and
18.	Flood level The floor level of the dwelling is to be not less t 1%AEP for the land is 39.2 metres, as such the fire	
	Reason: To provide protection to habitable struc	tures in 1% AEP.
19.	Hydrostatic valve	
	The pool must be provided with a hydrostatic prepressures.	essure relief valve for relief of ground water table
	Reason: To ensure the pool is appropriately desi	gned and constructed
20.	Long Service Levy	
	person liable pays the long service levy as calcula	e beneficiary of this consent is to ensure that the ted at the operational date of this consent to the on 34 of the Building and Construction Industry oof of this payment to the certifier.
21.	Payment of Security Deposits	
	This condition applies to all construction works \$	25,001 and above.
	Before the commencement of any works on the site or the issue of a construction certification beneficiary of this consent must make all of the following payments to Council and provide evidence of these payments to the certifier:	
	Infrastructure Bond (Security Deposit):	\$3,000.00
	Infrastructure Protection Permit Fee (includes inspections)	\$232.00
	The payments will be used for the cost of:	
	road etc) as a consequence of carrying o  completing any public work such as	y council property (including street trees, kerb, ut the works to which the consent relates, s roadwork, kerbing and guttering, footway environmental controls, required in connection

 any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.

The Infrastructure Bond will be returned on completion of the construction of the proposed development, subject to no damage being done to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates. The owner / developer is to arrange an inspection with an Officer of Wentworth Shire Council before any work commences on site. Any damage incurred to Council infrastructure will be repaired at the owners / developers expense and the balance of the Infrastructure Bond will be returned to the owner / developer on completion of the construction.

Note: The inspection fee includes Councils fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the Roads Act 1993). The amount payable must be in accordance with councils fees and charges at the payment date.

**Reason**: To ensure any damage to public infrastructure is rectified and public works can be created.

# 22. Plumbing and Drainage - AWTS

Before issuance of the Construction Certificate, a Plumbing and Drainage Approval Application under Section 68 of the Local Government Act NSW 1993, for an onsite Aerated WasteWater Treatment system (AWTS) sewerage management system accompanied by a:

- Land Capability Assessment (LCA), and
- Decommissioning Plan for the existing septic system on the land

is to be submitted to and approved by Council before carrying out any plumbing and drainage work (stormwater, water and sewerage).

Note: All stormwater from the site is to be directed towards a legal point of discharge. A septic system will not be allowed on the property. 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.

**Reason**: To ensure plumbing and drainage works are carried out appropriately.

# 23. Stormwater Management Plan

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 development. 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.

The plan is to include treatment measures for the water if it is to be discharged into a waterway.

Reason: To ensure stormwater run-off is appropriately managed.

#### 24. **Pool - Discharge**

Discharge from swimming pool filters are to be to Councils requirement.

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Conditions of consent

	Reason: To ensure the pool is appropriately designed and constructed
25.	Pool - Disposal of backwash
	Backwash water from the filter must be disposed of to a legal point of discharge. The backwash must not at any time be disposed of into the stormwater system.
	Reason: To ensure the pool is appropriately designed and constructed
26.	Pool - Safety barrier construction
	The swimming pool and safety fences and gates shall be DESIGNED AND INSTALLED IN ACCORDANCE with the Building Code of Australia, the Swimming Pools Act 1992 and Swimming Pools Regulations 2008.
	Reason: To ensure safety barrier meets compliance standards
27.	Utilities and services - water
	Filtered water is available to be connected to Councils services. Water supply lines are to be provided from the front boundary of the property. The line is to convey filtered water to all fittings within the house. A separate application is to be made to Council for approval to connect to Council's water mains prior to commencing any plumbing and drainage work.
	<b>Reason</b> : To ensure relevant utility and service providers requirements are provided to the certifier.
28.	Waste management plan
	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:
	Details the following:
	<ul> <li>the contact details of the person(s) removing the waste</li> <li>an estimate of the waste (type and quantity) and whether the waste is expected to be</li> </ul>
	<ul> <li>reused, recycled or go to landfill</li> <li>the address of the disposal location(s) where the waste is to be taken</li> </ul>
	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.
	Reason: To ensure resource recovery is promoted and local
29.	Water and Utility Services
	The provision of water must comply with the following in accordance with Table 7.4a of Planning for Bush Fire Protection 2019:
	• a 20,000 litre static water supply, tank, pool, dam or the like, must be provided on-site,

Conditions of consent

- an outlet for firefighting purposes is located within the IPA or non-hazard side and away from the structure
- 65mm Storz connection with a ball valve is fitted to the outlet,
- the ball valve, pipes and tank penetration are adequate for the full 50mm inner diameter water flow through the Storz fitting and are constructed of a metal material,
- underground tanks have an access hole of 200mm to allow tankers to refill, direct from the tank,
- a hardened ground surface for truck access is supplied within 4m of the water outlet or access hole.
- above-ground tanks are manufactured from concrete or metal,
- raised tanks have their stands constructed from non combustible material or bush fire resisting timber. - The bush fire-resisting timbers are Silvertop Ash, Blackbutt, Red or River Gum, Spotted Gum, Red Ironbark, Kwila (Merbau) or Turpentine,
- unobstructed access can be provided at all times,
- underground tanks are clearly marked,
- tanks on the hazard side of a building are provided with adequate shielding for the protection of firefighters,
- all exposed water pipes external to the building are metal, including any fittings,
- where pumps are provided, they are a minimum 5hp or 3kW petrol or diesel-powered pump, and are shielded against bush fire attack,
- any hose and reel for firefighting connected to the pump must be 19mm internal diameter,
- fire hose reels are constructed in accordance with AS/NZS 1221:1997, and installed in accordance with the relevant clauses of AS 2441:2005,
- A Static Water Supply (SWS) sign must be obtained from the local NSW Rural Fire Service (RFS) and positioned for ease of identification by RFS personnel and other users of the SWS. In this regard:
  - O Markers must be fixed in a suitable location to be highly visible, and
  - o Markers should be positioned adjacent to the most appropriate access for the water supply.
- where practicable, electrical transmission lines are underground,
- where overhead, electrical transmission lines are proposed as follows:
  - o lines are installed with short pole spacing (30m), unless crossing gullies, gorges or riparian areas, and
  - o no part of a tree is closer to a power line than the distance set out in accordance with the

specifications in ISSC3 Guideline for Managing Vegetation Near Power Lines.

- reticulated or bottled gas is installed and maintained in accordance with AS/NZS 1596:2014 and the requirements of relevant authorities, and metal piping is used,
- all fixed gas cylinders are kept clear of all flammable materials to a distance of 10m and shielded on the hazard side,
- connections to and from gas cylinders are metal,
- polymer sheathed flexible gas supply lines are not used, and -
- above-ground gas service pipes are metal, including and up to any outlets.

**Reason:** The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

#### 30. Works in Road Reserve

A Road Opening Permit is required from the Wentworth Shire Council prior to any works or excavation within the road reserve including but not limited to: 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.

**Reason**: To control development in the road reserve.

# **BEFORE BUILDING WORK COMMENCES**

# 31. Construction Certificates and Appointment of Principal Certifier

Prior to the commencement of any building works, the following requirements must be complied with

- A Construction Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning & Environmental
- A Principal Certifier must be appointed, and Council must be notified in writing of the appointment irrespective of whether Council or a Registered Certifier is appointed; and notify Council in writing of their intention to commence work (at least two [2] days' notice is required).

**Reason**: To ensure building works complies with relevant legislation and other codes.

# 32. Contractor details notification

The certifying authority must advise Council, in writing of:

- 1. The name and contractor licence number of the licensee who has been contracted to do or intends to do the work, or
- 2. The name and permit of the owner-builder who intends to do the work.

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	Forward to Council notice of commencement of work and appointment of Principal Certifying     Authority.
	Subject to approval to commence works two days before any site works, building or demolition begins, the beneficiary of this consent must:
37.	Notice of commencement of works
	<b>Reason</b> : To ensure runoff and site debris do not impact local stormwater systems and waterways
	Before the commencement of any site or building work, the developer must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by Council) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).
36.	Erosion and sediment controls in place
	Reason: To protect life, infrastructure, and services
	Before demolition work commences, all services, such as water, telecommunications, gas, electricity, and sewerage, must be disconnected in accordance with the relevant authority's requirements.
35.	Reason: To ensure existing infrastructure is identified  Disconnection of services before demolition work
	of plant or assets. It is the individuals responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities."
	Individuals owe asset owners a duty of care that must be observed when working in the vicinity
	health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary.
34.	Underground assets may exist in the area that is subject to your application. In the interest of
34.	Reason: To ensure work is complying with AS 2601-2001  Dial before you dig
	Any demolition must be carried out in accordance with AS 2601—2001, The demolition of structures.
33.	Demolition
	Reason: To ensure building work is carried out by licensed contractor
	If these arrangements are changed, or if a contract is entered into for the work to be done by a different licensee, Council must be immediately informed.

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	2. Notify the adjoining owners that work will commence.	
	Reason: To provide notification of works commencing	
38.	Rubbish/Waste Management	
	Throughout the construction period, from commencement of work, a suitable rubbish containment structure is to be located on site and utilised.	
	<b>Reason</b> : To ensure the construction site is kept clean and safe at all times.	
39.	Storage of materials	
	Throughout the construction period, from commencement of work, the storage of materials is not permitted on footpaths, roadways or in reserves. Rubbish and building materials must be contained on the site.	
	<b>Reason</b> : To ensure the construction materials are stored on site in a tidy & safe manner.	
40.	Toilet facilities	
	Toilet facilities are to be provided on or in the vicinity of the building site. The toilet must be connected to a public sewer, or if connection to a public sewer is not practicable, an approved chemical closet. The toilet facility must be installed on-site prior to the commencement of any other work.	
	<b>Reason</b> : To ensure workers and contractors have access to amenities on site.	
41.	Tree protection measures	
	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.	
	Reason: To protect and retain trees.	

# **DURING BUILDING WORK**

42.	Approved Plans
	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.
	Reason: To ensure all parties are aware of the approved works to be conducted
43.	Asbestos
	Waste materials which contain asbestos must be managed on the site and then disposed of at a waste management site licensed to accept this waste. All receipts detailing method and location of disposal must be submitted to Council as evidence of correct disposal.

	Reason: To ensure hazards to human health are minimised
44.	Construction noise
	While 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.
	Reason: To protect the amenity of the neighbourhood
45.	Contamination discovered during works
	<ul> <li>If during works on the land comprising the lot, the land is found to be contaminated, within the meaning of the Contaminated Land Management Act 1997:         <ul> <li>all works must stop immediately, and</li> <li>the Environment Protection Authority and the council must be notified of the contamination.</li> <li>Land is found to be contaminated for the purposes of this condition if the principal certifying authority knows or reasonably suspects the land is contaminated.</li> </ul> </li> </ul>
	Note: Depending on the nature and level of the contamination, remediation of the land may be required before further work can continue.
	Reason: To ensure contaminated land is managed appropriately
46.	Cut and fill (if applicable)
	While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:
	<ul> <li>All excavated material removed from the site must be classified in accordance with the EPAs Waste Classification Guidelines before it is disposed of at an approved waste management facility and the classification and the volume of material removed must be reported to the principal certifier.</li> <li>All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.</li> </ul>
	Reason: To ensure soil removal & replacement meets requirements
47.	Encroachment of easements
	No works are to encroach over any easements.
	Reason: To ensure works are not carried out over easements
48.	Hours of work
	The developer must ensure that building work, demolition or vegetation removal is only carried out between:
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• 7.00am to 6.00pm on Monday to Friday

8.00am to 1.00pm on Saturdays

The developer must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

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.

Note: Any variation to the hours of work requires Councils approval.

Reason: To protect the amenity of the surrounding area

## 49. Implementation of BASIX commitments

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.

**Reason**: To ensure BASIX commitments are fulfilled in accordance with the BASIX certificate (prescribed condition under Section 75 EP&A Regulation)

# 50. Implementation of site management plans

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.

**Reason**: To ensure the required site management measures are implemented during construction.

# 51. Natural drainage

Any works undertaken in the subject land including building and filling shall not cause alteration to the previous drainage in the subject land or adjacent land. Any remedies required to discharge drainage water caused to be accumulated by the works associated with this permit shall be the responsibility of the beneficiary of this consent.

**Reason**: To ensure natural drainage is maintained where possible

# 52. **Pool - construction**

The swimming pool is to be constructed strictly in accordance with the manufacturers recommendation.

Reason: To ensure compliance with manufacturers requirements

# 53. **Pool - Construction works**

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	Any construction works/drainage works should be carried out in a manner that Eliminates/reduced water ponding and subsequent mosquitoes breeding i.e. all run off/stormwater should be diverted away from low lying poor surface drainage areas.			
	Reason: To ensure the pool is appropriately designed and constructed			
54.	Procedure for critical stage inspections			
	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.  Reason: To require approval to proceed with building work following each critical stage inspection			
55.	Responsibility for changes to public infrastructure			
	While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).			
	Reason: To ensure payment of approved changes to public infrastructure			
56.	Security fencing			
	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			
	Reason: To ensure the site is secured during construction			
57.	Tree protection			
	While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with:			
	1. The construction site management plan			
	2. The relevant requirements of any Australian Standard for the protection of trees on development sites			
	This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.			
	Reason: To protect trees during site works			
58.	Uncovering relics or Aboriginal objects			
	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			

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Secretary of the Department of Planning, Industry and Environment.

In this condition:

- "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
  - a) 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.

**Reason**: To ensure protection of objects of potential significance during works.

# 59. Waste management

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.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- 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.

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.

**Reason**: To require records to be provided, during construction, documenting that waste is appropriately handled.

## BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

## 60. Completion of landscape and tree works

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.

**Reason**: To ensure the approved landscaping works have been completed before occupation, in accordance with the approved landscaping plan(s).

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# 61. Completion of public utility services

Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority. Before the issue of the occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.

**Reason**: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.

# 62. Occupation Certificate

The building shall not be occupied or used until an Occupation Certificate is issued either by council or by an accredited certifier.

**Reason**: To ensure development is accredited

# 63. Removal of waste upon completion

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.

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.

**Reason**: To ensure waste material is appropriately disposed or satisfactorily stored.

## 64. Repair of infrastructure

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.

Reason: To ensure any damage to public infrastructure is rectified

# OCCUPATION AND ONGOING USE

# 65. Additional structures No additional structures are to be built or installed on the site without permission from the Wentworth Shire Council.

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	Reason: To ensure only approved work is carried out
66.	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.
	<b>Reason</b> : To ensure the amenity of the neighbourhood is not compromised unreasonably.
67.	Asset Protection Zones
	From the commencement of building works and in perpetuity, the property around the dwelling must be maintained as an inner protection area to the following distances and aspects in accordance with the following requirements of Appendix 4 of Planning for Bush Fire Protection 2019:
	• north, east, west for a distance of 10 metres, and;
	• south to the subject site boundary. When establishing and maintaining an inner protection area, the following requirements apply:
	• tree canopy cover should be less than 15% at maturity;
	• trees at maturity should not touch or overhang the building;
	• lower limbs should be removed up to a height of 2 m above the ground; tree canopies should be separated by 2 to 5 m;
	• preference should be given to smooth-barked and evergreen trees;
	• large discontinuities or gaps in the shrubs layer should be provided to slow down or break the progress of fire towards buildings;
	• shrubs should not be located under trees;
	• shrubs should not form more than 10% ground cover;
	• clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation;
	• grass should be kept mown (as a guide, grass should be kept to no more than 100mm in height); and
	• leaves and vegetation debris should be removed regularly.
	<b>Reason:</b> The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.
68.	Landscaping Assessment
	Landscaping within the required asset protection zone must comply with Appendix 4 of Planning

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for Bush Fire Protection 2019. In this regard, the following principles are to be incorporated:

- A minimum 1 metre wide area (or to the property boundary where the setbacks are less than 1 metre), suitable for pedestrian traffic, must be provided around the immediate curtilage of the building; 3
- Planting is limited in the immediate vicinity of the building;
- Planting does not provide a continuous canopy to the building (i.e. trees or shrubs are isolated or located in small clusters);
- Landscape species are chosen to ensure tree canopy cover is less than 15% (IPA), and less than 30% (OPA) at maturity and trees do no touch or overhang buildings;
- Avoid species with rough fibrous bark, or which retain/shed bark in long strips or retain dead material in their canopies;
- Use smooth bark species of trees species which generally do not carry a fire up the bark into the crown;
- Avoid planting of deciduous species that may increase fuel at surface/ ground level (i.e. leaf litter);
- Avoid climbing species to walls and pergolas:
- Locate combustible materials such as woodchips/mulch, flammable fuel stores away from the building;
- Locate combustible structures such as garden sheds, pergolas and materials such as timber garden furniture away from the building; and
- Low flammability vegetation species are used.

**Reason:** The intent of measure is to minimise the risk of bush fire attack and provide protection for emergency services personnel, residents and others assisting firefighting activities.

## 69. Maintenance of wastewater and stormwater treatment device

During occupation and ongoing use of the building, the beneficiary of this consent must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective.

**Reason**: To protect sewerage and stormwater systems.

# 70. Ongoing use

The proposed garage cannot be used for habitation.

Reason: To ensure appropriate use as per approval

# 71. **Pool – safety barrier**

The swimming pool shall at all times be SURROUNDED BY A CHILD RESISTANT BARRIER: that

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	separates the swimming pool from any residential building situated on the premises and from any place (whether public or private) adjoining the premises; and that it is designed, constructed,
	installed and maintained in accordance with the standards prescribed by the Building Code of Australia, the Swimming Pools Act 1992 and Swimming Pools Regulations 2018.
	Reason: To ensure compliance with requirements
72.	Pool – Prior to filling pool
	The swimming pool SHALL NOT BE FILLED WITH WATER until such time as the safety fencing and gates have been completed in accordance with Building Code of Australia, the Swimming Pools Act 1992 and Swimming Pools Regulations 2018.
	Note: It is the responsibility of the beneficiary of this consent is to ensure that all excavations and incomplete pools have appropriate safety fencing or are otherwise protected.
	Reason: To ensure compliance with requirements
73.	Pool – Noise control measures
	The pool pumps, motor, filter and equipment must be housed and operated in accordance with the Protection of the Environment Operations (Noise Control) Regulation 2008.
	Reason: To ensure compliance with requirements
74.	Pool – Water testing
	The occupier is to maintain on the premises, a full set of testing apparatus for checking the effectiveness of the chemical treatment of the pool water.
	Reason: To ensure compliance with requirements
75.	Pool – Required signage
	The occupier of any premises in or on which a swimming pool is situated must ensure that there is at all times a SIGN prominently displayed and permanently fixed in the vicinity of the swimming pool, which contains the words YOUNG CHILDREN SHOULD BE SUPERVISED WHEN USING THIS SWIMMING POOL, together with details of resuscitation techniques, in accordance with the provisions of section 17 of the Swimming Pools Act 1992.
	Reason: To ensure compliance with requirements
76.	Pool – Swimming pool registration
	The beneficiary of this consent shall have the Swimming Pool registered on the NSW Swimming Pool Register.
	Reason: To ensure owner compliance with pool registration is met.
77.	Release of securities / bonds
	When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held. Council may use part, or all of the securities

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Conditions of consent

held to complete the works to its satisfaction if the works do not meet Councils requirements.

**Reason**: To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction.

## 9.12 EXPRESSION OF INTEREST - DISPOSAL OF 3 TRACTORS

File Number: RPT/24/520

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Samantha Wall - Projects Administration

Objective: 3.0 Wentworth Shire is a community that works to enhance and

protect its physical and natural environment

Strategy: 3.2 Ensure that community assets and public infrastructure are

well maintained

# **Summary**

Council at its December 2023 meeting approved the replacement of 3 Council owned Massey Ferguson Tractors Plant Items 34,39 & 51, Council also decided not to accept any of the trade in prices submitted for the tractors as part of this tender response, opting to undertake an Expression of Interest for the disposal of the three tractors, gifting the 3 surplus tractors to interested local users or sporting groups. 5 responses have been received.

# **Recommendation**

That Council consider the expressions of interest received and approve allocation of surplus Plant Items 34,39 & 51 to User/Sporting groups of their choosing.

# **Detailed Report**

## **Purpose**

The purpose of this report is to advise Council of the Expression of Interest received for the gifting of 3 tractors.

# Background

During the 13 December 2023 Council meeting it was resolved that Council undertake an Expression of interest for the disposal of 3 tractors instead of accepting the trade values submitted as part of original Tender.

The 3 tractors included:

- Plant Item 34 1994 Massey Ferguson 240 Tractor
- Plant Item 39 1993 Massey Ferguson 240 Tractor
- Plant Item 51 1994 Massey Ferguson 240 Tractor with fork attachment.

Expression of Interest we sent to the local users & sporting groups in the Wentworth Shire on 28 July 2024 & closed 4pm Monday 22 July 2024. 5 responses have been received.

# Report Detail

Expression of interest was received from:

- 1. Australian Inland Botanic Gardens
- 2. Wentworth Showgrounds User Group
- 3. Pooncarie Racing Club / Sunraysia Motor Sports Club
- 4. Wentworth Sporting Complex Golf Club
- 5. Wentworth Pistol Club / Wentworth Rifle Club

Refer to the attached responses from each group detailing their specific tractor preference together with detail on description for intended use of the item of plant.

Note that Wentworth Showgrounds group, Pooncarie Sporting Reserve user groups, and the Wentworth Golf Club all identified a preference for Plant Item 51, MF tractor fitted with front fork attachment.

Australian Botanic Gardens and Wentworth Pistol / Gun Club did not identify any specific preference for tractors as listed.

# Conclusion

5 Expressions of Interest have been received from local user & sporting groups for the gifting of 3 surplus Council owned tractors, including intended use of each. Details of each application is attached for Council decision on allocation of surplus plant items.

# **Attachments**

- 1. EOI Inland Botanic Gardens (Under Separate Cover) ⇒
- 2. EOI Pooncarie Racing Club (Under Separate Cover) ⇒
- 3. EOI Sunraysia Motor Sports Club (Under Separate Cover) ⇒
- 4. EOI Wentworth Pistol Club Wentworth Rifle Club (Under Separate Cover) ⇒
- 5. EOI Wentworth Showgrounds User Group (Under Separate Cover) ⇒
- EOI Wentworth Sporting Complex Golf Club (Under Separate Cover) ⇒
- 7. Photos of plant 34.
- 8. Photos of plant 39.
- 9. Photos of plant 51.

Item 9.12 - Attachment 7 Photos of plant 34



# Wentworth Shire Council - Plant Item 34







Item 9.12 - Attachment 7 Photos of plant 34





Item 9.12 - Attachment 8 Photos of plant 39



# Wentworth Shire Council – Plant Item 39







Item 9.12 - Attachment 8 Photos of plant 39







Item 9.12 - Attachment 9 Photos of plant 51



# **Wentworth Shire Council – Plant Item 51**









Item 9.12 - Attachment 9 Photos of plant 51





## 9.13 DARLING STREET FOOTPATH UPGRADE

File Number: RPT/24/450

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Geoff Gunn - Director Roads and Engineering

Objective: 3.0 Wentworth Shire is a community that works to enhance and

protect its physical and natural environment

Strategy: 3.2 Ensure that community assets and public infrastructure are

well maintained

# **Summary**

Council secured funding through the Resources for Regions Program for various Council projects. One of the projects that will be funded by the Program is the Darling Street footpath upgrade. In May 2024, Council undertook community consultation for the project, as a result Council has produced a Consultation Report pertaining to the Darling Street footpath upgrade that includes findings and recommendations for the project going forward.

# **Recommendation**

That Council:

- a) Receive and note the information in this report.
- b) Select one of the options available with regards to the London Plane Trees.

# **Detailed Report**

# <u>Purpose</u>

The purpose of this report is for Council to note the findings and recommendations of the Darling Street footpath upgrade consultation report and for Council to consider the options available with regards to the existing London Plane trees.

# **Background**

The area for the project is located along Darling St, between Sandwych and Adelaide Streets, which is the main shopping district in the Wentworth township. Council's aim for the project is to replace the existing footpaths in the main shopping district for improved surface, increased community safety and improved connectivity of footpaths within the township.

As part of the project planning process, major consideration was required as to the potential removal of the existing 11 plane trees located on the Darling Street nature strip due to damage being caused to existing infrastructure by the tree roots.

Council utilised several methods when engaging with community for the project. Information was provided to the public by media release, email correspondence, social media posts and community engagement sessions. The face-to-face community engagement sessions involved operational staff speaking with the public about the planned project, and, providing both hardcopy and digital surveys as means of collecting feedback for the project.

The key issues raised during the community consultation were as follows:

- Removal of London Plane trees in Darling Street
- Corner of Sandwych Street needing repairs as it is unsafe and a tripping hazard
- Extending footpath renovation from Darling Street through to Caravan Park

- Loss of shade & ambiance to Wentworth CBD
- Community agrees footpath needs upgrading.

# Report Detail

Further information obtained with regard to recommendations and alternative solutions identified in the attached consultation report were sort including an independent arborist assessment on all street trees in the area, together with an assessment on selective root pruning and potential effects of tree root barrier installation. (Refer to tree audit attachments).

In summary the Darling St Plane trees were assessed as being in good health and well maintained.

Further information was also provided regarding tree root removal and or partial root cutting to allow for the installation of protective root barriers.

The arborists assessment and recommendation concluded that tree root disturbance and or removal of more than 10% in the structural root zone was not recommended as this could lead to health and stability issues with the trees.

The option for installation of a 60cm root barrier along the footpath edge between the existing plane trees has been assessed as disturbing approximately the recommended limit of 10% of the structural root system for each tree and as such, subject to hydro-jetting exposure of individual tree root systems, could be considered as an option to potentially retain the existing Plane trees. (note: this barrier installation would be subject to individual tree root exposure assessment)

The estimated costs for the installation of a root barrier system to protect the proposed new foot path construction would be \$27,500.00, inclusive of hydro-jetting, root removal, barrier installation and reinstatement.

Options for the proposed Darling Street Footpath Upgrade to proceed include:

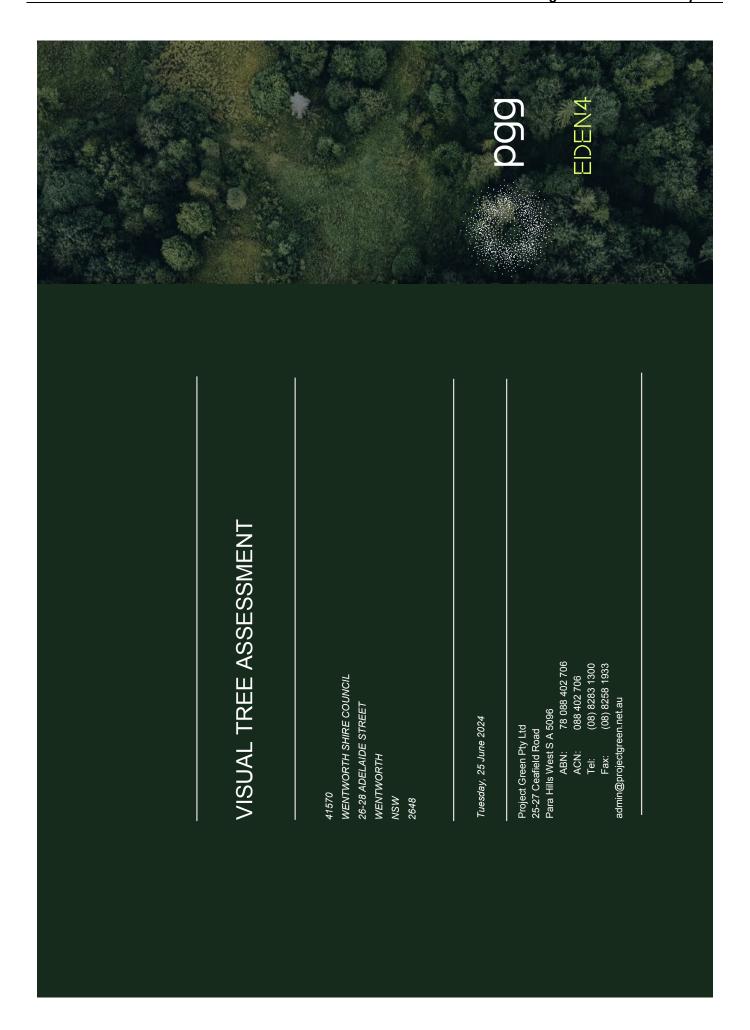
- a) the removal of all existing trees within the Darling St nature strip (permanent removal of any future vegetation root growth affecting existing path, kerb and irrigation infrastructure)
- retain all existing trees and install a tree root barrier system (subject to root exposure assessment) in conjunction with increased concrete depth path construction, (note that it would be expected that this barrier system would require further inspection and or intermittent on-going maintenance to ensure infrastructure is protected from future damage)

# Conclusion

Council is requested to consider the information contained in this report including the attached community consultation report and independent arborists report and select one of the options.

# **Attachments**

- Darling Street Tree Audit Report
- 2. Additional Advise on Trees Darling Street, Wentworth Addendum J.
- 3. Darling Street Footpath consultation Final Report 18 June 2024



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# EDEN4 INTRODUCTION & BACKGROUND INFORMATION

1 Introduction

Project Green was engaged to undertake an audit on trees located within the site.

Client	Wentworth Shire Council
Site Details	41570 Wentworth Shire Council 26-28 Adelaide Street Wentworth NSW 2648
Number Of Audits	37

The assessment focused on the health and condition of trees around the site and measures to mitigate any associated and recognised risks. Where no arboricultural measures are available to reduce an identified risk, trees are generally recommended for removal.

Site visits were undertaken for the purposes of conducting the visual tree assessment. Assessments were made in this report refer APPENDIX A 'TREE SCHEDULES' for further detail. All trees were also assessed against the SA Planning, Development & Infrastructure Act 2016, to determine if any of the trees on site meet the requirements to be protected as either regulated or significant trees refer APPENDIX A 'TREE SCHEDULES' and APPENDIX B 'LEGISLATIVE STATUS GRAPH' for more information

Recommendations include pruning works to maintain clearances, improve form, and reduce the risk of limb failure and removal of deadwood.

# **BACKGROUND INFORMATION**

# :1 DOCUMENTS AND INFORMATION PROVIDED

A basic map of the school layout was provided for the purpose of this report

# 2.2 LEGISLATIVE REQUIREMENTS

Regard was given to the following legislation and standards for the purpose of assessing trees at the school and providing recommendations on pruning works to limit the impact on 'Regulated' and 'Significant' trees.

# EDEN4 INTRODUCTION & BACKGROUND INFORMATION

2.2.1 TREE PRESERVATION ORDERS (TPOS) AND LOCAL ENVIRONMENT PLANS (LEPS).

LEPs allow for the incorporation of significant tree registries but this is not compulsory. A majority of councils have significant tree registries.

The cities of Gosford, Randwick, Manly, Sydney and the Sutherland Shire all use the following policy guidelines to determine the significance of trees:

Landscape amenity

Historical importance

Botanical importance

Gosford, Manly and the Sutherland Shire have the additional guidelines of:

Aboriginal importance

Functional purpose (shade, habitat, avenue windbreaks)

The NSW Planning department that girth and canopy sizes are not used as guidelines to determine a significant tree.

In addition to LEPs councils and shires use TPOs to control the pruning and removal of trees that are not listed as significant. TPOs apply to native and non-native species. I surveyed 10 councils in the metropolitan area and 10 in the regions and all listed the height and canopy size of a tree as the guidelines of protection. Girth size was not used

Trees more than 3 metres high, or with a crown of more than 2 metres will

require a permit to remove.

Pruning of no more than 1/3 of the canopy (NOT the trunk) is uniformly allowed across the state.

The NSW Government has introduced a new Standard Instrument LEP "Preservation of trees or vegetation" (5.9) to encourage the standardisation of LEPs across local council areas and replace individual TPOs. The objective of the standard is "to preserve the amenity of the area, including biodiversity values, through the preservation of trees and other vegetation". It applies to "species or kinds of trees or other vegetation that are prescribed for the purposes of this clause by a development control plan made by the Council". Councils may prescribe the trees or other vegetation by reference to species, size, location or other manner.

The standard LEP makes it illegal to ringbark, cut down, top, lop, remove, injure or wilfully destroy any prescribed trees or other vegetation without permission (pest species are exempt).

# EDEN4 INTRODUCTION & BACKGROUND INFORMATION

# .2.2 SIGNIFICANT TREE REGISTERS

Regardless of which instrument is used by councils, significant tree registers are usually created after conducting a council-wide survey and alerting the owner if the tree occurs on private land.

Anyone may nominate trees or vegetation for inclusion. The register is then published, complete with reasons for each tree's inclusion, with photographs and comments about how to best manage the tree for optimal health. The schedules include a definition of a significant tree. In all councils girth size was used to help determine a tree's significance, which vary from as narrow as 400mm to 3500mm.

In Addition to Council specific tree registers the National Trust of Australia also have a register of significant trees http://trusttrees.org.au/

Before any works are undertaken on any tree it is advisable to consult the these registers to confirm if any trees on site are protected by means of being placed on a register of trees of significance.

# 2.2.4 AUSTRALIAN STANDARD 4373-2007 PRUNING OF AMENITY TREES

Australian Standard 4373-2007 Pruning of Amenity Trees (AS4373-2007) specifies methods for pruning of amenity trees and gives guidance on correct and uniform practices.

# EDEN4 METHOD & RESULTS

# 3.0 METHOD

The tree audit was undertaking utilising Project Greens new EDEN 4 software platform utilising the Data Collection and Management Software Solution on Apple IPads  $^{\rm TM}$ .

All trees captured within this document were assessed for the purposes of reporting and managing current and future risk, whilst maintaining the varied benefits of green amenity across the site.

The following methods were used to assess the trees on site:

- Unique ID Individual trees are given a unique Project Green identification number.
- **GEO Location** The GPS location (longitude/latitude) of all trees is captured utilising the IPAD GPS locator.
- Identification trees were identified by genus and species
- **Height** Tree height was estimated and these estimated verified routinely using a Nikon Forestry 550 range finder.
- Legislative Status a trunk circumference measurement was taken at 1 metre above natural ground level. A rule tape measure was used to take measurements.
- Tree Hazard was assessed using the Matheny and Clark Hazard Assessment method described in Hazard Assessment to determine a
- Tree Structure was assessed based on assessing live crown ratio
  recorded as a % and other crown physiology including limb attachment,
  taper, evidence of past limb failure, wound occlusion, evidence of any pest
  and or insect occurrence and general overall structure for the species
  being assessed.

- **Tree Form and Tree Health** each tree was assessed for its biological attributes such as health and vigour with these being assessed and ranked in accordance with recognised industry standards.
- ULE for each tree is derived by assessing all factors of the tree that effect life expectancy and each tree is given an expected life range in line with Barrel Consultancy Tree A-Z refer references
- Work Required tree work requirements were recorded and can be found in the recommendations of the tree schedule in Appendix B.
  - Photograph photographic records were taken of each tree.

# 3.1 LIMITATIONS

The trees were inspected visually from the ground only. Aerial, subsurface or invasive inspections were not performed and no soil or plant samples were laboratory tested. Due to plant hybridisation some species can be difficult to accurately identify.

Information contained in this report is based on observations taken on the day of inspection and material provided only. It is possible that changes in environmental conditions or subsequent information may affect or alter these findings. This report has been prepared on behalf of and for the exclusive use of the Project Green client.

# 4 RESULTS

Refer to Appendix A Tree Schedules Refer to Appendix B Charts & Graphs Refer to Appendix C Hazard Rating Table

# EDEN4 DISCUSSION

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Site Details	41570 Wentworth Shire Council 26-28 Adelaide Street Wentworth NSW 2648
Total Number Of Audits	37
Traes Requiring Remedial Work	w.

Alost assessments were of individual trees, however where appropriate, trees of similar location, species and maintenance requirements were assessed as group. All the site trees deemed to present some risk to people or property were included in the audit and were assessed visually for health and structural negrity. This assessment leads to maintenance recommendations formulated or reduce risk to site users from whole or partial tree failure.

The audit revealed that the site trees are generally in good health with sound structure. This is reflected by the large percentage of assessments where it was determined that minimal or no arboricultural intervention was currently required. It also verifies that the regular assessments and subsequent works which the school has undertaken does reduce the risk presented by trees. Recommendations for trees which require works are targeted at maintaining health, reducing the likelihood of branch failure, clearance of buildings and avoiding the development of future faults. To achieve this works include pruning to manage over-extension of branches, remediate heavily weighted branches and remove dead wood. Dead wood can be held in a tree for a considerable period but eventually becomes brittle and falls unpredictably. In high risk environments it must be removed routinely.

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Trees Requiring Removal

7	0	
Number of Trees Afforded Legal Protection	Number Of Trees Afforded Legal Protection Requiring Approvals Before Works Can Proceed	ID Numbers Of Trees Afforded Legal Protection Requiring Approvals Before Works Can Proceed

ID Numbers Of Trees Requiring Removal

# EDEN4 RECOMMENDATIONS

RECOMMENDATIONS

Based on the findings of the tree audit, the following is recommended:

- 1. Undertake pruning/remedial action on all trees that score a High hazard rating (8-12) immediately
- 2. Undertake pruning/remedial action on all trees that score a Medium hazard rating (5-7) within six months.
- As a minimum, a follow up tree audit should be undertaken within 12 months.

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- A visual assessment should also be undertaken after significant weather events (major storm, strong winds, prolonged drought conditions etc.) 4.
- All tree works should be overseen/supervised by a qualified Arborist with a minimum Certification of Level IV Horticulture (Arboriculture). 5

All works should be undertaken in accordance with Australian Standard 4373-2007 Pruning of Amenity Trees.

# EDEN4 DISCLAIMER

# DISCLAIM

This report has been prepared by Project Green Pty Ltd (Project Green) for the sole and exclusive use of [insert] (the Client). It may not be updated, amended, distributed or disclosed to any third party without the express written consent of Project Green.

Project Green makes no representation or warranty (whether express or implied), undertakes no duty and accepts no responsibility to any third party who may use or rely upon this report or any part of it. If any reliance is placed on this report, or any part of it, by any third party, Project Green hereby disclaims any and all liability for such reliance.

This report has been prepared on the basis of instructions provided to Project Green by the Client. It is limited by the scope of those instructions and any qualifications which have been agreed between Project Green and the Client or otherwise communicated to the Client prior to the date of this report (Date), whether verbally or in writing.

Any statements, opinions, conclusions, advice or recommendations contained in this report (Conclusions) must be read and relied upon only in the context of the report as a whole. This document is current as at the Date and the Conclusions may differ if further investigation, observation or analysis is undertaken by Project Green or if any data, information, designs, plans or analysis (Data) relied upon by Project Green when preparing this report is subsequently found to be incorrect or incomplete or if dircumstances and events beyond the control of Project Green

Where site inspection, testing or fieldwork have taken place, this report is based on a ground visual inspection only.

Unless otherwise stated in this report, where Data used in this report, or upon which the Condusions were based, was obtained from the Client or any third party, the accuracy and completeness of that Data has not been independently verified by Project Green. For the purposes of this report, it is assumed that the Data is both accurate and complete. Project Green is not responsible for the quality, accuracy or completeness of the Data, nor does Project Green warrant or represent that such Data is up-to-date, accurate or complete.

Unless otherwise specified in this report, Project Green is not responsible for revising or updating this report if additional Data is obtained after the Date, through further investigation, observation, analysis or otherwise, which indicates that the content of this report, including any Conclusion, is inaccurate or incomplete.

# Scope of the report:

- Conduct a ground-level, visual inspection of the subject tree(s) only.
- Identify defects in the health and condition of the subject tree(s) which are visually apparent at the time of the inspection.

Qualifications and Assumptions of the report:

- Trees are living organisms and as such they cannot be classified as safe or structurally sound
  under any circumstances. Project Green makes no representation or warranty (whether express or
  implied) regarding the safety or structural soundness of the subject tree(s) referred to in this report.
- This report is based on a ground-level, visual inspection of the health and condition of the subject tree(s) only. No below ground-level inspection or investigation of the subject tree(s), or testing or fieldwork, has been carried out as part of this report.
- The scope of this report does not include identifying any structural defects in the subject tree(s)
- For the purpose of this report, Project Green has assumed that the health and condition of the subject tree(s) as at the date of inspection is unchanged as at the date of this report.
- Statements, opinions, conclusions, advice or recommendations contained in this report are current as at the date of the report.
- This report does not take into account any unforeseen circumstances and events relating to the
  subject tree(s) which may occur after the date of inspection. Project Green is not responsible for
  revising or updating this report if any unforeseen circumstances and events relating to the subject
  tree(s) occur after the date of inspection, unless instructed by the client to do so.

# EDEN4 REFERENCES

REFERENCES

Dunster, J.A., (2013) Tree Risk Assessment Manual. ISA Publications.

Googlemaps.com

Matheny, N.P. & Clark, J.R (1994) Evaluation of Hazard Trees in Urban Areas. ISA Publications.

SA Planning, Development & Infrastructure Act 2016, Government of South Australia

SA Planning, Development & Infrastructure (General) Regulations 2017,

Government of South Australia

Shigo, A. L. (1999) A New Tree Biology (ninth edition) Sherwin Dodge Printers, Littlelton, New Hampshire.

www.Treeaz.com - Pre Planning tree Surveys: Safe Useful Life Expectancy (SULE) is the natural progression

# EDEN4 GLOSSARY

Stems or trunks of about the same size originating from the same position from the main stem (AS4373:2007) Co-dominant

Pruning that preserves the size and structure of a tree while maintaining the crown volume (AS4373:2007)

maintenance

Crown

Deadwood

Dead branches within a tree's canopy can be categorised as small, medium or large in size based on diameter and length and volume within the canopy.

Excessive formation of foliage concentrated at the distal end of the branch

End weight

A plant introduced from another country or region to a place where it was not indigenous

Exotic

The pruning of trees to assist with the development of crown form and shape, and to develop strong structure. Formative prune

Includes the tree's vigour exhibited by density of crown, cover, leaf colour etc. Health is the proportion of live crown to tree height used to assist in the assessment of potentially hazardous trees. Live Crown Ratio

Branches specifically pruned to reduce crown height or crown spread by pruning to reduce the length of the branch with a final cut at a branch union inside the crown. Here the retained branch should be (>1/3) of the diameter of the removed branch (Australian Standard 2007p.8, Draper & Richards 2009, p.123-124).

Reduction prune

Pruning to repair previously poorly undertaken works or to assist in re-establishing the crown form and shape Remedial prune

Size

Tree Height and canopy diameter measured in meters

Visual Tree

Taper

A visual inspection of a tree from the ground undertaken by a trained Arborist competent in determining tree type, structural integrity, health, growing environment and environmental benefits or impacts the tree may present, and determining suitable methods for managing the tree and impact it may have on its immediate surrounds. The inspection is limited to those attributes observed on the day of inspection. No other investigation techniques are used unless stated otherwise. Assessment (VTA)

In roots and branches; the decrease in diameter along a given length, usually reducing gradually in the distal direction (away from the point of attachment).

# EDEN4 HAZARD ASSESSMENT

Each tree has been assessed using Matheny & Clark (1994) Hazard Rating in line with the following description and expression: Hazard = Failure Potential + Size of Defective Part + Target Rating

# **DEVELOPING THE HAZARD RATING**

# Failure Potential

Failure potential identifies the most likely failure and rates the likelihood that the structural defect(s) will result in failure within the inspection period. Examples of ratings are:

- Low: defects are minor (e.g. dieback of twigs, small wounds with good wound wood development)
- 2. Medium: defects are present and obvious (e.g. cavity encompassing 10-25% of the circumference of the trunk, co-dominant stems without included hark)
- 3. High: numerous and/or significant defects present (e.g. cavity encompassing 30-50% of the circumference of the trunk, multiple pruning wounds with decay along a branch).
  - Severe: Defects are very severe (e.g. heartrot decay conks along the main stem, cavity encompassing more than 50% of the trunk)

# Size of Defective Part

Size of defective part rates the size of the part most likely to fail. The larger the part that fails, the greater the potential for damage. Therefore, the size of the failure affects the hazard potential. Examples are:

- Most likely failure less than 15cm in diameter
- ... Most likely failure 15 to 45cm in diameter.
  - Most likely failure 45 to 75cm in diameter.
- . Most likely failure greater than 75cm in diameter.

# TARGET RATING

Target rating rates the use and occupancy of the area that would be struck by the defective part.

- Occasional use: Jogging, cycling etc.
- Intermittent use: Picnic area, day use parking etc.
- Frequent use, secondary structure: Seasonal camping area, storage facilities etc.
- Constant use, structures: year round use for a number of hours each day, residences.

The hazard rating is not intended to define "danger" or provide risk acceptance. The score is intended to be used as a simple guide to help client prioritise works where resources are scarce.

Further information see Matheny N, P & Clark J, R. (1994) A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas, Second Edition, International society of Arboriculture Books.

# Hazard Score

3-4 Low Hazard

-7 Medium Hazard

8-12 High Hazard

# Tree | Botanical Name: Eucalyptus sp - Gum Tree

ID: PGSA00013954 | Tue, 18 Jun 2024

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Hazard Assessment	
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Dead	16- 40 Years	11 - 15 Metres	Good	Poor
Vigour	Useful Life Expectancy	Tree Height	Tree Health	Tree Form

רמסם	ful Life Expectancy 16- 40 Years	11 - 15 Metres	Good	Poor	
Inc	ful Life Exp	Height	Health	. Form	

2 Medium - Intermittent Use

Target Hazard

High

Hazard Rating

No Works Required

Works Required

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Hazard Score

3 High - 30 - 50% Defects

Failure Hazard

3 High - 45 - 75cm

Defect Size





Floods Have Sped Up Decay. Council To Reduce To Safer Tree Has Significant Amount Of Heartwood Decay. Recent Height Or Increase Safety Barrier Around It.

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Works Require Approval



Tree Overview



# Tree | Botanical Name: Platanus X acerfolia - London Plane Tree

ID: PGSA00013955 | Tue, 18 Jun 2024

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# Tree Information

Good	16- 40 Years
Vigour	Useful Life Expectancy

Tree Information		Hazard Assessment	ent
Vigour	Good	Failure Hazard	7
Useful Life Expectancy	16- 40 Years	Defect Size	7
Tree Height	16 - 20 Metres	Target Hazard	2 N
Tree Health	Good	Hazard Score	4
Tree Form	Good	Hazard Rating	Lo
Live Crown Ratio	80%	Works Required	

2 Medium - Intermittent Use

1 Low - <10% Defects

1 Low - <15cm

%08	Single	860	Exempt	Alex Quartley
Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By

No Works Required

9 N

Works Require Approval

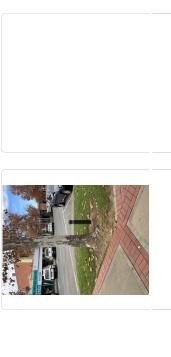
18 Jun 2024

Date

Tree Overview







Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 2

# Tree | Botanical Name: Platanus X acerfolia - London Plane Tree

ID: PGSA00013959 | Tue, 18 Jun 2024

# Tree Information

Good	16- 40 Years
Vigour	Useful Life Expectancy

16- 40 Years	16 - 20 Metres	Good	Good	
Useful Life Expectancy	Tree Height	Tree Health	Tree Form	

2 Medium - Intermittent Use

Target Hazard

Hazard Score

1 Low - <10% Defects

Failure Hazard

Hazard Assessment

1 Low - <15cm

Defect Size

%08	Single	750	Exempt	Alex Quartley
Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By

18 Jun 2024

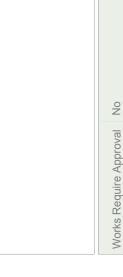
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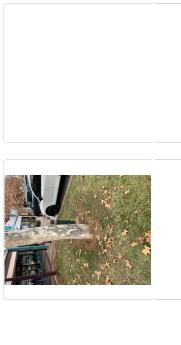
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**Works Required** 

Hazard Rating







Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 3

# Tree | Botanical Name: Platanus X acerfolia - London Plane Tree

ID: PGSA00013960 | Tue, 18 Jun 2024

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Tree Information		Hazard Assessment	ent
Vigour	Good	Failure Hazard	1
Useful Life Expectancy 16- 40 Years	16- 40 Years	Defect Size	1
Tree Height	16 - 20 Metres	Target Hazard	2 \

2 Medium - Intermittent Use

1 Low - <10% Defects

1 Low - <15cm

700	2000	Good	%08	Single	710	Exempt	Alex Quartley
++++++++++++++++++++++++++++++++++++++	пее пеаш	Tree Form	Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By

No Works Required

**Works Required** 

Hazard Rating

Hazard Score

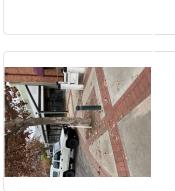


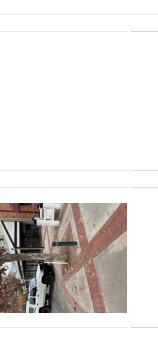
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Works Require Approval



Good	16- 40 Years	16 - 20 Metres	Good	Good	%08	Single	710	Exempt	Alex Quartley	18 Jun 2024	Ostino St
	Expectancy	nt	ti.		n Ratio	Stems	(mm)	Status	Ву		10.000





Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 4

ID: PGSA00013961 | Tue, 18 Jun 2024

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Vigour

	Hazard Assessment	ent
Good	Failure Hazard	1 Low -
cy 16- 40 Years	Defect Size	1 Low -
16 - 20 Metres	Target Hazard	2 Medii
Good	Hazard Score	4
Good	Hazard Rating	Low

um - Intermittent Use

- <10% Defects

- <15cm

16- 40 Years	16 - 20 Metres	Good	Good	80%
Useful Life Expectancy	Tree Height	Tree Health	Tree Form	Live Crown Ratio

00 00	Single	790	Exempt	Alex Quartley
LIVE CLOWII RAILO	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By

No Works Required

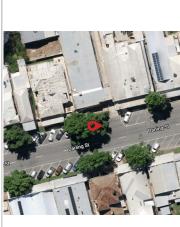
Works Required

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Works Require Approval

18 Jun 2024

Date







Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 5

ID: PGSA00013962 | Tue, 18 Jun 2024

## Tree Information

Good	16- 40 Years	
Vigour	Useful Life Expectancy	

16- 40 Years	16 - 20 Metres	Good	Good	
Useful Life Expectancy	Tree Height	Tree Health	Tree Form	

2 Medium - Intermittent Use

Target Hazard

Hazard Score

1 Low - <10% Defects

Failure Hazard

Hazard Assessment

1 Low - <15cm

Defect Size

%08	Single	890	Exempt	Alex Quartley
Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By



**Works Required** 

Hazard Rating



9 N

Works Require Approval

18 Jun 2024

Date







Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 6

ID: PGSA00013963 | Tue, 18 Jun 2024

## Tree Information

Good	16- 40 Years
Vigour	Useful Life Expectancy

Good	16- 40 Years	16 - 20 Metres	Good	Good	
Vigour	Useful Life Expectancy	Tree Height	Tree Health	Tree Form	

2 Medium - Intermittent Use

Target Hazard

Hazard Score

1 Low - <10% Defects

Failure Hazard

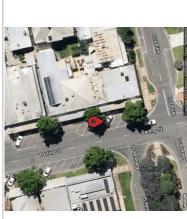
Hazard Assessment

1 Low - <15cm

Defect Size

80%	Single	770	Exempt	Alex Quartley
Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By





<ul> <li>No Works Required</li> </ul>
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**Works Required** 

Hazard Rating





Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd : Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 7

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	Jr	Good	
	ul Life Expectancy	16- 40 Years	

	Hazard Assessment	ent
Good	Failure Hazard	1 Low - <10% Defects
16- 40 Years	Defect Size	1 Low - <15cm
16 - 20 Metres	Target Hazard	2 Medium - Intermittent
Good	Hazard Score	4
Good	Hazard Rating	Low

Tree Height

Tree Health

Tree Form

ledium - Intermittent Use

%08	Single	006	Exempt	Alex Quartley	
Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By	

No Works Required

**Works Required** 

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Works Require Approval

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## Tree Information

Good	16- 40 Years	
Vigour	Useful Life Expectancy	

Hazaid Assessillein	
Failure Hazard	1 Low - <10% Defects
Defect Size	2 Medium - 15 - 45cm
Target Hazard	2 Medium - Intermittent L
Hazard Score	വ
Hazard Rating	Medium

16 - 20 Metres

**Free Height** 

Good

**Free Health** 

Good

Tree Form

%08

Live Crown Ratio



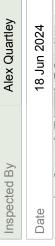
Single

Number of Stems

940

Stem Circ. (mm)

Works Required



Exempt

Legislative Status

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Works Require Approval











Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 9

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Good	16- 40 Years	
Vigour	Useful Life Expectancy	

Good	16- 40 Years	16 - 20 Metres	Good	Good	
Vigour	Useful Life Expectancy	Tree Height	Tree Health	Tree Form	

2 Medium - Intermittent Use

Target Hazard

Hazard Score

1 Low - <10% Defects

Failure Hazard

Hazard Assessment

1 Low - <15cm

Defect Size

%08	Single	810	Exempt	Alex Quartley
Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By

No Works Required

Works Required

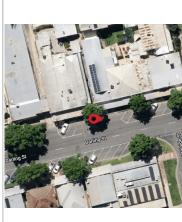
Hazard Rating

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Works Require Approval

18 Jun 2024

Date



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Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 10

ID: PGSA00013967 | Tue, 18 Jun 2024

## Tree Information

Useful Life Expectancy 16- 40 Years	Vigour	Good
	Ш	16- 40 Years

16- 40 Years	16 - 20 Metres	Good	Good	
Useful Life Expectancy	Tree Height	Tree Health	Tree Form	

2 Medium - Intermittent Use

Target Hazard

4

Hazard Score

1 Low - <10% Defects

Failure Hazard

Hazard Assessment

1 Low - <15cm

Defect Size

%08	Single	200	Exempt	Alex Quartley
Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By

No Works Required

Works Required

Hazard Rating





9 N

Works Require Approval

Date



Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 11

ID: PGSA00013968 | Tue, 18 Jun 2024

EDEN4

## Tree Information

Vigour	Good	Failure Hazard
Useful Life Expectancy	16- 40 Years	Defect Size
Tree Height	16 - 20 Metres	Target Hazard
Tree Health	Good	Hazard Score

%08	Single	830	Exempt	Alex Quartley
Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By





2 Medium - Intermittent Use

1 Low - <10% Defects

Hazard Assessment

1 Low - <15cm

<ul> <li>No Works Required</li> </ul>	

Works Required

Hazard Rating

Good

Tree Form

Girdling Root.

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Works Require Approval



Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 12

ID: PGSA00013969 | Tue, 18 Jun 2024

Tree Information	
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Good	16- 40 Years
Vigour	Useful Life Expectancy

	16- 40 Years	16 - 20 Metres	Good	Good	
5000	Useful Life Expectancy	Tree Height	Tree Health	Tree Form	

2 Medium - Intermittent Use

Target Hazard

4

Hazard Score

1 Low - <10% Defects

Failure Hazard

Hazard Assessment

1 Low - <15cm

Defect Size

18 Jun 2024	Date
Alex Quartley	Inspected By
Exempt	Legislative Status
069	Stem Circ. (mm)
Single	Number of Stems

9 N

Works Require Approval



	Good	y 16- 40 Years	16 - 20 Metres	Good	Good	%08	Single	069	Exempt	Alex Quartley
ree intormation	Vigour	Useful Life Expectancy	Tree Height	Tree Health	Tree Form	Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By

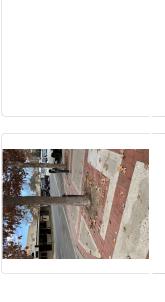
No Works Required

Works Required

Hazard Rating



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Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 13

ID: PGSA00013970 | Tue, 18 Jun 2024

EDEN4

## Tree Info

		T D
Vigour	Good	<u>Т</u>
Useful Life Expectancy	16- 40 Years	۵

1 Low - <10% Defects

2 Medium - 15 - 45cm

	Hazard Assessment	int
Good	Failure Hazard	-
cy 16-40 Years	Defect Size	2
16 - 20 Metres	Target Hazard	2
Good	Hazard Score	2
Good	Hazard Rating	M

2 Medium - Intermittent Use

Free Health

**Free Height** 



• 15% Weight Reduction On Lateral Required

Works Required

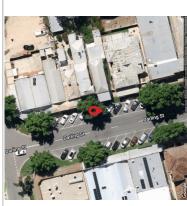
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Works Require Approval

18 Jun 2024

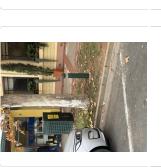
Date











Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 14

ID: PGSA00013971 | Tue, 18 Jun 2024

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Tree Information		Hazard Assessment	ent
Vigour	Good	Failure Hazard	7
Useful Life Expectancy 16- 40 Years	16- 40 Years	Defect Size	1
Tree Height	16 - 20 Metres	Target Hazard	2

2 Medium - Intermittent Use

1 Low - <10% Defects

1 Low - <15cm

16- 40 Years	16 - 20 Metres	Good	Good	%08	Single	880	Exempt
Useful Life Expectancy	Tree Height	Tree Health	Tree Form	Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status



No Works Required

Works Required

Hazard Rating

Hazard Score

9 N

18 Jun 2024

Date





Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 15

## Tree | Botanical Name: Eucalyptus saligna - Sydney Blue Gum

ID: PGSA00013972 | Tue, 18 Jun 2024

## Tree Information

Hazard Assessment

Good	16- 40 Years	
Vigour	Useful Life Expectancy	

2 Medium - 10 - 25% Defects

Failure Hazard

2 Medium - Intermittent Use

**Target Hazard** 

2 Medium - 15 - 45cm

Defect Size

0000	16- 40 Years	16 - 20 Metres	Good	Poor	
vigour	Useful Life Expectancy	Tree Height	Tree Health	Tree Form	

Poor	%08	Single	1680	Protected	Alex Quartley
Tree Form	Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By



Tree Overview

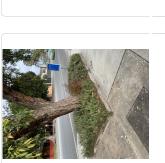


0	Medium
Hazard Score	Hazard Rating

Works Required

ž Works Require Approval

Reduce Large Epicormic Shoots In Upper Crown By 15%





Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 16

## Tree | Botanical Name: Eucalyptus saligna - Sydney Blue Gum

ID: PGSA00013973 | Tue, 18 Jun 2024

EDEN4

## Tree Information

Hazard Assessment

Good	16- 40 Years	
Vigour	Useful Life Expectancy	

2 Medium - 10 - 25% Defects

Failure Hazard

2 Medium - Intermittent Use

Target Hazard

9

Hazard Score

2 Medium - 15 - 45cm

Defect Size

Good	16- 40 Years	16 - 20 Metres	Good	Fair	
Vigour	Useful Life Expectancy	Tree Height	Tree Health	Tree Form	

80%	Single	1520	Protected	Alex Quartley
Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By



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Works Required

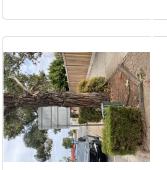
Hazard Rating

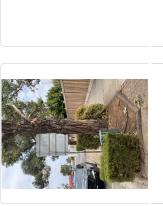


18 Jun 2024

Date

Reduce Large Epicormic Shoots In Upper Crown By 15%





Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 17

## Tree | Botanical Name: Eucalyptus saligna - Sydney Blue Gum

ID: PGSA00013974 | Tue, 18 Jun 2024

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Vigour

	Hazard Assessment	ent
Good	Failure Hazard	7
y 16- 40 Years	Defect Size	7
16 - 20 Metres	Target Hazard	2
Good	Hazard Score	4
Fair	Hazard Rating	Lo

2 Medium - Intermittent Use

1 Low - <10% Defects

1 Low - <15cm

16- 40 Years	16 - 20 Metres	Good	Fair	%08	Single	1630	Protected	Alex Quartley	
Useful Life Expectancy	Tree Height	Tree Health	Tree Form	Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By	

No Works Required

**Works Required** 



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Works Require Approval



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Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 18

## Tree | Botanical Name: Ficus rubiginosa- Rusty Leaf Fig

ID: PGSA00013975 | Tue, 18 Jun 2024

EDEN4

## Tree Information

Useful Life Expe

Vigour

Failure Hazard	Defect Size	Target Hazard	Hazard Score	Hazard Rating
Good	ectancy 16-40 Years	16 - 20 Metres	Good	Good

2 Medium - Intermittent Use

2

Prune out Deadwood to 30mm and Stubs

Single

Number of Stems

%08

Live Crown Ratio

Free Health

**Free Form** 

**Free Height** 

4900

Stem Circ. (mm)

Works Required

1 Low - <10% Defects

Hazard Assessment

2 Medium - 15 - 45cm

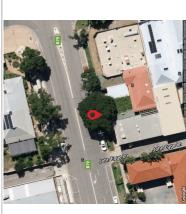


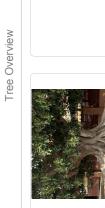
Protected

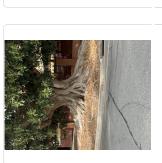
Legislative Status

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Works Require Approval







Tree

Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 19

Page 409

## Tree | Botanical Name: Ficus rubiginosa- Rusty Leaf Fig

ID: PGSA00013976 | Tue, 18 Jun 2024

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Good	16- 40 Years	
Vigour	Useful Life Expectancy	

16- 40 Years	16 - 20 Metres	Good	Good	
Useful Life Expectancy	Tree Height	Tree Health	Tree Form	

2 Medium - Intermittent Use

Target Hazard

Hazard Score

1 Low - <10% Defects

Failure Hazard

Hazard Assessment

1 Low - <15cm

Defect Size

80%	Single	1910	Protected	Alex Quartley
Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By

No Works Required

**Works Required** 

Hazard Rating



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Works Require Approval

18 Jun 2024

Date



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Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 20

## Tree | Botanical Name: Ficus rubiginosa- Rusty Leaf Fig

ID: PGSA00013977 | Tue, 18 Jun 2024

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Vigour

Useful Life Expectancy

**Free Height** 

nent		1 Low - <10% Defects	2 Medium - 15 - 45cm		2 Medium - Intermittent I Ise		ις	ר		Medium
Hazard Assessment		Failure Hazard	Defect Size	Delect Size	Target Hazard	מ מכר ומצמות	L01017 CC010	lazald Scole		Hazard Kating
	-	Good	16- 40 Years		16 - 20 Metres		poor		7000	0000

**Free Health** 

Tree Form

%08

Live Crown Ratio

## Works Required

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Single

Number of Stems

2850

Stem Circ. (mm)

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Works Require Approval

Alex Quartley

Inspected By

Protected

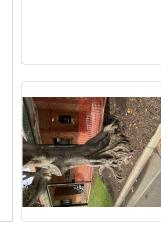
Legislative Status

18 Jun 2024

Date



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Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 21

ID: PGSA00013978 | Tue, 18 Jun 2024

## Tree Information

Good	16- 40 Years
Vigour	Useful Life Expectancy

	16- 40 Years	6 - 10 Metres	Good	Good	
)	Useful Life Expectancy	Tree Height	Tree Health	Tree Form	

2 Medium - Intermittent Use

Target Hazard

Hazard Score

1 Low - <10% Defects

Failure Hazard

Hazard Assessment

1 Low - <15cm

Defect Size

%07	Single	720	Exempt	Alex Quartley
Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By

No Works Required

Works Required

Hazard Rating



9 N

Works Require Approval





Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 22

ID: PGSA00013979 | Tue, 18 Jun 2024

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Good	16- 40 Years	
Vigour	Useful Life Expectancy	

ent	1 Low - <10% Defects	1 Low - <15cm	2 Medium - Intermittent Use	4	Low
Hazard Assessment	Failure Hazard	Defect Size	Target Hazard	Hazard Score	Hazard Rating

Good	16- 40 Years	6 - 10 Metres	Good	Good	
Vigour	Useful Life Expectancy	Tree Height	Tree Health	Tree Form	

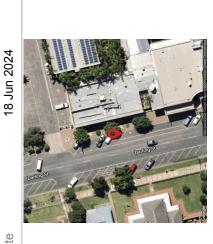
%02	Single	200	Exempt	Alex Quartley	18 Jun 2024
Live Crown Ratio	Number of Stems	Stem Circ. (mm)	Legislative Status	Inspected By	Date

No Works Required

Works Required

9 N

Works Require Approval







Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 23

ID: PGSA00013980 | Tue, 18 Jun 2024

## Tree Information

Hazard Assessment

16- 40 Years	6 - 10 Metres
Useful Life Expectancy	Tree Height

1 Low - <10% Defects	1 Low - <15cm	2 Medium - Intermittent Use	4	Low
Failure Hazard	Defect Size	Target Hazard	Hazard Score	Hazard Rating

## Works Required

Good

**Free Form** 

%02

Live Crown Ratio

Good

**Free Health** 

Single

Number of Stems

700

Stem Circ. (mm)

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Works Require Approval

Alex Quartley

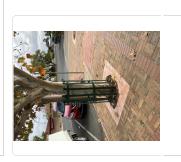
Inspected By

Exempt

Legislative Status



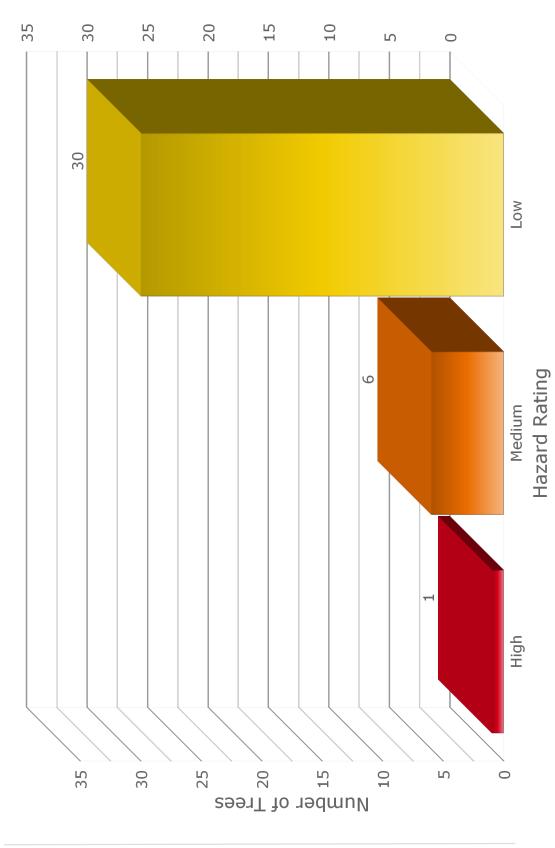




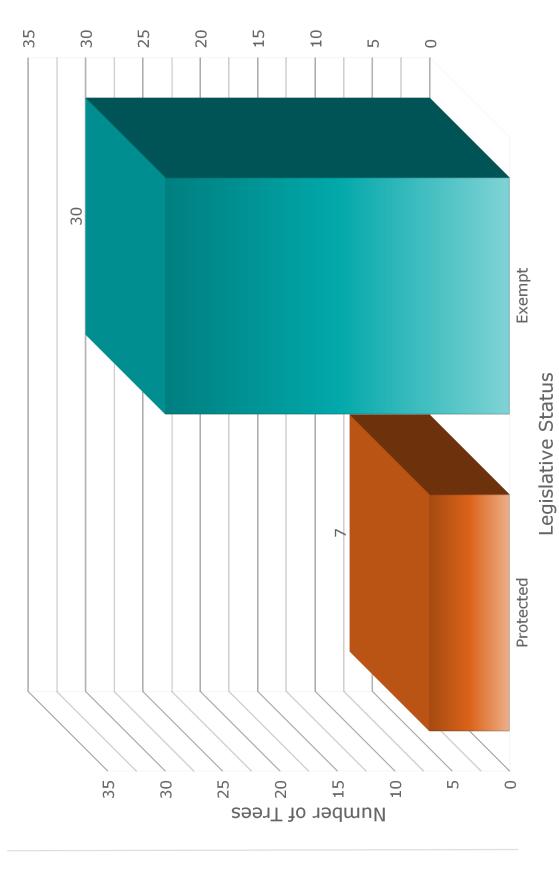
Appendix A: Mature Tree Schedule | Copyright Project Green Pty Ltd: Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council, Page 24

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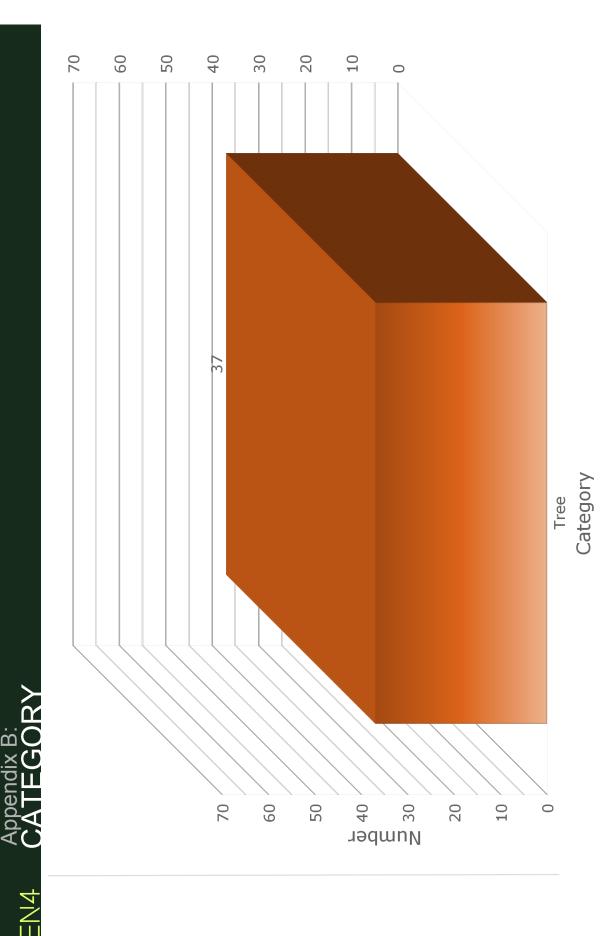






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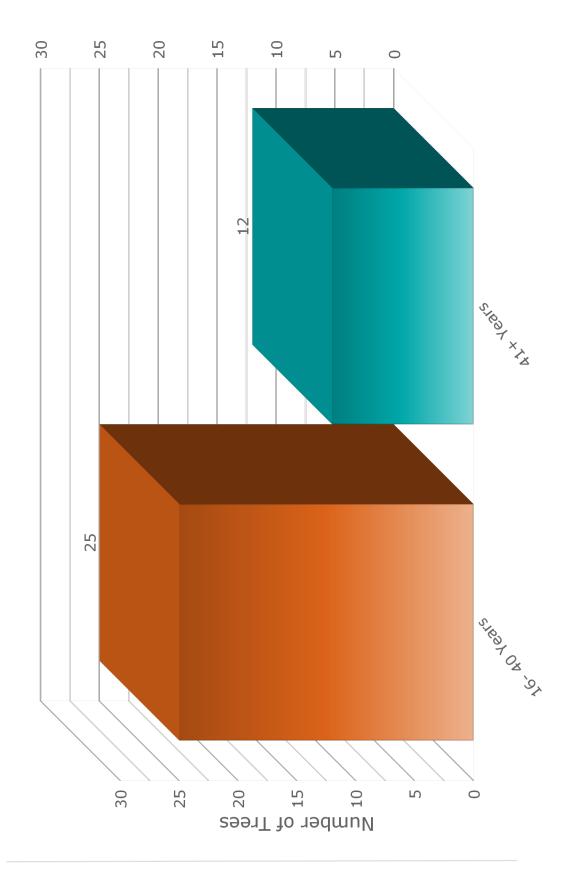
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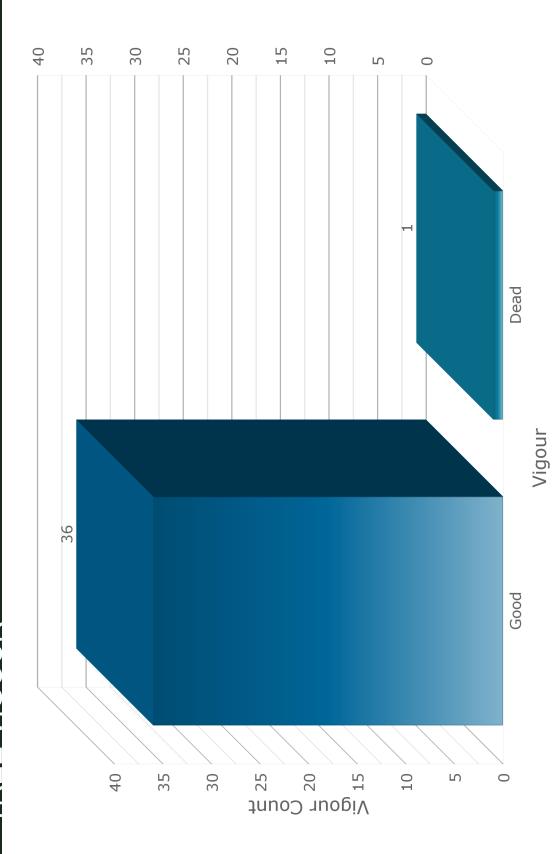
Copyright Project Green Pty Ltd : Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council

## Appendix B: DEN4 USEFUL LIFE EXPECTANCY

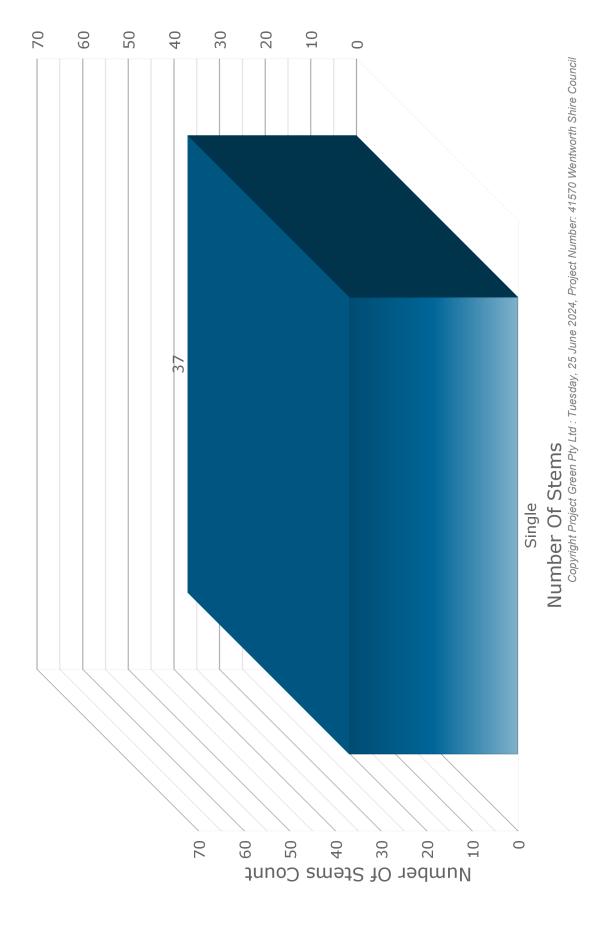


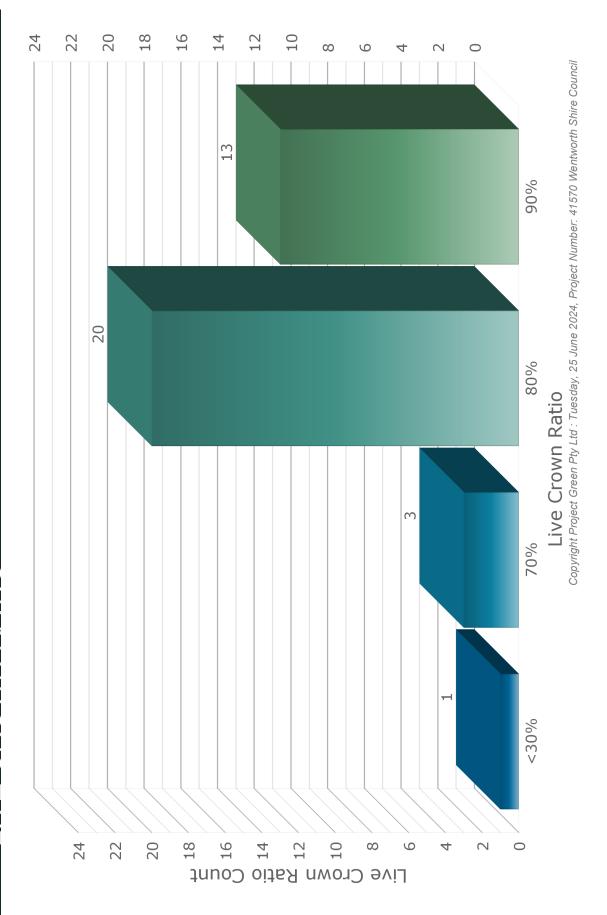
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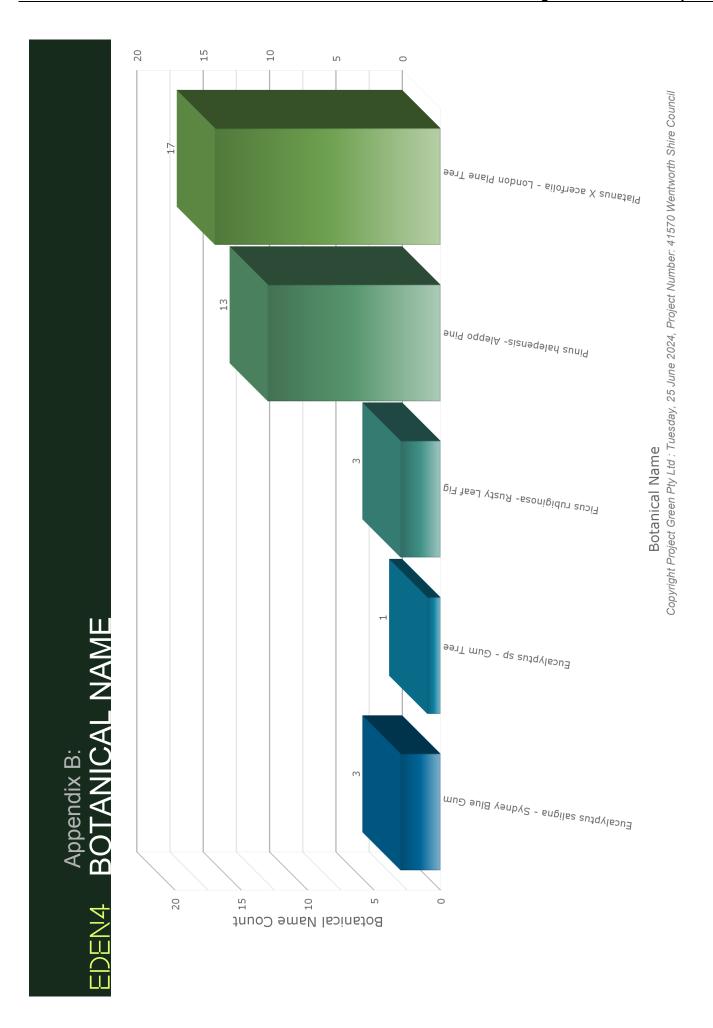
Copyright Project Green Pty Ltd : Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council

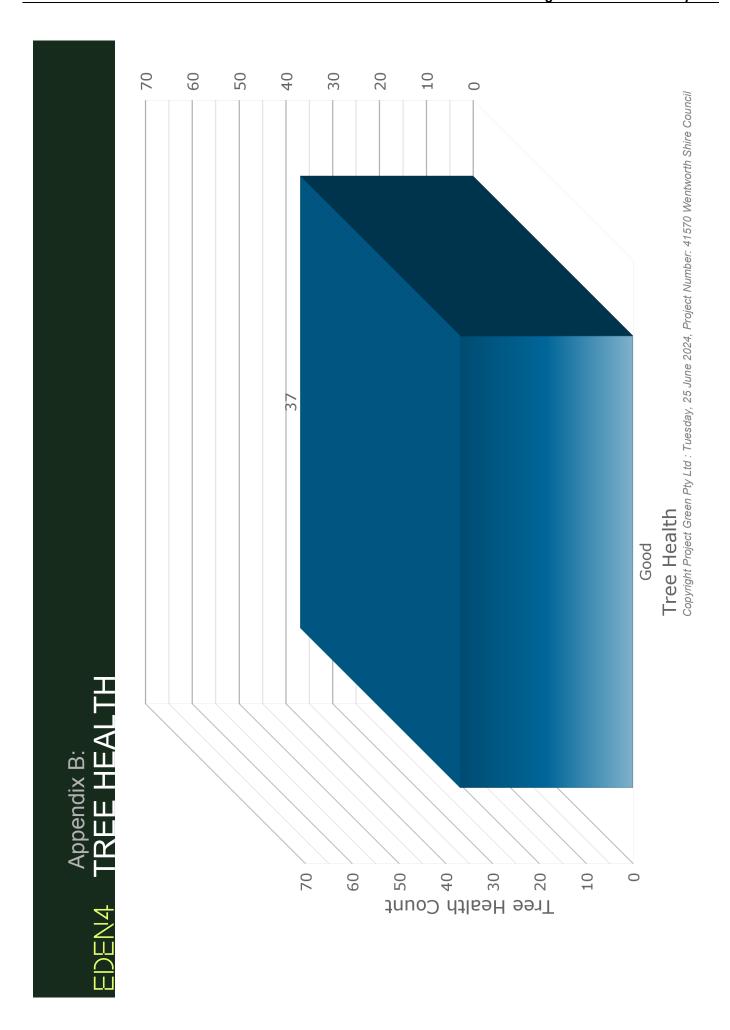












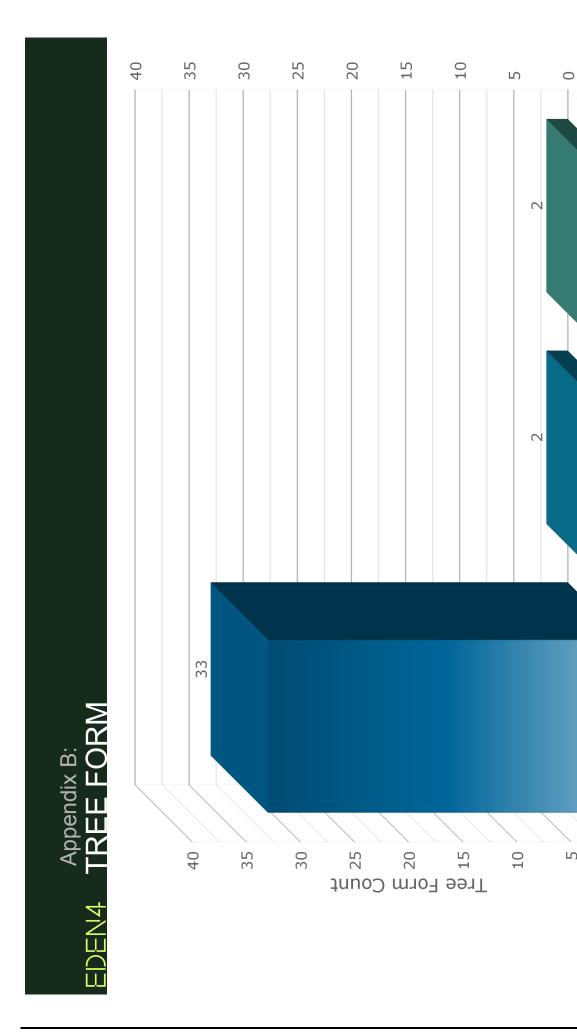
Copyright Project Green Pty Ltd : Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council

Fair Tree Form

Good

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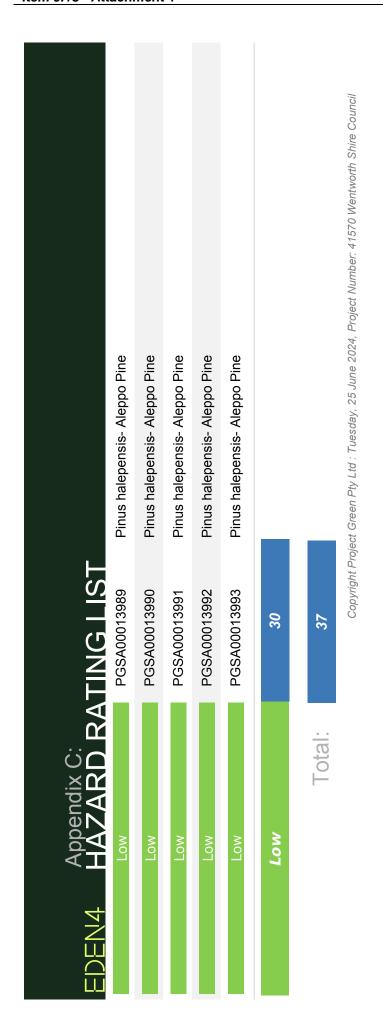
Poor



Page 425

EDEN4	Appendix C: HAZARD RATING	TINGLIST	
			High
	High	PGSA00013954	Eucalyptus sp - Gum Tree
	High	1	
		_	Medium
	Medium	PGSA00013965	Platanus X acerfolia - London Plane Tree
	Medium	PGSA00013970	Platanus X acerfolia - London Plane Tree
	Medium	PGSA00013972	Eucalyptus saligna - Sydney Blue Gum
	Medium	PGSA00013973	Eucalyptus saligna - Sydney Blue Gum
	Medium	PGSA00013975	Ficus rubiginosa- Rusty Leaf Fig
	Medium	PGSA00013977	Ficus rubiginosa- Rusty Leaf Fig
	Medium	9	
			Low
	Low	PGSA00013955	Platanus X acerfolia - London Plane Tree
	Low	PGSA00013959	Platanus X acerfolia - London Plane Tree
	Low	PGSA00013960	Platanus X acerfolia - London Plane Tree
	Low	PGSA00013961	Platanus X acerfolia - London Plane Tree
	Low	PGSA00013962	Platanus X acerfolia - London Plane Tree

FIDEN4	Appendix C:	TSI I SNIT	
	Low	PGSA00013963	Platanus X acerfolia - London Plane Tree
	Low	PGSA00013964	Platanus X acerfolia - London Plane Tree
	Low	PGSA00013966	Platanus X acerfolia - London Plane Tree
	Low	PGSA00013967	Platanus X acerfolia - London Plane Tree
	Low	PGSA00013968	Platanus X acerfolia - London Plane Tree
	Low	PGSA00013969	Platanus X acerfolia - London Plane Tree
	Low	PGSA00013971	Platanus X acerfolia - London Plane Tree
	Low	PGSA00013974	Eucalyptus saligna - Sydney Blue Gum
	Low	PGSA00013976	Ficus rubiginosa- Rusty Leaf Fig
	Low	PGSA00013978	Platanus X acerfolia - London Plane Tree
	Low	PGSA00013979	Platanus X acerfolia - London Plane Tree
	Low	PGSA00013980	Platanus X acerfolia - London Plane Tree
	Low	PGSA00013981	Pinus halepensis- Aleppo Pine
	Low	PGSA00013982	Pinus halepensis- Aleppo Pine
	Low	PGSA00013983	Pinus halepensis- Aleppo Pine
	Low	PGSA00013984	Pinus halepensis- Aleppo Pine
	Low	PGSA00013985	Pinus halepensis- Aleppo Pine
	Low	PGSA00013986	Pinus halepensis- Aleppo Pine
	Low	PGSA00013987	Pinus halepensis- Aleppo Pine
	Low	PGSA00013988	Pinus halepensis- Aleppo Pine



PGSA00013965

PG Number









Platanus X acerfolia - London Plane Tree

Botanical Name

Hazard Rating

Exempt

egislative Status

Approval Required

Notes

Prune Rubbing Limbs

Norks Required

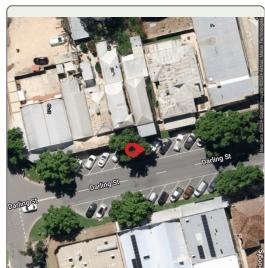
## Appendix D: Wentworth Shire Council 26-28 Adelaide Street

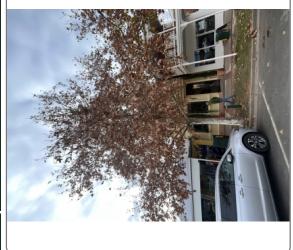
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PGSA00013970

PG Number







Platanus X acerfolia - London Plane Tree

Botanical Name

Hazard Rating

Exempt

egislative Status

Approval Required

Vorks Required



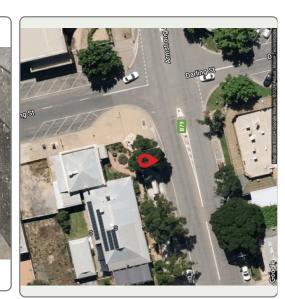
Notes

Copyright Project Green Pty Ltd : Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council 2

• 15% Weight Reduction On Lateral Required

## ire Council 26-28 Adelaide Street







Reduce large epicormic shoots in upper crown by 15%

Copyright Project Green Pty Ltd : Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council 3

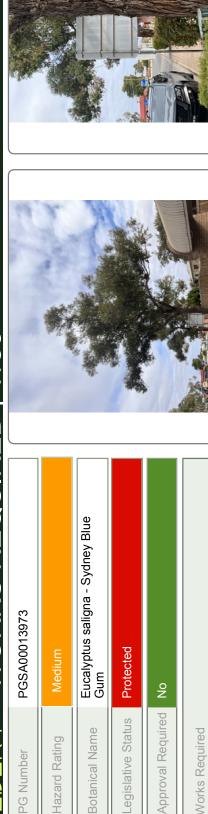
Prune out Deadwood to 30mm and Stubs
 Prune off Epicormic Growth

Approval Required

Norks Required

# ire Council 26-28 Adelaide Street

PG Number







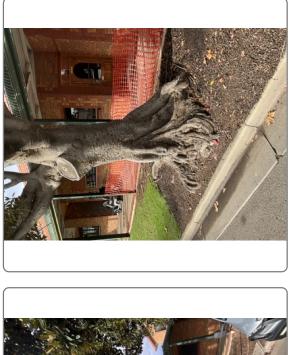
Reduce large epicormic shoots in upper crown by 15%

Copyright Project Green Pty Ltd : Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council 4

Prune off Epicormic Growth













Ficus rubiginosa- Rusty Leaf Fig

Botanical Name

Hazard Rating

**Protected** 

egislative Status

Approval Required

PGSA00013977

PG Number

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Works Required

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Copyright Project Green Pty Ltd : Tuesday, 25 June 2024, Project Number: 41570 Wentworth Shire Council 6

Notes

### Appendix D: Wentworth Shire Council 26-28 Adelaide Street WORKS REQUIRED | Tree

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Page 435



19 July 20234

Wentworth Shire Council 26-28 Adelaide St WENTWORTH NSW 2648

Site: Darling St, WENTWORTH Project Green ref: \$41570

### ADDITIONAL ADVICE ON TRESS - DARLING ST, WENTWORTH - Addendum

Council have asked Project Green to include advice within the report S41570 regarding root excavation on listed trees below:

'Upon inspection, we have noticed there are several trees within the report that are causing a disturbance to the footpaths. The majority of these trees are London Plane tree's which are renowned for their vigorous root systems and resistance to disturbance. However, it is generally not advised to disturb anywhere within the Structural Root Zone and no more than 10% (Australian Standard) of the Tree Protection Zone to avoid adverse impact the health and stability of the tree. Considering advise to not disturb Structural Root Zone (SRZ) and Tree Protection Zone (TPZ) of 10% encroachment of trees in question, installation of root barriers witout pruning of major roots and causing health and stability of the trees

We have also noticed gutter disturbance caused by a row of large Aleppo Pines, the gutters are in close proximity to the trees making it impossible to re-instate without encroaching the structural root zone. This would pose risk to the health and stability of the trees.

The three Fig trees featured in the report are also causing a disturbance to the footpath. These tree's would not respond well to any root disturbances based on their age, species and current display of health. It would be advisable to look for alternative footpath options, remove the trees or accept a level of risk from disturbing the root zones.

We are recommending an Arboriculture Impact Assessment be undertaken to establish structural root zones, tree protection zones and an acceptable level of encroachment for each tree before undergoing any excavation works.'

Project Green Pty Ltd  $ABN: 78\ 088\ 402\ 706$ 

25-27 Ceafield Road Para Hills West South Australia 5096

**Telephone** 8283 1300 Fax 8258 1933

Email admin@projectgreen.net.au Web www.projectgreen.net.au





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### Tree ID of trees in question, advice above given on extra trees also:

- PGSA00013955
- PGSA00013959
- PGSA00013960
- PGSA00013961
- PGSA00013962
- PGSA00013963
- PGSA00013964
- PGSA00013965
- PGSA00013966
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Acknowledgement Report prepared and written by:

**Alex Quartley** 

Dip. (Arboriculture)

Certified Tree Risk Assessor (TRAQ ISA) Registered VALID Tree Risk Assessor



Darling Street Footpath upgrade & consultation report

May 2024

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### **OVERVIEW**

The NSW Government grant funding program *Resources for Regions* has been operating since 2012, this program provides funding to communities across regional NSW to support the ongoing prosperity of mining communities in the region, by providing economic opportunities to improve local amenity for positive social outcomes.

One of the projects identified was to Upgrade the footpath in Wentworth shopping precinct, located along Darling Street with adjoining streets at both ends which are Sandwych and Adelaide Streets. This area has been identified as a potential tripping hazard due to roots from nearby London Plane tree's uplifting the concrete footpath along Darling Street.

The scope of the footpath upgrade would be to remove existing paving & concrete, and the 12 x London plane trees that have been damaging services to nearby buildings. Council would also propose the installation of new decorative concrete paths which would span 3m wide.

Council's draft project proposal proposed to remove the Plane trees and replace them with 12 x medium sized evergreen native trees, project budget would be an estimate \$450k. Council would also look at installing a pergola structure either side of the main pedestrian crossing located halfway down Darling Street.

Main goal for the replacement of footpaths in the Wentworth CBD will be to upgrade the surface, improve community safety and create a well-used connective pathway for all resident & tourist in the Wentworth community.

As part of Wentworth Shire Council Community Engagement Strategy, community members were invited to be part of the consultation process, to provide feedback and be involved in the engagement process, ensuring public concerns are considered within the decision making.

### **CONSULTATION METHODOLOGY**

Information regarding the Darling Street Tree upgrade project was delivered to community from the 2 May 2024 to 17 May 2024. Council provided several consultation methods in which residents could access information and provide feedback about the project. Council information was delivered via an online comment form, Council's website, directed emails, Media Release, Facebook, and flyers.

Council facilitated two local pop-up sessions on the 2 & 3 May 2024. The first sessions on 2 May was at Darling Street, Wentworth and the second session on 3 May was at Wentworth Memorial Rooms. The Council staff involved in these sessions provided hard copy surveys on the day and directed community members towards Councils QR code on Council flyers, staff were also available to answering questions or concerns from community.

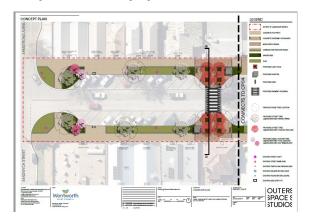
Council staff sent individual emails out to all business & stakeholders who would directly be affected by the proposed upgrade changes to Darling Street in Wentworth CBD.

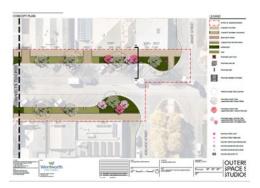
### Hard copy survey & Flyer



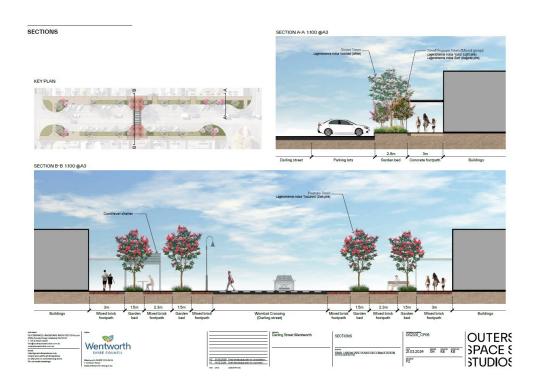


### **Proposed concept plans**





### **Proposed concept plans**





LANDSCAPE SELECTIONS

### FOOTPATH







WOMBAT CROSSING



DIVERWAY CROSSOVER



SHELTER





### **STAKEHOLDERS**

Council pop-up sessions on the 2 May, obtained feedback from business owners in Darling Street & local community members. Council staff spoke to 30 people, a combination of positive & negative feedback was received about the proposed new footpath and replacement of the Plane trees.

Council also sent a personalized email out to 220 business owners, and stakeholders in the Shire area, with an attached link to a feedback sheet and closing date of Council receiving feedback.

### **SUMMARY OF CONSULTATATION FINDINGS**

The key issues arising from the Community consultation.

- Removal of London Plane trees in Darling Street
- Corner of Sandwych Street needing repairs as it is unsafe and a tripping hazard.
- Extending footpath renovation from Darling Street through to Caravan Park
- Loss of shade & ambiance to Wentworth CBD
- Community agrees footpath needs upgrading.

### PROVIDING FEEDBACK

The community, stakeholders could provide feedback through:

- · completing online feedback sheet
- hard copy feedback sheet
- face-to-face conversations at pop-ups and workshops
- calling Council through the Customer Service Centre
- providing formal written feedback online or by mailing written submissions.

### **COMMUNITY SURVEY OUTCOMES**

Wentworth Shire Council received 84 written feedback survey, 445 online signatures and 131 hard copy signatures to save Darling Street trees.

Feedback received was agreement with upgrading footpath and other changes identified in proposed concept plan, but the majority of the feedback was to keep the Plane trees in Darling Street.

### **Survey Data**

Online survey	Results	Petition	Online
Mildura & Surrounding area.	148	79	84
Melbourne	98		
Adelaide	12		
Sydney	37		
Brisbane	16		
Perth	14		
Other towns in Australia	51	8	
Oversea's	15		

### Data numbers to remove & retain trees.

Hardcopy survey wanting to remove tree.	Hardcopy survey Wanting to keep trees.	Wentworth residents hard copy survey	Other issues
9	35	35	7
	Written Local Petition Survey	Wentworth residents Petition Survey	
	33	24	
Written Signature from out of the area	Written Signature Wentworth Locals & Mildura area	Written Signature	

		Wentworth residents	
28	103	18	
Online signature from out of town	Online signature Wentworth locals & Mildura area	Wentworth residents Online Signature	
297	148	33	
Total number of surveys	660		
Actual number of people wanting to keep trees	Actual number of people wanting to keep the trees from Wentworth local & surrounds	Wentworth Resident wanting to keep trees	Number of people wanting trees to be removed
644	319	110	16

### Shop owners' feedback

Crown Hotel	Remove Tree
Wheeldons Hardware	Keep trees
Kiely's Takeaway & Outback Diner	Keep trees
Wentworth News & Tatts	Keep trees
Curly Tree	Keep trees
Wattle Hill Collective	Keep trees
Leather shop	Keep trees
Weaving shop	Remove trees
The Community Bank Wentworth & District	No comment on trees
Weir 10 restaurant	Keep trees
Royal Hotel	No feedback
Eclectic Closet	Remove trees

### **COMMUNITY FEEDBACK & SUGGESTIONS**

- Water source for filling drink bottles/dog water bowl. Happy with shelter
- The Community Bank Wentworth & District purchased the existing fish seats which are located in several positions along Darling Street. These seats have become landmarks within the Street, and we feel strongly that they must be retained in the current locations.
- The proposed plan indicates an outdoor shelter is to be located outside the Community Bank Branch, directly in front of the ATM machine. We feel that this outdoor shelter could potentially become a security and safety issue as it may encourage people to loiter outside the bank and the ATM.
- Connecting pathway from the Caravan Park development to the CBD? Wheelchair access is provided within the park but the connectivity between Town and the Park for anybody who is not fully able is non-existent.
- Greening Mildura our members have taken photos of the trees and provided them to Mildura Rural City Council staff and Councillors on a number of

occasions over the last 15 years as an example of excellent street tree planting, care and maintenance.

### Council reported tripping hazard & fall data.

Information reported to Council, and entered through *content manager system*, this data showing more tripping incidents on Sandwych Street than Darling Street.

Dated below from 2006 to 2024.

Reported tripping hazard Darling Street Wentworth	09/12/2020
Uneven footpath Darling Street Wentworth	07/12/2020
Raised footpath - Tripping hazard - Beside Royal Hotel & Crown Hotel	26/09/2017
Tripping Hazard Darling Street	15 /02/2011
Bricks on Corner of Darling Street & Sandwych Street outside post office	17/09/2014
have lifted causing uneven dangerous surface	
Community Member falling in Darling st	25/09/2006
26 Sandwych Street - loose pavers Trip hazard	14/12/2017
Footpath outside Crown Hotel beer garden uneven and causing tripping	27/02/2013
hazard 2 ladies tripped Sandwych Street	
Sandwych Street Wentworth - Footpath needs repairing	30/08/2012
Sandwych Street in April	5/04/2024

### **COUNCIL RISK**

Wentworth Shire Council has a duty of care to take reasonable measures within budget limitations to manage the risks arising from trees on all land under Council's control.

Council Tree Management operational policy addresses community risk through routine tree maintenance and tree removal that poses an imminent and serious threat to the safety of persons, animals, property, or the operation of vehicles. This Policy provides for the management of risks arising from:

- Tree failure potentially causing injury to people and/or property damage.
- Tree roots causing and/or likely to cause damage to property such as buildings and structures.
- Tree inspections
- Reactive inspections
- Proactive schedule: inspections based on the species, age, general health, location and risk rating of the tree and the community use of the area.

### **RECOMMENDATIONS**

Through information & feedback received from Council consultation on the proposed footpath upgrade in Wentworth shopping precinct, community members & visitors articulated they were pleased to have the footpath upgraded. However, community & visitors wish to retain the London Plane trees that line Darling Street. Additional feedback also came from several shop owners in the street, asking to have the Plane trees removed due to the direct impact on their business, footpaths and infrastructure on their premises.

Due to data and evidence obtained through this consultation process, Council may consider alternative solutions to address community concerns.

### **Alternative solutions**

- Independent Arborist Assessment Council to look at engaging an independent arborist
  to provide knowledge and expertise on the best course of action to maintain or remove
  Plane trees in Darling Street, Wentworth.
  - An independent arborist will be able to gather all relevant information and determines the appropriate method of appraisal and provides an unbiased valuation of the next course of action in moving forward for Council.
- **Root Grinding** The grinding of roots to allow for the reinstatement of kerbing and footpath. This leaves a substantial part of the root intact for stability and absorption.
- **Selective Root Pruning** The severing and removal of sections of visible roots that may be causing physical damage e.g. a root lifting the footpath, kerbing, or masonry fence.
- Root Barriers –Installing a physical membrane to prevent roots from growing towards infrastructure/property. These are often moisture membranes to prevent the drying of soils around footings.
- Concrete footpaths: Increasing the proposed 100mm thick concrete footpath by 50mm and installing heavier grade mesh will provide additional strength and resistance to pathway cracking from continued root growth.

### Policies and strategic

- Wentworth Council Street Trees Policy
- Wentworth Shire Council Community Engagement Strategy
- Community Participation Plan
- Wentworth Shire Our Future in Focus Community Strategic Plan 2022-2032

### 9.14 PROJECT & WORKS UPDATE - AUGUST 2024

File Number: RPT/24/463

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Jamie-Lee Kelly - Administration Officer

Objective: 3.0 Wentworth Shire is a community that works to enhance and

protect its physical and natural environment

Strategy: 3.2 Ensure that community assets and public infrastructure are

well maintained

### **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 months of July 2024 and the planned activities for August 2024.

### **Recommendation**

That Council receives and notes the major works undertaken in July 2024 and the scheduled works for the following month.

### **Detailed Report**

Refer below for updates of the works completed in July 2024, and the planned activities for August 2024.

Project and \	Works Update for <b>July 2024</b>
Roads	<ul> <li>Maintenance Grading</li> <li>Works scheduled were completed on the Renmark, Rufus River, Anabranch Mail and Tooperoopna Roads.</li> <li>Arumpo Road</li> <li>Design ongoing.</li> <li>Base earthworks are continuing onsite with the use of two landplanes shaping the new road formation. Currently approximately 13kms has been completed and will continue heading North East towards Mungo National Park.</li> <li>Contractor commenced crushing and pugging of material onsite 11 June and will continue until approx. 120,000 tonnes are complete.</li> <li>New culverts have commenced being installed and will continue until all are complete.</li> <li>Local Road Maintenance</li> <li>General maintenance on our local roads including replacing guideposts, tree trimming, shoulder grading and pot hole repairs.</li> </ul>
Projects	<ul> <li>District Bulk Metering</li> <li>Quotation documents being prepared.</li> <li>Acoustic leak detection received and receiving staff training.</li> <li>3G to 4G Upgrade for Water and Wastewater Infrastructure</li> <li>Alarm Management Strategy updated and workshopped.</li> <li>Awaiting switchboard audit report, preliminary findings detail that</li> </ul>

vermin entry is problematic.

### Junction Island Footpath

- Open for public use
- Additional rail on bridge designed.

### Wentworth Camp Kitchen

 Review of plans underway with the Wentworth Showgrounds User Groups.

### Pooncarie Camp Kitchen

• Quotation documents being prepared.

### Wentworth Rowing Club Building

- Internal fit out of showers underway.
- Funding confirmed and preparation of quotation documents can commence.

### Pink Lake

- Review of Environmental Factors in progress.
- Land tenure issues progressing, meeting held with NSW Local Aboriginal Lands Council.

### Willow Bend Caravan Park

- Placement of loam across remaining site in readiness for internal fencing, turf and seeding.
- Additional footpaths and handrailing constructed.
- · Repairs and restoration to relocated buildings.
- Internal fencing materials procured.
- Boom gate foundations constructed.
- Traffic Management review underway
- Setout of cabins on eastern riverfront.

### **Amenities Blocks**

- Survey set out of foundations.
- Washers and Dryers delivered for Pooncarie Amenities.

### Rose Street Stormwater - Stage 1

- Awarded to Capogreco Excavations.
- Kick off meeting planned.

### **Buronga Riverfront Toilet Block Services**

- Awarded to Capogreco Excavations.
- Kick off meeting planned.
- Electrical connection investigation continuing.

### Pooncarie Toilet Block

- Survey set out of foundations.
- Quote documentation prepared for reln drain.

### James King Park Retaining Wall and Footpath

- Timber sleepers delivered and installed to upstream wall.
- Small retaining wall for footpath completed.

### Dareton to Namatjira Sharedway

Confirmation from Essential Energy that proposed solar lighting design

### Projects

is acceptable.

Solar Lighting awarded to Cummins and Noonan Electrical.

### **Buronga Shared Path**

Final inspection Complete.

### **Projects**

### **Dareton Sewer Pump Station No. 2**

- Awarded to Waters Excavations.
- Kick off meeting held.
- Pump Station Wet Well ordered.

### George Gordon Oval Lighting Upgrade

- Quotation out to market.
- Site meeting held.

### Projects and Works scheduled for August 2024

### Arumpo Road 24.5km

- · Design testing and minor amendments ongoing.
- Installation of culverts to continue.
- Pushing up of material in the last of 4 pits.
- Contractor to continue crushing and pugging of material onsite
- Base earthworks are continuing onsite with the use of two landplanes shaping the new road formation.
- Council trucks to commence placing the first 100mm layer of gravel

### Roads

### Maintenance Grading

 Works scheduled to be completed on the Nobb and High Darling Roads.

### Local Road Maintenance

 Given the large volume of road construction projects previously being undertaken, Council propose to utilize the available labour force to complete a large number of outstanding defects including guideposts, pothole repairs and tree trimming across our network.

### District Bulk Metering

Quote to go out to market and be awarded.

### 3G to 4G Upgrade for Water and Wastewater Infrastructure

Switchboard Audit report required to conclude this project scope.

### Wentworth Camp Kitchen

### **Projects**

- Feedback compiled on comments to the design and shared with Community User Groups.
- Quotation documents prepared.
- Construction proposed to commence following the Wentworth Races.
- Pooncarie Camp Kitchen
- Quotation documents out to market.
- Construction proposed to commence following the Pooncarie Races.

### Wentworth Rowing Club Building

- Internal fit out of showers complete.
- Quote documentation prepared.

### Pink Lake

- Review of Environmental Factors to be completed.
- Land tenure issues to progress with a meeting with Dareton Local Aboriginal Land Council.

### **Projects**

### Willow Bend Caravan Park

- · Additional eastern areas to have roll-out turf.
- Internal fencing to be constructed.
- Previous cabins to be returned to caravan park.
- Boom gates to be installed.
- Traffic signage and line marking.

### **Amenities Blocks**

• Pooncarie and Buronga Toilet Block foundations to be constructed.

### Rose Street Stormwater - Stage 1

• Planning and ordering of materials including stormwater pipes.

### **Buronga Riverfront Toilet Block Services**

- Planning and ordering of materials including wet well and pumps
- Sewer rising main to commence construction.

### Pooncarie Toilet Block

• RFQ for reln drain to go out to market and be awarded.

### James King Park Retaining Wall and Footpath

- Western wall to be constructed.
- Stairs to be installed.
- Beach sand to be reinstated.
- Asphalt to be placed to complete footpath.
- Eastern wall and associated beach to be completed.

### **Dareton to Namatjira Sharedway**

- Fabrication of light poles to commence.
- Light locations to be confirmed including avoidance of underground water and sewer with foundations.

### **Attachments**

- 1. Arumpo Road 1.
- 2. Arumpo Road 2.
- 3. Willow Bend Caravan Park
- 4. Willow Bend Caravan Park & James King Park Retaining Wall and Footpath J.
- 5. James King Park Retaining Wall and Footpath.

Item 9.14 - Attachment 1 Arumpo Road 1





Item 9.14 - Attachment 2 Arumpo Road 2

















- 10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE Nil
- 11 CONCLUSION OF THE MEETING

**NEXT MEETING**