



# WENTWORTH SHIRE COUNCIL

Notice is hereby given, in accordance with the provisions of the Local Government Act 1993 that an **ORDINARY MEETING** of Wentworth Shire Council will be held in the **WENTWORTH SHIRE COUNCIL CHAMBERS, SHORT STREET, WENTWORTH**, commencing at **6:30 PM**.

*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**

## **17 AUGUST 2022**

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**1 OPENING OF MEETING**

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

**2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY**

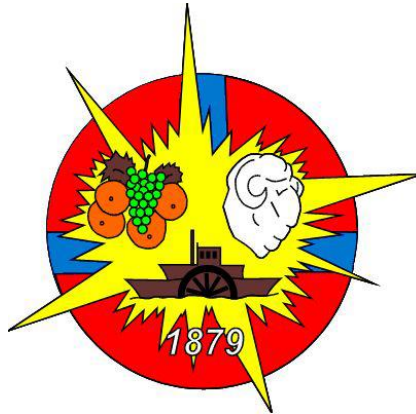
**3 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE**

**4 DISCLOSURES OF INTERESTS**

**5 CONFIRMATION OF MINUTES**

**Recommendation**

That the Minutes of the Ordinary Meeting held 20 July 2022 be confirmed as  
circulated.



# **WENTWORTH SHIRE COUNCIL**

## **ORDINARY MEETING MINUTES**

**20 JULY 2022**

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## 1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 6:34pm.

## 2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

### PRESENT:

**COUNCILLORS:** Councillor Tim Elstone (Mayor)  
Councillor Brian Beaumont  
Councillor Steve Cooper  
Councillor Peter Crisp  
Councillor Steve Heywood  
Councillor Daniel Linklater  
Councillor Susan Nichols  
Councillor Jo Rodda (Via Video Conference)

**STAFF:** Ken Ross (General Manager)  
Matthew Carlin (Director Health and Planning)  
Geoff Gunn (Director Roads and Engineering)  
Simon Rule (Director Finance and Policy)  
Gayle Marsden (Executive Assistant to General Manager)

## 3 APOLOGIES AND LEAVE OF ABSENCE

Nil

## 4 DISCLOSURES OF INTERESTS

Director Roads And Engineering has declared a pecuniary interest in Supplementary Agenda Item 12.2 as his son in law is a Contractor and as such the Director Roads and Engineering has been precluded from the entire Tender process for this item.

## 5 CONFIRMATION OF MINUTES

### Recommendation

That the Minutes of the Ordinary Meeting held 29 June 2022 be confirmed as circulated.

### Council Resolution

That the Minutes of the Ordinary Meeting held 29 June 2022 be confirmed as circulated.

**Moved Cr Crisp, Seconded Cr Beaumont**

**CARRIED UNANIMOUSLY**

## 6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

### 6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/22/426

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

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

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

#### Summary

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

#### Officer Recommendation

That Council receives and notes the list of outstanding matters as at 13 July 2022.

#### Council Resolution

That Council receives and notes the list of outstanding matters as at 13 July 2022.

**Moved Cr. Nichols, Seconded Cr Crisp**

**CARRIED UNANIMOUSLY**

## **7 MAYORAL AND COUNCILLOR REPORTS**

### **7.1 MAYORAL REPORT**

File Number: RPT/22/425

#### **Summary**

The Mayoral report is to advise Council of meetings, conference and appointments undertaken by Mayor Elstone for the period 22 June 2022 – 12 July 2022.

#### **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. Elstone , Seconded Cr. Heywood**

**CARRIED UNANIMOUSLY**

## 8 REPORTS FROM COMMITTEES

Cr Nichols provided a verbal report from the Australian Local Government Women's Conference.

Cr Rodda provided a written report from the Australian Local Government Women's Conference.

### **Council Resolution**

That Council receive and note the reports from Cr Nichols and Cr Rodda.

**Moved Cr. Nichols, Seconded Cr Linklater**

**CARRIED UNANIMOUSLY**

## 9 REPORTS TO COUNCIL

### 9.1 GENERAL MANAGERS REPORT

File Number: RPT/22/427

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

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

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

#### **Summary**

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

1. OLG Circulars
2. Meetings  
As listed
3. Upcoming meetings or events  
As listed
4. Other items of note

#### **Recommendation**

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

#### **Council Resolution**

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

**Moved Cr. Heywood, Seconded Cr Cooper**

**CARRIED UNANIMOUSLY**

**9.2 SUNRAYSIA SAFARI RALLY 2022 REQUEST FOR SPONSORSHIP**

File Number: RPT/22/364

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

CSP Goal: 2.0 Wentworth is a desirable Shire to visit, live, work and invest  
Delivery Program Objective: 2.1 Grow visitation to the Shire by developing a quality visitor experience and promoting our destination  
Delivery Program Strategy: 2.1.1 Provide Visitor Information Services

**Summary**

Council is in receipt of a request to provide financial and in-kind sponsorship for the 2022 Sunraysia Safari Cross Country Rally. It is proposed to hold the Rally within the Wentworth Shire region from Wednesday 7 September 2022 to Saturday 10 September 2022 inclusive, subject to venue availability. Council approved financial support for the 2020 and 2021 Rally however, due to COVID-19 the events did not occur and therefore the funds were not provided.

**Recommendation**

That Council provide financial support in line with one of the options identified within this report to the 2022 Sunraysia Safari Cross Country Rally on the condition the event proceeds.

**Council Resolution**

That Council provide financial support to the value of \$20,000.00 (ex GST) plus in-kind support to the 2022 Sunraysia Safari Cross Country Rally on the condition the event proceeds and that a copy of an audit report to ascertain the financial benefit to the Shire community be provided after the event.

**Moved Cr Linklater, Seconded Cr Beaumont**

**CARRIED UNANIMOUSLY**

**9.3 LGNSW 2022 ANNUAL CONFERENCE**

File Number: RPT/22/424

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

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

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

**Summary**

The Local Government New South Wales 2022 Annual Conference is being held from Sunday 23 October 2022 to Tuesday 25 October 2022 at the Crowne Plaza Hunter Valley. This forum is the main local government policy making forum for Local Government New South Wales. Council has previously been represented by the Mayor and General Manager at the Conference.

**Recommendation**

That Council determines the attendees to the Local Government New South Wales 2022 Annual Conference 23 October 2022 - 25 October 2022 and nominates Council's voting delegate.

**Council Resolution**

That Council nominates the Mayor and General Manager to attend to the Local Government New South Wales 2022 Annual Conference 23 October 2022 - 25 October 2022 and nominate the Mayor as Council's voting delegate.

**Moved Cr Cooper, Seconded Cr Heywood**

**CARRIED UNANIMOUSLY**

**9.4 MURRAY DARLING ASSOCIATION 78TH NATIONAL CONFERENCE AND ANNUAL GENERAL MEETING**

File Number: RPT/22/423

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

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

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

**Summary**

The Murray Darling Association's 78<sup>th</sup> National Conference and Annual General Meeting is being held from the 19-21 September 2022 in Albury. The focus of the Conference is, 'Economics, Dams and Infrastructure'. Traditionally Council nominates its Murray Darling Association representatives to attend the Conference and Annual General Meeting.

**Recommendation**

That Council nominates the Murray Darling Association representatives to the Murray Darling Association's 78<sup>th</sup> National Conference and Annual General Meeting from 19-21 September 2022.

**Council Resolution**

That Council nominates the Mayor, Cr Linklater and Cr Heywood to attend the Murray Darling Association's 78<sup>th</sup> National Conference and Annual General Meeting from 19-21 September 2022.

**Moved Cr Crisp, Seconded Cr Cooper**

**CARRIED UNANIMOUSLY**

**9.5 MONTHLY FINANCE REPORT**

File Number: RPT/22/433

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 2022 were \$ 325,698.48. After allowing for pensioner subsidies, the total levies collected are now 91.56%. For comparison purposes 91.87% of the levy had been collected at the end of June 2022. Council currently has \$43,739,303.13 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. Nichols, Seconded Cr Linklater**

**CARRIED UNANIMOUSLY**

**9.6 MONTHLY INVESTMENT REPORT**

File Number: RPT/22/421

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Bryce Watson - Accountant

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

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

**Summary**

As at 30 June 2022 Council had \$38 million invested in term deposits and \$5,739,303.13 in other cash investments. Council received \$28,281.97 from its investments for the month of June 2022.

In June 2022 Council investments averaged a rate of return of 1.59% and it currently has \$8,400,217.07 of internal restrictions and \$28,019,146.57 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. Nichols, Seconded Cr Linklater**

**CARRIED UNANIMOUSLY**

**9.7 REQUEST TO CHANGE CATEGORISATION OF CROWN RESERVES 6 & 85836**

File Number: RPT/22/349

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

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

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

**Summary**

The Crown Lands Plan of Management is in its final stages and Council is preparing to apply to the Minister of Crown Lands to:

- a) public exhibit the draft Plan of Management and
- b) seek approval to adopt the Plan of Management once the public exhibition period ends.

While undertaking the final revisions of the Plan of Management, it has been identified that two Crown reserves are not considered to have been assigned a category that most closely relates to the purpose for which the land is dedicated or reserved. Therefore, Council must seek approval from the Minister to reassign the initial categorisation.

As part of requesting Ministers Consent to exhibit the draft Plan of Management, changes to a 'category' can be submitted at the same time.

**Recommendation**

That Council

- 1) Seek Ministers consent to recategorise the Pooncarie Sporting Reserve 6 as General Community Use, removing Sportsground & Natural Area Bushland as previously approved.
- 2) Seek Ministers consent for an extension of the approved categorisation of General Community Use over part of the Dareton Swimming Pool Reserve 85836
- 3) Provide the Minister administering the Crown Lands written notice requesting an alteration of the initially assigned categories for two Crown reserves:
  - a. Pooncarie Sporting Reserve 6 - Lot 73 DP 820498 & part 7304 DP 1182431
  - b. Dareton Swimming Pool Reserve 85836 – Lot 101 DP 1232722

**Council Resolution**

That Council

- 1) Seek Ministers consent to recategorise the Pooncarie Sporting Reserve 6 as General Community Use, removing Sportsground & Natural Area Bushland as previously approved.
- 2) Seek Ministers consent for an extension of the approved categorisation of General Community Use over part of the Dareton Swimming Pool Reserve 85836
- 3) Provide the Minister administering the Crown Lands written notice requesting an

alteration of the initially assigned categories for two Crown reserves:

- a. Pooncarie Sporting Reserve 6 - Lot 73 DP 820498 & part 7304 DP 1182431
- b. Dareton Swimming Pool Reserve 85836 – Lot 101 DP 1232722

**Moved Cr Beaumont, Seconded Cr Linklater**

**CARRIED UNANIMOUSLY**

**9.8 CREATION OF USER GROUP AT POONCARIE SPORTING RESERVE 6**

File Number: RPT/22/353

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

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

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

**Summary**

Increased community participation at the Pooncarie Sporting Reserve 6, sees the need to create a new Reserve Licenced "User Group", consisting of the Pooncarie Racing Club, the Pooncarie Gun Club, Pooncarie Field Days Group and the Sunraysia Motorsports Club.

The formation of a User Group consists of the licenced users who share the reserves facilities and work collaborative providing the short and long-term strategy necessary to ensure the Reserve provides for future generations in a sustainable and responsible manner.

User Groups attend formal meetings which are conducted by Council, whereby a report is prepared for submission to a Council meeting. Each group also has a Councillor nominated to represent the groups at these meetings.

**Recommendation**

That Council:

- 1) Endorses the formation of the Pooncarie Sporting Reserve 6 Licence User Group
- 2) Recommends the development of a site-specific Management Plan
- 3) Nominates a Wentworth Shire Councillor and an alternate Councillor to be elected to represent the Pooncarie Sporting Reserve User Group at meetings

**Council Resolution**

That Council:

- 1) Endorses the formation of the Pooncarie Sporting Reserve 6 Licence User Group
- 2) Recommends the development of a site-specific Management Plan
- 3) Nominates Councillor Heywood and Councillor Rodda (as an alternate) to represent Council at the Pooncarie Sporting Reserve User Group at meetings

**Moved Cr Crisp, Seconded Cr Heywood**

**CARRIED UNANIMOUSLY**

**9.9 MINISTER'S CONSENT TO ADOPT AND PLACE DRAFT PLAN OF MANAGEMENT ON PUBLIC EXHIBITION**

File Number: RPT/21/694

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

Objective: 2.0 Wentworth is a desirable Shire to visit, live, work and invest  
Strategy: 2.5 Maintain/create desirable open spaces and recreation facilities

**Council Resolution**

That Council defer this Item to allow for further information to be sought regarding Community Land classification.

**Moved Cr Linklater, Seconded Cr. Heywood**

**CARRIED UNANIMOUSLY**

Item 9.9 was deferred to allow for further information to be sought that didn't come to light until after the agenda was produced.

**Summary**

Council is required to refer draft Community Land Plans of Management to land-owners prior to public exhibition.

Council must also seek the written consent of the Minister for Crown Lands for the adoption of Plans of Management for council-managed Crown land.

All community land managed by a council and used by the community must have a Plan of Management in place under the *Crown Land Management Act 2016* and the *Local Government Act 1993*. Plans of Management ensure that Crown land is lawfully used and occupied, which is an essential part of the role of all council managers in managing Crown reserves.

Council has prepared a draft Plan of Management for the consideration of Council prior to referring it to the Minister of the Department of Planning, Industry and Environment - Crown Lands.

Minister's consent can be requested to adopt the Plan of Management at the same time as landowner notification.

**Recommendation**

That Council:

- 1) Considers the Native Title Manager advice and endorses the draft Plan of Management.
- 2) Provides the draft Plan of Management to the Department of Planning, Industry and Environment – Crown Lands seeking authority to undertake community consultation requirements.
- 3) Endorses the draft Plan of Management for community consultation for a period of 42 days (28 days of exhibition and a further 14 days for receipt of comments and submissions), in accordance with the public exhibition requirements of the Local Government Act

- 4) Following Minister's consent under clause 70B of the *Crown Land Management Regulation 2018*, the Council resolution should note the Plan of Management is adopted, pursuant to section 40 of the *Local Government Act 1993* in accordance with 3.23(6) of the *Crown Land Management Act*.
- 5) Authorises the appropriate Wentworth Shire Council Officer to notify the department as the landowner for consent to public exhibit the draft Plan of Management, using the appropriate Crown Lands Written Notification of Plans of Management form.
- 6) Applies for Ministers written consent to adopt the Plan of Management at the same time as notifying the landowner of the draft plan.

**9.10 REVOKE MANAGEMENT OF POONCARIE COMMON AND PITMAN AVENUE RECREATION RESERVE**

File Number: RPT/22/420

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

This report is intended to provide information to Council for the approval to revoke Council's management of two Crown reserves, being the Pooncarie Common part Reserve 6 & Pitman Avenue Recreation Reserve 85020.

**Recommendation**

That Council:

- Provides written request to the Minister to:
  - Revoke management of the Pooncarie Common land consisting of Lot 7311 DP 755396, Lots 72, 74, 75, DP 820498 and part of Lot 7304 DP 1182431
  - Revoke management of all the parcels of land within the Pitman Avenue Recreation Reserve 85836. Lot 891, 898-900 DP 756961
- Authorises the Mayor and/or the General Manager be delegated to sign any related documents.

**Council Resolution**

That Council:

- a) Provides written request to the Minister to:
  - Revoke management of the Pooncarie Common land consisting of Lot 7311 DP 755396, Lots 72, 74, 75, DP 820498 and part of Lot 7304 DP 1182431
  - Revoke management of all the parcels of land within the Pitman Avenue Recreation Reserve 85836. Lot 891, 898-900 DP 756961
- b) Authorises the Mayor and/or the General Manager be delegated to sign any related documents.

**Moved Cr. Nichols, Seconded Cr Beaumont**

**CARRIED UNANIMOUSLY**

**9.11 DELEGATED AUTHORITY APPROVALS AS AT END OF JUNE 2022**

File Number: RPT/22/429

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Kerrie Copley - Administration Officer

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

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

**Summary**

For the month of June 2022, a total of nine (9) Development Applications and six (6) S4.55 Modification Applications were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$2,078,195.00. This brings the year to date total to fifty-four (54) Development Applications and twenty-two (22) S4.55 Applications approved, with an estimated development value of \$7,542,713.36

**Recommendation**

- a) That Council receives and notes the report for the month of June 2022.
- b) That Council publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) That a division be called in accordance with S375A of the Local Government Act 1993 (NSW).

**Council Resolution**

That Council:

- a) Receives and notes the report for the Delegated Authority Approval for the month of June 2022.
- b) Publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) Calls a Division in accordance with S375A of the Local Government Act 1993 (NSW).

**Moved Cr Rodda, Seconded Cr Beaumont**

**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 (Mayor), Heywood, Linklater, Nichols and Rodda.***

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

**9.12 PROJECT & WORKS UPDATE - JULY 2022**

File Number: RPT/22/422

Responsible Officer: Geoff Gunn - Director Roads and Engineering  
Responsible Division: Roads and Engineering  
Reporting Officer: Chanelle Pilling - Administration Officer

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural assets  
Strategy: 3.2 Plan for and develop the right assets and infrastructure

**Summary**

This report provides a summary of the projects and major works undertaken by the Roads and Engineering Department which have been completed during the month of June 2022 and the planned activities for July 2022.

**Recommendation**

That Council receives and notes the major works undertaken in June and the scheduled works for the following months

**Council Resolution**

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

**Moved Cr Crisp, Seconded Cr Linklater**

**CARRIED UNANIMOUSLY**

## **10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE**

### **10.1 TRANSPORTABLE BUILDINGS**

Cr Steve Heywood requested an updated on the two transportable buildings that were earmarked for use at the landfills.

The General Manager advised that quotations had been received to cut the buildings in half and fit out however, this was cost prohibitive and it may be a better option to buy a new unit off the shelf.

### **10.2 PANEL TENDER FINANCIALS**

Cr Steve Heywood requested a report on the amount of money paid to Contractors on the Panel Tender.

### **10.3 JUNCTION RALLY POSSIBLE FUNDING**

Cr Brian Beaumont requested that the opportunity for funding to be sought for the Junction Rally through the Regional Events Acceleration Fund be investigated.

### **10.4 PS RUBY**

Cr Brian Beaumont requested that the PS Ruby be made available for the Junction Rally.

The General Manager advised that the PS Ruby will be the topic for the next Council Advisory meeting.

### **10.5 DARLING STREET PAVERS**

Cr Brian Beaumont asked if Council should be focussing on the issue raised on Facebook with the pavers in Darling Street

### **10.6 SPEED RESTRICTIONS WENTWORTH BRIDGE TO ADAMS STREET**

Cr Brian Beaumont asked for an update on the speed restrictions from Wentworth Bridge to Adams Street.

### **10.7 LONG BAY PARKING**

Cr Brian Beaumont requested that Long Bay be parking be investigated in Wentworth directional including signage so Caravans are not parking in the main street.

## 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 Old Wentworth Road - Variation for Supply & Delivery of Road Base Material - PT2122/13. (RPT/22/436)**

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 Willow Bend Caravan Park Upgrade - PT2122/03. (RPT/22/455)**

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (c) information that would, if disclosed, confer a commercial

advantage on a person with whom the Council is conducting (or proposes to conduct) business. On balance, the public interest in preserving the confidentiality of information about the tender outweighs the public interest in maintaining openness and transparency in council decision-making because disclosure of this information would reveal pricing and confidential information submitted via the tender process which if disclosed would prevent council from achieving its 'value for money' objectives.

**Council Resolution**

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

**Moved Cr Linklater, Seconded Cr Cooper**

**CARRIED UNANIMOUSLY**

*At 07:25 pm Director Geoff Gunn left the Council Chambers.*

## 12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

### 12.1 OLD WENTWORTH ROAD - VARIATION FOR SUPPLY & DELIVERY OF ROAD BASE MATERIAL - PT2122/13

File Number: RPT/22/436

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Samantha Wall - Projects Administration

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

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

#### **REASON FOR CONFIDENTIALITY**

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

The General Manager Advised that this item was deferred pending further information.

**12.2 WILLOW BEND CARAVAN PARK UPGRADE - PT2122/03**

File Number: RPT/22/455

Responsible Officer: Ken Ross - General Manager

Responsible Division: Office of the General Manager

Reporting Officer: Ken Ross - General Manager

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

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

**REASON FOR CONFIDENTIALITY**

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

The General Manager advised that Council endorsed the Deed of Settlement and Release between Wentworth Shire Council and McMahon Services Australia Pty Ltd and in accordance with the provisions of the Local Government (General) Regulation 2005, Section 178(1)(a) accepts the lump sum tender for Contract PT2223/01 in the amount of \$1,913,228.59 (including GST) submitted from Wall Constructions and also authorised the Mayor and General Manager to sign the documentation relative to both items above and affix the Council Seal

## **13 CONCLUSION OF THE MEETING**

Meeting Closed at 8:22pm

## **NEXT MEETING**

17 August 2022

.....  
**CHAIR**

## 6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

### 6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/22/457

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: 4.2 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 9 August 2022.

#### **Attachments**

1. Outstanding Items as at 9 August 2022 [↓](#) 

Division: Committee: Officer: <b>Outstanding Action Items Report</b>					Date From: Date To: Printed: Tuesday, 9 August 2022 4:40:58 PM
Meeting	Item	Title	Item	Action Record (latest first)	
Ordinary Council 18/05/2022	10.3	<i>Nature Strip in Dareton need to be tidied up</i>	Cr Peter Crisp had asked in a previous meeting if nature strip sections in Dareton can be slashed so that the footpath can be cleared. When will this be completed?	<b>09 Aug 2022 4:07pm Kalemkeridis, Lisa</b> Maintenance works delayed, rescheduled for August 2022.	
Ordinary Council 20/07/2022	10.1	<i>Transportable Buildings</i>	Cr Steve Heywood requested an updated on the two transportable buildings that were earmarked for use at the landfills.  The General Manager advised that quotations had been received to cut the buildings in half and fit out however, this was cost prohibitive and it may be a better option to buy a new unit off the shelf.	<b>09 Aug 2022 2:58pm Marsden, Gayle</b> Quotations being sought on new buildings for comparison	
Ordinary Council 20/07/2022	10.2	<i>Panel Tender Financials</i>	Cr Steve Heywood requested a report on the amount of money paid to Contractors on the Panel Tender.	<b>03 Aug 2022 12:42pm Rule, Simon</b> In progress.	
Ordinary Council 20/07/2022	10.5	<i>Darling Street Pavers</i>	Cr Brian Beaumont asked if Council should be focussing on the issue raised on Facebook with the pavers in Darling Street	<b>09 Aug 2022 2:56pm Gunn, Geoff</b> Arborist to provide opinion on tree management options to mitigate the risk caused by tree roots.	
Ordinary Council 20/07/2022	10.6	<i>Speed Restrictions Wentworth Bridge to Adams Street</i>	Cr Brian Beaumont asked for an update on the speed restrictions from Wentworth Bridge to Adams Street.	<b>09 Aug 2022 4:09pm Kalemkeridis, Lisa</b> Speed restriction application is part of High Pedestrian Activity Area (HPAA) Program. TfNSW currently assessing program approval and project funding.	
Ordinary Council 20/07/2022	10.7	<i>Long Bay Parking</i>	Cr Brian Beaumont requested that Long Bay be parking be investigated in Wentworth directional including signage so Caravans are not parking in the main street.	<b>09 Aug 2022 4:12pm Kalemkeridis, Lisa</b> Available options currently being investigated with report and recommendation to Council September 2022 meeting.	

## 7 MAYORAL AND COUNCILLOR REPORTS

### 7.1 MAYORAL REPORT

File Number: RPT/22/456

#### Summary

The purpose of this report is to advise Council of meetings, conferences and appointments undertaken by Mayor Elstone for the period of 21 July 2022 – 9 August 2022.

#### Recommendation

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

#### **Report**

The following table lists the meetings attended by Mayor Elstone for the period of 21 July 2022 – 9 August 2022.

Date	Meeting	Location
22 Jul 2022	Wentworth Health Service Redevelopment Project Team Meeting	Wentworth
25 Jul 2022	ClubGrants Category One Meeting	Wentworth
25 Jul 2022	Cross Border Commissioner Meeting	Wentworth
26 Jul 2022	Mayoral Meeting	Wentworth
27 Jul 2022	Council Advisory Meeting	Wentworth
2 Aug 2022	Mayoral Meeting	Wentworth
3 Aug 2022	MDA Region 4 Discussion	Video Conference
5 Aug 2022	MDA Region 4 Discussion Preparation for Annual Conference	Video Conference
9 Aug 2022	Mayoral Meeting	Wentworth

#### Attachments

Nil

## 8 REPORTS FROM COMMITTEES

### 8.1 AUDIT, RISK AND IMPROVEMENT COMMITTEE

File Number: RPT/22/514

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**

A meeting of the Audit, Risk and Improvement Committee was held on 26 July 2022 and the draft Minutes of the meeting are attached to this report for the information of Councillors.

The Committee considered the following items of business:

- Committee Induction and Overview
- Annual Audit Engagement Plan and Interim Audit
- Review of the OLG Guidelines for the Committee
- Review of the Committee Terms of Reference
- Future Committee Meeting Schedule and Agenda Format
- 2022-2023 Committee Workplan

The Committee has requested that the Reporting Officer seek a resolution of Council on the following item:

- Review of the Committee Terms of Reference

#### **Officer Recommendation**

That Council note the draft minutes of the Audit, Risk and Improvement Committee; and

That Council approves the Terms of Reference for the Committee.

#### **Additional Information**

A meeting of the Audit, Risk & Improvement Committee was held on 26 July 2022. The Committee considered the following items of business:

##### **Committee Induction and Overview**

The General Manager and the Director Finance and Policy conducted an induction for the Committee members. The induction covered off on the following:

- The role of the Committee;
- Duties and requirement of Committee Members;

- Authority of the Committee;
- Conflicts of Interest and Code of Conduct;
- Committee Meetings;
- Reporting requirements; and
- Overview of Wentworth Shire Council.

#### Annual Audit Engagement Plan and Interim Audit

Representatives of the Audit Office of New South Wales and their approved service provider Nexia Australia addressed the Committee via videoconference and provided an overview of the Annual Audit Engagement Plan for the audit of the 2021-2022 Annual Financial Statements and the Interim Audit that took place on the week commencing 20 June 2022. Committee members were provided with a copy of the Management Representation Letter and Conduct of the Audit report from the 2020-2021 Audit.

#### Review of the OLG Committee Guidelines

The committee took the opportunity to consider the OLG Guidelines for Risk Management and Internal Audit for Local Councils in NSW which are designed to guide the operations of the Committee.

#### Review of Committee Terms of Reference

The OLG guidelines requires the Committee to have a Terms of Reference. The Terms of Reference sets out the Committee's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements.

The Terms of Reference is to be approved by a Council resolution and will be reviewed annually by the Committee. The Terms of Reference has been developed using the model template provided as an appendix to the Guidelines.

The Committee reviewed the Terms of Reference and recommended that a resolution from Council be sought to approve the Terms of Reference.

#### Future Committee Meeting Schedule and Agenda Format



The Committee had a general discussion about future meetings dates and formalising an agenda format for future meetings. The Committee set future meeting dates for the next 12 months. A decision was made that for the first 12 months the agenda format for meetings would be determined by the approved annual work plan.

#### 2022-2023 Committee Workplan

The OLG Guidelines requires the Committee to prepare an annual work plan to guide its work over the coming 12 months. The annual plan must be flexible enough to allow it to be reviewed and adjusted as necessary throughout the year in response to any changes to Council's risk or operations.

Following a general discussion by Committee Members, the Committee requested that the Director Finance & Policy in consultation with the General Manager prepare a draft plan for the Committee to consider at its next quarterly meeting.

**Attachments**

1. Minutes - Audit, Risk and Improvement Committee 26 July 2022 [↓](#) 
2. Committee Terms of Reference [↓](#) 



# **WENTWORTH SHIRE COUNCIL**

## **AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES**

**26 JULY 2022**



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**AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES      26 JULY 2022**


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AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES

26 JULY 2022

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**1 OPENING OF MEETING**

The meeting opened at 11:05 am

**2 PRESENT**

**MEMBERS**

Ms Roseanne Kava  
Mrs Diane Schmidt  
Ms Caroline Smith  
Councillor Brian Beaumont

**STAFF (non- voting members)**

Ken Ross (General Manager)  
Simon Rule (Director Finance and Policy)  
Gayle Marsden (Executive Assistant)

**3 APOLOGIES**

Nil

**4 DECLARATIONS OF PECUNIARY INTEREST AND CONFLICTS OF INTEREST**

Nil

**5 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

N/A

**Committee Resolution**

That the Committee move to Item 6.2

**Moved D Schmidt, Seconded C Smith**

**CARRIED UNANIMOUSLY**

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AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES

26 JULY 2022

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## **6 REPORTS**

### **6.1 COMMITTEE INDUCTION AND OVERVIEW**

File Number: RPT/22/454

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

#### **Summary**

The Director Finance and Policy and the General Manager will conduct an induction for the committee members.

#### **Recommendation**

The Committee recommends that Council notes the report.

#### **Committee Resolution**

The Committee notes the report.

**Moved D Schmidt, Seconded C Smith**

**CARRIED UNANIMOUSLY**

The Chair called a recess at 12:21pm

The Committee returned to business at 12:38pm

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**AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES****26 JULY 2022**

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**6.2 ANNUAL AUDIT ENGAGEMENT PLAN AND INTERIM AUDIT.**

File Number: RPT/22/453

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

**Summary**

Council's annual audit is undertaken by the Audit Office of New South Wales. Each year the Audit Office provides Council with an Annual Engagement Plan.

The Audit Office has contracted out Council's audit to Nexia Australia and a team from their Sydney Office will be conducting the audit.

Manuel Moncada from the Audit Office and Brett Hanger from Nexia will be attending the meeting to talk to the Engagement Plan and provide an update on the Interim Audit that commenced on the week of 20 June 2022.

**Recommendation**

The Committee recommends that Council notes the report.

**Committee Resolution**

The Committee notes the report and recommends that Council notes the report.

**Moved C Smith, Seconded D Schmidt**

**CARRIED UNANIMOUSLY**

*Action A copy of last years' report and management letter*

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**AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES****26 JULY 2022**

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**6.3 REVIEW OF OLG GUIDELINES INCLUDING CODE OF CONDUCT AND DECLARATION OF INTEREST OBLIGATIONS**

File Number: RPT/22/445

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

**Summary****OLG Guidelines**

The Office of Local Government (OLG) issued the draft *Guidelines for Risk Management and Internal Audit for Local Councils in NSW* to guide the operations of ARICs and to require councils to have a risk management framework and internal audit function to support and inform their operations.

These guidelines have been developed to assist councils, county councils and joint organisations to comply with statutory requirements under the Local Government Act and Local Government Regulation.

They also seek to strengthen risk management and internal audit practices in NSW councils by setting a minimum standard that reflects a 'best practice' approach.

**Code of Conduct**

Council's Audit, Risk and Improvement Committee (the Committee) members are to be held to the same ethical and behavioural standards as other officials of Council and must comply with Council's Code of Conduct at all times. Complaints or breaches of Council's Code of Conduct by an independent committee member are to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*. The General Manager must consult with the governing body before taking disciplinary action against an independent committee member in response to a breach of the Council's Code of Conduct.

**Conflicts of Interest**

As required under Council's Code of Conduct, ARIC members (as well as any Council officials attending as observers) must declare and appropriately manage any conflicts of interest they may have in matters being dealt with by the Committee.

Once a year, Committee members will provide written declarations to Council stating that they do not have any conflicts of interest that would preclude them from being members of that Committee. Independent committee members are 'designated persons' and must also complete and submit returns of interest.

Committee members and observers must declare any pecuniary or non-pecuniary conflicts of interest that they may have at the start of each meeting, before discussion of the relevant agenda item or issue, and when the issue arises. Where committee members and observers are deemed to have a pecuniary or a significant non-pecuniary interest, they are to remove themselves from Committee deliberations on the issue. Details of any conflicts of interest should also be appropriately minuted.

**Recommendation**

That the Committee review the OLG Guidelines including Code of Conduct and Declaration of Interest obligations.

**Committee Resolution**

That the Committee review the OLG Guidelines including Code of Conduct and Declaration

**AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES      26 JULY 2022**

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of Interest obligations.

**Moved C Smith, Seconded D Schmidt**

**CARRIED UNANIMOUSLY**

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**AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES****26 JULY 2022**

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**6.4 REVIEW OF ARIC COMMITTEE TERMS OF REFERENCE**

File Number: RPT/22/446

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Report Author: Voleak Sroeung - Governance Officer

**Summary**

Wentworth Shire Council has established an Audit, Risk and Improvement Committee (the Committee) in compliance with section 428A of the *Local Government Act 1993* and clauses of the *Local Government (General) Regulation 2005*. The Committee will operate in accordance with best practice principles and the Audit, Risk & Improvement Committee Terms of Reference. The Terms of Reference sets out the Committee's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements. It is important that the Committee has clear guidance on how it should serve Council, and that Council has input into how the Committee will operate. This will ensure there is no ambiguity between Council and the Committee and that Council can measure the Committee's performance.

The Terms of Reference for the Committee is to be approved by resolution of the governing body of the Council and reviewed annually by the Committee, and once each Council term by the governing body.

**Recommendation**

That the Committee recommends that Council approve the terms of reference.

**Committee Resolution**

That the Committee recommends that Council approve the terms of reference.

**Moved C Smith, Seconded D Schmidt**

**CARRIED UNANIMOUSLY**

**AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES****26 JULY 2022****6.5 FUTURE ARIC MEETING SCHEDULE AND AGENDA FORMAT**

File Number: RPT/22/447

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

**Summary**

Developing a future meeting schedule and agenda format is necessary if the Committee is to be able to cover all its responsibilities at the appropriate time of year.

The Committee will meet at a minimum four (4) times a year with one of these meetings to include review and endorsement of the annual audited financial reports and external audit opinion. Ideally, the meetings are to be held in Wentworth but meetings may also be held via video conference.

The Committee can hold additional meetings when significant unexpected issues arise, or if the Chair is asked to hold an additional meeting by a committee member, the General Manager or the governing body.

Proxies are not permitted if a member is unable to attend a meeting.

A quorum will consist of a majority of independent voting members. Where the vote is tied, the Chair has the casting vote.

The Chair of the Committee will decide the agenda for each committee meeting. Each committee meeting is to be minuted to preserve a record of the issues considered and the actions and decisions taken by the committee.

The General Manager and head of the internal audit function are to attend committee meetings as non-voting observers. The external auditor (or their representative) is to be invited to each committee meeting as an independent observer. The Chair can request the Council's Chief Financial Officer or equivalent, head of risk management function or equivalent, senior managers, any Councillors, any employee/contractor of Council and any subject matter experts to attend committee meetings. These individuals must attend and provide any information requested, where possible. Observers have no voting rights and can be excluded from a meeting by the Chair at any time.

The Committee can hold closed meetings whenever it needs to discuss confidential or sensitive issues with only voting members of the committee present.

The Committee must meet separately with both the internal audit function and Council's external auditor at least once per year.

**Recommendation**

That the Committee discuss and develop a future meeting schedule and agenda format to ensure that the Committee covers all its responsibilities at the appropriate time of year.

**Committee Resolution**

That the Committee:

- a) Meet for a special meeting 30 September 2022 via Video Conferencing at 10am for financial statement review, and further meetings be scheduled for 28 October 2022 at 11am, 3 February 2023 at 11 am, 21 April 2023 at 11am, 28 July 2023 at 11am.
- b) Request a standing agenda item regarding fraud control

**Moved D Schmidt, Seconded C Smith**

**CARRIED UNANIMOUSLY**

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**AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES****26 JULY 2022**

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**6.6 2022 - 2023 AUDIT, RISK AND IMPROVEMENT COMMITTEE WORK PLAN**

File Number: RPT/22/448

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Report Author: Voleak Sroeung - Governance Officer

**Summary**

As stated in the OLG Guidelines, it is essential that the work of the Audit, Risk and Improvement Committee (the Committee) is thoroughly planned and executed to ensure that no Council activity or function is missed by the Committee and that Council receives value for money from its assurance investment. As such, the Committee must develop an Annual Work Plan to guide its work over the forward year.

The Annual Work Plan must be developed by the Committee in consultation with the Council, General Manager, head of the internal audit function and the Executive Team where appropriate.

**Recommendation**

That the Committee develop the 2022 – 2023 Annual Work Plan in accordance with the requirements set out in the OLG Guidelines.

**Committee Resolution**

That the Committee develop the 2022 – 2023 Annual Work Plan in accordance with the requirements set out in the OLG Guidelines.

**Moved C Smith, Seconded D Schmidt****CARRIED UNANIMOUSLY**

**AUDIT, RISK AND IMPROVEMENT COMMITTEE MEETING MINUTES**

**26 JULY 2022**

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**7 NEXT MEETING**

30 September 2022 (via Video Conferencing)

**8 CLOSURE**

The meeting was declared closed at 1:31 pm.

## AUDIT, RISK & IMPROVEMENT COMMITTEE TERMS OF REFERENCE

Wentworth Shire Council has established an audit, risk and improvement committee (the committee) in compliance with section 428A of the *Local Government Act 1993* and clauses of the *Local Government (General) Regulation 2005*. These terms of reference set out the Committee's objectives, authority, composition and tenure, roles and responsibilities, reporting and administrative arrangements.

### Objective

The objective of Council's audit, risk and improvement committee is to provide independent assurance to Council by monitoring, reviewing and providing advice about Council's governance processes, compliance, risk management and control frameworks, external accountability obligations and overall performance.

### Independence

The Committee is to be independent to ensure it has no real or perceived bias or conflicts of interest that may interfere with its ability to act independently and provide Council with robust, objective and unbiased advice and assurance.

The Committee is to provide an advisory and assurance role only and is to have no administrative function, delegated financial responsibility or any management functions of the Council. The Committee will provide independent advice to the Council that is informed by the Council's internal audit and risk management activities and information and advice by Council, relevant external bodies and subject matter experts.

The Committee must at all times ensure it maintains a direct reporting line to and from the Council's internal audit function and act as a mechanism for internal audit to report to the governing body and general manager on matters affecting the performance of the internal audit function.

### Authority

Council authorises the Committee, for the purposes of exercising its role and responsibilities, to:

- Access any information it needs from the Council;
- Use any Council resource it needs;
- Have direct and unrestricted access to the General Manager and senior management of the Council;
- Seek the General Manager's permission to meet with any other Council staff member or contractor;
- Discuss any matters with the external auditor or other external parties;
- Request the attendance of any employee at committee meetings; and
- Obtain external legal or other professional advice considered necessary to meet its responsibilities.

Information and documents pertaining to the Committee are confidential and are not to be made publicly available. The Committee may only release Council information to external parties that are assisting the Committee to fulfil its responsibilities with the approval of the General Manager, except

where it is being provided to an external investigative or oversight agency for the purpose of informing that agency of a matter that may warrant its attention.

## Composition and Tenure

The Committee will consist of:

### Members

- Independent external member (not a member of the Council to be the chairperson)
- Independent external member (not a member of the Council)
- Independent external member (not a member of the Council)
- Councillor (non-voting and cannot be the mayor)

The Council is to appoint the Chair and members of the Committee. The Chair is counted as one member of the Committee. Current committee members are:

Rosanne Kava	Independent chair
Caroline Smith	Independent member
Di Schmidt	Independent member
Cr Brian Beaumont	Councillor member

All committee members are to meet the independence and eligibility criteria prescribed in the *Guidelines for risk management and internal audit in local councils in NSW*.

Members will be appointed for a four-year period. Members can be reappointed for a further term, but the total period of continuous membership cannot exceed eight years. This includes any term as Chair of the Committee. Members who have served an eight-year term (either as a member or Chair) must have a two-year break from serving on the Committee before being appointed again. To preserve the Committee's knowledge of Council, ideally, no more than one member should leave the Committee because of rotation on any one year.

Specific member terms and conditions are to be disclosed in a letter of appointment. New members will be thoroughly inducted to their role and receive relevant information and briefings on their appointment to assist them to meet their committee responsibilities.

Prior to approving the reappointment or extension of the Chair's or an independent member's term the governing body is to undertake an assessment of the Chair's or committee member's performance. Reappointment of the Chair and members is also to be subject to the individual still meeting independence and eligibility requirements.

Members of the Committee are to possess and maintain a broad range of skills, knowledge and experience relevant to the operations, governance and financial management of Council. The environment in which Council operates, and the contribution that the Committee makes to the Council. At least one member of the Committee must have accounting or related financial management experience with an understanding of accounting and auditing standards in a local government environment. All members should have sufficient understanding of the Council's financial reporting responsibilities to be able to contribute to the Committee's consideration of Council's annual financial statements.

## Role

In accordance with section 428A of the *Local Government Act 1993*, the role of the Committee is to review and provide independent advice to the Council regarding the following aspects of the Council's operations:

- Compliance
- Risk management
- Fraud control
- Financial management
- Governance
- Implementation of the strategic plan, delivery program and strategies
- Service reviews
- Collection of performance measurement data by the Council, and
- Internal audit

The Committee must also provide information to the Council for the purpose of improving Council's performance of its functions.

The committee's specific audit, risk and improvement responsibilities under section 428A are outlined in Schedule 1 to this charter.

The Committee will act as a forum for the Council's internal audit function and oversee its planning, monitoring and reporting to ensure it operates effectively.

The Committee will have no power of direction over external audit or the manner in which the external audit is planned or undertaken but will act as a forum for the consideration of external audit findings.

The Committee is directly responsible and accountable to the governing body of the Council for the exercise of its responsibilities. In carrying out its responsibilities, the Committee must at all times recognise that primary responsibility for management of the Council rests with the governing body of the Council and the General Manager.

The responsibilities of the Committee may be revised or expanded in consultation with, or as requested by, the governing body of the Council from time to time.

## Responsibilities of members

### Independent members

The Chair and members of the Committee are expected to understand and observe the requirements of the *Guidelines for risk management and internal audit for local government in NSW*. Members are also expected to:

- ✓ Make themselves available as required to attend and participate in meetings;
- ✓ Contribute the time needed to review and understand information provided to it;
- ✓ Apply good analytical skills, objectivity and judgement;
- ✓ Act in the best interest of the Council;
- ✓ Have the personal courage to raise and deal with tough issues, express opinions frankly, ask questions that go to the fundamental core of the issue and pursue independent lines of inquiry;
- ✓ Maintain effective working relationships with the Council;

- ✓ Have strong leadership qualities (Chair);
- ✓ Lead effective committee meetings (Chair); and
- ✓ Oversee the Council's internal audit function (Chair).

#### Councillor member

To preserve the independence of the Committee, the councillor member of the Committee is a non-voting member. Their role is to:

- ✓ Relay to the Committee any concerns the governing body may have regarding the Council and issues being considered by the Committee;
- ✓ Provide insights into local issues and the strategic priorities of the Council that would add value to the Committee's consideration of agenda items;
- ✓ Advise the governing body (as necessary) of the work of the Committee and any issues arising from it; and
- ✓ Assist the governing body to review the performance of the Committee.

Issues or information the councillor member raises with or provides to the Committee must relate to the matters listed in Schedule 1 and issues being considered by the Committee.

The councillor member of the Committee must conduct themselves in a non-partisan and professional manner. The councillor member of the Committee must not engage in any conduct that seeks to politicise the activities of the Committee or the internal audit function or that could be seen to do so.

If the councillor member of the Committee engages in such conduct or in any other conduct that may bring the Committee and its work into disrepute, the Chair of the Committee may recommend to the Council, that the councillor member be removed from membership of the Committee. Where the Council does not agree to the Committee Chair's recommendation, the Council must give reasons for its decision in writing to the Chair.

#### Conduct

Independent committee members are required to comply with the Council's code of conduct and be held to the same ethical, behavioural and conduct standards as officials of the Council.

Complaints or breaches of Council's code of conduct by an independent committee member are to be dealt with in accordance with the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*. The General Manager must consult with the governing body before taking disciplinary action against an independent committee member in response to a breach of the Council's Code of Conduct.

Prequalified Committee members are also required to comply with the code of conduct governing the NSW Government's *Audit and Risk Committee Independent Chairs and Members Prequalification Scheme*.

#### Conflicts of interest

Once a year, Committee members will provide written declarations to the Council stating that they do not have any conflicts of interest that would preclude them from being members of that Committee. Independent committee members are 'designated persons' and must also complete and submit returns of interest.

Committee members and observers must declare any pecuniary or non-pecuniary conflicts of interest that they may have at the start of each meeting, before discussion of the relevant agenda item or issue, and when the issue arises. Where committee members and observers are deemed to have a pecuniary or a significant non-pecuniary interest, they are to remove themselves from Committee deliberations on the issue. Details of any conflicts of interest should also be appropriately minuted.

#### Standards

Committee members are to conduct their work in accordance with the International Standards for the Professional Practice of Internal Auditing issued by the Institute of Internal Auditors and the current Australian risk management standard where applicable.

### Workplans

The work of the Committee is to be thoroughly planned and executed to ensure that all Council activities and functions are reviewed. The Committee must develop a strategic plan every four years to ensure that all matters listed in Schedule 1 are reviewed by the Committee and the internal audit function over each Council term. The strategic plan must be reviewed at least annually to ensure it remains appropriate.

The Committee may, in consultation with the Council's governing body vary the strategic work plan at any time to address new or emerging risks. The governing body of the Council may also, by resolution, request the Committee to approve a variation to the strategic work plan. However, any decision to vary the strategic work plan must be made by the Committee.

The Committee must also develop an annual workplan to guide its work, and the work of Council's internal audit function over the forward year.

When considering whether to vary the strategic or annual work plans, the Committee must consider the impact of the variation on the internal audit function's existing workload and the completion of pre-existing priorities and activities identified under the workplan.

### Assurance Reporting

The Committee must regularly report to the Council to ensure that the Council is kept informed of matters considered by the Committee and any emerging issues that may influence the strategic direction of the Council or the achievement of the Council's goals and objectives.

The Committee will provide an update to the governing body and the General Manager of its activities and opinions after every meeting.

The Committee will provide an annual assessment to the governing body and General Manager each year on the Committee's work and its opinion on how Council is performing.

The Committee will provide a comprehensive assessment every council term of all matters listed in Schedule 1 to the governing body and General Manager.

The Committee may, at any time report to the governing body or General Manager, on any other matter it deems of sufficient importance to warrant their attention. The Mayor and Chair of the Committee may also meet at any time to discuss issues relating to the work of the Committee.

Should the governing body require additional information, a request for the information may be made to the Chair by resolution. The Chair may only provide the information requested by the

governing body where the Chair is satisfied that it is reasonably necessary for the governing body to receive the information for the purposes of performing its functions under the Local Government Act. Individual Councillors are not entitled to request or receive information from the Committee.

## Administrative arrangements

### Meetings

The Committee will meet at least four times per year, with one of these meetings to include a review of Council's annual financial statements.

The Committee can hold additional meetings when significant unexpected issues arise, or if the Chair is asked to hold an additional meeting by a committee member, the General Manager or the governing body.

Committee meetings can be held in person, by telephone or videoconference. Proxies are not permitted if a member is unable to attend a meeting.

A quorum will consist of a majority of independent voting members. Where the vote is tied, the Chair has the casting vote.

The Chair of the Committee will decide the agenda for each committee meeting. Each committee meeting is to be minuted to preserve a record of the issues considered and the actions and decisions taken by the committee.

The General Manager and head of the internal audit function are to attend committee meetings as non-voting observers. The external auditor (or their representative) is to be invited to each committee meeting as an independent observer. The Chair can request the Council's Chief Financial Officer or equivalent, head of risk management function or equivalent, senior managers, any Councillors, any employee/contractor of the Council and any subject matter experts to attend committee meetings. These individuals must attend and provide any information requested, where possible. Observers have no voting rights and can be excluded from a meeting by the Chair at any time.

The Committee can hold closed meetings whenever it needs to discuss confidential or sensitive issues with only voting members of the committee present.

The Committee must meet separately with both the internal audit function and the Council's external auditor at least once per year.

### Dispute resolution

Members of the Committee and Council's management should maintain an effective working relationship and seek to resolve any differences they may have in an amicable and professional way via discussion and negotiation.

In the event of a disagreement between the Committee and the General Manager or other Senior Managers, the dispute is to be resolved by the governing body of the Council.

Unresolved disputes regarding compliance with statutory or other requirements are to be referred to the Secretary of the Department of Planning, Industry and Environment in writing.

### Secretariat

The General Manager will appoint a Council employee/s to provide secretariat support to the Committee. The secretariat will ensure the agenda for each meeting and supporting papers are circulated after approval from the Chair at least a week before the meeting and ensure that minutes of meetings are prepared and maintained. Minutes must be approved by the Chair and circulated within a week of the meeting to each member.

#### Resignation and dismissal of members

Where the Chair or a Committee member is unable to complete their term, or does not intend to seek reappointment after the expiry of their term, they should give 3 months' notice to the Chair and the governing body prior to their resignation to enable the Council to ensure a smooth transition to a new committee member.

The governing body can terminate via a resolution the engagement of any Chair or independent committee before the expiry of their term where the individual has:

- ✓ Breached the conditions of, or become ineligible under the NSW Government's *Audit and Risk Committee Independent Chairs and Members Prequalification Scheme*;
- ✓ Breached the Council's Code of Conduct;
- ✓ Performed unsatisfactorily or not to expectations;
- ✓ Been declared bankrupt or found to be insolvent;
- ✓ Experienced an adverse change in business status;
- ✓ Been proven to be in a serious breach of their obligations under any legislation; or
- ✓ Declared, or is found to be in, a position of a conflict of interest which is unresolvable.

The position of a Councillor member on the Committee can be terminated at any time by the governing body via resolution.

#### Review arrangements

At least once every council term the governing body must conduct an external review of the effectiveness of the Committee.

These terms of reference are to be reviewed annually by the Committee and once each council term by the governing body. Any substantive changes are to be approved by the governing body.

### Further information

For further information on Council's audit, risk and improvement committee contact Council on [council@wentworth.nsw.gov.au](mailto:council@wentworth.nsw.gov.au) or by phone 03 5027 5027.

Reviewed by Chair of the audit, risk and improvement committee:

Signed:

Date:

Reviewed by Wentworth Council or in accordance with a resolution of the governing body:

Signed:

Date:

Resolution reference:

Next review date:

## Schedule 1 – Audit, risk and improvement committee responsibilities

### Audit

#### Internal Audit

- ✓ Provide overall strategic oversight of internal audit activities;
- ✓ Act as a forum for communication between the governing body, General Manager, Senior Management, the internal audit function and external audit;
- ✓ Coordinate, as far as is practicable, the work programs of internal and other assurances and review functions; and
- ✓ Review and advise the Council:
  - On whether the Council is providing the resources necessary to successfully deliver the internal audit function;
  - If the Council is complying with internal audit requirements, including conformance with the International Professional Practices Framework;
  - If the Council's Internal Audit Charter is appropriate and whether the internal audit policies and procedures and audit/risk methodologies used by the Council are suitable;
  - Of the strategic four-year plan and annual work plan of internal audits to be undertaken by the Council's internal audit function;
  - If Council's internal audit activities are effective, including the performance of the head of internal audit function and the internal audit function;
  - Of the findings and recommendations of internal audits conducted, and corrective actions needed to address issues raised;
  - Of the implementation by Council of these corrective actions;
  - On the appointment of the head of the internal audit function and external providers; and
  - If the internal audit function is structured appropriately and has sufficient skills and expertise to meet its responsibilities.

#### External Audit

- ✓ Act as a forum for communication between the governing body, General Manager, Senior Management, the internal audit function and external audit;
- ✓ Coordinate, as far as is practicable, the work programs of internal audit and external audit;
- ✓ provide input and feedback on the financial statements and performance audit coverage proposed by external audit and provide feedback on the audit services provided;
- ✓ Review all external plans and reports in respect of planned or completed audits and monitor Council's implementation of audit recommendations; and
- ✓ Provide advice to the governing body and/or General Manager on action taken on significant issues raised in relevant external audit reports and better practice guides.

### Risk

#### Risk Management

Review and advise the Council:

- ✓ If the Council has in place a current and appropriate risk management framework that is consistent with the Australian risk management standard;

- ✓ Whether the Council is providing the resources necessary to successfully implement its risk management framework;
- ✓ Whether the Council's risk management framework is adequate and effective for identifying and managing the risks the Council faces, including those associated with individual projects, programs and other activities;
- ✓ If risk management is integrated across all levels of the Council and across all processes, operations, services, decision-making, functions and reporting;
- ✓ Of the adequacy of risk reports and documentation, for example, the Council 's risk register and risk profile;
- ✓ Whether a sound approach has been followed in developing risk management plans for major projects or undertakings;
- ✓ Whether appropriate policies and procedures are in place for the management and exercise of delegations;
- ✓ If Council has taken steps to embed a culture which is committed to ethical and lawful behaviour;
- ✓ If there is a positive risk culture within the Council and strong leadership that supports effective risk management;
- ✓ Of the adequacy of staff training and induction in risk management;
- ✓ How the Council's risk management approach impacts on the Council's insurance arrangements;
- ✓ Of the effectiveness of Council's management of its assets; and
- ✓ Of the effectiveness of business continuity arrangements, including business continuity plans, disaster recovery plans and the periodic testing of these plans.

**Internal controls**

Review and advise the Council:

- ✓ Whether Council's approach to maintaining an effective internal audit framework, including over external parties such as contractors and advisors, is sound and effective;
- ✓ Whether Council has in place relevant policies and procedures and that these are periodically reviewed and updated;
- ✓ Whether appropriate policies and procedures are in place for the management and exercise of delegations;
- ✓ Whether staff are informed of their responsibilities and processes and procedures to implement controls are complied with;
- ✓ If the Council's monitoring and review of controls is sufficient; and
- ✓ If internal and external audit recommendations to correct internal control weaknesses are implemented appropriately.

**Compliance**

Review and advise the Council of the adequacy and effectiveness of the Council's compliance framework, including:

- ✓ If the Council has appropriately considered legal and compliance risks as part of the Council's risk management framework;
- ✓ How the Council manages its compliance with applicable laws, regulations, policies, procedures, codes and contractual arrangements; and
- ✓ Whether appropriate processes are in place to assess compliance.

**Fraud and corruption**

Review and advise the Council of the adequacy and effectiveness of the Council's fraud and corruption prevention framework and activities, including whether the Council has appropriate processes and systems in place to capture and effectively investigate fraud-related information.

### **Financial management**

Review and advise the Council:

- ✓ If Council is complying with accounting standards and external accountability requirements;
- ✓ Of the appropriateness of Council's accounting policies and disclosures;
- ✓ Of the implications for Council of the findings of external audits and performance audits and Council's response and implementation of recommendations;
- ✓ Whether the Council's financial statement preparation procedures and timelines are sound;
- ✓ The accuracy of the Council's annual financial statements prior to external audit, including:
  - Management compliance/representations;
  - Significant accounting and reporting issues;
  - The methods used by the Council to account for significant or unusual transactions and areas of significant estimates or judgements; and
  - Appropriate management signoff on the statements.
- ✓ If effective processes are in place to ensure financial information included in the Council's report is consistent with signed financial statements;
- ✓ If the Council's financial management processes are adequate;
- ✓ The adequacy of cash management policies and procedures;
- ✓ If there are adequate controls over financial processes, for example:
  - Appropriate authorisation and approval of payments and transactions;
  - Adequate segregation of duties;
  - Timely reconciliation of accounts and balances;
  - Review of unusual and high value purchases.
- ✓ If policies and procedures for management review and consideration of the financial position and performance of the Council are adequate; and
- ✓ If Council's grants and tied funding policies and procedures are sound.

### **Governance**

Review and advise the Council regarding its governance framework, including Council's

- ✓ Decision-making processes
- ✓ Implementation of governance policies and procedures
- ✓ Reporting lines and accountability
- ✓ Assignment of key roles and responsibilities;
- ✓ Committee structure;
- ✓ Management oversight responsibilities;
- ✓ Human resources and performance management activities;
- ✓ Reporting and communication activities;
- ✓ Information and communications technology (ICT) governance; and
- ✓ Management and governance of the use of data, information and knowledge.

### **Improvement**

#### **Strategic planning**

Review and advise the Council:

- ✓ Of the adequacy and effectiveness of the Council's Integrated Planning & Reporting (IP&R) processes
- ✓ If appropriate reporting and monitoring mechanisms are in place to measure progress against objectives; and
- ✓ Whether the Council is successfully implementing and achieving its IP&R objectives and strategies.

**Service reviews and business improvement**

- ✓ Act as a forum for communication and monitoring of any audits conducted by external bodies and the implementation of corrective actions; and
- ✓ Review and advise the Council:
  - If Council has robust systems to set objectives and goals to determine and deliver appropriate levels of service to the community and business performance;
  - If appropriate reporting and monitoring mechanisms are in place to measure service delivery to the community and overall performance; and
  - How the Council can improve its service delivery and the Council's performance of its business and functions generally.

**Performance data and measurement**

Revise and advise the Council:

- ✓ Of Council has a robust system to determine appropriate performance indicators to measure the achievement of its strategic objectives;
- ✓ If the performance indicators Council uses are effective; and
- ✓ Of the adequacy of performance data collection and reporting.

**8.2 WENTWORTH SHOWGROUNDS USER GROUP MEETING 07 JULY 2022**

File Number: RPT/22/472

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Chanelle Pilling - Administration Officer

Objective: 3.0 Wentworth 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 meeting of the Wentworth Showgrounds User Group was held on 07 July 2022 and the Minutes of the meeting are attached to this report for the information of Councillors.

**Officer Recommendation**

That Council receives and notes the report.

**Attachments**

1. Wentworth Showgrounds - User Group - Meeting Minutes - 07 July 2022 [↓](#) 



**WENTWORTH SHOWGROUND USER GROUP MEETING  
MINUTES 7 July 2022 at 5pm  
Showgrounds Community Pavilion**

**1. Opening of Meeting – 5.05pm**

**2. Present**

Joanne Foley	Dareton Kennel Club	Ray Hill	Vintage Machinery Society
Annette Fraser	Wentworth Racing Club	Cr. Brian Beaumont	WSC
Jeff Robinson	Wentworth Racing Club	Cr. Steve Heywood	WSC
Dennis Traeger	Wentworth Rifle Club	Geoff Gunn	WSC – Chair
Geoff Heuzenroeder	Wentworth Show Society	Chanelle Pilling	WSC – Minute Taker
Luke Stirrat	Wentworth Show Society		

**Apologies**

Andrew Buffon, Sholto Douglas

**3. Confirmation of Minutes**

That the minutes of the meeting held on 5 May 2022 be confirmed as circulated.

**Moved:** Joanne Foley

**Seconded:** Jeff Robinson

**4. Matters arising from Previous meeting**

- **Sewer Project** – Pipework in ground, Water Excavations have attended and toilets are operational. Switchboards for Pump Station to be completed in September after the Wentworth Show (27-28 August) and Sunraysia Safari Rally (7-10 September).
- **Rifle Club Parking** – Discussion around other User Groups utilising the space at the Rifle Club. Other User Groups previously being charged by the Rifle Club but this is no longer the case. Dennis from the Rifle Club stated that the Club did not have issues with other User Groups utilising the space but would like to be advised of dates/times for intended use. Dennis stated that in meetings with Ashton Cowling that if the Rifle Club did not allow other User Groups to use the space at any time they wish, that the Rifle Club would not be allowed access to their own space, and stated that he has letters with the Shire letter head supporting this.  
**Action:** Dennis to bring documentation/letters to Geoff at Wentworth Shire Council office for Geoff to follow up/review.
- **Loading Ramp** – Discussion about location of a loading ramp. Discussed with Dennis from Rifle Club who stated there is no room in Rifle Club area. Dennis stated that only area suitable is covered with trees. Another location discussed was at the other end of the Showgrounds and this will be looked into further. Map attached to last meeting was used as reference but User Group asked for a plan instead of a map.
- **Rifle Club** – Currently not operating until an inspection has taken place. Dennis stated that this could be in 1,2- or 6-months' time. Unsure of inspection date at this point. Previously discussed that shooting range was 300m but this has been clarified as the shooting range is 600m. Lands Department NSW has indicated that Rifle Club pay lease and rates all year round. Wentworth Show Society state they only pay lease for time used.  
**Action:** Geoff to follow up lease arrangement.

- **Trees** – The Wentworth Racing Club raised new trees in the last meeting. This has been tabled for further discussion in the next meeting.
- **Pigeon Roosting Area** – Geoff advised that the pigeon roosting area had been addressed. Pressure washing has been arranged for next week (ending 15<sup>th</sup> July)
- **Running Rail** - \$110,000 funding secured. Deed signed in May and Grants Officer sourcing quotes – 3 received so far.  
**Action:** Geoff to follow up with Craig
- **New Shade Structure** – Wentworth Show Society would like to install a new shade structure near working dog's area and are hoping to have this completed before the Wentworth Show in late August.
- **Building Maintenance** – The air conditioner in the old secretary office is not working well. Geoff has spoken to Building Maintenance Officer Jarrod prior to User Group meeting who is following it up.  
**Action:** Building Maintenance Officer to inspect and arrange for repairs to air conditioner.
- **Female Jockey Changerooms** – Design is underway and project is progressing and up to the point of getting building quotes. 1 tree will need to be removed.
- **Replacement Horse Shed** – Funding to replace horse shed has been obtained. Milestone deadline of 20<sup>th</sup> of September to spend funding. Julie Douglas (Treasurer at Show Society) submitted documentation to Planning Department and waiting for response. Geoff to follow up DA Approval.
- **Rotary Club Storage Shed** – no updates. Rotary Club is wanting a drive through storage shed. No other on-site storage space currently. Only verbal discussions have been had thus far.  
**Action:** Geoff to follow up with Sandra.

#### 5. New Business

- **Feedback** – Exhibitors and User Groups reporting positive feedback for the state of the grounds. Recognition to Tim Snow and the Parks & Gardens Team for their work on the grounds.
- **Advertising for Mobile Food Vans for Wentworth Show** – Advertisement in Sunraysia Daily for Mobile Food Vans for Wentworth Show to contact Council has caused some confusion. Discussion that advertisement wording implies that Council are taking the booking for food vans. Advertisement is in regards to permits and no bookings.  
**Action:** Annette to follow this up.
- **Tower Keys** – Racing Club raised issue of not having keys to access new tower to set up inside.  
**Action:** Michael Hilliard to organise meeting with Racing Club to discuss access to tower.
- **Trees/Dog Show** – Joanne and Tim have discussed trees. Tent tops are touching some trees and will be looked into after the Dog Show has concluded.
- **Trotting Track** – Lots of water pools on oval after heavy rain, querying blocked drainage pipes – Currently being investigated.
- **Bins** – 4 bins have been reported by User Groups as too heavy to move. Contractors completing works at the Showgrounds have been filling bins with excess materials and rubbish such as concrete.  
**Action:** Geoff to follow up with contractors regarding materials in bin/removal
- **Filtered Water** – Filtered water blocked off at Tower. Discussed to be connected and run across to new shade structure.  
**Action:** Geoff to follow up

#### 6. Next Meeting Thursday 6 October 2022

#### 7. Meeting Close – 5:55pm

**WENTWORTH**  
**SHIRE COUNCIL**  
 WORTH THE DRIVE

<b>ACTIONS</b>		
<b>Item</b>	<b>Action</b>	<b>Status</b>
Rifle Club Parking Issues	Dennis from Rifle Club to bring letters/supporting documentation to WSC office and Geoff to follow up.	Dennis dropped off documents/letters to Geoff 08/07/2022. Geoff to read and follow up.
Lease & Rates for Rifle Club and Wentworth Show Society	Discussion from meeting surrounding lease & rates for year or time used. Geoff to follow up.	
Running Rail	Geoff to follow up with Grants Officer Craig on status of quotes for running rail.	
Air Conditioner	Building Maintenance Officer to follow up air conditioner in old secretary office.	
Replacement Horse Shed	Geoff to follow up on DA Approval.	
Rotary Club Storage Shed	Geoff to follow up with Sandra.	
Advertising	Annette to follow up on advertisement in Sunraysia Daily for Mobile Food Vans for Wentworth Show.	
Tower Keys	Micheal Hilliard to meet with Racing Club to discuss access to the new tower.	
Bins	Geoff to follow up with contractor regarding heavy materials in bin.	
Filtered Water	Geoff to follow up connection being run across to new shade structure.	

### 8.3 GEORGE GORDON OVAL USER GROUP MEETING 13 JULY 2022

File Number: RPT/22/482

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Chanelle Pilling - Administration Officer

Objective: 3.0 Wentworth 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 meeting of the George Gordon Oval User Group was held on 13 July 2022 and the Minutes of the meeting are attached to this report for the information of Councillors.

#### Officer Recommendation

That Council receives and notes the report.

#### Attachments

1. George Gordon Oval User Group Minutes 13 July 2022 [↓](#) 

**MINUTES**  
**GEORGE GORDON OVAL SPORTING COMPLEX USER GROUP**  
**MEETING 13 JULY 2022**

**1. Opening of Meeting**

Meeting opened at 5:05pm

**2. Present**

<b>Matt George</b>	Coomealla/Wentworth Cricket Club	<b>Cr. Peter Crisp</b>	Wentworth Shire Council
<b>Phil Baird</b>	Coomealla/Wentworth Cricket Club	<b>Cr. Steve Cooper</b>	Wentworth Shire Council
<b>Andy Murdoch</b>	Wentworth District Football Netball Club	<b>Chanelle Pilling</b>	Wentworth Shire Council
<b>Ron Kuhn</b>	Wentworth District Football Netball Club	<b>Geoff Gunn</b>	Wentworth Shire Council

**Apologies**

Kyra Cumming

**3. Confirmation of Minutes**

That the minutes of the meeting held 13 April 2021 be confirmed as circulated.

**Moved:** Andy Murdoch

**Seconded:** Steve Cooper

**4. Matters arising from Previous meeting**

- Resurface of Netball Courts – Wanting to resurface the whole court. Playing surface is fine but not aesthetically pleasing. Discussion around potential upgrade to both courts.  
*Action: Geoff to follow up funding opportunities with Craig Copley at WSC.*
- Boundary Realignment – Surveyors have attended.  
*Action: Geoff will follow up with Hilary Dye at WSC and Chanelle will attach with Meeting Minutes when sent out.*
- Conceptual Plan
  - "The Hill" – terracing to start
  - Time Keepers Box – has been replaced
  - Move Coaches Box  
*Action: Geoff to confirm grant with Rodger Bath & Craig Copley*
  - Bollards – Andy Murdoch to be installing next week
  - Area between Netball Courts – Currently grass which can be messy when mowed. Discussed that a new surface would need to be non-slip. Area would need to be prepped with road base if sealing or asphaltting.  
*Action: Geoff to discuss with Mick Mulvihill at WSC.*
  - Opposition Changerooms for Netball – There is currently only one changeroom for netball with 2 toilets and 2 showers. Can be up to 4 teams at a time (2 home, 2 away) using the one changeroom.  
*Action: Geoff to follow up funding opportunities with Craig Copley.*

**MINUTES**  
**GEORGE GORDON OVAL SPORTING COMPLEX USER GROUP**  
**MEETING 13 JULY 2022**

**5. New Business**

- Car Park – discussion around formalising dirt car park after Football/Netball season. Preliminary Final held at oval on 10 September and Cricket season commences in October. Would be filled in with remaining funding before the milestone cut-off date. Stormwater and other services to work around as well as Pine Tree. Line marking to be completed with parking spaces to be made slightly wider than standard.  
Action: Geoff to include remaining works for line marking on master plan.
- Gutters – Gutters are full of pine needles from tree. Discussion on looking into annual or bi-annual gutter cleaning.
- Dam Gate – for safety and security reasons, User Groups are requesting a lock be placed on the gate to the dam.  
Action: Geoff to look into lock for gate to the dam.
- Cricket Nets – Need to look at master plan and discuss potential relocation position. Would need to be moved where there is access to power and easy access to road.
- Automated Sprinklers – Discussion regarding automated sprinklers for the cricket pitch. Current system requires curator to attend multiple times a day to move around.  
Action: Geoff to refer to Tim Snow and Phil
- Female Changerooms – discussed the potential for female football/cricket changerooms.
  - Female football is currently all played in Mildura. The u/14 team training is run at the oval. Currently they are utilising the netball changerooms. Would like to consider female changerooms on the 2<sup>nd</sup> oval as the sport grows.
  - There has been an increase in competition in the women's cricket. Women's cricket is played on a Friday night but before is finished before the lights come on and the T20 competition is played under lights. Women's cricket team are currently using the men's changerooms. Would also like to explore female changerooms.
  - Discussed a shared facility grant (Multisport Community Facility Fund) that is currently open for applications and will close Friday 2 September 2022. Discussed that the DA needs to be in place in order to apply for grants  
Action: Geoff to discuss funding opportunities with Craig Copley.
- Master Plan – User groups would like the original master plan along with an updated plan with works that have been completed.  
Action: Geoff to supply copies of original and updated master plan to User Groups

**6. Next Meeting**

Wednesday 12 October 2022

**7. Meeting Close**

Meeting closed at 6.00pm

**MINUTES**  
**GEORGE GORDON OVAL SPORTING COMPLEX USER GROUP**  
**MEETING 13 JULY 2022**

ITEMS TO BE ACTIONED		
Item	Action	Status
Resurface of Netball Courts	Geoff to follow up funding opportunities with Craig Copley	
Boundary Realignment	Geoff to follow up with Hilary Dye at WSC and Chanelle will provide information with Meeting Minutes	
Move Coaches Box	Geoff to confirm grant with Rodger Bath and Craig Copely	
Area between Netball Courts	Geoff to discuss with Mick Mulvihill	
Opposition Changerooms for Netball	Geoff to discuss funding opportunities with Craig Copley	
Master Plan	Geoff to include remaining works for line marking. Geoff to supply User Groups with original <i>and</i> updated master plan.	
Dam Gate	Geoff to follow up a lock for the gate to the dam	
Automated Sprinklers	Geoff to refer to Tim Snow & Phil Baird to discuss	
Female Football/Cricket Changerooms	Geoff to discuss funding opportunities with Craig Copley	

#### 8.4 CARRAMAR DRIVE USER GROUP MEETING 28 JUNE 2022

File Number: RPT/22/483

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Chanelle Pilling - Administration Officer

Objective: 3.0 Wentworth 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 meeting of the Carramar Drive User Group was held on 28 June 2022 and the Minutes of the meeting are attached to this report for the information of Councillors.

#### Officer Recommendation

That Council receives and notes the report.

#### Attachments

1. Carramar Drive User Group Meeting Minutes 28 June 2022 [↓](#) 



**CARRAMAR DRIVE USER GROUP MEETING  
MINUTES 28 JUNE 2022 at  
CARRAMAR DRIVE OVAL**

**1. Opening of Meeting 5:08pm**

**2. Present**

Peter Chessells	Football	Cr Linklater	WSC
Paul Mensch	Football	Cr Rodda	WSC
Mandy Mensch	Football	Geoff Gunn	WSC
Bill Darlison	Lions	Sam Wall	WSC
Richard Munro	Lions	Chanelle Pilling	WSC

**Apologies** Mark Blows

**3. Confirmation of Minutes**

That the minutes of the meeting held 29 March 2022 be confirmed as circulated.

**Moved:** Paul Mensch

**Seconded:** Mandy Mensch

**4. Matters arising from Previous meeting**

- Clubs insurance – does it cover volunteers?  
They would like a copy of their current agreements.  
**Action** Copy of agreements sent to each User
- Crossing to IGA development  
Footpath has been completed
- Key system is still an issue  
**Action** Geoff and Council Building Technical Officer will meet on site with a representative from each group to work out the best way forward. Council to schedule meeting.
- Grant Applications for second oval  
Geoff advised he had spoken with the Director of Health & Planning regarding the Strategy. He advised it was a formal document & any changes would need to go to public exhibition then referred to council for endorsement.  
The user group will need to provide something in written request address to the General Manager  
**Action** User group to write to Council with an official request for a second oval.
- Lions Club would like power and water to their shed  
**Action** Council to assess transformer and speak with grants officer to look for possible grant opportunities



- Oval Maintenance – For Noting  
Team Leader of Parks & Gardens has addressed the issue of the oval being mowed too low  
Scarifying works have been booked in for after football season.

**5. New Business**

**5.1 Grant applications**

Paul advised he received an email from AFL.com regarding upcoming grants. The email will be passed on to Council's Grants Officer for assistance.

Planning needs to happen prior to applying – Costings, approval for flood / Crown lands. Geoff advised it won't be easy to get all the approvals & it will take time.

**Action** Council's Grants Officer to contact Paul regarding grant applications

**5.2 Netball courts flaking damage**

The Millewa League has stated that the netball courts are not up to standard.

Geoff advised that the surfacing contractor has been notified of the damage. A suitable time will need to be arranged to rectify the damaged. May need to wait until the weather warms up & netball season is over.

**Action** Geoff to contact contractor to arrange a suitable time to repair courts.

**6. Next Meeting** Tuesday 27 September 2022

**7. Meeting Close** 5:54pm

**WENTWORTH**  
**SHIRE COUNCIL**  
 WORTH THE DRIVE

<b>ACTIONS</b>		
<b>ITEM</b>	<b>ACTION</b>	<b>STATUS</b>
Agreements	Provide a copy of each user's agreements	
Key system is still an issue	Geoff and Council Building Technical Officer will meet on site with a representative from each group to work out the best way forward. Council to organise meeting.	
2 <sup>nd</sup> Oval	Group to write to Council with an official request for a 2 <sup>nd</sup> oval	
Grant Applications	Grants Officer to contact Paul Mensch & provide advice as to what is needed before applying	
Possibility of Power and Water to Lions shed	Council to assess transformer and speak with grants officer to look for possible grant opportunities	
Parks & Gardens matters	Provide Mark Blows, Paul Mensch and Daron Hulls with contact numbers for Parks and Gardens Team Leader	

## 9 REPORTS TO COUNCIL

### 9.1 GENERAL MANAGERS REPORT

File Number: RPT/22/458

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: 4.2 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 22-19 to 22-21
2. Meetings  
As listed
3. Upcoming meetings or events  
As listed
4. Other items of note

#### Recommendation

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

#### Detailed Report

##### 1. Circulars

###### **Circular 22-19**

###### **Consultation on regulatory proposals for a new *Public Spaces (Unattended Property) (PSUP) Regulation 2022* and to commence the PSUP Act**

- The Office of Local Government (OLG) invites comment over the next 21 days on regulatory proposals in the RIS, including Penalty Infringement Notice amounts, notice periods, monetary caps under which items may be quickly disposed of, and risk-based timeframes within which those responsible for unattended property in public must collect their property or potentially face strong enforcement action.
- OLG will continue to consult with councils and others over the coming weeks to develop training, guidance and communication materials to support successful implementation of the PSUP laws.

###### **Circular 22-20**

###### **Annual Reporting of Labour Statistics**

In the 2021/22 annual reports, councils must publish a statement of the total number of persons who performed paid work for them on Wednesday 25 May 2022 including, in separate statements, the total number of the following:

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

## **Circular 22-21**

### **Update on membership requirements for audit, risk and improvement committees**

- Under the new requirements, all councils (including county councils) and joint organisations will be required, at a minimum, to have an ARIC that comprises of the following:
  - one independent chair who meets the independence and eligibility criteria for an ARIC chair, and
  - at least two independent members who meet the independence and eligibility criteria for ARIC members – councils may appoint additional independent members should they choose to do so.
- Councils will also have the option of appointing one non-voting councillor member to their ARIC who meets the eligibility criteria for councillor members.
- The proposed independence and eligibility criteria for ARIC chairs and independent members and the proposed eligibility criteria for councillor members of ARICs are set out in the attachment to this circular.
- The above requirements will apply to all councils and joint organisations. The removal of the requirement for ARIC chairs and a prescribed number of ARIC members to be appointed from the NSW Government prequalification scheme based on which tier a council is in, means that it is no longer necessary to place councils in tiers and these arrangements will no longer apply.
- Given that councils and joint organisations will no longer be required to appoint ARIC chairs and members from the NSW Government prequalification scheme, the timeframe for compliance with the ARIC membership requirements in the Guidelines will be brought forward to 1 July 2024. As of that date all councils and joint organisations will be required to ensure ARIC chairs and members meet the eligibility and independence requirements set out in the Guidelines and have a risk management framework and internal audit function that complies with the Guidelines.

## **2. Meetings**

Following is a list of meetings or events attended by the General Manager for the period of 21 July 2022 – 9 August 2022.

Date	Meeting	Location
21 Jul 2022	Wentworth Health Service Project Team	Wentworth
22 Jul 2022	Wentworth Health Service Project Team meeting with Council	Wentworth
25 Jul 2022	ClubGrants Category 1 meeting	Wentworth
25 Jul 2022	Cross Border Commissioner	Wentworth
26 Jul 2022	Victoria & New South Wales Cross Border Commissioner Social Policy Forum	Buronga
26 Jul 2022	Audit, Risk & Improvement Committee Meeting	Wentworth
26 Jul 2022	Mayoral Meeting	Wentworth
27 Jul 2022	Council Advisory Meeting	Wentworth
2 Aug 2022	Mayoral Meeting	Wentworth
2 Aug 2022	Minister Saunders Advisor meeting	Video Conference
4 Aug 2022	Collaborative Care Working Party Meeting	Video Conference
8 Aug 2022	Far West Joint Organisation / NSW State Resilience Workshop	Video Conference
9 Aug 2022	Mayoral Meeting	Wentworth

### 3. Events





Following is a list of upcoming events, conferences or committee meetings, including out of region meetings where the Shire has been requested to attend in an official capacity from 19 Aug 2022 – 15 Sept 2022

Date	Meeting	Proposed Attendees	Location
5 Sept 2022	Wentworth Regional Tourism Inc	Cr Rodda	Coomealla
13 Sept 2022	Australian Inland Botanic Gardens	Cr Rodda	Mourquong
15 Sept 2022	Wentworth Shire Interagency Group Meeting	Cr Rodda	Buronga

### 4. Other items of note

Nil

### Attachments

1. Circular 22-19 [!\[\]\(e632a3c0ba6a0c2b4b3469fe08343bf4\_img.jpg\)](#) 
2. Circular 22-20 [!\[\]\(f07a289cf82feb3f9485ed6ed164a56d\_img.jpg\)](#) 
3. Circular 22-21 [!\[\]\(6506efb8cc548e0ccdd6ee42e075d3c7\_img.jpg\)](#) 
4. Circular 22-21 Attachment [!\[\]\(ba6497534e934a51ee87146dcfc4abfa\_img.jpg\)](#) 



Office of  
Local Government

## Circular to Councils

<b>Circular Details</b>	Circular Number 22-19 / 13 July 2022 / A825856
<b>Previous Circulars</b>	21-39 The NSW Government's <i>Public Spaces (Unattended Property) Act 2021</i> 19-30 Review of the <i>Impounding Act 1993</i> and Release of Discussion Paper
<b>Who should read this</b>	Councillors/General Managers/All council staff
<b>Contact</b>	Policy Team / 02 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Feedback on regulatory proposals

### Consultation on regulatory proposals for a new *Public Spaces (Unattended Property) (PSUP) Regulation 2022* and to commence the PSUP Act

#### What's new or changing

- The *Public Spaces (Unattended Property) (PSUP) Act 2021* passed Parliament on 29 November 2021.
- A Regulatory Impact Statement (RIS) has been released for consultation for 21 days on preferred options for regulations to support the new PSUP Act. An analysis of costs and benefits of the preferred option is included.

#### What this will mean for your council

- The Office of Local Government (OLG) invites comment over the next 21 days on regulatory proposals in the RIS, including Penalty Infringement Notice amounts, notice periods, monetary caps under which items may be quickly disposed of, and risk-based timeframes within which those responsible for unattended property in public must collect their property or potentially face strong enforcement action.
- OLG will continue to consult with councils and others over the coming weeks to develop training, guidance and communication materials to support successful implementation of the PSUP laws.

#### Key points

- The new PSUP laws will provide councils with stronger powers and penalties to rid footpaths, streets, parks and other public spaces of unattended property (including personal items, shopping trolleys, share bikes, vehicles and stock animals) by making those responsible for unattended property attend to it or face strong enforcement action.
- Following consultation on the RIS, it is anticipated that the new PSUP laws and regulations will be commenced later this year on a date determined by the Minister for Local Government, the Hon. Wendy Tuckerman MP.
- The RIS includes a detailed cost benefit analysis of the NSW Government's preferred option, which shows a net benefit to the community of \$10.1m per year or \$71 million over 10 years.
- Feedback received from councils and other key stakeholders during the extensive consultation process over the past 2.5 years was instrumental in shaping the

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regulatory proposals, as flagged in the [Second Reading Speech](#) to Parliament at the time the Bill was debated.

- The proposals also incorporate feedback provided at consultation workshops held in April and May 2022 with councils, industry, community advocacy groups, peak bodies, animal welfare organisations and others on important regulatory proposals needed to commence the PSUP Act.
- The PSUP laws will replace and repeal the Impounding Act 1993 and regulations, including special provisions for declaring a 'boat trailer impounding area'.

#### Where to go for further information

- A copy of the RIS, details about how to provide feedback by the closing date of 5pm **Wednesday 3 August 2022** and further information about the *Public Spaces (Unattended Property) Act 2021* is available on the OLG website [here](#).
- The *Public Spaces (Unattended Property) Act 2021* is available on the Legislation Register [here](#).
- Further information about the review of the Impounding Act and development of the PSUP Act is available on the OLG website [here](#).

**Liz Moore**

**Acting Deputy Secretary, Crown Lands and Local Government**

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## Circular to Councils

<b>Circular Details</b>	Circular No 22-20 / 13 July 2022 / A827540
<b>Previous Circular</b>	21-41 Annual Reporting of Labour Statistics by Councils
<b>Who should read this</b>	Councillors / General Managers / Human Resources
<b>Contact</b>	Council Governance Team/02 4428 4100/olg@olg.nsw.gov.au
<b>Action required</b>	Information / Council to Implement

### Annual Reporting of Labour Statistics

#### What's new or changing

- **Wednesday 25 May 2022** 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*.

#### What this will mean for your council

- In their 2021/22 annual reports, councils must publish a statement of the total number of persons who performed paid work for them on **Wednesday 25 May 2022** including, in separate statements, the total number of the following:
  - 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, and
    - 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, and
  - 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 is required to be fixed by the Secretary of the Department of Planning and Environment 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.

#### Where to go for further information

- For further information please contact the Council Governance Team on 4428 4100 or by email at [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).

**Liz Moore**

**A/Deputy Secretary, Crown Lands and Local Government**

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## Circular to Councils

<b>Circular Details</b>	Circular No 22-21 / Date 20 July 2022 / A824754
<b>Previous Circular</b>	21-26 <i>New risk management and internal audit framework for councils and joint organisations</i>
<b>Who should read this</b>	General Managers / Councillors / Council governance staff / Audit, risk and improvement committee members and internal audit personnel
<b>Contact</b>	Council Governance Team / (02) 4428 4100 / <a href="mailto:olg@olg.nsw.gov.au">olg@olg.nsw.gov.au</a>
<b>Action required</b>	Information

### Update on membership requirements for audit, risk and improvement committees

#### What's new or changing

- Following recent discussions, the Office of Local Government (OLG) and NSW Treasury have agreed that the NSW Government's Prequalification Scheme for Audit and Risk Committee Chairs and Members will not be suitable for use by councils and joint organisations.
- OLG's draft *Guidelines for Risk Management and Internal Audit for Local Councils in NSW*, issued for consultation last year, contemplated that from June 2027 councils and joint organisations would be required to appoint Audit, Risk and Improvement Committee (ARIC) chairs and a prescribed number of ARIC members from the NSW Government prequalification scheme. Following discussions with NSW Treasury, OLG has taken the opportunity revisit this requirement, delaying the finalisation of the Guidelines.
- While OLG anticipates that this delay will not be significant, it recognises the need to give councils and joint organisations certainty, particularly given that some are currently in the process of establishing an ARIC for the first time and appointing chairs and members. The proposed new requirements for ARIC membership have therefore been set out in the attachment to this circular.

#### What this will mean for your council

- Under the new requirements, all councils (including county councils) and joint organisations will be required, at a minimum, to have an ARIC that comprises of the following:
  - one independent chair who meets the independence and eligibility criteria for an ARIC chair, and
  - at least two independent members who meet the independence and eligibility criteria for ARIC members – councils may appoint additional independent members should they choose to do so.
- Councils will also have the option of appointing one non-voting councillor member to their ARIC who meets the eligibility criteria for councillor members.
- The proposed independence and eligibility criteria for ARIC chairs and independent members and the proposed eligibility criteria for councillor members of ARICs are set out in the attachment to this circular.
- The above requirements will apply to all councils and joint organisations. The removal of the requirement for ARIC chairs and a prescribed number of ARIC

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members to be appointed from the NSW Government prequalification scheme based on which tier a council is in, means that it is no longer necessary to place councils in tiers and these arrangements will no longer apply.

- Given that councils and joint organisations will no longer be required to appoint ARIC chairs and members from the NSW Government prequalification scheme, the timeframe for compliance with the ARIC membership requirements in the Guidelines will be brought forward to **1 July 2024**. As of that date all councils and joint organisations will be required to ensure ARIC chairs and members meet the eligibility and independence requirements set out in the Guidelines and have a risk management framework and internal audit function that complies with the Guidelines.

### Key points

- Under the *Local Government Act 1993*, all councils (including county councils) and joint organisations are required to have an ARIC or to have entered into an arrangement with another council or joint organisation to share an ARIC from **4 June 2022**.
- OLG recognises that some councils and joint organisations may have faced challenges in establishing an ARIC or shared arrangements for an ARIC ahead of the 4 June deadline and is prepared to accommodate some flexibility in implementation timeframes provided they can demonstrate that they are actively taking steps to appoint or share an ARIC.
- The Guidelines will be finalised soon. Full compliance with the requirements in the Guidelines will be required from **1 July 2024**.

### Where to go for further information

- The proposed independence and eligibility criteria for ARIC chairs and independent members and the proposed eligibility criteria for councillor members are set out in the attachment to this circular.
- The draft [Guidelines for Risk Management and Internal Audit for Local Councils in NSW](#) provides further guidance on the proposed requirements for ARICs, the risk management framework and internal audit function. As noted above, the proposed requirement in the draft Guidelines to use the NSW Government prequalification scheme and the tiering arrangements will no longer apply.
- For further information please contact the Council Governance Team on 02 4428 4100 or by email at [olg@olg.nsw.gov.au](mailto:olg@olg.nsw.gov.au).
- If councils or joint organisations require assistance in establishing an ARIC or shared arrangements for an ARIC, they should contact their Council Engagement Manager at OLG.

**Liz Moore**

**A/Deputy Secretary, Crown Lands and Local Government**

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## Attachment

The following requirements will apply to ARIC chairs and members from **1 July 2024**.

### **1. Independence requirements for ARIC chairs and independent members**

All ARIC chairs and independent members must be independent to ensure they have no real or perceived bias or conflicts of interest that may interfere with their ability to act independently and can provide the council with robust, objective, and unbiased advice about how the council is functioning.

ARIC chairs and independent members cannot:

- currently be a councillor of any NSW council
- be a non-voting representative of the board of a joint organisation
- be a candidate at the last election of the council
- be a person who has held office in the council during its previous term
- be currently employed by the council or joint organisation, or been employed during the last 12 months
- conduct audits of the council on behalf of the Audit Office of NSW
- have a close personal or business relationship with a councillor or a person who has a senior role in the council that may lead to a real or perceived conflict of interest
- currently, or within the last three years, provided any material goods or services (including consultancy, legal, internal audit, and advisory services) to the council which directly affect subjects or issues considered by the ARIC
- be (or have a close family member who is) a substantial shareholder, owner, officer, or employee of a company that has a material business, contractual relationship, direct financial interest or material indirect financial interest with the council or a related entity which could be considered a real or perceived conflict of interest, or
- currently or have previously acted as an advocate of a material interest on behalf of the council or a related entity which could be considered a real or perceived conflict of interest.

Current staff of councils cannot serve as the chair of an ARIC but may serve as an independent member of another council's ARIC provided they meet the independence and eligibility criteria for membership of the council's ARIC and their employer is not participating in a shared arrangement with the other council in relation to the ARIC or the internal audit function.

### **2. Eligibility requirements for ARIC chairs and members**

The persons appointed as a chair or a member of an ARIC must possess the skills, knowledge, and experience necessary to undertake their roles on the ARIC effectively and to ensure the ARIC is able to operate appropriately and effectively to support the council.

The following eligibility criteria for ARIC chairs and members reflects the minimum standards persons must meet to be appointed as the chair or member of a council's ARIC. Councils may require ARIC chairs and members to satisfy more onerous eligibility criteria if they choose to do so.

#### **Eligibility requirements for ARIC Chairs**

In addition to meeting the independence requirements set out above, the following eligibility criteria apply to the chair of an ARIC.



### ***Essential criteria***

ARIC chairs must demonstrate the following:

- leadership qualities and the ability to promote effective working relationships in complex organisations
- an ability to communicate complex and sensitive assessments in a tactful manner to the head of the council's internal audit function, senior management and the mayor and councillors
- a sound understanding of:
  - the principles of good organisational governance and capacity to understand local government accountability, including financial reporting
  - the business of the council or the environment in which it operates
  - internal audit operations, including selection and review of the head of the council's internal audit function, and
  - risk management principles
- extensive senior level experience in governance and management of complex organisations, an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- functional knowledge in areas such as risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- a capacity to form independent judgements and a willingness to constructively challenge/question management practices and information, and
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of the chair of an ARIC.

### ***Desirable criteria***

- possession of a relevant professional qualification or membership (e.g., Institute of Internal Auditors (IIA), CPA Australia (CPA) and Chartered Accountants Australia and New Zealand (CA)) is desirable.

### **Eligibility requirements for ARIC independent members**

In addition to meeting the independence requirements set out above, the following eligibility criteria apply to ARIC independent members:

### ***Essential criteria***

ARIC independent members must demonstrate the following:

- an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- functional knowledge in areas such as risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- a capacity to form independent judgements and willingness to constructively challenge/question management practices and information
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of an independent member of an ARIC, and



- preparedness to undertake any training on the operation of ARICs recommended by the chair based on their assessment of the skills, knowledge and experience of the independent member.

### ***Desirable criteria***

Ideally, independent members of ARICs should also meet the following criteria, but these are not essential:

- extensive senior level experience in governance and management of complex organisations, and
- possession of a relevant professional qualification or membership (e.g., Institute of Internal Auditors (IIA), CPA Australia (CPA) and Chartered Accountants Australia and New Zealand (CA)).

### **Eligibility requirements for non-voting councillor members of ARICs**

A councillor must demonstrate the following to be appointed as a non-voting ARIC member:

- an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- a good understanding of one or more of the following: risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- a capacity to form independent judgements and willingness to constructively challenge/question management practices and information
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of a councillor member of an ARIC, and
- preparedness to undertake any training on the operation of ARICs recommended by the chair based on their assessment of the skills, knowledge and experience of the councillor member.

**Note: The mayor cannot be appointed as a councillor member on a council's ARIC.**

### **3. Appointment of ARICs**

When selecting ARIC members, councils should ensure the ARIC has an appropriate mix of skills, knowledge and experience to successfully implement its terms of reference and add value. An ARIC should have:

- at least one member with financial expertise (for example, a qualified accountant or auditor or other financial professional with experience of financial and accounting matters), and
- a mix of skills and experience in:
  - business
  - financial and legal compliance
  - risk management
  - internal audit, and
  - any specialised business operations of the council, where the ARIC would benefit from having a member with skills or experience in this area.

All ARIC members should have sufficient understanding of the council's financial reporting responsibilities to be able to contribute to the ARIC's consideration of the annual financial statements.



Each ARIC member should also have sufficient time to devote to their responsibilities.

Where possible, councils should ensure that at least one other ARIC member is also qualified to act as the chair if this is ever required.

**Note: Councils must undertake a criminal record and financial status (bankruptcy) check of ARIC chairs and members before their appointment.**



## Attachment

The following requirements will apply to ARIC chairs and members from **1 July 2024**.

### **1. Independence requirements for ARIC chairs and independent members**

All ARIC chairs and independent members must be independent to ensure they have no real or perceived bias or conflicts of interest that may interfere with their ability to act independently and can provide the council with robust, objective, and unbiased advice about how the council is functioning.

ARIC chairs and independent members cannot:

- currently be a councillor of any NSW council
- be a non-voting representative of the board of a joint organisation
- be a candidate at the last election of the council
- be a person who has held office in the council during its previous term
- be currently employed by the council or joint organisation, or been employed during the last 12 months
- conduct audits of the council on behalf of the Audit Office of NSW
- have a close personal or business relationship with a councillor or a person who has a senior role in the council that may lead to a real or perceived conflict of interest
- currently, or within the last three years, provided any material goods or services (including consultancy, legal, internal audit, and advisory services) to the council which directly affect subjects or issues considered by the ARIC
- be (or have a close family member who is) a substantial shareholder, owner, officer, or employee of a company that has a material business, contractual relationship, direct financial interest or material indirect financial interest with the council or a related entity which could be considered a real or perceived conflict of interest, or
- currently or have previously acted as an advocate of a material interest on behalf of the council or a related entity which could be considered a real or perceived conflict of interest.

Current staff of councils cannot serve as the chair of an ARIC but may serve as an independent member of another council's ARIC provided they meet the independence and eligibility criteria for membership of the council's ARIC and their employer is not participating in a shared arrangement with the other council in relation to the ARIC or the internal audit function.

### **2. Eligibility requirements for ARIC chairs and members**

The persons appointed as a chair or a member of an ARIC must possess the skills, knowledge, and experience necessary to undertake their roles on the ARIC effectively and to ensure the ARIC is able to operate appropriately and effectively to support the council.

The following eligibility criteria for ARIC chairs and members reflects the minimum standards persons must meet to be appointed as the chair or member of a council's ARIC. Councils may require ARIC chairs and members to satisfy more onerous eligibility criteria if they choose to do so.

#### **Eligibility requirements for ARIC Chairs**

In addition to meeting the independence requirements set out above, the following eligibility criteria apply to the chair of an ARIC.



### ***Essential criteria***

ARIC chairs must demonstrate the following:

- leadership qualities and the ability to promote effective working relationships in complex organisations
- an ability to communicate complex and sensitive assessments in a tactful manner to the head of the council's internal audit function, senior management and the mayor and councillors
- a sound understanding of:
  - the principles of good organisational governance and capacity to understand local government accountability, including financial reporting
  - the business of the council or the environment in which it operates
  - internal audit operations, including selection and review of the head of the council's internal audit function, and
  - risk management principles
- extensive senior level experience in governance and management of complex organisations, an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- functional knowledge in areas such as risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- a capacity to form independent judgements and a willingness to constructively challenge/question management practices and information, and
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of the chair of an ARIC.

### ***Desirable criteria***

- possession of a relevant professional qualification or membership (e.g., Institute of Internal Auditors (IIA), CPA Australia (CPA) and Chartered Accountants Australia and New Zealand (CA)) is desirable.

### **Eligibility requirements for ARIC independent members**

In addition to meeting the independence requirements set out above, the following eligibility criteria apply to ARIC independent members:

### ***Essential criteria***

ARIC independent members must demonstrate the following:

- an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- functional knowledge in areas such as risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- a capacity to form independent judgements and willingness to constructively challenge/question management practices and information
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of an independent member of an ARIC, and



- preparedness to undertake any training on the operation of ARICs recommended by the chair based on their assessment of the skills, knowledge and experience of the independent member.

### ***Desirable criteria***

Ideally, independent members of ARICs should also meet the following criteria, but these are not essential:

- extensive senior level experience in governance and management of complex organisations, and
- possession of a relevant professional qualification or membership (e.g., Institute of Internal Auditors (IIA), CPA Australia (CPA) and Chartered Accountants Australia and New Zealand (CA)).

### **Eligibility requirements for non-voting councillor members of ARICs**

A councillor must demonstrate the following to be appointed as a non-voting ARIC member:

- an ability to read and understand financial statements and a capacity to understand the ethical requirements of government (including potential conflicts of interest)
- a good understanding of one or more of the following: risk management, performance management, human resources management, internal and external auditing, financial reporting, accounting, management control frameworks, internal financial controls, governance (including planning, reporting and oversight), or business operations
- a capacity to form independent judgements and willingness to constructively challenge/question management practices and information
- a professional, ethical approach to the exercise of their duties and the capacity to devote the necessary time and effort to the responsibilities of a councillor member of an ARIC, and
- preparedness to undertake any training on the operation of ARICs recommended by the chair based on their assessment of the skills, knowledge and experience of the councillor member.

**Note: The mayor cannot be appointed as a councillor member on a council's ARIC.**

### **3. Appointment of ARICs**

When selecting ARIC members, councils should ensure the ARIC has an appropriate mix of skills, knowledge and experience to successfully implement its terms of reference and add value. An ARIC should have:

- at least one member with financial expertise (for example, a qualified accountant or auditor or other financial professional with experience of financial and accounting matters), and
- a mix of skills and experience in:
  - business
  - financial and legal compliance
  - risk management
  - internal audit, and
  - any specialised business operations of the council, where the ARIC would benefit from having a member with skills or experience in this area.

All ARIC members should have sufficient understanding of the council's financial reporting responsibilities to be able to contribute to the ARIC's consideration of the annual financial statements.



Each ARIC member should also have sufficient time to devote to their responsibilities.

Where possible, councils should ensure that at least one other ARIC member is also qualified to act as the chair if this is ever required.

**Note: Councils must undertake a criminal record and financial status (bankruptcy) check of ARIC chairs and members before their appointment.**

## 9.2 CHANGE OF MEETING DATE

File Number: RPT/22/509

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: 4.3 An effective and efficient organisation

### **Summary**

The Murray Darling Association Annual Conference and Annual General Meeting are being held on 19-21 September 2022. The September 2022 Ordinary Council meeting is scheduled for the 21 September 2022. Due to three Councillors attending the Conference it is proposed that the Ordinary Council meeting scheduled for 21 September 2022 be rescheduled to be held on 28 September 2022.

### **Recommendation**

That the Ordinary Council meeting scheduled for 21 September 2022 be rescheduled to be held at the Wentworth Shire Council Chambers at 6:30pm on 28 September 2022.

### **Detailed Report**

The Murray Darling Association Annual Conference and Annual General Meeting are being held on 19-21 September 2022. The September 2022 Ordinary Council meeting is scheduled for the 21 September 2022. To overcome this clash of dates, and due to three Councillors attending the Conference, it is proposed that the Ordinary Council meeting scheduled for 21 September 2022 be rescheduled to be held on 28 September 2022.

### **Recommendation**

It is recommended that the Ordinary Council meeting scheduled for 21 September 2022 be rescheduled to 28 September 2022.

### **Attachments**

Nil

### 9.3 LOCAL GOVERNMENT REPRESENTATIVE WILLANDRA LAKES WORLD HERITAGE ADVISORY COMMITTEE

File Number: RPT/22/510

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: 4.2 A strong, responsible and representative government

#### **Summary**

At the 20 April 2022 Ordinary Council meeting Council resolved to nominate Cr Nichols & Cr Beaumont to apply to be the Local Government representatives on the Willandra Lakes World Heritage Area Advisory Committee. Cr MacAllister who was formerly on the Committee has requested she be able to nominate as well. Cr MacAllister's inclusion requires a resolution of Council.

#### **Recommendation**

That Council endorse Cr MacAllister to apply to be a Local Government representative on the Willandra Lakes World Heritage Area Advisory Committee

#### **Detailed Report**

##### **Purpose**

The purpose of this report is for Council to endorse Cr MacAllister nominating to be a Local Government representative on the Willandra Lakes World Heritage Area Advisory Committee.

##### **Background**

The Local Government representative on the Willandra Lakes World Heritage Area Advisory Committee currently represents both Wentworth Shire Council and Balranald Shire Council who are currently in administration. The position is endorsed by the Minister responsible after an application process.

Cr MacAllister served for three years during the previous term of Council as the Local Government representative on the Willandra Lakes World Heritage Area Advisory Committee. Giving consideration to the quantum of work undertaken in that time, the familiarity with current members of the committee, processes and reporting functions (including to Wentworth Shire Council, as well as Local Government NSW) it is recommended that Cr MacAllister be endorsed to apply for the role.

##### **Conclusion**

Cr MacAllister's experience in the role of Local Government representative on the Willandra Lakes World Heritage Area Advisory Committee places her in a good position to represent the Shire in this important role should she be appointed by the Minister.

#### **Attachments**

1. Representation on Willandra Lakes World Heritage Area Advisory Committee Report - Ordinary Council 20 April 2022 [!\[\]\(f9d5538bc76caefee6b587feff6b7aab\_img.jpg\)](#)
2. Minute 20 April 2022 Willandra Lakes World Heritage Area Advisory Committee [!\[\]\(829c7e6fb6add1a44667e92874961374\_img.jpg\)](#)

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**ORDINARY MEETING AGENDA****20 APRIL 2022**

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**9.6 Representation on Willandra Lakes World Heritage Area Advisory Committee**

File Number: RPT/22/288

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

Objective: 4.0 Wentworth is a caring , supportive and inclusive community that is informed and engaged in its future  
Strategy: 4.6 Collaborate with others to achieve desired outcomes for the local community

**Summary**

The NSW Government is seeking expressions of interest for membership on the Willandra Lakes Region World Heritage Advisory Committee via LGNSW.

Council is invited to nominate two representatives for the Willandra Lakes Region World Heritage Advisory Committee, by Wednesday 4 May 2022, to be forwarded for the Minister's consideration.

**Recommendation**

That Council nominate two representatives for local government membership on the Willandra Lakes Region World Heritage Advisory Committee.

**Detailed Report****Purpose**

The purpose of this report is for Council to consider nominating two representatives for the Willandra Lakes Region World Heritage Advisory Committee.

**Background**

World Heritage advisory committees are responsible for providing advice to managing agencies and State and Australian Government ministers responsible for World Heritage, on the identification, protection, conservation, presentation and transmission of World Heritage values.

World Heritage advisory committee members are appointed by State minister/s responsible for World Heritage. The chairs are jointly appointed by State and Australian Government ministers responsible for World Heritage.

**Committee positions**

The Willandra Lakes Region World Heritage Advisory Committee is an 18-person committee with the following composition:

- 1 Independent Chair
- 9 First Nations representatives from the WLR-WH Aboriginal Advisory Group
- 2 Landholders (leaseholders within the World Heritage property)
- 3 Scientific representatives
- 1 Tourism representative
- 1 Local government representative
- 1 NPWS Regional Advisory Committee representative

Members and the chair of the committee are appointed for a term of three years. This is the second term of this Advisory Committee and it will commence on the 1 July 2022 and be appointed to the 30 June 2025.

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**ORDINARY MEETING AGENDA****20 APRIL 2022**

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Report Detail

The following outlines selection criteria for the Local Government representatives.

1. Standard selection Criteria for ALL committee member applicants

- 1.1 Familiarity with, and demonstrated interest in, Willandra Lakes Region World Heritage Property
- 1.2 Familiarity with Australia's obligations under the World Heritage Convention and the implementation of its Operational Guidelines

5. Additional selection criterion for the Local Government representative is based on:

- 5.1 Nomination by Local Government, NSW

Duties of all members include:

- providing advice to the management agencies and State and Australian Government ministers responsible for World Heritage on identification, protection, conservation, presentation and transmission to future generations, of the cultural and natural heritage from a community and academic viewpoint.
- identifying research priorities that will contribute to the protection and conservation of the outstanding universal value of the Willandra Lakes Region.
- respecting the tradition of First Nations people's rights and aspirations for the Willandra Lakes Region
- conduct Committee business consistent with the Terms of Reference for the Committee & the Advisory Committee Handbook
- maintaining adherence to the NSW Government Boards and Committees Guidelines for Ethics and Conduct at meetings

Committee members are not remunerated, but their travel and accommodation for attendance at the meeting is funded by NPWS.

Conclusion

Council has, in the past, had a representative on The Willandra Lakes Region World Heritage Advisory Committee. It is recommended that Council nominate two representatives to represent Local Government on this committee.

Attachments

1. Willandra Lakes Region World Heritage Advisory Committee - Handbook  
Endorsed - Nov 2021

## ORDINARY MEETING MINUTES

20 APRIL 2022

**9.6 REPRESENTATION ON WILLANDRA LAKES WORLD HERITAGE AREA ADVISORY COMMITTEE**

File Number: RPT/22/288

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

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

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

**Summary**

The NSW Government is seeking expressions of interest for membership on the Willandra Lakes Region World Heritage Advisory Committee via LGNSW.

Council is invited to nominate two representatives for the Willandra Lakes Region World Heritage Advisory Committee, by Wednesday 4 May 2022, to be forwarded for the Minister's consideration.

**Recommendation**

That Council nominate two representatives for local government membership on the Willandra Lakes Region World Heritage Advisory Committee.

**Council Resolution**

That Council nominate Cr Nichols and Cr Beaumont for local government membership on the Willandra Lakes Region World Heritage Advisory Committee.

**Moved Cr Rodda, Seconded Cr Linklater**

**CARRIED UNANIMOUSLY**

## 9.4 COUNCIL BRANDING

File Number: RPT/22/460

Responsible Officer: Ken Ross - General Manager  
 Responsible Division: Office of the General Manager  
 Reporting Officer: Lexi Stockman - Manager Tourism and Promotion

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**

With the move into the Civic Centre planned within the next 18 months, the timing of the rebranding is imperative to Council's fresh start within a new building, combining all operational areas of Council including the Council Offices, Visitor Information Centre, Library and Conference Centre.

Council has engaged Saunders Design to develop new branding in anticipation for our move to the Civic Centre and in line with our new tourism branding. Extensive research has been undertaken to develop the branding including a new council logo to highlight the Shire's best assets. Council had previewed the work to date during an information session conducted by Saunders Design on 22 June 2022.

### **Recommendation**

That Council endorse the Saunders Design branding proposal and progress the development of the custom style guideline previously presented to Council.

### **Detailed Report**

#### **Purpose**

The purpose of this report is to highlight the need for rebranding and reinvigorating Council's overall image. The main objectives of the rebrand includes creating a brand that's inclusive, transparent, progressive and friendly and to strengthen and build awareness of the Wentworth Shire Council both within the Council area and outside the region.

#### **Background**

With the move into the Civic Centre planned within the next 18 months, the timing of the rebranding is imperative to Council's fresh start within a new building, combining all operational areas of Council including the Council Offices, Visitor Information Centre, Library and Conference Centre.

At this current moment, Wentworth Shire Council has no consistency with their overall branding with two different logos and colour themes being utilized – the old emblem highlighting the paddlesteamer, the sheep and the fruit as well as the newer logo highlighted in orange and black with the tagline 'Worth the Drive'. The library currently has no logo at all and the tourism branding has only recently been rebranded.

Earlier in the year, funding was received to rebrand the tourism aspect of the business from the old red & blue ribbon style, to something fresh and modern. Saunders Design were engaged to develop a new style guide including a new logo and overall branding theme, a new website, new designs for the information bays, billboards and town signage and a new photo library.

Rebranding the tourism aspect of council highlighted the important need to have consistency throughout the entire organisation.

Council has engaged Saunders Design to develop new Council branding, which compliments the tourism branding, as well as an adaption of the logo created for the Library. Saunders Design have undertaken extensive research including logo comparisons with other Councils throughout Australia and logo comparisons with Mildura, Balranald and Broken Hill. They have developed a unique and stylised icon which has been carried from the tourism branding into the Council branding which has been inspired by the Junction of the Darling & Murray rivers. The logo also contains an organic leaf design which highlights the unique landscapes within the Shire reflecting the natural environment including land, water and flora.

A style guide has been created including the colour palette used for the new branding, the typography and the sizing and styling which will be used to replace all of Wentworth Shire Council's current branding in all corporate stationery and marketing collateral, the existing WSC website, all internal and external communications templates and all social media platforms. The new branding will also extend to all of the road and town signage, council vehicles, buildings and way-finding signage. It will also be utilised throughout the design of the Civic Centre building including the entrance signage and potential architectural and sculptural possibilities around the outside of the building. The new logo will also be placed onto all uniforms including corporate wear and outdoor wear.

Legal, strategic, financial or policy implications

The current financial implications for the branding at present are the cost for the overall rebranding by Saunders Design to the value of \$29,700.

Conclusion

Rebranding is not just about a new logo – its about rejuvenation and stimulating economic growth. The decision of Council to rebrand could not have come at a better time with Council undergoing major changes and in need of change to perceptions of what Wentworth Shire Council stands for today.

In conclusion, it will be highly beneficial for the Council to move forward with the rebranding to provide consistency throughout all areas of the organisation. The timing of the rebrand is imperative with our move into the Civic Centre to create a fresh and modern look which is needed to boost the image as a smaller rural council area, to show the local community we take pride in our appearance and how we are presented to locals and visitors.

Attachments

Nil

## 9.5 MONTHLY FINANCE REPORT

File Number: RPT/22/489

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 2022 were \$ 621,292.19. After allowing for pensioner subsidies, the total levies collected are now 6.95%. For comparison purposes 8.27% of the levy had been collected at the end of July 2021. Council currently has \$42,090,756.10 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 2022

The reconciliation has been carried out between the Cash Book of each fund and the Bank Pass Sheet as at 31 July 2022.

	Combined Bank Account
<b>Cash Balance as at 1 July 2022</b>	<b>\$ 1,889,373.50</b>
Add: Receipts for the Period Ending 31 July 2022	\$ 3,631,896.34
Rates, Debtors, Miscellaneous	
Less: Payments for the Period Ending 31 July 2022	
Cash Book entries for this Month	\$ 3,282,979.83
<b>Trust Fund Balance</b>	<b>\$ 823,006.87</b>
<b>Cash Balance of Operating A/C as at 31 July 2022</b>	<b>\$ 2,238,290.00</b>
<b>Investments</b>	
Total Investments as at 31 July 2022	\$ 39,029,459.23
<b>TOTAL</b>	<b>\$ 42,090,756.10</b>

Collection of Rates and Charges

Rates and Charges collections for the month of July 2022 were \$ 621,292.19. After allowing for pensioner subsidies, the total levies collected are now 6.95%. A summary of the Rates and Charges situation as at 31 July 2022 is as follows:

	Rates and Charges	
<b>Levies</b>		
Balance Outstanding at 30 June 2021 - Rates / Water	1,015,628.18	
Rates and Charges Levied 20 July 2021	9,715,491.57	\$ 10,731,119.75
+ Additional Water Charges	599,670.30	
+ Supplementary Rates and Charges	0.00	
+ Additional Charges	8,675.44	
- Credit Adjustments	48.60	
- Abandonments	500.00	\$ 11,338,916.89
<b>Deductions</b>		
- Payments	621,292.19	
- Less Refunds of Payments	0.00	\$ 621,292.19
		\$ 10,717,624.70
- Pensioner Subsidy		
Government Subsidy	91,673.84	
Council Subsidy	75,005.87	\$ 166,679.71
<b>Total Rates/Water Charges Outstanding</b>		<b>\$ 10,550,944.99</b>

Note: For comparison purposes 8.27% of the levy had been collected at the end of July 2021.

Rates/Water write offs and adjustments

No rates or charges have been written off or adjusted under the delegated authority of the General Manager for the month of July 2022.

Council Loans Report

Name	Institution	Purpose	Interest Rate	Loan Amount	Amount Outstanding	Due Date
Loan 201	National Australia Bank	Buronga Landfill	4.550% Fixed	\$ 920,000.00	\$ 288,992.88	30/01/2025
Loan 202	ANZ Bank	Civic Centre	3.470% Fixed	\$ 850,000.00	\$ 614,498.67	21/10/2026
Loan 203	National Australia Bank	Midway Centre	3.586% Fixed	\$ 1,900,000.00	\$ 1,536,279.93	28/04/2023
Loan 204	Bendigo Bank	Buronga Landfill	5.290% Fixed	\$ 1,500,000.00	\$ 1,249,255.11	12/05/2037
CFWC31 0604	T-Corp	Trentham Cliffs Sewer	1.82% Fixed	\$ 750,000.00	\$ 680,870.13	4/06/2031
CFWC31 0624	T-Corp	Burong/Gol Gol Stormwater	1.79% Fixed	\$ 1,250,000.00	\$ 1,134,910.86	24/06/2031
Loan 205	National Australia Bank	Willowbend Caravan Park	Fixed 2.2%	\$ 1,500,000.00	\$ 1,500,000.00	25/01/2027
Loan 206	Bendigo Bank	Buronga Landfill #3	Fixed 1.85%	\$ 900,000.00	\$ 801,946.40	25/09/2028
				<b>TOTAL</b>	<b>\$ 7,806,753.98</b>	

Overtime and Travelling

Month	Jul-22	Pay Periods	1 & 2	
<b>Overtime</b>				
	<b>Time and a Half</b>		<b>Double Time</b>	
<b>Department</b>	<b>Hours</b>	<b>Amount</b>	<b>Hours</b>	<b>Amount</b>
Animal Services	9.50	\$ 461.26	14.75	\$ 967.26
Civil Works	3.00	\$ 133.56	-	\$ -
Finance	24.75	\$ 1,581.84	4.50	\$ 416.53
Governance	12.00	\$ 758.66	1.75	\$ 104.46
Parks & Gardens	12.50	\$ 615.85	19.00	\$ 1,076.34
Roads - Council	221.00	\$ 10,496.66	70.00	\$ 4,509.58
Roads - RMS	23.25	\$ 1,171.99	10.50	\$ 621.44
Roads & Eng - Indoor	45.00	\$ 3,359.89	46.50	\$ 4,772.49
Tourism	-	\$ -		
Waste Management	6.00	\$ 338.91	8.00	\$ 611.69
Water & Waste Water	52.00	\$ 2,655.89	81.50	\$ 5,397.72
Workshop	2.00	\$ 114.47		
<b>Total</b>	<b>411.00</b>	<b>\$ 21,688.98</b>	<b>256.50</b>	<b>\$ 18,477.51</b>
<b>Grand Total</b>		<b>\$ 40,166.49</b>		

Conclusion

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

Attachments

Nil

## 9.6 MONTHLY INVESTMENT REPORT

File Number: RPT/22/461

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 at 31 July 2022 Council had \$37 million invested in term deposits and \$5,090,756.10 in other cash investments. Council received \$12,520.03 from its investments for the month of July 2022.

In July 2022 Council investments averaged a rate of return of 1.59% and it currently has \$8,440,396.07 of internal restrictions and \$22,917,683.58 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.

#### Matters under consideration

As at 31 July 2022 Council had \$42,090,756.10 invested with Nine (9) financial institutions and One (1) Treasury Corporation.

### Breakdown of Total Funds Available

Financial Institution	Amount	Percentage of Available Funds
AMP	\$ 1,000,000.00	2.38%
Bank of Queensland	\$ 2,000,000.00	4.75%
Bendigo Bank	\$ 5,061,296.87	12.02%
Commonwealth Bank	\$ 4,000,000.00	9.50%
IMB Bank	\$ 1,000,000.00	2.38%
Macquarie Bank	\$ 7,029,459.23	16.70%
ING Bank	\$ 7,000,000.00	16.63%
National Australia Bank	\$ 8,000,000.00	19.01%
Westpac	\$ 6,000,000.00	14.25%
Northern Territory T-Corp	\$ 1,000,000.00	2.38%
TOTAL	\$ 42,090,756.10	100.00%

Investments on Hand as at 31 July 2022

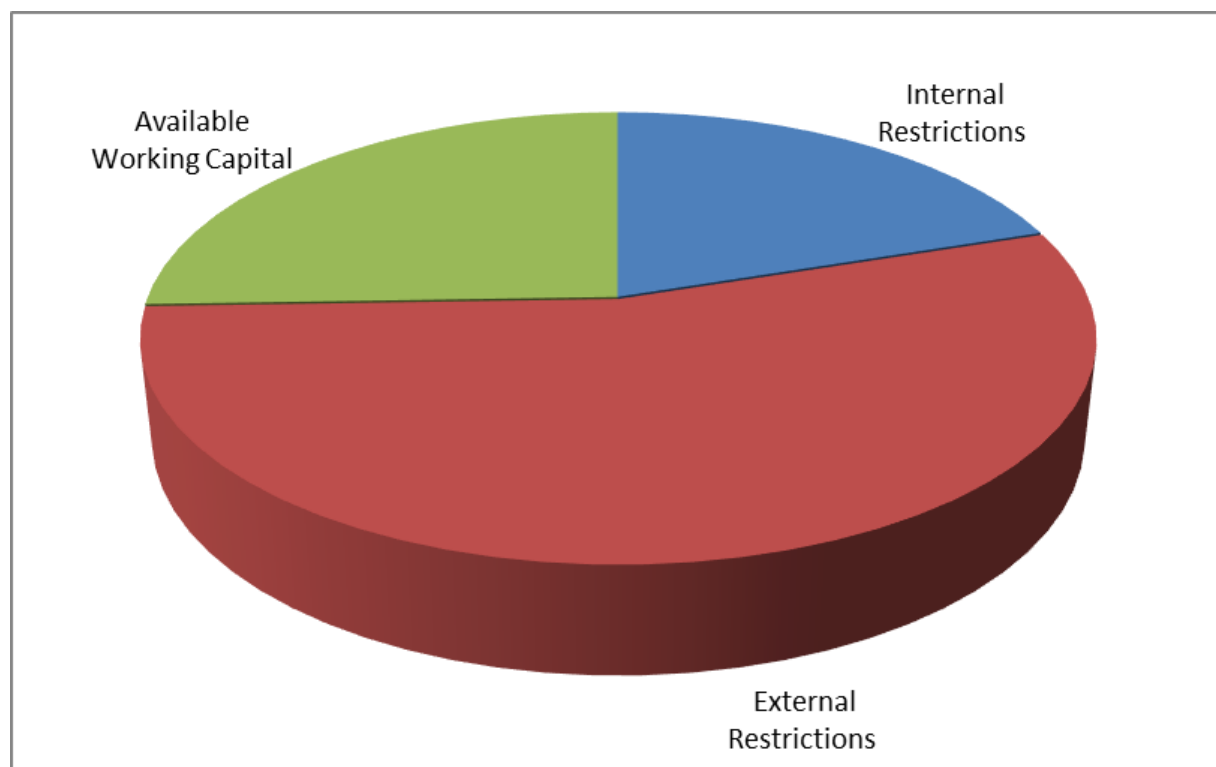
Wentworth Shire Council						
Investments on Hand as at 31 July 2022						
Investee	Date Invested	Date of Maturity	Effective Interest Rate	Investment Type	Amount Invested	Rating
AMP	22/09/2021	22/09/2022	0.80%	Term Deposit	\$ 1,000,000.00	BBB+
Bank of Queensland	7/12/2021	5/09/2022	0.50%	Term Deposit	\$ 1,000,000.00	BBB+
Bank of Queensland	15/06/2022	15/03/2023	3.50%	Term Deposit	\$ 1,000,000.00	BBB+
Bendigo Bank	24/02/2022	24/02/2023	0.85%	Term Deposit	\$ 1,000,000.00	BBB+
Bendigo Bank	27/06/2022	22/12/2022	3.10%	Term Deposit	\$ 1,000,000.00	BBB+
Commonwealth Bank	8/04/2022	6/04/2023	1.87%	Term Deposit	\$ 1,000,000.00	AA-
Commonwealth Bank	15/06/2022	15/12/2022	3.23%	Term Deposit	\$ 1,000,000.00	AA-
Commonwealth Bank	27/05/2022	26/05/2023	3.01%	Term Deposit	\$ 1,000,000.00	AA-
Commonwealth Bank	15/06/2022	15/06/2023	4.16%	Term Deposit	\$ 1,000,000.00	AA-
IMB Bank	9/06/2022	9/09/2022	2.43%	Term Deposit	\$ 1,000,000.00	BBB+
Macquarie Bank	7/10/2021	24/08/2022	0.40%	Term Deposit	\$ 1,000,000.00	A+
Macquarie Bank	3/12/2021	2/11/2022	0.50%	Term Deposit	\$ 1,000,000.00	A+
Macquarie Bank	22/02/2022	23/08/2022	0.65%	Term Deposit	\$ 1,000,000.00	A+
Macquarie Bank	23/03/2022	23/02/2023	1.25%	Term Deposit	\$ 1,000,000.00	A+
Macquarie Bank	8/03/2022	6/09/2022	0.65%	Term Deposit	\$ 1,000,000.00	A+
National Australia Bank	19/04/2022	15/11/2022	1.29%	Term Deposit	\$ 1,000,000.00	AA-
National Australia Bank	19/07/2022	19/12/2022	3.05%	Term Deposit	\$ 1,000,000.00	AA-
National Australia Bank	21/01/2022	18/10/2022	0.62%	Term Deposit	\$ 1,000,000.00	AA-
National Australia Bank	19/04/2022	17/10/2022	1.20%	Term Deposit	\$ 1,000,000.00	AA-
National Australia Bank	11/03/2022	11/03/2024	1.85%	Term Deposit	\$ 1,000,000.00	AA-
National Australia Bank	25/03/2022	20/02/2023	1.18%	Term Deposit	\$ 1,000,000.00	AA-
National Australia Bank	15/06/2022	15/06/2023	3.70%	Term Deposit	\$ 1,000,000.00	AA-
National Australia Bank	1/07/2022	3/01/2023	2.98%	Term Deposit	\$ 1,000,000.00	AA-
ING Bank	23/03/2022	23/03/2023	1.24%	Term Deposit	\$ 1,000,000.00	A+
ING Bank	31/03/2022	31/03/2023	1.68%	Term Deposit	\$ 1,000,000.00	A+
ING Bank	19/04/2022	19/04/2024	3.09%	Term Deposit	\$ 1,000,000.00	A+
ING Bank	19/04/2022	20/03/2023	1.98%	Term Deposit	\$ 1,000,000.00	A+
ING Bank	19/04/2022	19/12/2022	1.42%	Term Deposit	\$ 1,000,000.00	A+
ING Bank	5/04/2022	5/04/2023	1.68%	Term Deposit	\$ 1,000,000.00	A+
ING Bank	18/05/2022	18/05/2023	3.11%	Term Deposit	\$ 1,000,000.00	A+
NT T-Corp	16/09/2021	15/12/2025	1.35%	Fixed Bond	\$ 1,000,000.00	AA-
Westpac Banking Corporation	24/11/2021	20/10/2022	0.52%	Term Deposit	\$ 1,000,000.00	AA-
Westpac Banking Corporation	3/06/2022	3/06/2022	3.19%	Term Deposit	\$ 1,000,000.00	AA-
Westpac Banking Corporation	28/02/2022	25/11/2022	0.63%	Term Deposit	\$ 1,000,000.00	AA-
Westpac Banking Corporation	28/02/2022	28/12/2022	0.71%	Term Deposit	\$ 1,000,000.00	AA-
Westpac Banking Corporation	7/01/2022	5/08/2022	0.46%	Term Deposit	\$ 1,000,000.00	AA-
Westpac Banking Corporation	11/03/2022	11/03/2024	1.92%	Term Deposit	\$ 1,000,000.00	AA-
Total					\$ 37,000,000.00	
Other Cash Investments						
Investee	Date Invested	Date of Maturity	Effective Interest Rate	Amount Invested	Rating	
Bendigo Bank - Operating A/c	N/A	Ongoing		\$ 3,061,296.87	BBB+	
Macquarie Bank (4) - Ongoing	3/12/2020	Ongoing	1.00%	\$ 2,029,459.23	A+	
Total Funds Available						\$ 42,090,756.10

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

Restrictions

<b>Internal Restrictions</b>		
- Employee Entitlements	\$2,376,437.00	
- Doubtful Debts	\$124,556.00	
- Future Development Reserve	\$1,076,217.20	
- Trust Account	\$1,500,000.00	
- Caravan Park Loan Facility	\$863,185.87	
- Capital Projects	\$1,000,000.00	
- Plant Replacement Reserve	\$1,500,000.00	\$8,440,396.07
<b>External Restrictions</b>		
- Water Fund	\$10,693,541.64	
- Sewer Fund	\$4,490,851.83	
- T-Corp Loan Balance	\$1,104,321.59	
- Developer Contributions Reserve	\$663,375.97	
- Unexpended Grants	\$5,196,014.80	
- Crown Reserves Reserve	\$213,700.14	
- Loan Guarantee Reserve	\$3,460.91	
- Prepayments Cemeteries	\$552,416.70	\$22,917,683.58
<b>Day to Day Liquidity</b>		\$10,732,676.45
<b>Total Funds Available</b>		<b>\$42,090,756.10</b>

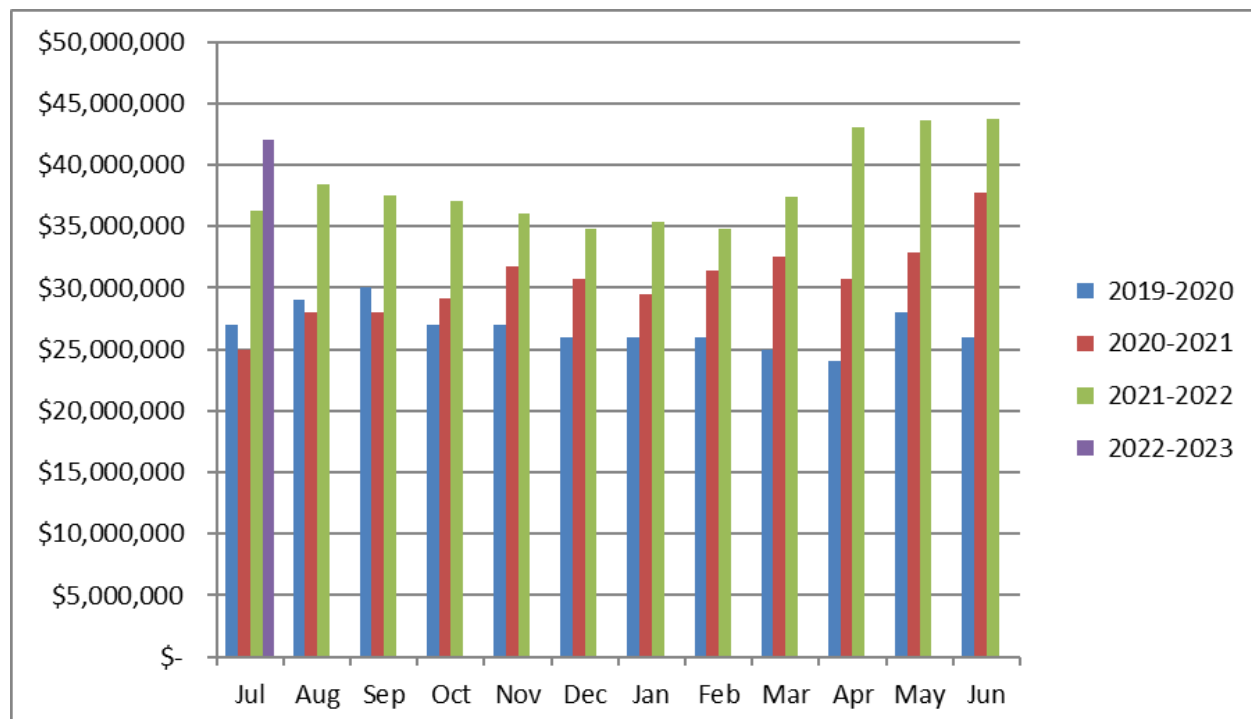
Breakdown



Summary – Unexpended Grants as at 31 July 2022

Grant	Amount
Library Infrastructure Grant	\$477,685.19
Resources for Regions VIC Relocation	\$423,300.55
SCCF Wentworth Rowing Club	\$57,039.29
Crown Reserve Improvement Fund Astronomy Park	\$656,000.21
Crown Reserve Improvement Fund Pooncarie Racecourse	\$3,200.00
Resources for Regions Junction Island Bridge	\$42,698.74
Wentworth Showgrounds Sewer Upgrade	\$2,702.62
Crown Reserve Improvement Fund Wentworth Caravan Park Grant	\$657,349.71
EDS Grant	\$120,371.61
Fixing Local Roads Grants - Stage 3	\$154,554.87
Murray Darling Basin Upstairs Area	\$481,389.00
R4R Round 8	\$599,447.67
LRCIP Phase 3	\$1,273,908.94
Community Events Program	\$246,366.40
<b>Total</b>	<b>\$5,196,014.80</b>

Total Funds Invested

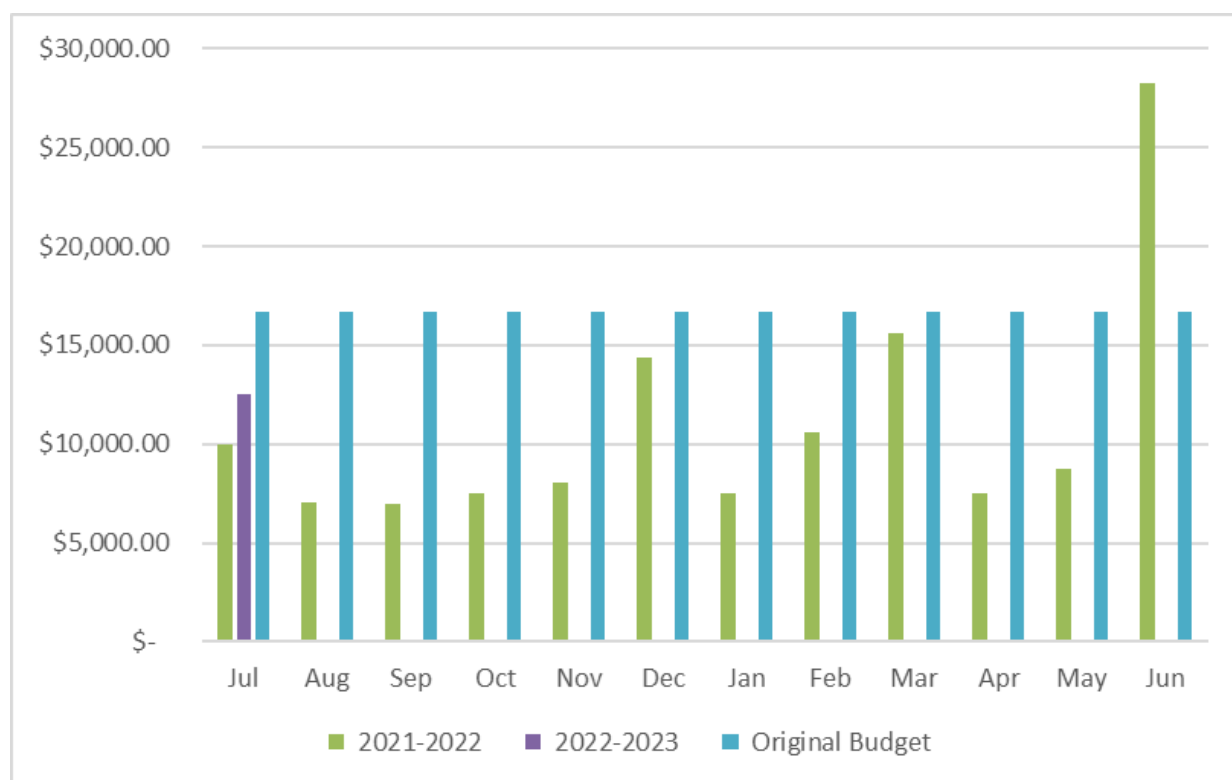


Three (3) deposits and One (1) other account matured or provided interest in July earning Council \$12,520.03 in interest. The budget for July was \$16,666.67. Year to date Council has received \$12,520.03 in interest. The budget for the current financial year is currently set at \$200,000.00.

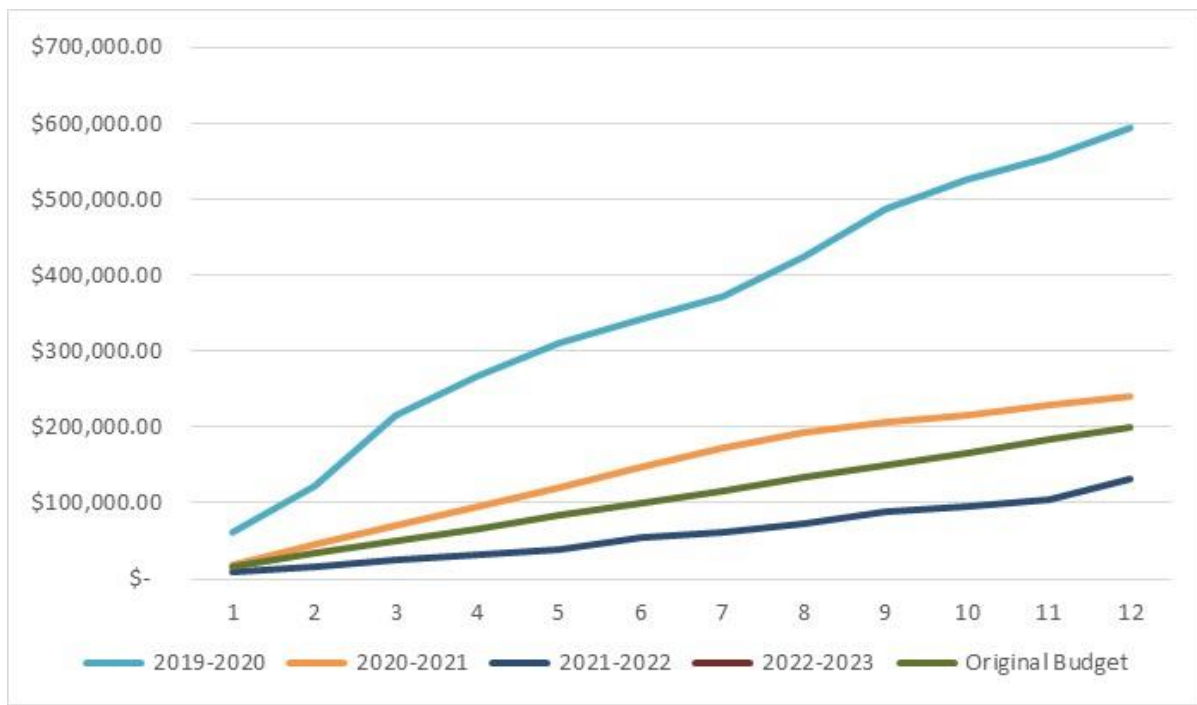
Investment Revenue in July 2022

Investee	Date Invested	Date of Maturity	Effective Interest Rate	Amount Invested	Interest Earned
<b>Term Deposits</b>					
National Australia Bank	3/12/2021	1/07/2022	0.49%	\$1,000,000.00	\$2,819.18
Commonwealth Bank (2)	14/07/2021	14/07/2022	0.46%	\$1,000,000.00	\$4,600.00
National Australia Bank (6)	19/01/2022	19/07/2022	0.52%	\$1,000,000.00	\$2,564.38
<b>Other Cash Investments</b>					
Macquarie Bank	3/12/2020	Ongoing	1.00%	\$2,029,459.23	\$2,536.47
<b>Total</b>					<b>\$12,520.03</b>

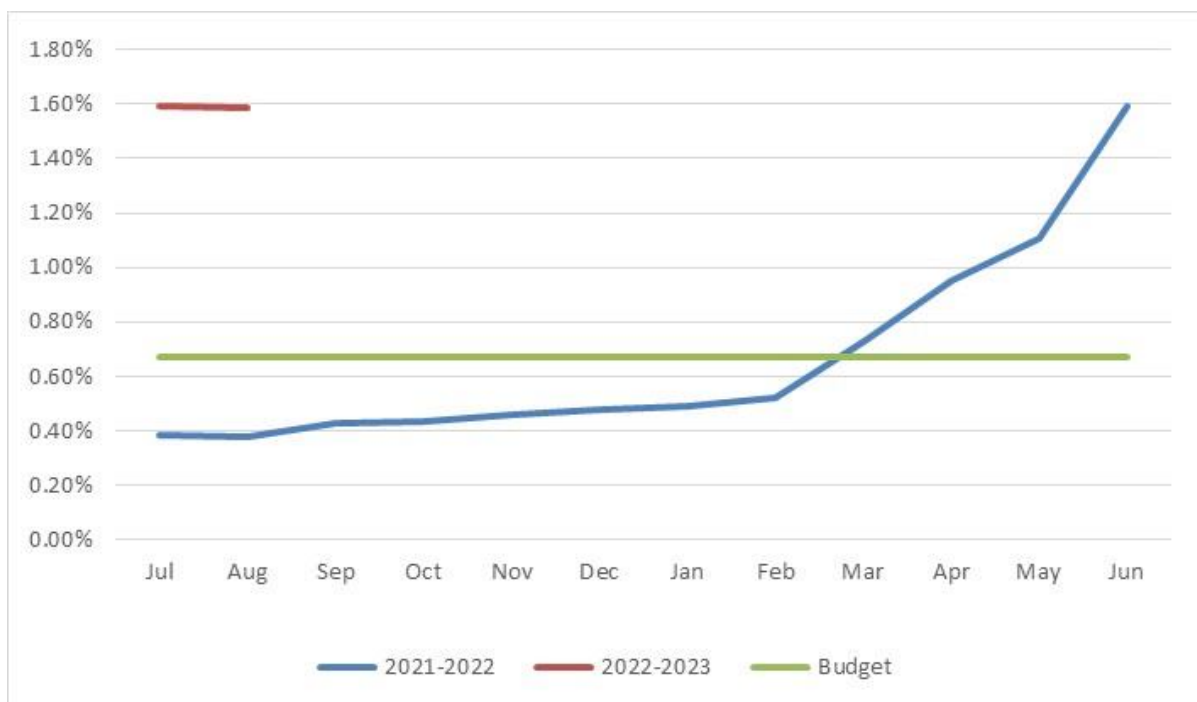
Investment Revenue received July 2022



Total Interest received July 2022 – June 2023



For July 2022 Council's investments returned an effective average rate of 1.59%. Year to date the effective average rate has been 1.59%. The budget for 2021-2022 was set at 0.67%.



### Conclusion

The Director Finance & Policy certifies that all investments have been made in accordance with the *Local Government Act 1993* (NSW), Local Government (General) Regulations 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

Nil

**9.7 JUNE QUARTERLY BUDGET REVIEW**

File Number: RPT/22/462

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. A number of 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.

	<b>YTD Actual (30-JUN-22)</b>	<b>% of Original Budget</b>	<b>% of Revised Budget</b>
<b>Revenue</b>	\$39,099,641	95.75%	93.10%
<b>Operational Expenditure</b>	\$26,012,133	102.89%	93.09%
<b>Capital Expenditure</b>	\$15,212,156	50.72%	65.94%

If approved, the net result of variances for the June 2022 Quarter is a favorable operational variance of \$1,952,000 and a favorable capital variance of \$4,103,000 resulting in a total favorable budget variation of \$6,055,000.

**Recommendation**

That Council approves the variations to the 2021/22 Operational Plan adopted at the 30 June 2021 Ordinary Council Meeting.

**Detailed Report****Introduction**

The purpose of this report is to review the financial performance of Council for the quarter ending 30 June 2022 in accordance with S407 (1) of the *Local Government Act 1993* and Council's 2021/22 Operational Plan.

**Report Detail**

The Quarterly Budget Review Statement is attached for your information identifying the Adopted Budget, Recommended Changes for Council Resolution, Projected Year End Budget, June 2022 Quarterly Review Changes, Year to Date Actual Revenue and Actual Expenditure to 30 June 2022.

Council has recorded \$39.099 million in revenue as at 30 June 2022. This equates to 95.75% of the original revenue budget or 93.10% of the revised revenue budget. Notable revenue during this quarter includes:

- General Assistance Grant - \$6,163,832
- Local Roads & Community Infrastructure Program Phase 3 - \$1,278,207

- Buronga Landfill Income - \$1,027,285
- Local Roads and Community Infrastructure Phase 2 - \$307,116

Council's total operating expenditure to 30 June 2022 is \$26.012 million. This is 102.89% of the original expenditure budget or 93.09% of the revised expenditure budget. Notable operating expenditure for this quarter includes:

- Water Operations - \$743,310
- Regional Roads - \$683,364
- Local Roads - \$472,224
- Domestic Waste - \$406,965
- Sewer Operations \$373,764
- Landfill Operations - \$360,443

Expenditure on Capital projects to the end of June 2022 has been \$15,212,156. This equates to 50.72% of the original capital budget or 65.94% of the revised capital budget. Notable capital expenditure for this quarter includes:

- Fixing Local Roads Round 3 - \$552,890
- Capital Plant Replacement - \$242,558
- Wentworth Extended Daycare - \$225,616
- George Gordon Oval Carpark - \$179,543
- Wentworth Caravan Park - \$173,582

#### Matters under consideration

A list of recommended changes for Council resolution to the original budget are included on the note's pages within the Quarterly Budget Review Statement. This statement includes notes to explain the reason for the variations, using alphabetical note references against both the operational and capital budgets.

To provide additional information to Councillors to help explain any variances of actuals compared to projected budget, numerical note references have also been included. Comments are provided for any year to date variance greater than 10% against 25% of the proposed budget, given we are at the start of the financial year.

#### Conclusion

If approved, the net result of variances for the June 2022 Quarter is a favorable operational variance of \$1,952,000 and a favorable capital variance of \$4,103,000 resulting in a total favorable budget variation of \$6,055,000.

#### Attachments

1. June Quarterly Budget Report [📄](#) 

Wentworth Shire Council

**Quarterly Budget Review Statement**  
for the period 01/04/22 to 30/06/22

**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 2022**

It is my opinion that the Quarterly Budget Review Statement for Wentworth Shire Council for the quarter ended 30/06/22 indicates that Council's projected financial position at 30/6/22 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

**Signed:**



**date:** 20/07/2022

Simon Rule  
Responsible accounting officer

**Quarterly Budget Review Statement**  
for the period 01/04/22 to 30/06/22

Nentworth Shire Council

**income & expenses budget review statement**

Budget review for the quarter ended 30 June 2022

**income & expenses - Council Consolidated**

\$000's)	Original budget 2021/22	Approved Changes			Revised budget 2021/22	Variations for this Jun Qtr	Notes	Projected year end result	Actual YTD figures	Variance Surplus (Deficit)	Notes	% Actuals by Projected
		Carry forwards	Other than by QBRs	Sep QBRs	Dec QBRs	Mar QBRs						
<b>income</b>												
Rates and annual charges	9,370	-	-	58	870		a	9,428	9,431	3	1	100.0%
User charges and fees	5,286			2,727			b	8,883	8,693	(190)	2	97.9%
Other revenues	1,232						c	1,232	1,186	(46)	3	96.3%
Grants and contributions - operating	9,850			418			e	10,268	12,414	194	4	101.6%
Grants and contributions - capital	14,664			1,058	810	(6,714)	f	9,818	7,211	(2,607)	5	73.4%
Interest and investment revenue	334						g	334	165	(169)	6	49.4%
Net gain from disposal of assets	100						h	100	-	(100)	7	0.0%
<b>Total income from continuing operations</b>	<b>40,836</b>	<b>-</b>	<b>-</b>	<b>3,785</b>	<b>1,286</b>	<b>(5,844)</b>		<b>42,015</b>	<b>39,100</b>	<b>(2,915)</b>		<b>93.1%</b>
<b>Expenses</b>												
Employee benefits and on-costs	10,291						i	10,291	9,486	805	8	92.2%
Borrowing costs	291						j	291	189	102	9	64.9%
Materials and services	4,051			2,244	90		k	6,385	6,014	371	10	94.2%
Depreciation and amortisation	7,123						l	7,123	7,123	-	11	100.0%
Other expenses	3,526			328			m	3,854	3,200	654	12	83.0%
<b>Total expenses from continuing operations</b>	<b>25,282</b>	<b>-</b>	<b>-</b>	<b>2,244</b>	<b>418</b>	<b>-</b>		<b>27,944</b>	<b>26,012</b>	<b>1,932</b>		<b>93.09%</b>
<b>Net operating result from continuing operations</b>	<b>15,554</b>	<b>-</b>	<b>-</b>	<b>1,541</b>	<b>868</b>	<b>(5,844)</b>		<b>14,071</b>	<b>13,088</b>	<b>(983)</b>		<b>93.0%</b>
Discontinued operations - surplus/(deficit)							p	-		-	13	
<b>Net operating result from all operations</b>	<b>15,554</b>	<b>-</b>	<b>-</b>	<b>1,541</b>	<b>868</b>	<b>(5,844)</b>		<b>14,071</b>	<b>13,088</b>	<b>(983)</b>		<b>93.0%</b>
<b>Net Operating Result before Capital Items</b>	<b>890</b>	<b>-</b>	<b>-</b>	<b>483</b>	<b>58</b>	<b>870</b>		<b>4,253</b>	<b>5,877</b>	<b>1,624</b>		

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 30/06/2022 and should be read in conjunction with the total QBRs report

Wentworth Shire Council

**Quarterly Budget Review Statement**  
for the period 01/04/22 to 30/06/22**Income & expenses budget review statement**  
**Recommended changes to revised budget**

Budget Variations being recommended include the following material items:

**Notes   Details**

<b>e</b>	<b>Grants and Contributions - Operating</b>	
	Financial Assistance Grant Prepayment	\$1,951,734

## Wentworth Shire Council

# Quarterly Budget Review Statement

for the period 01/04/22 to 30/06/22

## Capital budget review statement

Budget review for the quarter ended 30 June 2022

## Capital budget - Council Consolidated

	Original budget 2021/22	Approved changes				Revised budget 2021/22	Variations for this Jun Qtr	Notes	Projected year end result	Actual YTD figures	Variance Surplus (Deficit)	Notes	% Actuals by Projected
		Carry forwards	Other than by QBRs	Sep QBRs	Dec QBRs								
<b>(\$000's)</b>													
<b>Capital expenditure</b>													
New assets													
- Plant & equipment	904			75	95	1,074		a	1,074	1,057	17	a	98.4%
- Land & buildings	3,347				275	3,972	(2,260)	b	1,712	1,329	383	b	77.6%
- Other	1,310					1,310	(550)	c	760	373	387	c	49.1%
Renewal assets (replacement)													
- Plant & equipment	1,929	320				2,249	(320)	d	1,929	812	1,117	d	42.1%
- Land & buildings	7,577	307	98	98	229	2,834	(110)	e	2,724	1,667	1,057	e	61.2%
- Roads, bridges, footpaths	12,180	904	56	1,148	1,090	11,628	(280)	f	11,348	7,738	3,610	f	68.2%
- Other	571	180	30			781	(204)	g	577	479	98	g	83.0%
Loan repayments (principal)	635					635		h	635	625	10	h	98.4%
Water Infrastructure	642	355				1,027	(44)	i	983	578	405	i	58.8%
Sewer Infrastructure	895	375				1,662	(335)	j	1,327	554	773	j	41.7%
<b>Total capital expenditure</b>	<b>29,990</b>	<b>2,441</b>	<b>184</b>	<b>1,321</b>	<b>1,689</b>	<b>27,172</b>	<b>(4,103)</b>		<b>23,069</b>	<b>15,212</b>	<b>7,857</b>		<b>65.94%</b>
<b>Capital funding</b>													
Rates & other untied funding	7,973	1,520		263	190	7,615	2,520	k	10,135	5,673	(4,462)	k	56.0%
Capital grants & contributions	14,664		184	1,058	810	10,002	(1,244)	l	8,758	7,211	(1,547)	l	82.3%
Reserves:													
- External restrictions/reserves	1,453	921			489	2,863	(179)	m	2,684	1,073	(1,611)	m	40.0%
- Internal restrictions/reserves					200	792	(200)	n	592	200	(392)	n	100.0%
New loans	5,900					5,900	(5,000)	o	900	900	-	o	100.0%
Receipts from sale of assets													
- Plant & equipment						-		p	-	155	155	p	
- Land & buildings						-		q	-	-	-	q	
<b>Total capital funding</b>	<b>29,990</b>	<b>2,441</b>	<b>184</b>	<b>1,321</b>	<b>1,689</b>	<b>27,172</b>	<b>(4,103)</b>		<b>23,069</b>	<b>15,212</b>	<b>(7,857)</b>		<b>65.9%</b>
<b>Net capital funding - surplus/(deficit)</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>		<b>-</b>	<b>-</b>	<b>-</b>		

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 30/06/2022 and should be read in conjunction with the total QBRs report

Wentworth Shire Council

**Quarterly Budget Review Statement**

for the period 01/04/22 to 30/06/22

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

Budget variations being recommended include the following material items:

<b>Notes</b>	<b>Details</b>	
<b>b</b>	<b>New Assets Land &amp; Buildings</b>	
	Wentworth Caravan Park (Re-budgeted for 2023)	-\$2,260,000
<b>c</b>	<b>New Assets Other</b>	
	Wilga Road Stormwater	-\$450,000
	<b>Carry Forwards</b>	
	Midway Stormwater Upgrade	-\$100,000
<b>d</b>	<b>Renewal Assets Plant and Equipment</b>	
	<b>Carry Forwards</b>	
	Landfill Tip Truck & Trailer	-\$320,000
<b>e</b>	<b>Renewal Assets Land &amp; Buildings</b>	
	<b>Carry Forwards</b>	
	Civic Centre Outdoor Area	-\$110,000
<b>f</b>	<b>Renewal Assets Roads, Bridges &amp; Footpaths</b>	
	<b>Carry Forwards</b>	
	Pooncarie Menindee Road Upgrade	-\$280,000
<b>g</b>	<b>Renewal Assets Other Assets</b>	
	<b>Carry Forwards</b>	
	Wentworth EDS	-\$204,000
<b>i</b>	<b>Water Infrastructure</b>	
	<b>Carry Forwards</b>	
	Trentham Cliffs Water Installation	-\$44,000
<b>j</b>	<b>Sewer Infrastructure</b>	
	<b>Carry Forwards</b>	
	Trentham Cliffs Sewer Installation	-\$135,000
	Wentworth Sewer Rationalisation	-\$200,000
<b>o</b>	<b>Capital Funding</b>	
	Caravan Park Loan Facility (Re-budgeted to 2023)	-\$1,500,000
	Wentworth Civic Centre Loan (Re-budgeted to 2023)	-\$3,500,000

**Capital Budget Review Statement****Explanatory Notes****c New Assets Other**

Wilga Road stormwater project is stalled due to the possibility of road upgrades planning currently being undertaken by Transport for NSW. Until completion of this project stormwater upgrades would be impractical therefore the project has not been re-budgeted in 2023.

Wentworth Shire Council

**Quarterly Budget Review Statement**

for the period 01/04/22 to 30/06/22

**Cash & investments budget review statement**

The YTD cash &amp; investment figure reconciles to the actual balances held as follows:

\$ 000's

Cash at bank (as per bank statements)

2,712

Investments on hand

41,027

less: unpresented cheques

(Timing Difference)

37

add: undeposited funds

(Timing Difference)

-

**Reconciled cash at bank & investments**

43,739

**Balance as per QBRS review statement:**

43,739

Difference:

-

**Recommended changes to revised budget**

Budget variations being recommended include the following material items:

**Notes   Details**

## Quarterly Budget Review Statement

for the period 01/04/22 to 30/06/22

Wentworth Shire Council

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

Budget review for the quarter ended 30 June 2022

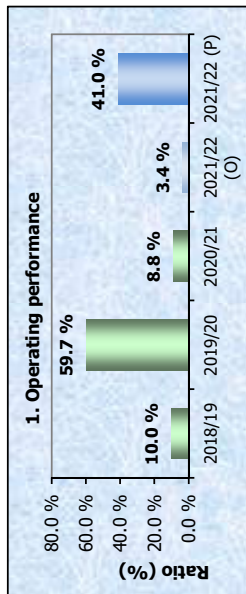
(\$000's)	Current projection		Original budget	Actuals prior periods
	Amounts	Indicator		
	21/22	21/22	21/22	20/21 19/20

NSW local government industry key performance indicators (OLG):

#### 1. Operating performance

Operating revenue (excl. capital) - operating expenses	13088			
Operating revenue (excl. capital grants & contributions)	31889	41.0 %	3.4 %	8.8 % 59.7 %

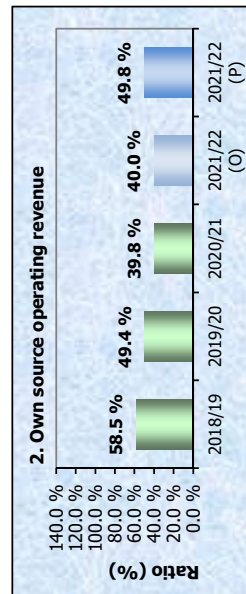
This ratio measures Council's achievement of containing operating expenditure within operating revenue.



#### 2. Own source operating revenue

Operating revenue (excl. ALL grants & contributions)	19475			
Total Operating revenue (incl. capital grants & cont)	39100	49.8 %	40.0 %	39.8 % 49.4 %

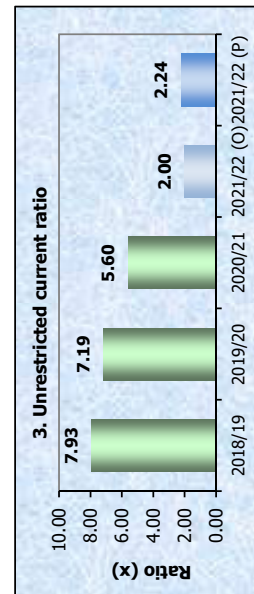
This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating grants & contributions.



#### 3. Unrestricted current ratio

Current assets less all external restrictions	18426			
Current liabilities less specific purpose liabilities	8242	2.24	2.00	5.60 7.19

To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council.



## Wentworth Shire Council

# Quarterly Budget Review Statement

for the period 01/04/22 to 30/06/22

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

Budget review for the quarter ended 30 June 2022

(\$000's)	Current projection		Original budget 21/22	Actuals prior periods 20/21 19/20
	Amounts 21/22	Indicator 21/22		

NSW local government industry key performance indicators (OLG):

<b>4. Debt service cover ratio</b>				
Operating result before interest & dep. exp (EBITDA)	20400	25.06	24.80	47.83
Principal repayments + borrowing interest costs	814			16.25

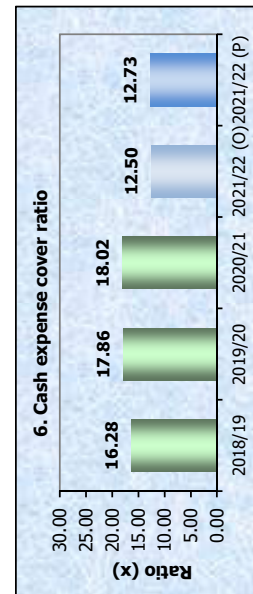
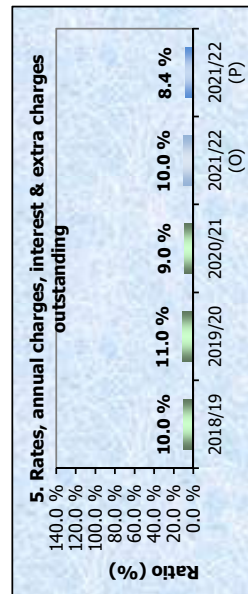
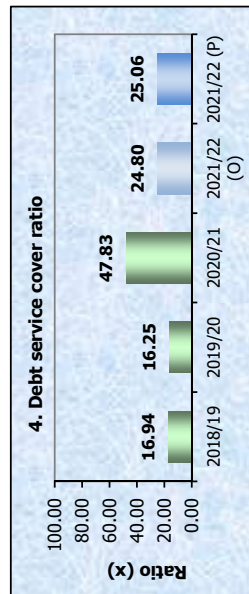
This ratio measures the availability of operating cash to service debt including interest, principal and lease payments.

<b>5. Rates, annual charges, interest &amp; extra charges outstanding</b>				
Rates, annual & extra charges outstanding	1016	8.4 %	10.0 %	9.0 %
Rates, annual & extra charges collectible	12036			11.0 %

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

<b>6. Cash expense cover ratio</b>				
Current year's cash & cash equivalents (incl. term deposits)	43739	12.73	12.50	18.02
Operating & financing activities cash flow payments	3435			17.86

This liquidity ratio indicates the number of months a Council can continue paying for its immediate expenses without additional cash inflow.



## Wentworth Shire Council

# Quarterly Budget Review Statement

for the period 01/04/22 to 30/06/22

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

Budget review for the quarter ended 30 June 2022

(\$000's)	Current projection		Original budget	Actuals prior periods
	Amounts	Indicator	21/22	20/21 19/20

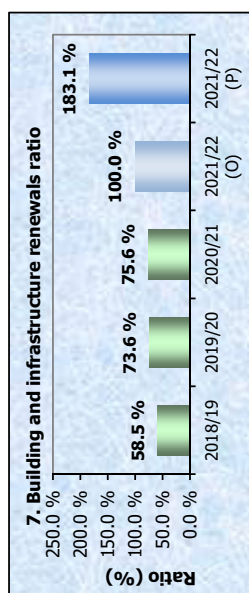
NSW Local Government Infrastructure Asset Performance Indicators (OLG):

### 7. Building and infrastructure renewals ratio

Asset renewals (building, infrastructure & other structures)  
Depreciation, amortisation & impairment

10696	183.1 %
5841	

75.6 %	73.6 %
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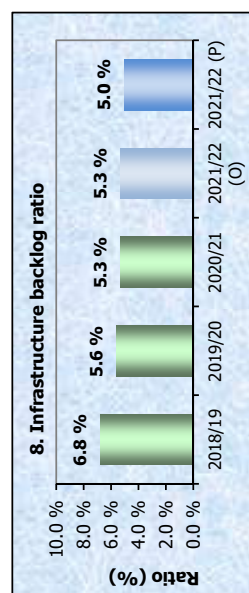
To assess the rate at which these assets are being renewed relative to the rate at which they are depreciating.

### 8. Infrastructure backlog ratio

Estimated cost to bring assets to a satisfactory condition  
Total value of infrastructure, building, other structures & depreciable land improvement assets

21450	5.0 %
424867	

5.3 %	5.6 %
-------	-------



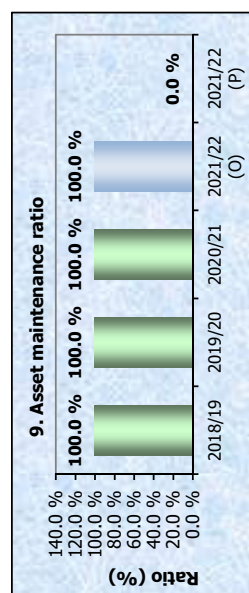
This ratio shows what proportion the backlog is against the total value of a Council's infrastructure.

### 9. Asset maintenance ratio

Actual asset maintenance  
Required asset maintenance

N/A	0.0 %
-----	-------

100.0 %	100.0 %
---------	---------



Compares actual vs. required annual asset maintenance. A ratio above 1.0 indicates Council is investing enough funds to stop the Infrastructure Backlog growing.

## Wentworth Shire Council

# Quarterly Budget Review Statement

for the period 01/04/22 to 30/06/22

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

Budget review for the quarter ended 30 June 2022

(\$000's)	Current projection		Original budget	Actuals prior periods
	Amounts	Indicator	21/22	20/21 19/20

NSW Local Government Infrastructure Asset Performance Indicators (OLG):

### 10. Cost to bring assets to agreed service level

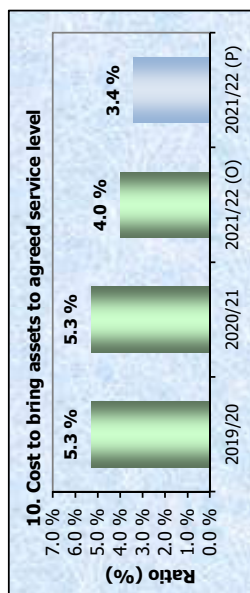
Estimated cost to bring assets to an agreed service level set by council

21450
628542

3.4 %

4.0 %

5.3 % 5.3 %



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.

### 11. Capital expenditure ratio

Annual capital expenditure

Annual depreciation

15212
7123

2.1

N/A

N/A N/A

To assess the extent to which a Council is expanding its asset base thru capital expenditure on both new assets and the replacement and renewal of existing assets.

**Quarterly Budget Review Statement**  
for the period 01/04/22 to 30/06/22

Wentworth Shire Council

**Contracts budget review statement**

Budget review for the quarter ended 30 June 2022

**Part A - Contracts listing** - contracts entered into during the quarter

Contractor	Contract detail & purpose	Contract value	Start date	Duration of contract	Budgeted (Y/N)	Notes
Humm Events	RPT/22/418 - Events Management Services Tender	\$ 249,630.00			Y	
LP & J Wilkie	RPT/22/373 - Extension to Wentworth Rowing Club	\$ 308,330.00			Y	
Advanced Airport Lighting	RPT/22/305 - Design, Supply & Installation of the Pooncarie Aerodrome Lighting	\$ 462,935.00			Y	
KW Earthmoving	RPT/22/263 - Punt Road Reconstruction	\$ 216,244.00			Y	
Mallee Quarries Pty Ltd	RPT/22/262 - Old Wentworth Road Supply of Road Base Material	\$ 579,942.00		Until Delivery	Y	
Johnsons Trucks	RPT/22/223 - Replacement of 2 x Water Trucks	\$ 696,958.00		Until Delivery	Y	
Botts Civil Earthmoving	Land Planes and Scoops Hire - Pooncarie Road Construction	\$ 300,000.00			Y	
Garraway Group	Pad Foot Roller Hire - Pooncarie Road Construction	\$ 95,040.00			Y	
Botts Civil Earthmoving	Water Cart Hire - Pooncarie Road Construction	\$ 145,000.00			Y	
Bulpunga Enterprises	Truck and Dog Hire - Pooncarie Road Construction	\$ 189,950.00			Y	
Botts Civil Earthmoving	Truck and Dog Hire - Pooncarie Road Construction	\$ 144,000.00			Y	
Martin Earthworks	Truck and Dog Hire - Pooncarie Road Construction	\$ 174,000.00			Y	
GBM Consulting	Truck and Dog Hire - Pooncarie Road Construction	\$ 264,000.00			Y	
McBerns Innovative Solutions	Supply of Filters for Sewer Pump Station 1 & 5	\$ 594,000.00			Y	
EJ & PS Byrnes	Fire Breaks Along Petro Mail Road	\$ 95,161.00			Y	
Aprilla Grids Pty Ltd	Stock Grids - Regional Roads	\$ 58,410.00			Y	
FWG Contracting	Buronga Landfill Hire Compactor	\$ 101,112.00			Y	
Tonkin Consulting	Buronga Landfill Expansion - EIS Submission	\$ 80,850.00			Y	
Mallee Earthmoving & Excavations	Downham Road - Fill Material	\$ 78,479.50			Y	
Mallee Quarries Pty Ltd	Lagoon Road - Fill Material	\$ 182,077.23			Y	
NSW Audit Office	Audit of Annual Financial Statements	\$ 93,659.63			Y	
Sunraysia Pipes and Products	Pooncarie Road - Box Culverts	\$ 60,761.80			Y	
Zenith Consulting	Rural Residential Strategy	\$ 72,506.28			Y	
		\$ 78,844.00			Y	

Notes:

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

This statement forms part of Council's Quarterly Budget Review Statement (QBRs) for the quarter ended 30/06/2022 and should be read in conjunction with the total QBRs report

Wentworth Shire Council

# **Quarterly Budget Review Statement**

for the period 01/04/22 to 30/06/22

## **Consultancy & legal expenses budget review statement**

Consultancy &amp; legal expenses overview

<b>Expense</b>	<b>YTD expenditure (actual dollars)</b>	<b>Budgeted (Y/N)</b>
Consultancies	927,199	Y
Legal Fees	87,269	Y

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

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 consultant from other contractors.

### **Comments**

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

### **Details**

**9.8 DELIVERY PROGRAM PROGRESS UPDATE**

File Number: RPT/22/467

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 progress report on the implementation of Council's 4-year Delivery program is required to be presented at least every six (6) months (LGA s404(5)). This report details the activities implemented under the annual operational plan in the last quarter, as per the Delivery program. It aligns with the expenditure provided in the June Quarterly Budget Review.

This report utilises delivery program objectives from the 2017-2022 delivery program. The new delivery program adopted by council on 29 June 2022 will be utilised from 1 July 2022.

**Recommendation**

That Council receives and notes the quarterly progress update on the 2021/22 Operational Plan activities.

**Detailed Report****Purpose**

The purpose of this report is to provide council with an update on all 2021/22 Operational Plan activities.

**Background**

The adopted 2021/22 Operational Plan detailed a budget totalling \$55.272 million being \$29.990 million in Capital Expenditure and \$25.282 million in Operational Expenditure.

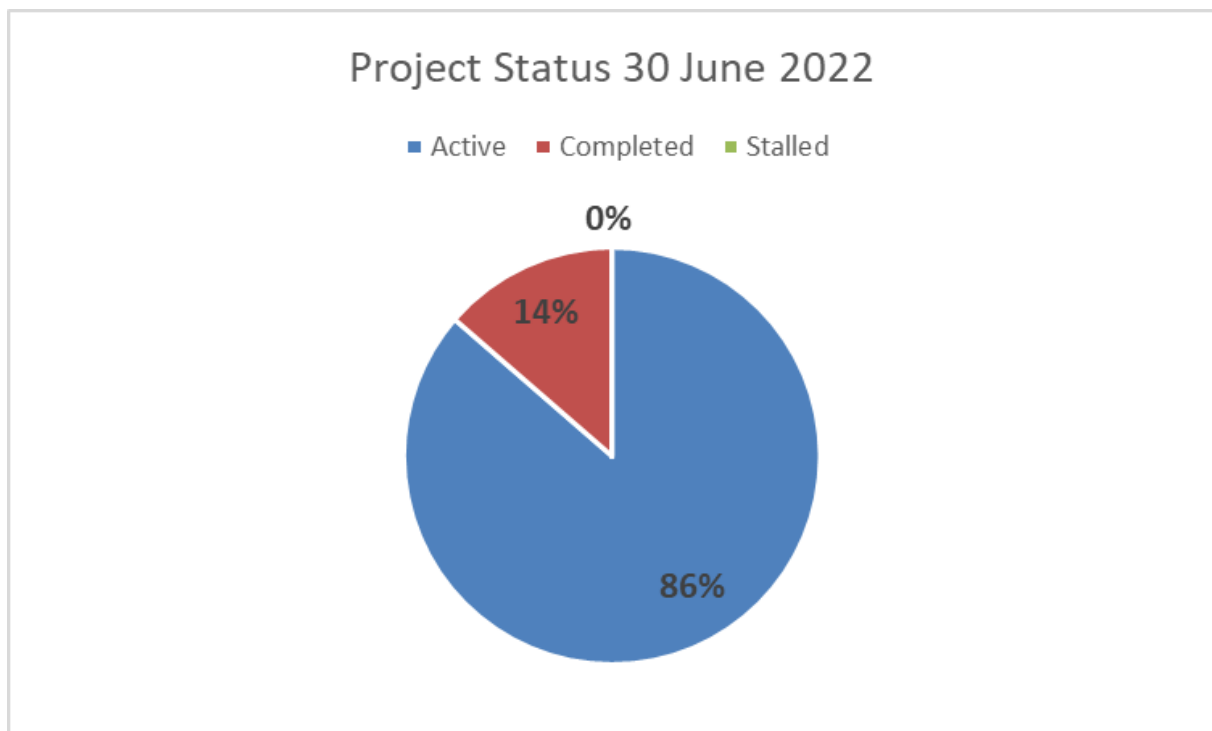
At the June quarterly review, the amended operational plan revised total budget was \$54.079 million. After the revised budget changes proposed in the June quarterly budget review of zero operational expenditure variance and a \$4,103,000 capital variance the revised budget will be \$49.976 million.

**Report Detail****Project Status by Strategic Plan Objective**

The attached report shows the progress against the Operational Plan for the fourth quarter of the 2021/22 financial year. It is based on activity completed as at 30 June 2022, in line with the expenditure reflected in the June Quarterly Budget Review Statement, but presents it in relation to Council's Delivery Program strategies. Specific feedback is provided in the Quarterly Budget Review Statement where there is a change to expenditure or revenue. The report is broken down into five different sections, as outlined in the table below:

Section	Categories within that section
Operational Plan	Each of Council's Strategies from the 4-year delivery program
Financial statement category	Capital Project, Operational
Funding Source	Council, Grant Funding, Other
Project Status	Not Started, Stalled, Active, Complete
Project Stage <i>(for active projects only)</i>	Annual Program, Planning, Tender, Pre-Construction, Construction, Implementation, Legal, Close Out

As at 30 June 2022 the Operational Plan included 145 individual projects. 102 of these projects were originally budgeted for the financial year, 26 are carried forward from last financial year and 17 are new projects that arose during the financial year. The combined value of all projects included in the operational plan post the June review was \$49.976 million. Of these projects, 49 projects are active with a value of \$11.960 million; 57 are completed (valued at \$6.304 million); and 1 is stalled. The remaining 38 projects are recurring annual programs and operational expenditure which amount to \$31.710 million.

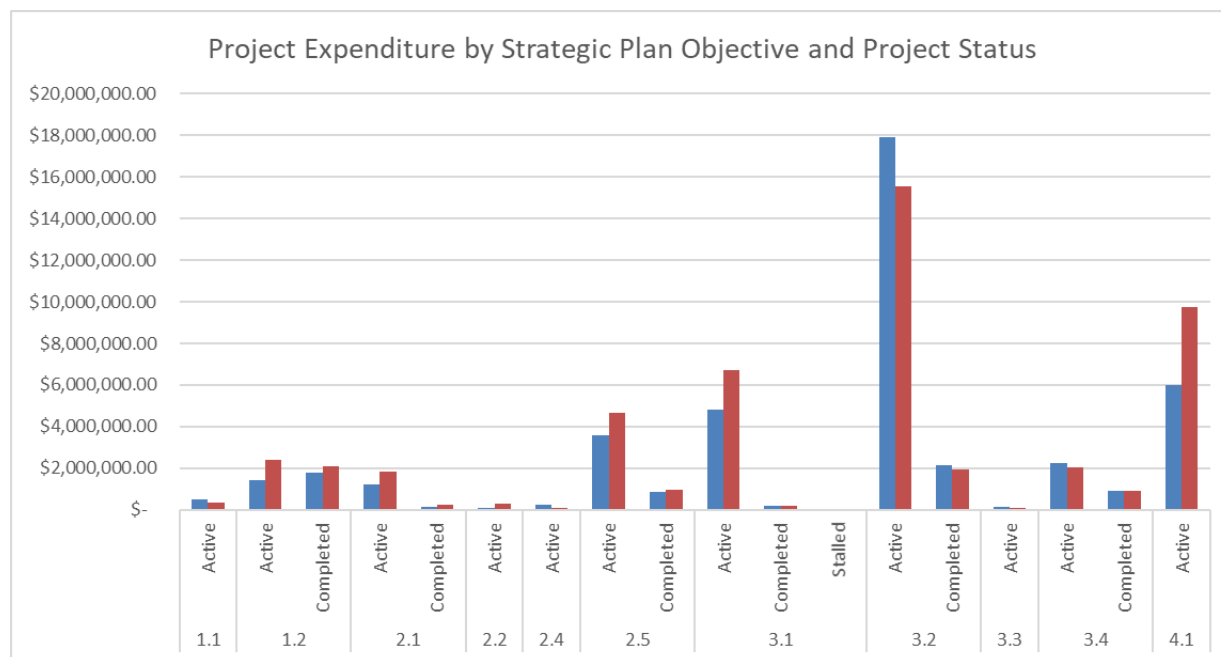


Of the 145 projects, the break down by Strategic Plan objective is as follows:

	Projects	Budget as at Q4	Exp June YTD
1.1 Grow the potential for business and industry to develop and expand	2	\$359,211	\$498,865
1.2 Encourage and support population growth and resident attraction	11	\$4,497,328	\$3,231,420
2.1 Grow visitation to the Shire by developing a quality visitor experience and promoting our destination	5	\$2,071,277	\$1,400,812
2.2 Enhance access to local health and aged	1	\$295,505	\$113,386

care services			
2.4 Enhance access to education, skills and training.	3	\$78,500	\$249,239
2.5 Maintain/create desirable open spaces and recreation facilities	34	\$5,584,319	\$4,446,486
3.1 Promote the efficient delivery of water supply, sewer and drainage services for the long-term interests of future generations	36	\$6,870,362	\$5,002,975
3.2 Plan for and develop the right assets and infrastructure	26	\$17,458,982	\$20,031,785
3.3 Prepare for natural disasters, biosecurity risks and climate change	1	\$71,000	\$122,310
3.4 Reduce, reuse and recover waste	7	\$3,246,267	\$3,156,411
4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery	19	\$9,763,246	\$5,985,640

The total expenditure to date, compared to budget is highlighted in the table below.



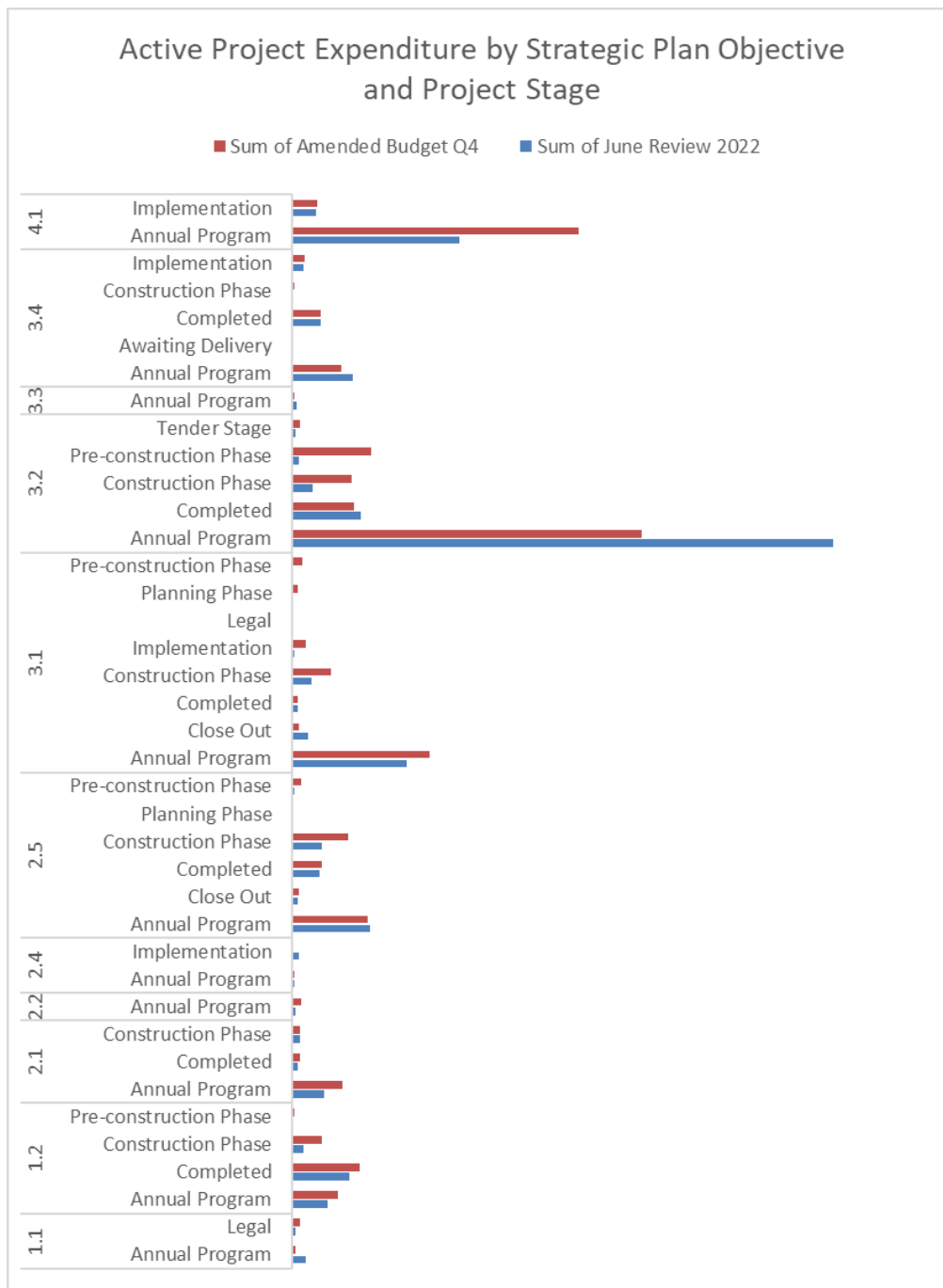
Active projects can be at various stages of project implementation including:

- Planning – Finalising the concept or design
- Tender – Procurement process
- Pre-Construction – Procurement complete awaiting availability of contractor
- Construction – Works underway
- Close Out – Works finalised, finalising payments
- Annual Program – Ongoing Council projects budgeted each year
- Implementation – Commencement of a project not involving construction
- Legal – Commenced legal works, particularly relevant to land acquisitions

Stalled projects:

- Wilga Road Stormwater Upgrade
  - Pending Transport for NSW confirmation of road structure designs


The following table highlights the total year to date and budgeted expenditure by Strategic Plan Objective and Project Stage.



### Conclusion

Due to the unprecedented number of external funding opportunities, Council is undertaking a larger than normal project workload. While every effort will be made to deliver these projects within the allotted timeframes, it may be necessary for Council to amend milestone delivery timelines with the funding body on some projects.

### Attachments

1. June Review of Operational Plan  

## Quarterly Progress Report against 2021/22 Operational Plan

	Exp Prev Fin Yrs	Amended Budget	June Review 2022
<b>1.1 Grow the potential for business and industry to develop and expand</b>	<b>\$392,032.93</b>	<b>\$359,211.00</b>	<b>\$498,865.63</b>
<b>Active</b>			
Annual Program			
Building Control Operational Costs		\$109,212.00	\$408,157.84
Legal			
1930-2999-0018 Land Acquisitions	\$392,032.93	\$250,000.00	\$90,707.79
<b>1.2 Encourage and support population growth and resident attraction</b>	<b>\$7,510,175.55</b>	<b>\$4,497,328.00</b>	<b>\$3,231,420.07</b>
<b>Active</b>			
Annual Program			
1555-2999-0006 Waste Bins Replacement	\$0.00	\$12,500.00	\$0.00
1865-2999-0010 Sharedways	\$2,612.25	\$40,000.00	\$55.50
Housing & Community Amenities Operational Costs		\$1,365,406.00	\$1,097,006.92
Construction Phase			
1316-2999-0002 WW Extended Day Care	\$32,856.82	\$879,422.00	\$321,587.81
1445-2999-0005 Cemetery Shed Upgrades	\$2,403.00	\$38,000.00	\$18,295.96
Pre-construction Phase			
1915-2999-0012 Purchase and Installation of Flagtrax	\$0.00	\$60,000.00	\$966.46
<b>Completed</b>			
1865-2999-0009 Pitman Ave Shared Path & Ramps	\$2,830.28	\$104,000.00	\$84,809.57
1865-2999-0025 Active Transport Sharedway Gol	\$97,638.65	\$0.00	\$35,194.24
1870-2999-0000 Aerodromes - Capital Works	\$7,371,834.55	\$1,898,000.00	\$1,572,673.22
1870-2999-2000 Aerodrome Taxiway Extension	\$0.00	\$63,000.00	\$62,390.00
1870-2999-2001 Aerodrome Water Main	\$0.00	\$37,000.00	\$37,374.77
<b>2.1 Grow visitation to the Shire by developing a quality visitor experience and promoting our destination</b>	<b>\$336,458.19</b>	<b>\$2,071,277.00</b>	<b>\$1,400,812.43</b>
<b>Active</b>			
Annual Program			
Economic Affairs Operational Costs		\$1,544,277.00	\$993,381.23
Construction Phase			
1960-2999-0003 Willowbend Caravan Park Redevelopment	\$14,413.75	\$252,000.00	\$240,834.89
<b>Completed</b>			
1546-2999-0015 Dareton Travellers Rest	\$2,066.93	\$124,000.00	\$143,633.80
1547-2999-0001 Buronga Riverfront Masterplan	\$313,951.42	\$100,000.00	\$20,881.25
1548-2999-0005 Pooncarie Bird Hides along Camp Ground & River x2	\$6,026.09	\$30,000.00	\$2,081.26
<b>2.2 Enhance access to local health and aged care services</b>		<b>\$295,505.00</b>	<b>\$113,386.78</b>
<b>Active</b>			
Annual Program			
Health Services Operational Costs		\$295,505.00	\$113,386.78
<b>2.4 Enhance access to education, skills and training.</b>	<b>\$52,941.54</b>	<b>\$78,500.00</b>	<b>\$249,239.38</b>
<b>Active</b>			
Annual Program			
1505-2999-0001 New & Replacement Bookstocks	\$41,691.83	\$55,000.00	\$41,209.12
1505-2999-0014 Library Local Special Project	\$11,249.71	\$23,500.00	\$15,465.76
Implementation			
1345-2999-0001 Mens Shed Project			\$192,564.50
<b>2.5 Maintain/create desirable open spaces and recreation facilities</b>	<b>\$4,146,225.21</b>	<b>\$5,584,319.69</b>	<b>\$4,446,486.22</b>
<b>Active</b>			
Annual Program			
1555-2999-0003 Tree Replace Under Power Lines	\$5,045.75	\$25,000.00	\$0.00
1555-2999-0005 Tree Management Strategy	\$31,811.49	\$30,000.00	\$8,793.54
1555-2999-0008 Shire Wide Post & Rail Replacement	\$42,224.73	\$20,000.00	\$1,681.82
Recreation & Culture Operational Costs		\$2,292,098.69	\$2,412,476.22
Close Out			
1557-2999-0001 Wentworth Sporting Complex	\$372,891.50	\$200,000.00	\$179,284.83
Construction Phase			
1535-2999-0004 Wentworth Pool Tiling	\$5,169.26	\$80,000.00	\$317.87
1545-2999-0006 Junction Island Bridge	\$17,645.04	\$125,000.00	\$125,860.88
1556-2999-0003 Wentworth Showgrounds Sewer Upgrade	\$171.92	\$639,732.00	\$336,857.46
1556-2999-0004 WW Showground Tower & Shade	\$7,546.58	\$250,000.00	\$210,244.65
1505-2999-0027 WW Library Outdoor Space	\$0.00	\$377,539.00	\$89,033.54
1541-2999-0017 George Gordon Oval Car Park		\$300,000.00	\$179,542.62
Pre-construction Phase			
1545-2999-0030 WW Rowing Club Building Extension	\$1,669.88	\$219,187.00	\$19,392.46
1545-2999-0039 CRIF Astronomy Park	\$0.00	\$79,316.00	\$23,255.79
<b>Completed</b>			
1526-2999-0001 Curlwaa Hall Renewal	\$564,201.81	\$25,000.00	\$22,243.24
1528-2999-0001 Anabranah Hall Upgrade	\$195,000.26	\$0.00	\$3,669.00
1543-2999-0003 Carramar Drive Oval Fencing	\$15,360.40	\$15,000.00	\$23,909.15
1545-2999-0012 Wentworth Riverfront Wall Remediation	\$192,391.31	\$435,000.00	\$386,908.04
1545-2999-0023 Wentworth Showgrounds Pavillion	\$1,097,007.00	\$25,000.00	\$21,825.58
1545-2999-0025 Wentworth Riverfront BBQ Area	\$158,141.15	\$0.00	\$86,171.96
1545-2999-0031 W/Worth Rowing Club Reserve Electrical Upgrade	\$38,805.83	\$25,000.00	\$16,458.00

## Quarterly Progress Report against 2021/22 Operational Plan

	Exp Prev Fin Yrs	Amended Budget	June Review 2022
1545-2999-0032 Junction Park Reserve Electrical upgrade	\$23,578.40	\$20,000.00	\$1,266.22
1545-2999-0033 BBQ & Picnic Tables Fotherby Park	\$23,983.93	\$18,000.00	\$15,812.03
1546-2999-0017 Dareton Reserves Electrical Upgrades	\$15,496.49	\$18,000.00	\$1,176.67
1546-2999-0018 BBQ & Picnic Table Dareton	\$8,237.31	\$0.00	\$10,706.98
1547-2999-0008 Buronga Reserves Electrical Upgrade	\$15,496.47	\$20,000.00	\$2,390.11
1547-2999-0009 George Gordon Oval Fencing	\$15,497.47	\$0.00	\$277.82
1547-2999-0010 Buronga Riverfront Stage 2	\$77,258.00	\$22,000.00	\$22,742.00
1547-2999-0018 Bike Safety Track	\$5,642.44	\$180,000.00	\$154,954.54
1548-2999-0001 Pooncarie Parks Toilet Block	\$105,327.55	\$65,000.00	\$1,691.00
1549-2999-0008 Playground Equipment James King Park	\$39,924.07	\$0.00	\$2,075.05
1555-2999-0013 CCTV Wentworth	\$478.24	\$20,000.00	\$37,116.86
1520-2999-0006 Midway Centre Eastern Side Shade Shutters	\$0.00	\$21,000.00	\$6,136.76
1545-2999-0037 Junction Park Fitness Equipmen	\$15,928.00	\$37,447.00	\$0.00
1527-2999-0002 Pooncarie Hall Septic Replace	\$99,743.22	\$0.00	\$29,395.03
<b>3.1 Promote the efficient delivery of water supply, sewer and drainage services for the long term interests of future generations</b>	<b>\$10,391,195.92</b>	<b>\$6,870,362.95</b>	<b>\$5,002,975.52</b>
<b>Active</b>			
Annual Program			
1436-2999-0001 Stormwater Drainage	\$18,756.76	\$9,000.00	\$5,790.70
2005-2999-0050 Water Stop Valves and Fire Plugs	\$6,799.46	\$10,000.00	\$0.00
2005-2999-0101 Infrastructure Upgrade	\$0.00	\$266,515.00	\$0.00
3005-2999-0101 Infrastructure Upgrade	\$0.00	\$33,840.00	\$0.00
3005-2999-0126 Sewer Main Refurbishment	\$24,048.27	\$224,000.00	\$0.00
3005-2999-0127 Sewer Pit Lids	\$0.00	\$10,000.00	\$0.00
3005-2999-0136 Sewer Design Works	\$0.00	\$50,000.00	\$10,520.00
Environment 3.1 Operational Costs		\$288,034.00	\$231,782.07
Sewer Administration Operational Costs		\$1,407,400.95	\$1,198,251.61
Water Supplies Operational Costs		\$1,993,681.00	\$2,158,282.57
Close Out			
1440-2999-0002 EDS Facilities	\$532,304.95	\$3,471.00	\$43,249.54
2005-2999-0234 Mourquong Filtered Water Main	\$50,048.32	\$30,000.00	\$195,296.02
3005-2999-0043 Sewer Rationalisation Project Wentworth	\$2,192,183.88	\$192,421.00	\$249,963.68
Construction Phase			
1436-2999-0002 Gol Gol Heights Endwall Repair	\$3,760.50	\$90,000.00	\$35,014.28
1436-2999-0013 Buronga/Gol Gol Stormwater Constraints	\$73,675.12	\$450,000.00	\$0.00
1436-2999-0018 Midway Stormwater Upgrade	\$192,112.02	\$0.00	\$104,118.15
2005-2999-0200 Trentham Cliffs Water Install	\$396,180.82	\$311,000.00	\$264,042.22
2005-2999-0252 Gol Gol Pump Station Drainage/Stabilisation	\$0.00	\$50,000.00	\$2,193.16
3005-2999-0200 Trentham Cliffs Sewer Install	\$374,059.81	\$240,000.00	\$176,561.26
3005-2999-0145 Dareton Sewer Pump St 2 Refurb	\$0.00	\$80,000.00	\$15,170.00
Implementation			
2005-2999-0218 Integrated Water Cycle MP	\$11,964.42	\$219,000.00	\$12,056.00
3005-2999-0121 Integrated Water Cycle MS	\$3,253.08	\$219,000.00	\$39,974.84
Legal			
3005-2999-0123 Hendy Road Main Replacement	\$865,061.50	\$0.00	\$39,329.86
Planning Phase			
1436-2999-0020 Pink Lake Stormwater Design	\$0.00	\$0.00	\$16,012.19
1440-2999-0005 Wentworth EDS	\$857.04	\$0.00	\$3,512.18
Pre-construction Phase			
3005-2999-0141 Wood Street Sewer	\$11,710.00	\$35,000.00	\$3,800.00
3005-2999-0142 Sewer Pump Station No 5	\$11,710.00	\$250,000.00	\$13,795.00
<b>Completed</b>			
1436-2999-0014 Neville Street Stormwater	\$288,219.85	\$36,000.00	\$44,710.53
2005-2999-0207 Gol Gol WTP - Process Upgrade	\$2,248,644.50	\$30,000.00	\$74,770.14
3005-2999-0044 Sewer Rationalisation Project Dareton	\$2,119,101.97	\$10,000.00	\$15,675.86
3005-2999-0138 Upgrade Junc Electrical&SCADA	\$11,710.00	\$0.00	\$0.00
1436-2999-0003 Carramar Drv Basin Repair	\$25,252.00	\$50,000.00	\$609.53
1436-2999-0021 Moontongue Drainage Excavation	\$0.00	\$0.00	\$14,319.19
2005-2999-0255 GGWTP Power Offset	\$0.00	\$30,000.00	\$20,112.00
2005-2999-0256 WTP Pond Outlet	\$0.00	\$0.00	\$9,136.82
<b>Stalled</b>			
Planning Phase			
1436-2999-0019 Wilga Road Stormwater Upgrade	\$19,935.68	\$0.00	\$574.39
<b>3.2 Plan for and develop the right assets and infrastructure</b>	<b>\$1,337,428.47</b>	<b>\$17,458,982.36</b>	<b>\$20,031,785.98</b>
<b>Active</b>			
Annual Program			
Road Renewals Included in Operating expenditure		\$2,345,183.00	\$3,040,462.66
Transport Operational Costs		\$8,623,243.00	\$13,926,763.98
Construction Phase			
1825-2999-0007 Upgrade Old Wentworth Road Sealing	\$0.00	\$1,557,460.00	\$503,437.68
1825-2999-0012 Little Manly Road (FLR-R2)		\$152,544.00	\$111,852.22
1805-2999-0012 FLR#3 Punt Road	\$0.00	\$146,521.00	\$9,209.94
Pre-construction Phase			
1830-2999-0001 Pooncarie-Menindee Road	\$0.00	\$2,220,000.00	\$195,486.25
1825-2999-0014 FLR#3 Log Bridge Road	\$0.00	\$236,961.00	\$20,579.80

## Quarterly Progress Report against 2021/22 Operational Plan

	Exp Prev Fin Yrs	Amended Budget	June Review 2022
Tender Stage			
1005-2999-0017 Wentworth Civic Centre	\$246,479.34	\$250,000.00	\$89,081.59
<b>Completed</b>			
1825-2999-0005 Upgrade Mollara Street Sealing	\$0.00	\$0.00	\$45,242.36
1825-2999-0006 Upgrade High Darling Sealing	\$229,772.23	\$1,031,500.00	\$751,001.57
1825-2999-0009 Golf Course Road	\$113,992.34	\$39,000.00	\$36,045.52
1825-2999-0010 High Darling Link Road	\$200,906.65	\$119,000.00	\$97,025.63
1895-2999-0003 Dareton Street Lights	\$87,356.88	\$50,000.00	\$55,439.30
1526-2999-0004 Old Curlwaa Hall Demolition	\$443,693.94	\$18,000.00	\$17,573.33
1548-2999-0007 CRIF Pooncarie Race Track	\$6,027.09	\$29,700.00	\$26,500.00
1549-2999-0002 King Ridge Est Open Space	\$0.00	\$0.00	\$1,000.00
1825-2999-0011 Native Ridge Lane (FLR-R2)		\$319,727.00	\$198,774.26
1805-2999-0006 Wentworth Public School SZ Upg	\$0.00	\$70,874.00	\$93,574.93
1805-2999-0007 Buronga Public School SZ Upgra	\$0.00	\$35,955.00	\$88,286.68
1805-2999-0008 Dareton Public School Crossing	\$0.00	\$29,967.00	\$39,954.72
1805-2999-0009 Gol Gol Public School Delineat	\$0.00	\$14,050.00	\$8,822.97
1805-2999-0010 Pomona Public School Delineati	\$0.00	\$7,028.00	\$8,268.05
1805-2999-0011 Palinyawah Public School SZ Up	\$0.00	\$25,848.00	\$21,941.93
1815-2999-0002 FLR#3 Fletchers Lake Road	\$0.00	\$217,739.00	\$318,813.96
1825-2999-0013 FLR#3 Bridge Road	\$0.00	\$208,940.00	\$298,994.00
1549-2999-0003 Moontongue Basin Landscaping	\$0.00	\$0.00	\$27,525.70
<b>3.3 Prepare for natural disasters, biosecurity risks and climate change</b>		<b>\$71,000.00</b>	<b>\$122,310.71</b>
<b>Active</b>			
Annual Program			
Environment 3.3 Operational Costs		\$71,000.00	\$122,310.71
<b>3.4 Reduce, reuse and recover waste</b>	<b>\$157,125.74</b>	<b>\$2,926,267.63</b>	<b>\$3,156,411.77</b>
<b>Active</b>			
Annual Program			
Environment 3.4 Operational Costs		\$1,552,167.63	\$1,887,205.42
Awaiting Delivery			
1421-2999-0028 Buronga Landfill 11m3TipTruck	\$0.00	\$0.00	\$0.00
1421-2999-0029 Buronga L/fill 12m3DogTipTrail	\$0.00	\$0.00	\$0.00
Construction Phase			
1421-2999-0018 Community Recycling Centre	\$0.00	\$70,000.00	\$8,647.35
Implementation			
1421-2999-0019 100,000 Tonnes Upgrade	\$157,125.74	\$400,000.00	\$351,959.00
<b>Completed</b>			
1421-2999-0026 Buronga Landfill Excavator	\$0.00	\$260,000.00	\$261,600.00
1421-2999-0027 Buronga Landfill Compactor	\$0.00	\$644,100.00	\$647,000.00
<b>4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery</b>	<b>\$2,419,042.80</b>	<b>\$9,763,246.37</b>	<b>\$5,985,640.87</b>
<b>Active</b>			
Annual Program			
1005-2999-0014 Office Equipment	\$65.17	\$100,000.00	\$8,987.60
1007-2999-0001 Computer Replacement	\$30,693.00	\$200,000.00	\$146,905.54
1010-2999-0001 Capital Plant Replacement	\$1,046,350.47	\$1,500,000.00	\$563,811.51
1010-2999-0012 Minor Plant Purchases	\$50,201.08	\$50,000.00	\$35,896.24
1010-2999-0015 Asbestos Management Plan	\$8,403.31	\$20,000.00	\$550.43
Community Services Operational Costs		\$84,002.00	\$86,218.92
Finance and Policy Administration Operational Costs		\$3,145,036.69	\$1,692,077.83
Governance & GMO Administration Operational Costs		\$2,549,596.68	\$2,028,353.20
Public Order & Safety Operational Costs		\$1,166,952.00	\$867,708.16
Roads & Engineering Administration Operational Costs		\$177,696.00	-\$181,793.93
Implementation			
1005-5100-0005 Loan Repayments - Midway	\$210,354.53	\$110,071.00	\$121,305.74
1005-5100-0015 Loan Repayments WWCC - Loan \$850k	\$114,295.52	\$43,990.00	\$44,080.66
1005-5100-0016 Loan Repayments WWCC - Loan \$3.3m	\$0.00	\$87,217.00	\$0.00
1005-5100-0017 Loan Repayments - Stormwater - T-Corp	\$0.00	\$45,792.00	\$115,089.14
1007-2999-0014 Integrated Management System	\$554,003.79	\$170,000.00	\$148,659.00
1421-5100-0001 Landfill Capital Loan Repayments	\$264,327.97	\$96,320.00	\$96,312.90
1421-5100-0002 Landfill Capital Loan Repayments #2 Loan	\$140,347.96	\$53,446.00	\$54,138.02
3005-5100-0001 Loan Repayments - Loan #1	\$0.00	\$45,792.00	\$69,129.87
1421-5100-0003 Landfill Capital Lease Payments	\$0.00	\$117,335.00	\$88,210.04
<b>Grand Total</b>	<b>\$26,742,626.35</b>	<b>\$49,976,000.00</b>	<b>\$44,239,335.36</b>

## 9.9 AF003 REQUESTS FOR FINANCIAL ASSISTANCE

File Number: RPT/22/480

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 \$160,000.00 for the 2022/23 financial year for consideration by Council, for the funding of requests from the community for financial assistance. In this financial year, \$104,320.00 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 so far under delegated authority is \$739.00. The total value of requests for this August 2022 funding application period totals \$27,040.11, which if granted in full would leave a balance in the financial assistance program of \$27,900.89.

### **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.

### **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 \$160,000.00 for the 2022/23 financial year.

#### **Report Detail**

In this current application period, there have been seven (7) requests for assistance received from community organisations. The total value of the requests under consideration is \$27,040.11

A review of the applications has determined that the applications meet the program guidelines.

The Financial Assistance Policy (AF003) allows for requests for fee waivers up to the value of \$2,000 to determined under delegated authority by either the Director Finance & Policy or the General Manager. During this application period the following (2) requests totalling \$739.00 have been approved under delegated authority:

\$482.00 - Sunraysia Aeromodellers – hire fees, camping & power.

\$257.00 – Wentworth District Community Medical Centre Inc – annual license fee for Memorial Room Wentworth.

### **Additional information**

The August round of grants is usually the largest round from a monetary perspective, however this year's round is by the far the largest in term of monetary value that Council has been asked to consider for some time.

Council has been supporting the RFDS Rowathon for many years to the tune of \$2,000, this year's request has increased to \$5,000.

This is the first time that the Show Society has asked for a grant contribution towards the show. Council provides significant in-kind support to the Show each year equating to approximately \$15,000. A review of the Show Societies financial statements also indicates that they have significant funds in their bank account.

The request from the Dareton Kennel Club is unique, Council has never had a request of this nature before under 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 \$27,040.11; or
- (b) consider partially funding some applications.



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

If the requested total of \$27,040.11 is approved this would leave a balance of \$27,900.89 left for the remaining financial year.

#### Conclusion

Council has received requests for financial assistance under this round of the program to the value of \$27,040.00. Council Officers under delegated authority has also approved \$739.00 worth of fee waivers.

#### Attachments

1. Financial Assistance Program Requests 
2. Financial Assistance Program Request Applications (Under Seperate Cover) 

FINANCIAL ASSISTANCE PROGRAM REQUESTS – AUGUST 2022				
Organisation/Recipient	Type of Request	\$ Value	\$ Amounts granted in 2020/21	Details of Request
Dareton Kennel Club Inc	Grant	\$ 5,000.00	\$ 480.00	Airfares & Accommodation for Championship Dog Show
Wentworth Show Society	Grant	\$ 5,000.00	\$	2022 Wentworth Agriculture Show
RFDS Operation Pelican Inc	Grant	\$ 5,000.00	\$	Flying Doctor Rowathon
Gol Gol Preschool Association Corporation	Grant	\$ 4,996.50	\$ 900.00	picnic table & bark for veggie garden
Wentworth District Racing Club Inc	Grant	\$ 4,466.00	\$ 5,000.00	dish washer for new community pavilion at Wentworth Showgrounds
Wentworth District Community Medical Centre Inc	Rate Reduction	\$ 477.61	\$ 293.00	Seeking rate reduction for WDCMC, Shop 10/21 Sandwych Street Wentworth
Wentworth District Community Medical Centre Inc	Grant	\$ 2,100.00	\$ 293.00	Seeking contribution towards development & lodgement of Development Application for WDCMC
	<b>TOTAL</b>	<b>\$ 27,040.11</b>		

**9.10 DA2022/061 INCREASING WEEKLY PRODUCTION OF EXISTING RURAL INDUSTRY FROM 700 TONNE TO 4200 TONNE 28 JINDALEE ROAD AND 623 RIVER ROAD LOT 1 DP 1264484 AND LOT 989 DP 759961 COOMEALLA**

File Number: RPT/22/498

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: George Kenende - Development Assessment Officer

Objective: 1.0 Wentworth Shire is a vibrant, growing and thriving Region  
Strategy: 1.1 Promote the Shire as an ideal location for investment and the establishment of innovative, sustainable and diversified industries

**Summary**

A development application (DA2022/061) was received by Council to increasing the weekly production of an existing rural industry from 700 tonne to 4200 tonne be located at 28 Jindalee Road & 623 River Road, Lot 1 DP 1264484 & Lot 989 DP 759961 Coomealla.

Under the *Wentworth Local Environmental Plan 2011 (WLEP 2011)*, rural industries are permitted with consent if located within the RU1 Primary Production zone.

The proposed increase in production was publicly notified for 14 as per the Wentworth Community Participation Plan. Three (3) submissions objecting to the development were received during the notification period. As per Council delegations, any development applications with 3 or more submission cannot be determined under delegated authority, and must be determined by Council.

**Recommendation**

1. That Council approve DA2022/061 being increasing the weekly production of an existing rural industry from 700 tonne to 4200 tonne be located at 28 Jindalee Road & 623 River Road, Lot 1 DP 1264484 & Lot 989 DP 759961 Coomealla.
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 for Council to determine Development Application DA2022/061, having consideration to the detail provided both within this report and the attachments provided.

**Background**

A development application DA2018/128 to convert an existing farm shed to a crushing plant, winery and new office (rural industry) was lodged with Council and subsequently refused at the 20 February 2019 Ordinary Council meeting. A review for the refusal was lodged with Council and DA2018/128 was subsequently approved at the 4 September 2019 Ordinary Council meeting. Condition #30 of DA2018/128 limited the amount of processed material to 700 tonne per week.

A Development Application was lodged with Council on 14 June 2022 seeking consent to increase the amount of processed material from 700 tonne per week to 4200 tonne per week. During the 14 day public notification conducted as per Wentworth Community Participation Plan, three (3) submissions objecting to the development were received by Council.

As per Council delegations, any development applications with 3 or more submission cannot be determined under delegated authority, and must be determined by Council.

Refer to attachment 1 – DA2018/128 Notice of determination

Refer to attachment 2 – DA2022/061 Development Application

Matters under consideration

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

The proposed development was assessed against and met the relevant principles under Chapter 5 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021*.

The proposed development for increasing the capacity of a rural industry is permitted with consent and meets the zone objectives of the RU1 Primary Production zone under the WLEP 2011.

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

The main concerns raised by the submitters are assessed as following:

- **Traffic numbers:**

A traffic assessment was provided by the applicant identifying the anticipated traffic increase from the proposed development. Based on the TIA, the following traffic increase is anticipated:

- Light vehicle: 20
- 19m semi-trailer: 25
- Road trains (B-triples): 10

The anticipated increase will not require upgrades to the Jindalee/River Road intersection as previous upgrade conducted under DA2018/128 are able to manage the increased capacity.

River Road is a main feeder road to the Silver City Highway and with sections of it identified as road train approved routes. The increased traffic numbers are in line with River Road use and are not anticipated to significantly change the Road usage. River Road has a number of horticulture properties around it, with traffic increases anticipated during harvest seasons.

- **Traffic noise and vibration**

Form the Jindalee/River road intersection to Silver City Highway is categorised as a road train route by Transport for NSW. This means heavy vehicles, which are the main cause of traffic noise and vibrations, are permitted along the road.

- **Road safety**

An assessment of the road safety impacts of the development were conducted as part of the initial rural industry approval (DA2018/128). Conditions of consent of that approval had measures for road safety including works along the Jindalee/River road intersection. The increase in traffic of 55 vehicles did not trigger further road upgrades or raise any significant road safety issues.

- **Monitoring of development**

If approved, condition of consent will be placed to monitor the crushing plant operations.

Based on the assessment of the application, it is determined that the proposed development is consistent with the relevant objectives of the RU1 Primary Production Zone, is consistent with planning matters for consideration of the *Wentworth Local Environmental Plan 2011*,

consistent with the principles of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* and meets relevant provisions of the Wentworth Development Control Plan (DCP) 2011.

Refer to attachment 3 – Environmental Management Plan

Refer to attachment 4 – Statement of Environmental Plan

Refer to attachment 5 – Traffic Report Addendum

Refer to attachment 6 – Wastewater Report

Refer to attachment 7 – Submissions (Under separate Cover)

Refer to attachment 8 – Applicant Response to Submissions (Under separate Cover)

Refer to attachment 9 – 4.15 Assessment Report

Refer to attachment 10 – Draft Conditions of Consent

### Options

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

Approve Development Application 2022/061 subject to conditions

### Legal, strategic, financial or policy implications











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


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

### Conclusion

Having consideration to the content of this report it is concluded that the appropriate course of action is to approve DA2022/061 subject to conditions.

### Attachments

1. DA2018/128 Notice of Determination [↓](#) 
2. Development Application (Under separate cover) 
3. Environmental Management Plan [↓](#) 
4. Statement of Environmental Effects [↓](#) 
5. Traffic Report Addendum [↓](#) 
6. Wastewater Report [↓](#) 
7. Submissions (Under separate cover) 
8. Applicant Response to Submissions (under separate cover) 
9. 4.15 Assessment report [↓](#) 
10. Draft Conditions of Consent [↓](#) 

	<p>Health &amp; Planning Division 26- 28 Adelaide Street Po Box 81 WENTWORTH NSW 2648 Tel: 03 5027 5027 <a href="mailto:council@wentworth.nsw.gov.au">council@wentworth.nsw.gov.au</a></p>	<p><b>Notice of Determination of a Development Application</b></p> <p>issued under the <i>Environmental Planning and Assessment Act 1979</i> Section 4.18(1)</p>
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<b>Our Ref:</b>	DOC/19/25601
<b>Development application no:</b>	DA2018/128
<b>Applicant name:</b>	James Golsworthy Consulting
<b>Applicant address:</b>	PO Box 1650 MILDURA PRIVATE BOXES VIC 3502
<b>Owner name:</b>	Casella Wines Pty Ltd
<b>Owner address:</b>	PO Box 281 YENDA NSW 2681
<b>Land to be developed:</b>	28 Jindalee Road Lot 861 DP 756961 COOMEALLA
<b>Type of approved development:</b>	Change of use farm shed to grape crushing plant & office
<b>Determination:</b>	In accordance with Section 4.16 of the EP&A Act 1979 your application has been granted subject to conditions.
<b>Conditions of granting consent and reasons</b>	<p><u>Council Resolution</u></p> <p>That Council approves DA2018/128, being a crushing plant and construction of a new office to be located at 28 Jindalee Road, Lot 861 DP 756961 Coomealla, subject to the conditions imposed by the planning division.</p> <p>That a division be called in accordance with S375A of the Local Government Act 1993 (NSW).</p> <p><b>Moved Cr. Elstone, Seconded Cr. Heywood</b></p> <p style="text-align: right;"><u>CARRIED</u></p> <p><b><i>In accordance with Section 375A of the Local Government Act the Mayor called for a division.</i></b></p> <p><b><i>For the Motion :</i></b>      <i>Clr.s Elstone, Evans, Hederics, Heywood, MacAlister and Wheeldon.</i></p> <p><b><i>Against the Motion:</i></b>      <i>Clr.s Nichols and Nunan.</i></p> <p>The conditions imposed on the consent in accordance with Section 4.17 of the EP&amp;A Act 1979 and the reason for imposition of those conditions are attached as Schedule 1.</p>
<b>Right of appeal of determination:</b>	An applicant who is dissatisfied which the determination of their development application (including a determination on a review under Section 8.2 to Section 8.5) may appeal to the Land and Environment Court within 6 months after;

- a) the date on which the applicant receives this notice of determination or review, or
- b) the date on which the application is taken to have been determined.

(refer to Sec 8.7 and Sec 8.10 of the EP&A Act).

**Date of determination:**

4 September 2019

**Date from which consent operates:**

4 September 2019

*Note - If granted subject to a condition that the consent is not to operate until the applicant satisfies a consent authority with respect to a particular condition then the date from which the determination operates must not be endorsed on the application until that condition has been satisfied.*

**Date on which consent lapses:**

3 September 2024 at midnight

(refer to Sec 4.53 and Sec 4.54 & Sec 8.22 of the EP&A Act)

**Building Code of Australia building classification**

5 & 8

**Details of any review by Planning Assessment Commission**

N/A

**Integrated development**

approval bodies that have given general terms of approval in relation to the development as per section 4.50 of the EP&A Act

N/A

**Rights of appeal of objectors**

N/A

**Other approvals**

List Local Government Act 1993 approvals granted under S 78A(5)

N/A


**Signed**

**KEN ROSS**

**GENERAL MANAGER**

**under delegation on behalf of the Shire of Wentworth**

**Date**

13 December 2019

**Note 1** *If there is any discrepancy between the approved plan attached to this determination and the conditions in Schedule No 1 to this determination, then the conditions override the plan. All conditions listed in Schedule No 1 must be complied with to comply with this consent*

**Note 2** *Schedule 2 contains advisory notes which assists in compliance with conditions listed in Schedule 1.*

**Note 3** *This approval relates to development consent only and before any building, demolition or subdivision works are carried out a construction certificate must be obtained.*

**DA2018/128 CHANGE OF USE FARM SHED TO GRAPE CRUSHING PLANT AND OFFICE 28 JINDALEE ROAD  
LOT 861 DP 756961 COOMEALLA**

**SCHEDULE 1**

**PRESCRIBED CONDITIONS**

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

**GENERAL CONDITIONS**

4.	<p>The development hereby authorised shall be carried out strictly in accordance with the conditions of this approval and stamped approved plans as listed below:</p> <ul style="list-style-type: none"> <li>• Site Plan by James Harwood Homes; Project No.: 18-004; Drawing No.: WD 2; DWG: 2 of 3; Date: April 2018</li> <li>• Locality, Floor (office) and East Elevation (office) Plan by James Harwood Homes; Project No.: 18-004; Drawing No.: WD 3; DWG: 3 of 3; Date: April 2018</li> <li>• Floor Plan (shed) by James Harwood Homes; Project No.: 18-004; Drawing No.: WD 1; DWG: 1 of 3; Date: April 2018</li> <li>• Noise and Odour Assessment and Management Plan by Pitt&amp;Sherry; Rev: 00; Date: 06 June 2019</li> <li>• Traffic Impact Assessment by Tonkin Consulting; Date: 24 May 2019</li> </ul>
5.	Approval is for change of use for existing shed to a crushing plant and construction of an office.
6.	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 substantially commenced within 5 years of the date of this permit.
7.	<p>An application for a construction certificate is to be made under Section 4.12 of the Environmental Planning and Assessment Act 1979 and construction certificate(s) issued under Sections 6.3, 6.4(a) and 6.7 of the Environmental; Planning and Assessment Act 1979 prior to any work commencing on the building. All work in relation to plans for the construction certificate(s) shall comply with the requirements of the Building Code of Australia, the Environmental Planning &amp; Assessment Act, and regulations, SEPP (Building Sustainability Index) BASIX 2004 and the Local Government Act and Regulations thereunder.</p> <p>(a) Application is to be submitted to Council under the Local Government Act NSW 1993</p>

	<p>and approval given by Council under Section 68 of the Local Government Act NSW 1993 prior to any work being carried out to:</p> <ul style="list-style-type: none"> <li>• Carry out water supply work.</li> <li>• Carry out any plumbing &amp; drainage work necessary to connect the buildings to a waste water system</li> </ul>
8.	<p>Subject to approval to commence works two days before any site works, building or demolition begins, the applicant must:</p> <p>(a) Forward to council notice of commencement of work and appointment of Principal Certifying Authority</p> <p>(b) Notify the adjoining owners that work will commence.</p>
9.	All loading and unloading is to take place wholly within the curtilage of the site.
10.	All external lighting of the site, including carparking areas and buildings shall be located, directed and shielded, and of such limited intensity so that no nuisance is caused to adjoining or nearby residents.
11.	Floor levels of all buildings must be suitably designed to prevent stormwater flooding.
12.	<p>Notify either the Council or an accredited certifier in advance - 48 hours in writing, or 24 hours by telephone, to inspect the following:</p> <p>In the case of class 5, 6, 7, 8 or 9 building;</p> <p>(a) Prior to covering any stormwater drainage connection, and</p> <p>(b) After building work has been completed and prior to any occupation certificate being issued in relation to the building.</p> <p>Inspections of building work must be made on the following occasions in addition to those required by the other provisions of this clause for the building work;</p> <p>(a) In the case of a class 2, 3, 4, 5, 6, 7, 8 or 9 building, after the commencement of the excavation for, and before the placement of, the first footing.</p>
13.	Throughout the construction period, from commencement of work, a suitable rubbish containment structure is to be located on site and utilized to ensure the construction site is kept clean and safe at all times.
14.	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.
15.	Any works undertaken in the subject land including building or minor filling shall not cause alteration to the previous drainage in the subject land or adjacent land. Any remedies required to discharge drainage water caused to be accumulated by the works associated with this permit shall be the responsibility of the applicant.

16.	A Fire Safety Schedule shall be issued by an appropriately qualified person and provided to Council as part of the Construction Certificate in accordance with the Environmental Planning and Assessment Regulation 2000. This schedule shall distinguish between current, proposed and required fire safety measures, with the minimum standard of performance being indicated for each fire safety measure. The Fire Safety Schedule shall identify each fire safety measure that is a Critical Fire safety Measure and the intervals at which supplementary fire safety statements shall be given to Council in respect of each such measure.
17.	An Annual Fire Safety Statement must be provided to Council and the NSW Fire Brigade within 12 months after the date on which the approval authority initial Fire Safety certificate is received.
18.	Works, uses or activities shall not be carried out on public land (including a road) adjacent to the development site without the approval under the Roads Act 1993 and /or the Local Government Act 1993. An application, together with the necessary fee, shall be submitted and approval granted by Wentworth Shire Council prior to any works, uses or activities commencing on public land.
19.	<p>Access for people with disabilities must be provided from the building(s) to kerb, ramps and parking, by means of a continuous path of travel in accordance with Australian Standard AS 1428.1.</p> <p><b>Note:</b> Additional legislation exists to promote the provision of services, which enable people with a disability to maximise their potential, further their integration in the community and achieve positive outcomes.</p> <p>The following legislation may be relevant:</p> <ul style="list-style-type: none"> <li>• The NSW Disability Services Act 1993</li> <li>• The Commonwealth Disability Discrimination Act 1992</li> <li>• NSW Anti Discrimination Act 1977.</li> </ul> <p>For further information please consult:</p> <ul style="list-style-type: none"> <li>• Human Rights and Equal Opportunity Commission</li> <li>• NSW Anti Discrimination Board.</li> </ul>
20.	Plans are to be updated and submitted to Council showing internal traffic movements wholly within the properties identified as Lot 861 DP 756961 and Lot 862 DP 756961 as well as correctly show the location of Jindalee Road. No traffic turns are to occur over the easement which run along the East boundary of Lot 861 DP 756961.
21.	For road safety reasons and the convenience of development users, all vehicular accesses shall be designed such that all the vehicles are to enter and exit the subject site in a forward direction and are not required to reverse into the roadway.
22.	<p>Prior to the commencement of any roads and drainage works, detailed design construction plans (engineering plans) and a functional layout plan, generally in accordance with the standards nominated by Wentworth Shire Council, to the satisfaction of Council must be submitted to Council for approval.</p> <p>When approved, the plans will be endorsed and will then form part of the permit.</p> <p>The functional layout plan must be drawn to scale with dimensions and show:</p> <ol style="list-style-type: none"> <li>Topography and existing features, including contours for the subject land and any affected adjacent land,</li> <li>All trees proposed for removal from the subject land or road reserve clearly designated,</li> </ol>

	<ul style="list-style-type: none"> <li>c. Typical cross-sections for each street type, dimensioning individual elements, services offsets and any other spatial requirements identified in the Development Plan,</li> <li>d. The proposed minor drainage network and any spatial features requiring access,</li> <li>e. The major drainage system, including any watercourse, wetland, sediment pond rain gardens, bio-infiltration system and/or piped elements showing preliminary sizing,</li> <li>f. Overland flow paths (100 year ARI) to indicate how excess runoff will safely be conveyed to its destination,</li> <li>g. Drainage outfall system (both interim and ultimate), indicating legal point of discharge and any access requirements for the construction and maintenance</li> </ul>
23.	<p>Prior to the commencement of any works, detailed design construction plans (engineering plans) of the intersection of River Road/Jindalee Road must be designed in accordance with the Council specifications and recommendations provided by the "Jindalee Road Wines - Traffic Assessment Report" Section 3, prepared by Tonkins, dated 24 May 2019 and specifications submitted to Council for approval.</p> <p>When approved, the plans will be endorsed and will then form part of the permit.</p>
24.	<p>Jindalee Road is to be constructed for all weather access in accordance with the Council specifications and recommendations provided by the "Jindalee Road Wines - Traffic Assessment Report" Section 3, prepared by Tonkins, dated 24 May 2019 and specifications submitted to Council for approval.</p>
25.	<p>Construction Environment Management Plan (CEMP)</p> <p>At least 14 days before any works start, a site specific Construction Environmental Management Plan (CEMP) to the satisfaction of Council must be submitted to Council for approval. When approved the CEMP will be endorsed and will then form part of the permit. All works must be undertaken in accordance with the approved CEMP.</p> <p>The CEMP must address all environmental risks and include:</p> <ul style="list-style-type: none"> <li>a. Temporary stormwater management including sedimentation control,</li> <li>b. Provision of pollution and contamination controls including noise and dust,</li> <li>c. Location of stockpiles and stockpile management,</li> <li>d. Location of site office and facilities</li> <li>e. Equipment, materials and goods management.</li> <li>f. Tree protection zones, trees to be retained and trees to be removed</li> </ul>
26.	<p>No fill or excavated material for or from this development is to be carted/hailed into or from the site without first obtaining the further written consent from Council's Engineering Department at least seven (7) days prior to the cartage/haulage works commencing to the satisfaction of Council.</p>
27.	<p>Before the statement of compliance is issued, all stormwater drainage infrastructure must be designed and constructed in accordance with plans and specifications approved by Council.</p>
28.	<p>Noise, odour and waste, must be managed in accordance with the methods and recommendations as outlined in the "Jindalee Road Grape Juice Plant, Noise and Odour Assessment/Management Report", prepared by Pitt and Sherry dated 06/6/2019.</p>
29.	<p>The noise, odour and any other emissions emanating from the site must meet the relevant EPA guidelines, Protection of the Environment Operations Act and any other relevant guidelines, Acts and Regulations.</p>

30.	<p>The crushing plant must only process 700 tonnes of grapes or less per week as listed in the "Jindalee Road Grape Juice Plant, Noise and Odour Assessment/Management Report", prepared by Pitt and Sherry dated 06/6/2019.</p> <p>Should the proponent require to increase the amount of grapes crushed, consent will be required from Council.</p>
31.	A plan showing the location of waste water collection and filtration point is to be provided to Council for approval before the issuance of the Construction Certificate.
32.	<p>Jindalee Road is to be used to enter and exit the site. The Reserve along the East boundary of the subject site to River Road is not to be used as an access track at any time.</p> <p><b>Reason:</b> Access on to River Road is unsafe with less than 100m 5150 to the east due to the crest.</p>
33.	A Road Opening Permit is required from the Wentworth Shire Council prior to any works / excavation within the road reserve ie water tapping, sewer, driveway crossings etc. Please contact Councils Roads & Engineering Department on Tel: (03) 5027 5027 to arrange a permit.
34.	<p>Any normal building work will be restricted to the following hours in accordance with the NSW Interim Construction Noise Guideline:</p> <ul style="list-style-type: none"> <li>(a) Monday to Friday, 7.00am and 6.00pm</li> <li>(b) Saturdays, 8.00am to 1.00pm</li> <li>(c) No work is to be carried out on Sundays and public holidays</li> </ul>
35.	<p>(a) Before the work is commenced, the Council must be informed in writing of:</p> <ul style="list-style-type: none"> <li>• The name and licence number of the contractor who has been engaged to do the work;</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>• The name and permit number of the owner/builder who intends to do the work.</li> </ul> <p>(b) The Council is to be immediately informed in writing of similar details required in the above if:</p> <ul style="list-style-type: none"> <li>• A contract is entered into for the work to be undertaken by a different contractor; or</li> <li>• Arrangements for the completion of the work are otherwise changed.</li> </ul>
36.	<p>Before any site works, building or demolition is started, the applicant or builder must:</p> <ul style="list-style-type: none"> <li>(a) Notify Council of the name, address, phone number and licence number of the builder</li> <li>(b) Erect a sign at the front of the property with the builders name, licence number, site address and consent number</li> <li>(c) Provide a temporary on-site toilet</li> <li>(d) Protect any public place from obstruction or inconvenience of the carrying out of the consent</li> </ul>
37.	<p>The Development shall not be occupied or used until:</p> <ul style="list-style-type: none"> <li>(a) A Final Occupation Certificate is issued and provided to Council for the development: or</li> <li>(b) An Interim Occupation Certificate is issued and provided to Council for the development. This shall clearly identify the part of the development to which the Interim Occupation Certificate relates.</li> </ul>

38.	All roof water is to be collected by gutters and conveyed by downpipes to a legal point of discharge.
39.	Site storm water discharge and detention to comply with and be maintained to Council's requirements.
40.	Council reticulated raw and filtered water is not available to the property.
41.	Sewer is not available to the proposed lot. The waste disposal system is to be of an aerated treatment type, approved by NSW Health. Minimum setbacks of 3.0m from the property boundary and outbuildings and 6.0m from any buildings shall be provided for disposal of wastewater.
42.	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.
43.	<p><b>AMENDED CONDITION</b></p> <p>All parking areas and access ways spaces shall be constructed on the site in accordance with the minimum requirements of the Australian Standard AS/NZS 2890 as current at the time of construction, and maintained on the land in accordance with the approved plans.</p> <p>The car parking spaces are to be appropriately delineated and signs posted for employees and customers. The car parking provided shall only be used in conjunction with the uses contained within the development and except as provided for in these conditions are not to be used other than by an occupant or tenant of the development.</p> <p>All car parking spaces shall be completed prior to the issue of an Occupation Certificate, whichever occurs first.</p>
44.	No work is to be carried out on the site which would cause nuisance by the way of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, oil, waste water, water products or otherwise.
45.	No building works are to encroach over any easements.
46.	<p>If any object having interest due to its age or association with the past is uncovered during the course of the work:</p> <p>(a) All work must stop immediately in that area, and</p> <p>(b) The Office of Environment and Heritage must be advised of the discovery.</p>
47.	<p>If an Aboriginal object (including evidence of habitation or remains) is discovered during the course of the work:</p> <p>(a) All excavation or disturbance of the area must stop immediately, and</p> <p>(b) The person making the discovery must advise the Chief Executive (within the meaning of the National Parks and Wildlife Act 1974) of the discovery in accordance with section 89A of that Act.</p>

**REASONS FOR CONDITIONS**

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

# Environmental Management Plan

Jindalee Road Wines, Coomealla

July 2022

planning & development specialists

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## Introduction

This document is an *Environmental Management Plan (EMP)* which focuses on odour and noise assessment and management at the juicing facility. The juicing facility is established and operated by Jindalee Road Wines and a Development Application has been submitted to Wentworth Shire Council to expand the facility and increase capacity.

The proposed development will take place on Lot 1 DP1264484 on Jindalee Road in Coomealla at an established facility owned and managed by Coomealla Investment Pty Ltd.

## Project Background

This EMP is prepared as a response to the additional information requested by Wentworth Shire Council on 30 June 2022 for further assessment of DA2022/061. The EMP has been prepared by Vasu Singla who has a Bachelor of Agricultural Engineering and Master of Sustainability specialising in Environmental Management and reviewed by David McClure who has a Bachelor of Environmental Science (Honours), Master of Agriculture and Diploma of Irrigation.

The activities at the juicing facility are detailed in the Statement of Environmental Effects prepared by James Golsworthy Consulting.

The facility is a juicing plant operated by Jindalee Roads Wines. Incoming grapes are transported to the juicing facility by heavy vehicles in bulk bins (approx. 10 bins per load) that are loaded directly from the grape harvester in the vineyard. Each vehicle carries between 20 and 30 tonnes of grapes. Harvesting and transporting of these grapes is a common activity in the area. Grapes are currently delivered to wineries in the same manner using local roads. When bins are received at the central receiving point at the juicing facility, where each bin is upended by a forklift, the grapes thereby enter an open hopper (*Figure 1*). The grapes are then transferred by auger to the adjoining crusher. Impurities are separated from the crushed juice by a filtration process. Juice is further processed and temporarily stored in refrigerated tanks before being decanted into semi-trailer tankers and dispatched daily.

The plant will operate 24 hours a day 7 days a week, for approximately 10 weeks (harvest time) from January to mid-March each year. This receipt of grapes occurs primarily during the night and early morning. Processing is continuously being undertaken through the 10-week period.

The estimated processing load, is expected to be up to 4,200 tonnes of grapes in a week, producing approximately 0.5 million litres of juice per week. The total processing capacity required is up to 30,000 tonnes of grapes during the 10-week harvesting season. The plant will be idle during the remainder of the year.

Waste from the process includes grape stems and leaves and grape marc which will be returned to the vineyard, for stockpiling and static composting before being spread on the vineyard as a soil ameliorant. Stockpiling and composting of marc will not be carried out at the crushing plant site itself.

The site maintenance and housekeeping activities will include:

- ◆ Incoming grape receipt area cleaning
- ◆ Process equipment washing
- ◆ Ventilation equipment cleaning
- ◆ Product packaging and dispatch
- ◆ Site floor cleaning
- ◆ Waste management



Figure 1 Grapes being moved using an auger in the bin



Figure 2 Leaves and stem separated before being crushed



Figure 3 Existing buildings at the site

### Wastewater Generation

Wastewater will be generated by washing of equipment and site cleaning. It is estimated that the volumes of wastewater produced will not increase significantly because of the higher number of tanks available to store the juice. The tanks and the equipment will be cleaned as required to store different varieties of grape juice. Wastewater is expected to be very low in organic loading and will be directed off-site via a 250mm pipe and filtered through media filters prior to reuse through the vineyard drip irrigation system. Wastewater reuse and soil capability has been considered in the assessment prepared by Pinion Advisory.

### Solid Waste Generation

Solid waste generated onsite mainly consists of marc (skin, pulp, and seeds), stems and leaves. The waste will be composted in the surrounding vineyard using aerobic techniques and applied to the vineyard as a soil ameliorant. This has been demonstrated as resulting in soil improvement.

General waste is disposed of via on-site waste bin which will be collected by a commercial contractor and disposed off site.

### Odour Emissions

The main operation at the facility includes receiving and crushing of the grapes. These operations do not produce offensive odour in itself. Significant elements of the operations are undertaken within the enclosed building which reduces odour being emitted external to the premises. Upon completion of the grapes being crushed, the juice is stored in enclosed tanks.

Grape marc is deposited from the bag press (crusher) to the sealed hardstand below the press. The marc is essentially dry upon being removed from the press to ensure all juice is removed. The marc is the main source of odour if not handled properly which includes development of anerobic conditions within the stockpiled marc.

### Odour Management Requirements

Odour emissions are regulated by the NSW Protection of the Environment Operations Act 1997.

The *Framework for assessment and management of odour from stationery sources in NSW (November 2006)* provides guidance and methodologies for assessing the impact of odour on sensitive receptors.

The legislation and the framework consider the strength, nature, duration, character or quality, and the times and frequencies with which the odour is emitted. The odour management strategies recommended by the framework, include:

- ◆ Appropriate site and design layout,
- ◆ Managing odour at the source (regular cleaning and removal of odour causing materials),
- ◆ Managing odour in the pathway (of odour migration by prevailing wind patterns via vegetation or other secure buffer/barriers and sufficient separation distance from sensitive receivers).

### Status of Odour Sources

The potential for onsite activities and equipment to generate odour is summarised in Table 1 below.

**Table 1** Potential odour sources (Pitt & Sherry, Jindalee Road Grape Juice Plant, June 2019)

Process Unit		Odour Potential – Normal operations	Odour Potential – Upset or Abnormal conditions	Overall Potential for Odour to Leave Site
Grape Tipping Receiving Hopper	Bin and	Very low levels of relatively inoffensive odour from the open hopper	Odour may become offensive if cleaning is not carried out or off specification feed stock is used, however product quality and food safety would also be compromised, so these issues will be managed effectively.	Very low – odour intensity and odour emissions rates insufficient for odour to be perceptible beyond the site boundary.
Grape Crushing		Low levels of relatively inoffensive odour, emanating from (small) grape inlet and marc outlet ports	Odour may become offensive if cleaning is not carried out or off specification feed stock is used, however product quality and food safety would also be compromised, so these issues will be managed effectively.	Very low – odour intensity and odour emissions rates insufficient for odour to be perceptible beyond the site boundary.
Juice Filtration System		Low levels of relatively inoffensive odour, emanating from (small) open areas of the process	Odour may become offensive if cleaning is not carried out or off specification feed stock is used, however product quality and food safety would also be compromised, so these issues will be managed effectively.	Very low – odour intensity and odour emissions rates insufficient for odour to be perceptible beyond the site boundary.
Marc Bay		Moderate levels of odour intensity possible inside the Marc Bay.	Odour may become offensive if Marc not collected promptly. Marc will be removed regularly to prevent this occurring.	Low – marc bay located under the shed. Some odours may be perceptible during brief period of loading trucks for dispatch.
Wastewater treatment unit		Very low – self-contained package system with little contact to outside air	Odour may become offensive if system not operated and maintained correctly – routine maintenance visits from specialist contractor will ensure that this does not happen	Very low – odour emissions rates insufficient for odour to be perceptible beyond the site boundary

### Odour Mitigation Measures and Management

All three odour framework strategies will be implemented at the facility to reduce the chance of offensive odour being emitted as low as reasonably practicable. It has been identified above that the proposed facility will not result in unpleasant odour during normal operations when being managed consistent with requirements. The nearest sensitive receptor to the juicing plant is a house located 650m southwest of the processing facility. The prevailing wind in the locality is from the south and west direction and therefore away from sensitive receptors therefore the nearest dwelling is unlikely to receive odour from the processing facility.

The wastewater will be gravity fed to the adjoining lot which will be used for irrigating the vines planted on the land. The water will be stored at a collection point which will be later used for irrigation purposes. The shortest distance from the storage dam to the nearest sensitive receptor is approximately 1550 meters southwest which minimises the risks of any odour from the wastewater storage area.

The marc which can be odorous under anaerobic conditions will be moved as soon as possible away from the juicing facility and spread evenly as a soil ameliorant on the surrounding vineyard properties operated by Jindalee Road Wines which will minimise the opportunity for odour to result. According to the waste management hierarchy identified in Waste Management guidelines published by EPA Victoria, recycling is considered as the best practice to manage the waste than to sending it to a landfill.

The temporary storage area for the marc will be the adjoining lot, immediately abutting the wastewater storage area. The shortest distance from marc storage to the nearest sensitive receptor is approximately 1600 metres. The likelihood of odour being emitted from the temporary marc storage area to the nearest sensitive receptor will be limited to zero.

Wind rose data available from the Mildura weather station indicates that the predominant wind direction is from the south which will direct any odour away from the nearest sensitive receptors.

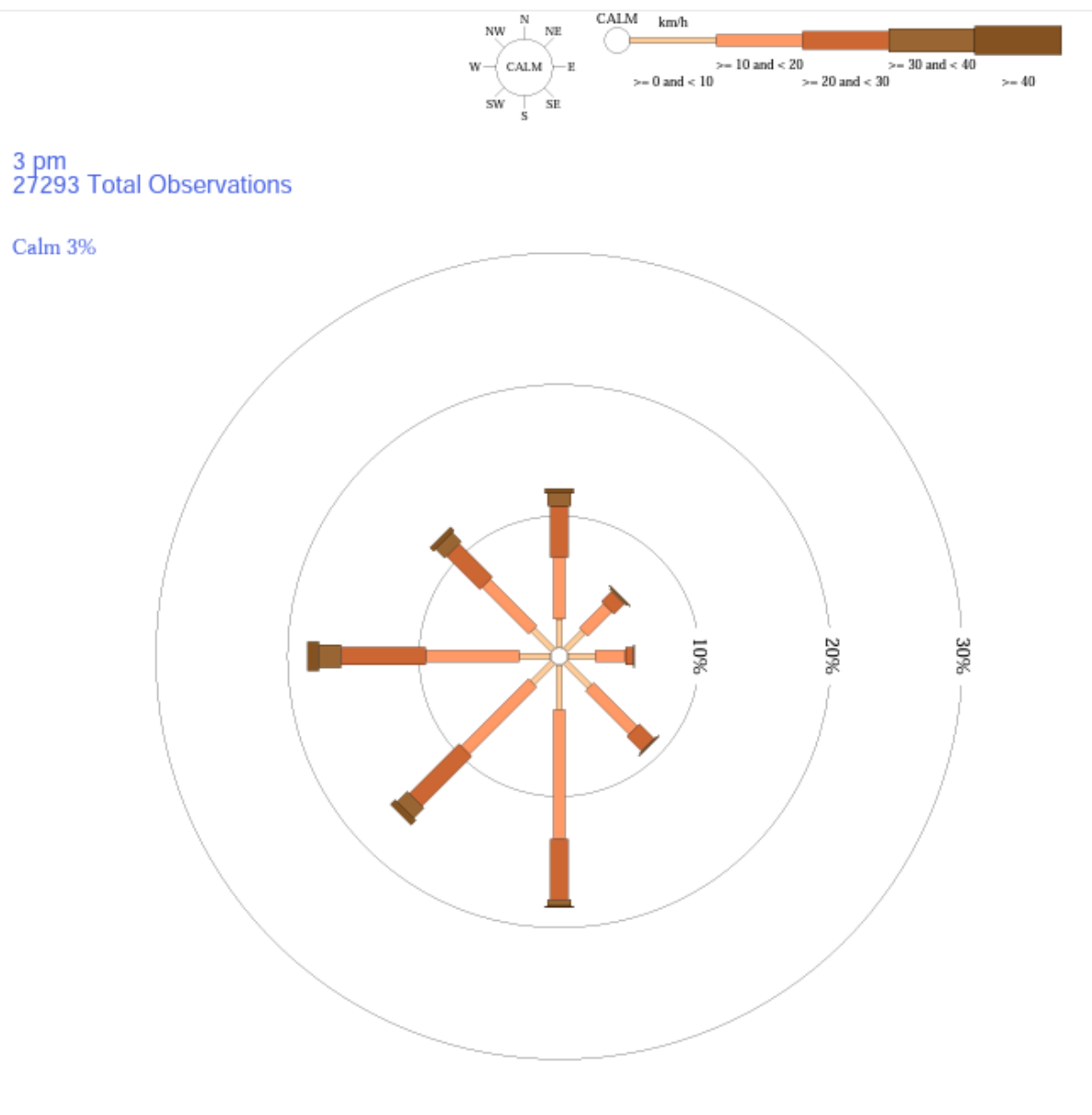


Figure 4 Wind rose data from Mildura Airport (Source: Bureau of Meteorology)

The contact details of the site manager will be displayed on a sign at the entrance to the facility should any members of the public have concerns leading to a complaint. All written complaints will be recorded in complaints register which will detail how they have been responded to.

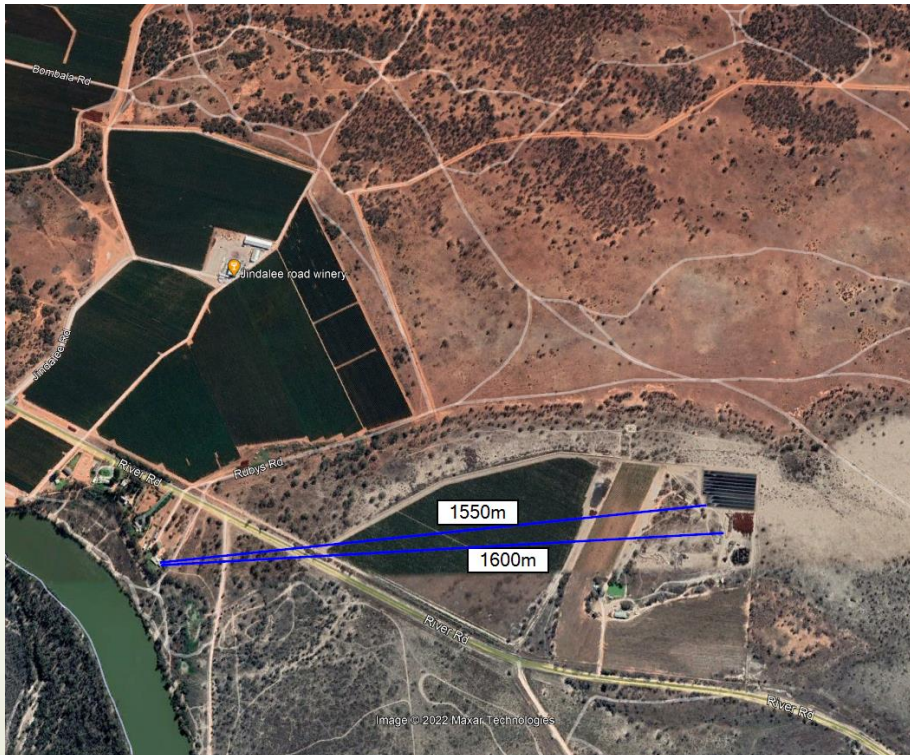


Figure 5 Distance from wastewater and marc storage area to nearest house

## Noise Emissions

The proposed expansion will generate modest noise emissions, dominated by the diesel generators required for augmented electricity supply.

### Noise Sources

#### Construction

The noise levels are expected to increase during the construction period. The increase will be minor as the infrastructure proposed for installation is dominated by modular products which will be fabricated off site and installed on the land. This will also decrease the duration of construction activity on the land. The construction hours will be limited to reduce the noise levels from construction activities.

#### Fixed Equipment

Processing activities and equipment will generally be located within the shed. Fixed external source of noise are conditioner compressors, ventilation fans and a 500kVA diesel generator which will be relocated proximate to the tanks and installed in a contained noise enclosure.

The compressor, ventilation and the generator are currently operational at the site and the expansion will not change the operation of this equipment and the noise they generate. The increase of noise levels from fixed equipment will therefore be minimal.

### Moveable sources

#### Equipment at the facility

Forklifts and loaders will be the only moveable equipment used in the operations of the processing facility.

Forklifts will be used to unload grape bins and will be fitted with an audible reverse device for safety purposes. Forklifts will also be used for other activities at the site not associated with the juicing plant including unloading pallets of fertilisers and chemicals for use on the vineyard. These activities will mostly occur during off peak season of the juicing plant.

Bobcat loaders will be used for the removal of grape marc from the bag presses which are opened to release marc to the hardstand surface below. The marc is removed from the hardstand immediately upon it being released to ensure the area is available for the next batch of processing.

#### Vehicle movement

The main vehicular movement on site will be the trucks delivering grapes and tankers dispatching juice. Arrival and departure of trucks delivering the grapes will occur during nighttime due to the nature of grape harvesting. This avoids higher daytime temperatures and the resulting impact on the quality of fruit.

### Noise Criteria

Noise emissions are regulated under the *NSW Protection of Environment Operations Act 1997*.

The *NSW Noise Policy for Industry (2017)* provides criteria for assessing the impact of noise from new activities on residencies. Noise is deemed to be intrusive if it exceeds the background noise level, by more than 5 db(A). In the absence of onsite measurements of the background noise level, the policy designates a minimum assumed rating background noise level of 30db(A) to be used.

### Estimated Noise Levels

**Table 2** Noise sources (*Pitt & Sherry, Jindalee Road Grape Juice Plant, June 2019*)

Noise Source	Installation Location	Number	Sound Level db(A)
500kVA generator	External (with noise attenuating enclosure)	1	82
Water filtration system	Internal	1	73
Grape receival bin, auger	External	2	69
Grape Crusher	External, under the shed	1	91
Brine tank pumps	External	2	78
Chiller Condenser Units	Internal	1	80
Semi-trailer trucks	Moving on site	1	86
Forklift	External and Internal	1	93
Office Air-Conditioning	External	2	67
Ventilation Fans	External-Roof	2	77

The estimated noise levels at the nearest residence are expected to be 33.3 db(A) approximately (*Pitt & Sherry, Jindalee Road Grape Juice Plant, June 2019*). This is less than 35 db(A), i.e., the assumed background noise level of 30 db(A) + 5 db(A). These levels therefore meet the criteria of the policy.

### Noise Reduction Measures and Management

Most of the processing operations will be within the buildings which will act as a barrier to noise travelling outside. The noise generated from sources outside the buildings including vehicular movement are unavoidable but commensurate with other noise generating activities permitted within Zone RU1 Primary Production Zone.

Truck drivers will be advised to not to use compression braking or to sound their horn unnecessarily during receipt and dispatch movements.

The construction activities and delivery of the material to and from the site, will only be carried out between the following hours:

- ◆ Monday to Fridays, between 07:00 AM and 06:00 PM
- ◆ Saturdays, between 08:00 AM and 01:00 PM
- ◆ No works will be carried out on Sundays and public holidays.

The equipment used at the processing facility during construction and operation will be maintained, fit for purpose and fitted with noise attenuated devices. The generator is provided within a self-contained noise enclosure to reduce the noise levels emitting from the genset.

Onsite employees will be provided with noise attenuating personal protective equipment to be worn all the times on site when noise levels exceed 85dBA.

The site managers contact details will be displayed on a sign at the entrance to the facility should a member of the public have concerns leading to a complaint. All written complaints will be recorded in complaints register.

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# Statement of Environmental Effects

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## Introduction

Jindalee Road Wines operate a grape juicing plant and horticultural operation at 28 Jindalee Road, Coomealla. The juicing plant crushes grapes, removes foreign material and reduces its temperature to ensure its suitability for transport. The juice is transported from the site within 24 hours of being processed to third parties for further processing.

The development being proposed is required for two key reasons which are as follows:

- ♦ Following recent establishment of the juicing plant new markets have been developed. Acquisitions of new productive vineyards and maturing new plantings controlled by the proponent and its entities have resulted in an increase in the volume of grapes forecast for receipt in the coming years. Therefore, the daily rate of processing is sought to be increased from the approved 700 tonne a week (condition 30 - DA2018/128) to 4,200 tonne a week and no more than 30,000 tonne annually.
- ♦ Difficulties have been experienced recently in securing transport for juice within the 24 hours period which has resulted in the need for additional storage of juice on the land. The application therefore proposes the additional storage vessels on the land to cater for the lack of transport available and the increase in the maximum daily processing.

Jindalee Road Wines have heavily invested in the immediate area which includes redevelopment of vineyards (wine grapes) on the land and adjacent land being Lot 989 DP756961 River Road, Coomealla. The proponents have future development plans in new plantings which are maturing for development of land for vineyards.

It is considered that the development and increase in production volume is appropriate and consistent with the contents of the LEP, DCP, Murray Regional Environmental Plan No 2 – Riverine Land and Environmental Planning and Assessment Act 1979. As a result, the development application should be supported.



## Proposal

DA2018/128 was issued on 4 September 2019 for a grape juicing plant and office. Condition 30 of the consent limits the weekly production to 700 tonne. Development approval is sought for Jindalee Road Wines to increase their maximum weekly capacity from 700 tonne to 4,200 tonne per week and no more than 30,000 tonne annually. The maximum weekly crush will not be processed through the facility each week, it will however be the maximum. At the commencement and completion of the harvest the weekly processing will be lower due to certain varieties maturing at different times.

The nature of the operations will remain the same in terms of the activities undertaken and its duration. The juicing of grapes will continue to be for a 10 week period starting in January and extending through to the end of March. This is the time in which the facility operates which coincides with the grape harvest. There is limited opportunity for the juicing of grapes to extend as they must be processed immediately upon harvest to prevent the fermentation process beginning. There is no opportunity for the grapes to remain on the vine to slow the process and therefore extend the period of crushing. The process is dictated by the climatic conditions and the maturation of the grapes on the vine.

The development is designed specifically for grape processing and cannot be used for any other activities. Therefore, the facility will not be used for the remainder of the year. Following completion of harvest the vessels holding juice (juice tanks) will be emptied and juice transported from the land. The site is then cleaned and mothballed for the remainder of the year until the following annual harvest.

While no processing is undertaken until the following year it is normal for maintenance to be undertaken outside of the 10 week period of operation.

The increase of juicing capacity will result in additional wastewater being produced. The application is supported by a land capability assessment undertaken by Pinion Advisory in support of the wastewater requiring disposal (reuse) through the increased production. The assessment has concluded the reuse proposed is

satisfactory subject to conditions and appropriate management. The proponents have purchased adjacent land (lot 989 DP756961 River Road, Coomealla) to the landholding where the juicing plant is located which has a total area of 30ha. The land has recently been redeveloped and planted to wine grapes in two stages (eastern and western). The first stage being the eastern portion of the land (11ha) was developed in 2020 and stage two being the western portion of the land (19ha) was developed in 2021. The land also has an existing dam capable of storing the wastewater. It is proposed that the wastewater produced will be directed to the recently developed land, stored and reused for irrigation of the developed grape vines consistent with the Pinion Advisory recommendations.

Vehicle access (light and heavy) to the land will remain as presently exists via Jindalee Road. Consideration of traffic related impacts has been considered by Tonkin who undertook the initial Traffic Impact Assessment (TIA) in relation to initial establishment of the proposal. Following initial consent being issued and consistent with the TIA, the intersection of River and Jindalee Road was upgraded by the proponent to include treatments for the turning of articulated vehicles. Jindalee Road was also upgraded to be improved in its surface and widened. Tonkin have considered the increase in production proposed through this application though an addendum to the original TIA. This included modelling in SIDRA and updated assessment against the Austroads guidelines which current road network and intersections are adequate to support the proposed increased capacity. Therefore, no additional upgrades to the road network are proposed.

## Planning controls

### State Environmental Planning Policies

There are no relevant State Environmental Planning Policies applicable to the assessment of this application.

### Far West Regional Plan 2036

This plan applies to the area covered by the Wentworth Shire Council and is applicable in the assessment of this proposal. The goals of this plan are:

**Goal 1** – A diverse economy with efficient transport and infrastructure networks

**Goal 2** – Exceptional semi arid rangelands traversed by the Barwon-Darling River

**Goal 3** – Strong and connected communities

Local narratives are also part of the plan and in relation to Wentworth Shire Council the following is relevant.

### Priorities

The following priorities are relevant to the development:

- ♦ Grow and diversify of agribusiness
- ♦ Establish value-added manufacturing industries
- ♦ Capitalise on key freight corridors, including the Silver City and Sturt highways

### Economic opportunities

The following economic opportunities are relevant to the development:

- ♦ Diversify agribusiness and capitalise on value-added manufacturing opportunities.
- ♦ Support the growth of irrigated agriculture

### Wentworth LEP

#### Definition

The works are defined as a *Rural Industry* for which the LEP provides the definition as:

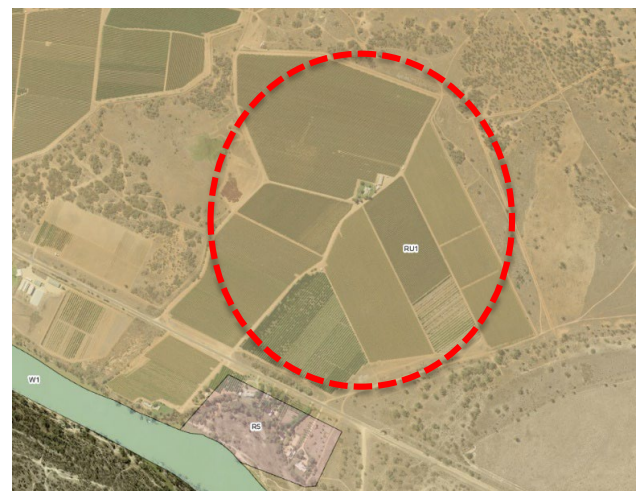
*means the handling, treating, production, processing, storage or packing of animal or plant agricultural products*

for commercial purposes, and includes any of the following—

- (a) agricultural produce industries,
- (b) livestock processing industries,
- (c) composting facilities and works (including the production of mushroom substrate),
- (d) sawmill or log processing works,
- (e) stock and sale yards,
- (f) the regular servicing or repairing of plant or equipment used for the purposes of a rural enterprise.

### Zoning

In accordance with the Wentworth LEP zoning maps the land is contained within zone RU1 Zone – Primary Production.



**Figure 1** Zone map

The objectives of zone RU1 is:

- 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 by the RU1 for a Rural industry and therefore the increase the production from 700 tonnes to 4,200 tonnes per week (no more than 30,000 tonne annually) and associated development.

#### **Additional mapping**

The land is not affected by any additional mapping under the Wentworth Local Environmental Plan 2011.

#### **Wentworth DCP**

The Wentworth Development Control Plan (DCP) is applicable to the development and includes relevant sections which provides guidance on development. Of particular relevance to the development is Chapter 5 which relates to Rural Development Controls. The following sub chapters are relevant to the application:

##### **5.1 Intensive Agriculture**

Objective

*To ensure the following forms of intensive agriculture are conducted in a sustainable manner: horticulture, intensive livestock agriculture, turf farming and aquaculture.*

##### **5.5 Rural Industries**

Objective

*To provide for business activities including the processing of primary products produced in the area or the servicing of agricultural equipment.*

##### **5.8 Rural Land Use Conflict**

Objective

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

## Site and surrounding area

### Subject site

The land is known as Lot 1 DP1264484, Lots 857, 858, 859, 860 and 989 DP756961. The landholding has an area of approximately 108ha. The land is planted to wine grapes and also includes a grape juicing plant and associated infrastructure. The majority of the land is used for horticultural production in conjunction with adjoining lots and land in the immediate locality under control and ownership of the proponents and their related entities.

The existing grape juicing plant includes the following facilities, plant and equipment:

- ◆ Receival pits
- ◆ Crushers
- ◆ Earth filters
- ◆ Bag presses (internal)
- ◆ Flootation tanks (internal)
- ◆ Cooling lines (internal)
- ◆ Chillers
- ◆ Laboratory (internal)
- ◆ Storage tanks (internal and external)
- ◆ Power supply
- ◆ Fire service
- ◆ Weigh bridge
- ◆ Office

The land has primary frontage to River Road which is a sealed road with a single lane in each direction. Secondary frontage is at Jindalee Road which is an all-weather road with a single lane in each direction. Each of the roads are an approved road train route and approved by the National Heavy Vehicle Regulator (NHVR).



Figure 2 Aerial image of the site



Figure 3 Juicing plant site



**Figure 4** Harvesting grapes



**Figure 6** Northern end of existing juicing plant



**Figure 5** View of existing building



**Figure 7** Location of proposed development





Figure 8 Receival pit



Figure 10 Stalk and stem material

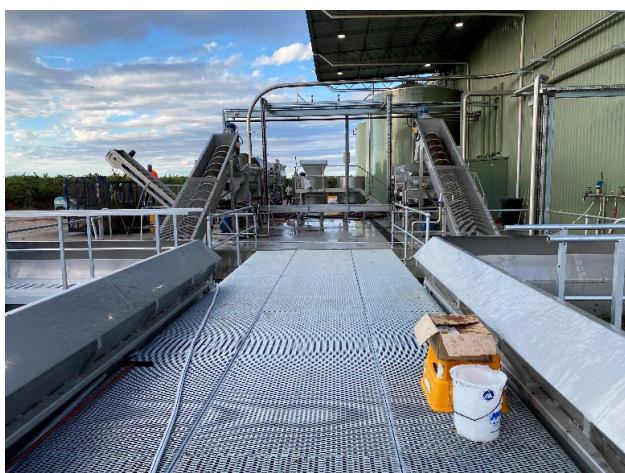


Figure 9 Receival pits and elevator to crushers



Figure 11 Bag presses



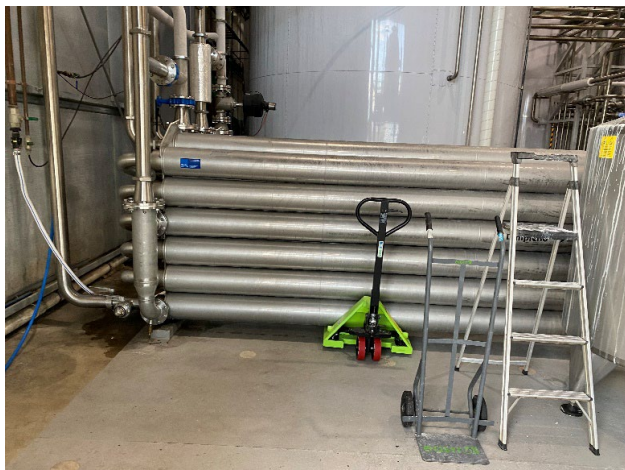


Figure 12 Cooling tubes

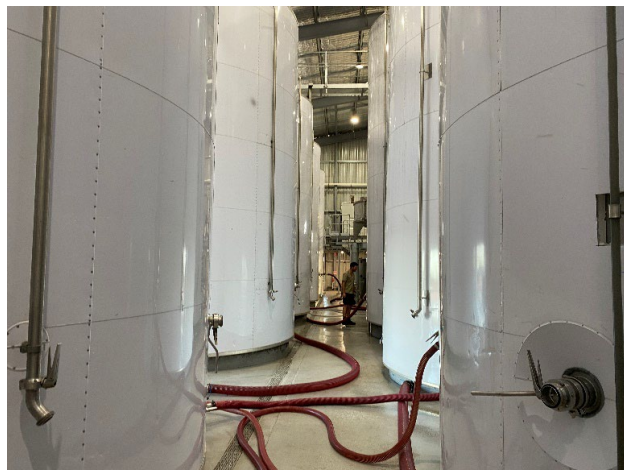


Figure 14 Storage tanks



Figure 13 Float tank



Figure 15 Laboratory



### Locality

The site is approximately 18kms from Wentworth and 16km from Mildura. Vehicular access is primarily provided by River Road which carries approximately 1,530 vehicles per day east of the land at Buronga. River Road connects Buronga and Dareton to the west.

The locality is partially used for horticultural purposes being vineyards along with natural unmodified land.

### North

Native vegetation and grassland known as Kelso Reserve. The land is provided with a boundary fence. Several formal and informal access tracks are located within the reserve.

### East

Lower lying land is located immediately to the east and appears to be affected by high rivers (1 in 100 year flood). Further to the east is land forming part of this application, used for grape production and reuse of wastewater.

### South

Rural residential development exists partly to the south which overlooks the river and contains development in the form of dwellings and/or sheds. To the south is also horticultural development which is part of the landholding operated by the proponent. The Murray River is abutting the southern land and provides water for the proponent in their horticultural endeavours.

### West

Land to the west contains low intensity uses with most land open low density native vegetation. Part of the land is low lying.



Figure 16 Aerial image of the locality



Figure 17 Entrance to site

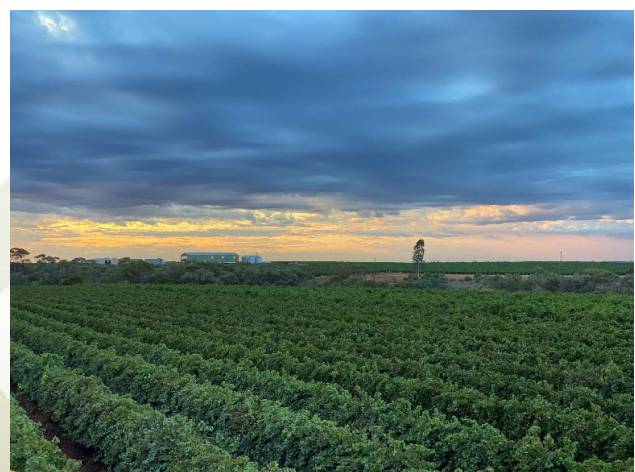


Figure 18 Adjoining horticultural development and juicing plant in the distance



## Planning assessment

### Project considerations

#### Proponents

- ♦ Heavily invested in commercial grape juicing plant.
- ♦ Only grape juicing plant in the Sunraysia.
- ♦ Heavily investing in the immediate area
- ♦ Redevelopment of land Lot 989 DP756961 in two stages. Turning disused agricultural land to a productive state.

#### Juicing Plant

- ♦ Increase capacity from 700 tonne to 4,200 tonne a week (no more than 30,000 tonne annually).
- ♦ Greater efficiency of existing infrastructure
- ♦ Proponents own grape wines being crushed on site
- ♦ Operation will be in accordance with the current management plan
- ♦ All juice produced through the process will be removed from site within 24hrs of completion.

#### Effluent

- ♦ Effluent produces is expected to increase from the current 4ML to 50ML over the 10 week period.
- ♦ Effluent produced is now regarded as a resource not a waste product
- ♦ Effluent will be utilised to irrigate adjacent property (redeveloped) which will in turn be processed by the proponents juicing plant.

#### Road and access

- ♦ Completion of road widening at River and Jindalee Roads to provide for turn lanes.
- ♦ Jindalee Road has been constructed in an all-weather surface.
- ♦ River Road and Jindalee Roads are approved for road train use
- ♦ Traffic assessment has been provided by Traffic Engineers Tonkin
- ♦ Increase in production to 4,200 tonne (no more than 30,000 tonne annually) will see an increase of 55 one

way daily trips via River road and Jindalee Road during peak time (January-March)

- ♦ Minimal increase in delay times was calculated at the intersection for traffic in all directions
- ♦ Lanes retain previous development level of servicing the development

### Policy context

In this instance the proposal is considered acceptable and does not impact upon the intent of the zone. The proposal is in fact supported by the zone through its objective. The objective of the proposal is encouraging sustainable primary industry production by maintaining and enhancing the natural resource base. The project is therefore consistent with higher level State and Regional policy in relation to accessing and developing productive agricultural land, establishing horticulture in proximity to water sources where land suitability and capability is available and creating employment opportunities in the regions.

The project is specifically consistent with the Far West Regional Plan by diversifying agricultural businesses and encouraging irrigated horticulture.

Overall, the proposal is considered consistent with policy and worthy of support due to its location and the location of the existing dwelling on the land.

### General amenity

The surrounding properties will not be adversely affected by the proposal which is due to their location, prevailing wind, activities undertaken and the separation distance. Adjoining land is generally located within non-urban zones being Zone RU1 Primary Production. The amenity expectations within zone RU1 cannot be that of a pristine residential area. Such areas are regularly used for farming activities which are often referred to as industrial in nature and can occur at all times of the day and night. It is normal for horticultural areas to have mechanical harvesting in the cool of the evening. Similarly spraying of permanent plantings also takes place in the evening when wind speeds are lower and there is opportunity for greater penetration of the plantings.



The closest land which is included in an urban zone is located in Zone R5 Large lot residential on the south side of River Road and located between the river and the road. The zoning is an isolated pocket of urban land providing for such development. Zoning of the land for such purposes without connection to reticulated services, within proximity to other similar development and community services to support it is not a good planning outcome. Dwellings are located the land and are some 695m from the juicing facility. The dwellings are surrounded by intensely developed horticultural land.

The aerial image below shows the location of the juicing facility along with a circle showing 695m from the facility to the nearest dwellings.

Whilst the use proposed is not a winery there is no data or information available for juicing facilities in relation to buffer/separation distances to sensitive uses. It is accepted that a winery may have far amenity impacts through its year-round operations, water use, traffic, waste generated, effluent lagoons and the like. For that reason, any comparison to a winery relating to buffers/separation distances would offer a conservative approach.

### Wentworth DCP

The Wentworth DCP at chapter 5 considers rural development controls and at 5.1 Intensive Agriculture. The DCP requires applications to be accompanied by a management plan which addresses the nature of the operation, its impacts and sustainability. This has been achieved with this application through the material provided herein and that of the supporting specialist reports. Further to this additional expert and specialist assessment of acoustics and air quality supported the previous application.

The DCP supports viticulture within the designated area of the Shire which Coomealla is identified. Further, the DCP directs that dwellings should not impact upon the agricultural productivity of the land.

Section 5.8 of the DCP relates to buffer distances and provides buffers for particular uses at appendix B. *Food or beverage production other than listed in the table is a*

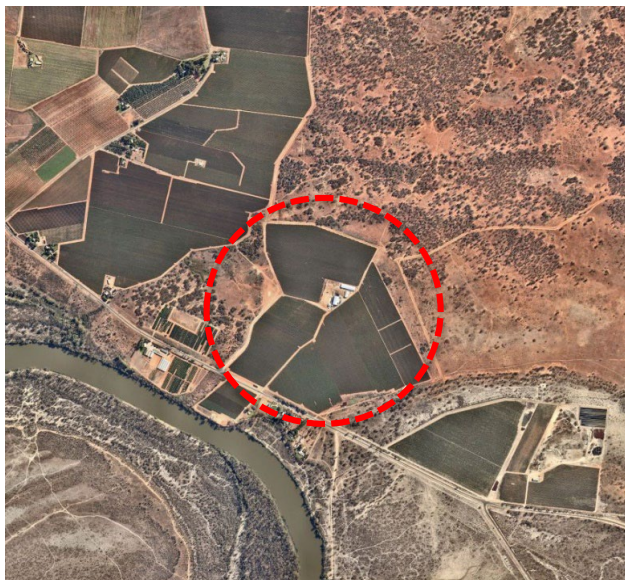
Note 1 where the buffer is variable dependent upon the nature of the use. The content of the DCP has adopted the same as the approach of the EPA (Victoria) and the Victorian Planning Provisions clause 53.10.

The Department of Primary Industries (NSW) have published a guideline document, *Buffer Zones to reduce land use conflict with agriculture November 2018*. The guideline provides buffer zone advice to agricultural industries, development proponents and consent authorities so as to reduce land use conflict between agriculture and other land uses. Such conflict is becoming increasingly common as residential development encroaches towards agriculture, much of which has been in operation for many decades. In relation to horticulture (outdoor horticulture) the suggested buffer to a dwelling is 250m.

The EPA (SA) have published *Evaluation distances for effective air quality and noise management*. In relation to wineries or distilleries the distance varies dependent upon the processes undertaken. The most relevant activity is when wastewater is mechanically treated where the distance is identified as 300m. The alternative is when the wastewater is treated in lagoons without aeration which requires larger buffers.

The Australian Capital Territory *Separation distance guidelines for air emissions November 2018* similarly provide direction for wineries. The distances specified at the same as the EPA (SA) of 300m.

The facility is more than twice the distance from any dwelling than that recommended in the above-mentioned publications.



**Table 1** Aerial image with distance to closest dwelling being 695m from the facility

### Odour/dust

The design of the juicing facility has been undertaken to ensure optimum output whilst managing any associated emissions.

Dust is managed through the treatment of all vehicle accessways created. All accessways and car parking areas will be an all-weather surface. Any areas of land not required for immediate development are to remain undisturbed to reduce emissions of dust. The majority of the land is under production and used for vineyard purposes.

Air quality, in particular odour can be an issue for wineries, particularly where sensitive receptors are in close proximity. The typical sources of odour in wineries are:

- ♦ Wastewater storage and treatment areas, including primary solids
- ♦ Marc storage areas

As the proposal is not a winery such issues and associated impacts will not be present. Wastewater is minimal from the juicing process and no wastewater

storage dams are required. Water is used to wash machinery and fittings. All water is captured within the facility, filtered and directed to the enclosed stormwater system. Pits have been established and water is then directed to the adjoining vineyard for irrigation. The 5ML a week of maximum waste water is approximately 5% of the annual water use of the adjoining vineyard and will therefore readily be accommodated through demand of the vines and offset demand for traditional irrigation water. This is demonstrated in the Land Capability Assessment supporting the application and prepared by Pinion Advisory.

No chemical or other treatment processes are required for the juicing. Therefore, the water has no opportunity to become contaminated with any harmful substances. Nor is any treatment of the water required before being directed for irrigation.

### Noise

Noise associated with the establishment and operation of the juicing facility can be generated by:

- ♦ Traffic associated with the delivery of grapes, removal of by-products and the transport of crushed juice
- ♦ Forklifts operating during production
- ♦ Fixed plant and equipment such as air compressors
- ♦ Generator for augmented power supply

Noise levels from new equipment will be required to meet industry best practice standards. Particularly, equipment, such as the generator and vehicles.

The distance from the facility to the nearest sensitive receiver is approximately 650m and as such, noise levels are unlikely to cause any nuisance to neighbors due to the separation distance. Prevailing winds are also a factor in the transmission of noise. Prevailing winds as provided by the Bureau of Meteorology at Mildura Airport confirm this.

An Odour and Noise Management Plan was prepared in support of the previous application and is relied upon in support of the proposal through this application.

## Solid waste management

The stalks are removed from the grape bunches at the juicing stage and stockpiled on site to dry. The stalks decompose slowly and don't cause any odour nuisance in the process. It is proposed the stalks be composted on site for use as a soil ameliorant.

Grape marc is the solids residue after pressing the juice from the skins and seeds. A commercial arrangement is in place to transport the grape marc to a processing partner for the recovery of alcohol. The spent marc is reused as a stock feed or spread on land as a soil ameliorant.

## Visual

The development proposed will be through the establishment of structures similar to already existing on the land in the form of the storage vessels and the shed/awning. The buildings are located adjoining the existing processing building and will be no higher than the existing structures.

## Traffic

The vehicle access from River Road to Jindalee Road exists and is used by the juicing plant which is presently operating. In addition to this the same access to the land has been used in association with the vineyard operations of the landowners for many years. Vehicles using this access vary in their type and frequency currently. Heavy vehicles and agricultural machinery make use of the access. Through harvest this access has always been used for trucks (road trains) delivering and collecting wine grape bins. This would normally occur through a 10-12 week period in January – March.

Jindalee Road is a current Council road which provides legal frontage and access to the land.

Jindalee Road and the access road will continue to be used by heavy vehicles associated with the facility for the following traffic:

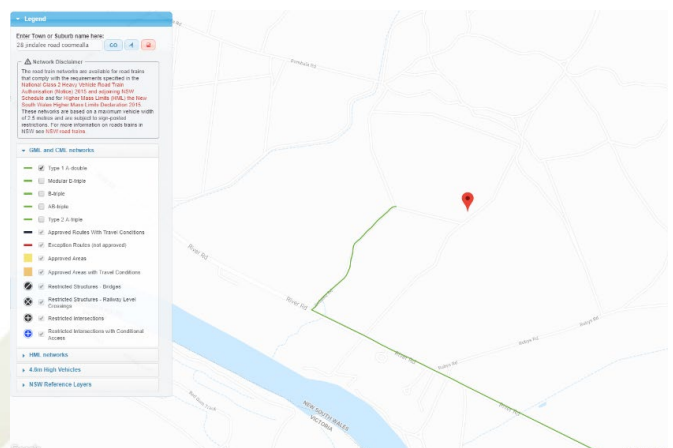
- ♦ grape delivery trucks
- ♦ trucks leaving the site with solid waste products such as stalks

- ♦ road tanker traffic for juice
- ♦ delivery of supplies
- ♦ Light traffic to the entry/exit will consist of service and maintenance vehicles and employees.

Tonkin have prepared an addendum to their original TIA in support of the proposal which concludes the existing treatments are satisfactory and meet necessary requirements for the increase in traffic.

Employees and visitors will access the operation from Jindalee Road and car parking will be located at the north west corner of the operational area.

The statutory authority being the National Heavy Vehicle Regulator (NHVR), is the regulator for all heavy vehicles. NHVR approve the routes where road trains can operate. Vehicles must not operate on particular roads until they are identified on the relevant maps or lists. An interactive map of road train routes is available on the Roads and Maritime Services website which identifies each of River and Jindalee Road as being approved for road train access. The plan has been extracted and included below.



**Table 2** Image of approved road train route

## Conclusion

In conclusion it is considered for reasons outlined above, the development responds well to the opportunities and constraints of the site and is considered to be generally consistent with the relevant provisions.

The proposal is considered appropriate for the site for the following reasons:

- ♦ There will be no off site impacts.
- ♦ Minimal traffic delays expected to impact from the increase of vehicle movements.
- ♦ Wastewater produced will be managed within the proponents own land in a sustainable manner.
- ♦ The proposal is consistent with Wentworth LEP.



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## Memorandum

<b>To</b>	Vince Littore c/- James Golsworthy Consulting		
<b>From</b>	Tonkin	<b>Date</b>	7 July 2020
<b>Job Number</b>	20181502M01		
<b>Subject</b>	Jindalee Wines - Addendum to Traffic Assessment		

### Introduction

Jindalee Wines operates a wine crushing plant at 28 Jindalee Road, Coomealla. It is understood the plant has approval to crush 100t of grapes per day. Jindalee Wines is looking to obtain approval from Council to increase the maximum crushing capacity to 600t a day, with a total of 20,000t expected to be crushed per vintage (over a 10-week period).

Tonkin have previously completed a detailed traffic assessment (reference 201815202R01B)) for the development which included recommendations for upgrades to Jindalee Road and the Jindalee Road/River Road junction in May 2019. These upgrades have since been constructed.

This memorandum has been prepared as an addendum to the previous Tonkin report to assess the increase of traffic movements on Jindalee Road and River Road as a result of the increased crushing capacity and to confirm the recommendations of the May 2019 report remain valid.

### Updated Traffic Volume Information

Updated traffic count data for River Road and Jindalee Road were requested from council. No more recent data beyond the 2003 traffic count for River Road was available. As the previous assessment was conducted in 2019, an accumulative growth rate of 1% was applied to estimate 2020 traffic volumes and are shown in Table 1. This is consistent with the previous assessment.

**Table 1: Updated (2020) traffic volumes for River Road**

Traffic Count location	2003 Traffic Volume (ADT)	2019 (Estimated) Traffic Volume (ADT)	2020 (Estimated) Traffic Volume (ADT)	HV percentage	Estimate Peak Hour Volume*
River Road, east of site (Buronga)	1,292	1,515	1,530	10.2%	230
River Road, west of site (Dareton)	939	1,100	1,111	2.62%	167

\*assumes peak hour is 15% of daily traffic

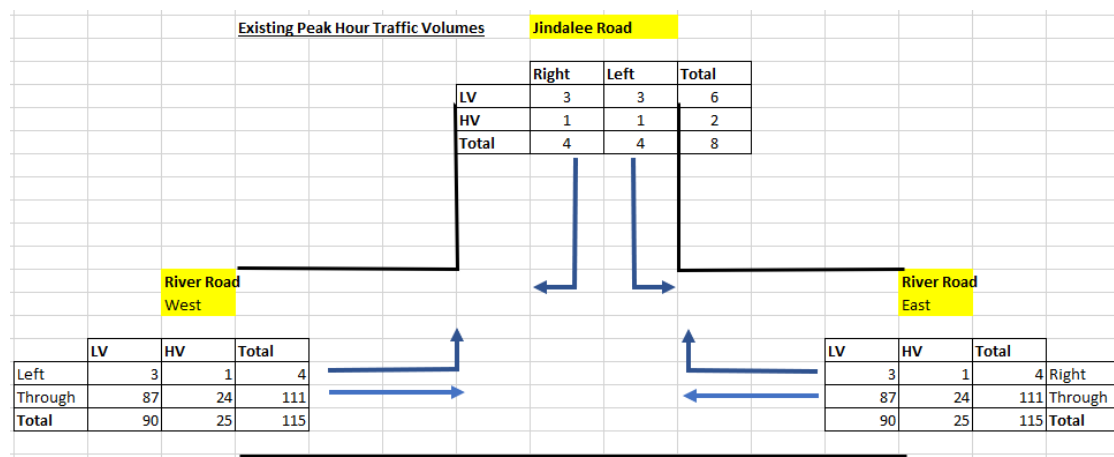


As no traffic count data was available for Jindalee Road, existing traffic volumes were estimated based on information provided by the client as part of the previous assessment. As Jindalee Road only services two properties, this was assumed to be unchanged from the 2019 report and is shown in Table 2 below.

**Table 2: Pre-development traffic volumes for Jindalee Road**

Vehicle Type	Estimate AADT (vehicles per day)	Estimate Peak Hour Volume*
	Pre-development two way volumes	*Assumes 15% of the daily traffic occurs in the peak hour.
Light vehicle	60	9
19m semi-trailer	4	1
Road trains (B-Triples)	4	1
Total	68	11

Based on Table 1 and 2, peak hour turning movements during pre-development conditions were updated and are shown in Figure 1 below.



**Figure 1: Existing peak hour traffic distribution at River Road-Jindalee Road junction**



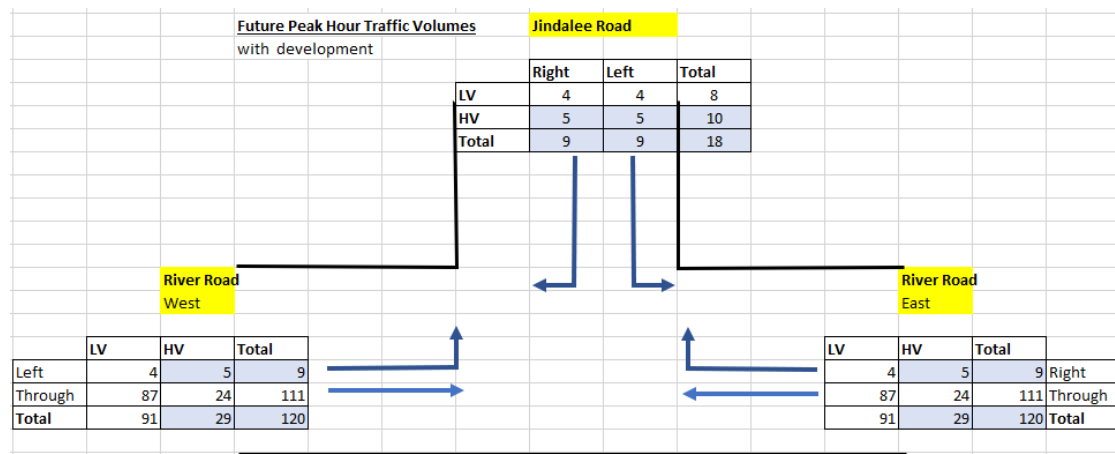
To increase the crushing capacity of the site the following increase in daily traffic for the development during peak times was calculated. The increase of heavy vehicles was calculated based off a capacity of 20t for 19m semi-trailer transporting grapes to the site (25 x 20t = 500t increase), and 50t capacity for B-Triples transporting wine from the site (10 x 50 = 500t increase). This was combined with the previously approved 100t capacity traffic to determine the total two-way vehicle movements on Jindalee Road and is shown in Table 3 below. The client has stated that additional light vehicles would not be expected to be generated as a result of the increased crushing capacity, however it has been assumed that a nominal additional 20 one-way light vehicle movements would occur per day. This is likely conservative.

**Table 3: Traffic volumes on Jindalee Road**

Vehicle Type	Additional vehicle movements for 600t crushing capacity (one-way)	Previously approved 100t development (one-way)	Previously approved 100t development (two-way)	Overall vehicle movements for 600t crushing capacity (two-way)	Peak hour two-way volume*
Light vehicle	20	30	60	100	15
19m semi-trailer	25	19	38	88	14
Road trains (B-Triples)	10	8	16	36	6
<b>Total</b>	<b>55</b>	<b>57</b>	<b>114</b>	<b>224</b>	<b>35</b>

\*assumes peak hour is 15% of daily traffic

Based on the increased volumes on Jindalee Road, the traffic assignment expected is shown below in Figure 2.



**Figure 2: Post development peak hour traffic distribution at River Road-Jindalee Road Junction**



### SIDRA Results

Table 4 below shows the River Road-Jindalee Road intersection performance SIDRA outputs which have been previously reported in the 2019 Tonkin report.

**Table 4: SIDRA output for previously approved development (100t)**

Mov ID	Turn	Demand Flows		Deg.	Average	Level of Service
		Total veh/h	HV %	Satn v/c	Delay sec	
East: River Road - east						
5	T1	121	20	0.074	0	LOS A
6	R2	5	40	0.074	9.2	LOS A
Approach		126	20.8	0.074	0.4	NA
North: Jindalee Road						
7	L2	5	40	0.011	5.4	LOS A
9	R2	5	40	0.011	6.3	LOS A
Approach		11	40	0.011	5.9	LOS A
West: River Road - west						
10	L2	5	40	0.073	8.9	LOS A
11	T1	121	20	0.073	0	LOS A
Approach		126	20.8	0.073	0.4	NA
All Vehicles		263	21.6	0.074	0.6	NA

Intersection performance using increased traffic volumes for 600t crushing capacity modelled in SIDRA and are shown in Table 5 below. This has included the updated intersection geometry (including the BAR treatment) within the modelling.

**Table 5: SIDRA output for increased capacity (600t)**

Mov	Turn	Demand Flows		Deg.	Average	Level of Service
ID		Total veh/h	HV %	Satn v/c	Delay sec	
East: River Road - east						
5	T1	121	20.9	0.073	0.1	LOS A
6	R2	9	55.6	0.073	9.8	LOS A
Approach		131	23.4	0.073	0.8	NA
North: Jindalee Road						
7	L2	9	55.6	0.024	5.7	LOS A
9	R2	9	55.6	0.024	7.8	LOS A
Approach		19	55.6	0.024	6.7	LOS A
West: River Road - west						
10	L2	9	55.6	0.077	9.3	LOS A
11	T1	121	20.9	0.077	0	LOS A
Approach		131	23.4	0.077	0.7	NA
All Vehicles		280	25.6	0.077	1.1	NA



From Table 4 and Table 5 above the average delay from the previously approved has increased only minimally (less than 2 seconds) in all directions. All lanes/movements have retained a level of service A rating which is as calculated in the previously approved development. The above assessment confirms that the additional traffic generated as result of the development during peak vintage will have a negligible effect on the operation of the junction during peak hour.

#### Warrants for Auxiliary Turning Lanes at River Road-Jindalee Road Junction - Updated assessment

Using Figure 8 below from Austroads as a guide, an updated assessment for the need for auxiliary turning lanes on River Road at the Jindalee Road intersection is made based on the increased crushing capacity. The assessment aims to determine if the auxiliary turning lane requirement calculated in previous Tonkin report has changed.

For an assessment against the right turn into Jindalee Road, the  $Q_m$  (River Road) volume is estimated to be 231 vehicles per hour in the peak hour, with  $Q_r$  estimated to be 9 vehicles per hour. For the left turn into Jindalee Road,  $Q_m$  (eastbound on River Road) is estimated at 111 vehicles per hour, with  $Q_l$  estimated at 9 vehicles per hour. In both cases, the warrant for auxiliary turning lanes beyond a BAR/BAL treatment is not met and turning lane requirements are as determined in the previous Tonkin report.

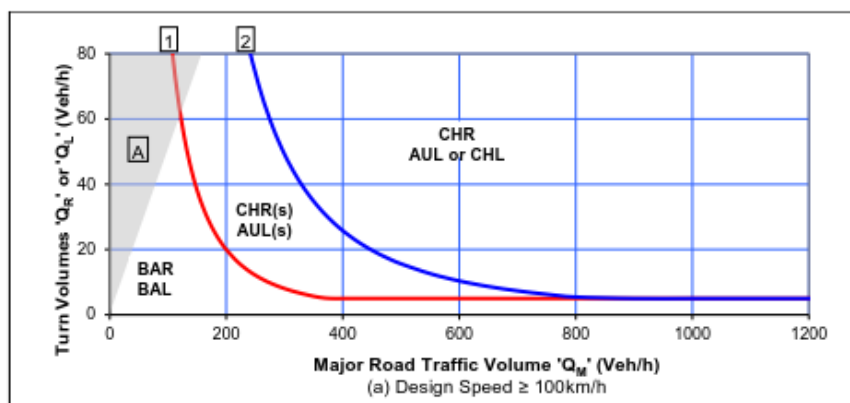


Figure 3 – Warrants for auxiliary turning lanes (source Austroads Guide to Traffic Management Part 6)

#### Conclusion

It is estimated that the proposed increase of the currently approved development with 100t crushing capacity to crushing capacity of 600t will result in an increase of 55 one-way daily trips to the development via River Road and Jindalee Road during peak operation during Vintage season.

The increased traffic volumes were modelled in SIDRA and were assessed comparatively with results from the previously approved 100t crushing capacity. Only minimal increases in delay times was calculated at the intersection for lanes in all directions. All lanes retain the previous development level of service A rating.

An updated assessment against Austroads guidelines for auxiliary turning lanes was completed using the increased traffic data. With the increased volumes the assessment found that BAR/BAL treatment only was required, which is the same result as previously undertaken assessment in the



2019 Tonkin report. Previous intersection upgrade recommendations were made based on these results in the 2019 report, and construction of the intersection upgrade has since been completed.

Based on the above, the recommendations made in Tonkin report 20181502R01B (May 2019) remain accurate and valid. It is understood that the previous recommendations have since been constructed, therefore it is recommended that the current road network and intersection are adequate to support the proposed increased crushing capacity for the development.



# Jindalee Road Wines

## Land Capability Assessment for Expansion of Wastewater Disposal Area

**River Road, Coomealla, NSW**

**SEPTEMBER 2020**



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- Appendix 3. Soil analysis results
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## Executive Summary

Jindalee Road Wines are proposing an increase in throughput at their Jindalee Road grape crushing plant, from 100 to 600 tonnes/day. This increase is expected to produce up to 50ML of effluent in the mid-January to end of March 10 week crushing period each year.

The effluent is proposed to be directed to 30 ha of adjacent land which will be developed to wine grapes in two stages. The eastern 11 ha was developed this Winter just gone and the adjacent 19 ha western parcel will be developed next year.

The intended use of the land for wastewater disposal has the potential to introduce significant loadings of water and nutrients beyond that which naturally occurs. The volumes of nitrogen, phosphorous and potassium that will be applied require an appropriate area (ha) of a high nutrient using crop and wines grapes have been nominated for this purpose.

This project was undertaken to determine whether the intended effluent disposal site is suitable for the purpose, to provide guidance in the development and management of the vineyard, and to ensure that the required environmental performance objectives (EPO's) are satisfied.

In the absence of effluent water quality data from the crushing plant, a typical analysis of effluent from a winery was used to estimate nutrient loadings.

Except for the eastern end, the upper soil profile of the eastern parcel are permeable, well drained and aerated, can store sufficient water for plant use, don't have inhibited drainage, are loose enough to allow free root and water penetration to the desired depth, and are stable to the impact of rainfall, erosion, wetting and drying cycles and machinery traffic. In addition, they are free from salts and toxic substances and neither strongly acid nor strongly alkaline.

Although the soils western parcel have restricted permeability and drainage, are not loose and when moist have restricted root and water penetration. They are relatively free from salt and toxic substances and are neither strongly acid or alkaline. The high clay fraction provides a high storage capacity for nutrients.

As the two parcels have soils that are very different in water infiltration, permeability and drainage characteristics, the irrigation system needs to be designed to ensure they can be managed separately. However, with appropriate design and management of the irrigation system, the soil assessment and associated soil sample analysis has shown that both the eastern and western parcels have soils that can be used for the application of grape crushing plant effluent disposal through irrigation.

Analysis of the water and nutrient loadings against wine grape requirements has also shown that all of the water and nutrients applied as effluent will be used by the grape vines each year, fully mitigating the risk of off-site impacts.

With regard the EPO's:

1. Surface waters are protected.
2. Regional groundwater will be protected by both the presence of a clay aquitard below the site, and planting a mid-row cover crop to use any

excess water in the first few years, until the vines start using all of the applied water.

3. The land resource will be protected by the same measures described above as protection for the groundwater.
4. Plant health will be monitored by Jindalee Road Wines' agronomist and any corrective measures undertaken as required.
5. Public health risks have been minimised by placing the dam at the rear of the property, erecting appropriate signage and using drip irrigation which minimises the risk of windborne aerosols being transported offsite.
6. Now being regarded as a resource rather than a waste product, the effluent will be used to grow a commercial crop which will in turn be processed by the crushing plant.
7. Community amenity has been accounted for by redeveloping a derelict vineyard, well away from any dwellings

## 1 Background

Jindalee Road Wines (Jindalee) is proposing an increase in through-put at their Jindalee Road grape crushing plant, from 100 to 600 tonnes/day. This increase is expected to produce up to 50ML of effluent over the 10 week (mid-January to end of March) processing window each year.

Intended to supplement the freshwater irrigation supply, the effluent is proposed to be directed to 30 ha of wine grapes to be grown on Lot 989, DP 756961, River Road, Dareton, NSW. There is an existing dam on the land, where water will be stored, before being used for irrigation of a vineyard which was established on the 11 ha of the land (eastern parcel) this winter.

Given that the vines will be actively growing and requiring water between mid-January and end of March, Jindalee expect that once the vines are past year 2, the water will be used as it is produced, not stored in the dam for an extended period.

Addressing a requirement of the Environment Protection Authority (EPA), this report is intended to show that in selecting and developing the nominated land for effluent disposal, the following environmental performance objectives (EPO's) have been satisfied:

1. Protection of surface waters
2. Protection of groundwater
3. Protection of lands
4. Protection of plant and animal health
5. Prevention of public health risks
6. Resource use
7. Community amenity

## 2 Land Description

### 2.1 GEOMORPHOLOGY & TOPOGRAPHY

Located on the ancient flood plain of the Murray river, the land comprises two distinct adjacent parcels. The western parcel (19 ha) is flat and at the time of the assessment had been levelled in preparation for development (Figure 1).

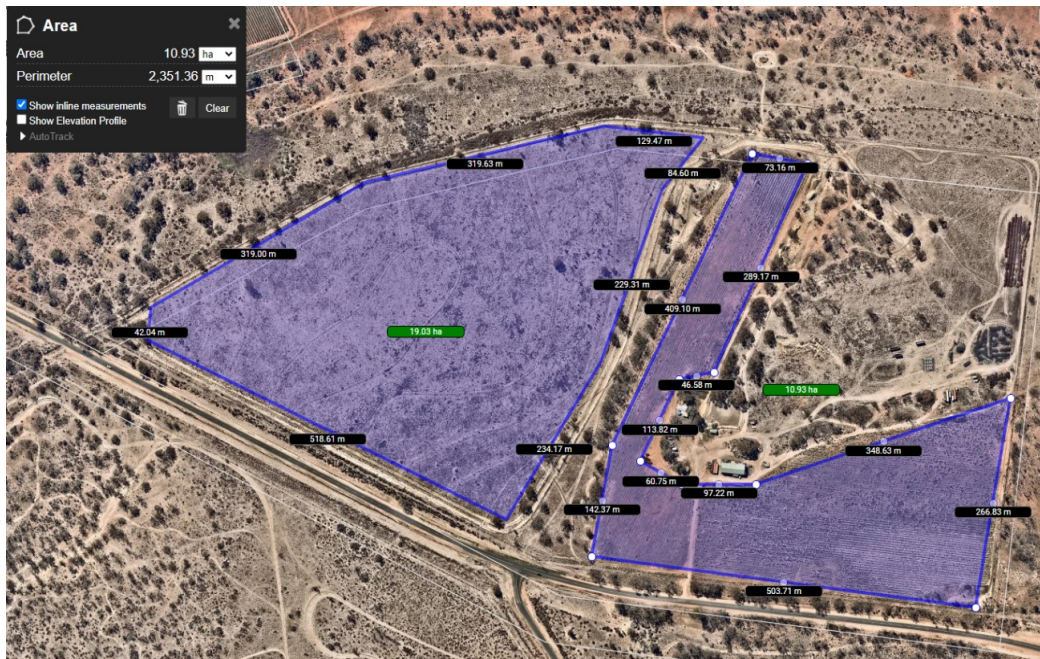
Overlaying the flood plain, the eastern parcel (11 ha) is a sandy rise, up to 2.0 m in height, formed from windblown sandy deposits. The eastern parcel is shaped in an approximate "V" shape.

### 2.2 LAND USE & DESIRED ATTRIBUTES

The eastern parcel was a derelict vineyard that has just been redeveloped to vine grape varieties. Anecdotally, the western parcel was flood irrigated many years ago, but has recently been levelled for developed to a vineyard.

The intention is to initially apply the wastewater to the eastern parcel, then as the western parcel is developed, spread the wastewater application across both parcels.

Assessment of this site and preparation of this management plan has undertaken in accordance with the *Environmental Guidelines for Use of Effluent by Irrigation Properties* (DEC 2004/87).



**Figure 1: The western (19 ha) and eastern (11 ha) parcels where the wastewater will supplement the irrigation of wine grapes (Source JG Consulting)**

The intention is to plant wine grape varieties irrigated by drip. The following basic conditions of the soil are considered desirable for sustainable production of grapes under irrigation. The soil should:

- be permeable, well drained and aerated
- have the ability to store sufficient water for plant use, while not having inhibited drainage
- be loose enough to allow free root and water penetration to the desired depth; the porosity should be stable to the impact of rainfall, erosion, wetting and drying cycles and machinery traffic
- be well supplied with all the necessary plant nutrients and free from salts and toxic substances
- be neither strongly acid nor strongly alkaline

The landform suitability assessment criteria are shown in Table 1 below:

**TABLE 1. LANDFORM REQUIREMENTS FOR EFFLUENT SYSTEMS**

Property	Nil or Slight	Moderate	Severe	Restrictive Feature
<b>Slope (%)</b>				
-flood/surface	<1	1 - 3	>3	Excessive runoff & erosion risks
-sprinklers	<6	6 – 12 (3)	>12 (3)	
-drip/micro sprays	<10	10 – 20 (3)	>20 (3)	
Flooding	None or rare	Occasional	Frequently	Limited irrigation opportunities& risk of environmental pollution
Landform	Crests, convex slopes & plains	Concave slopes & foot slopes	Drainage lines & incised channels	Erosion, seasonal waterlogging risk, possible migration offsite
Surface rock outcrop	Nil	0 - 5	>5	Interferes with irrigation & cultivation equipment, greater run-off

Source: Based on Hardie and Hird (1998), NSW Agriculture, Organic Waste Recycling Unit

Notes: (1) Careful consideration should also be given to potential impacts on groundwater.  
 (2) Sites with these properties are generally not suitable for irrigation.  
 (3) Slopes over 12% may be acceptable provided runoff and erosion risks are identified in the site selection process.

### 3 Climate

The average annual rainfall is approximately 275 to 325 millimetres but there is considerable variation from one year to the next. Rain occurs mainly during the winter months. Winters are cool with a moderate frost risk whilst summers are hot with temperatures regularly exceeding 40 °C in January and February.

## 4 Procedures

### 4.1 SOIL ASSESSMENT

The eastern parcel was soil surveyed for irrigation by Pinion Advisory's previous iteration, Sunraysia Environmental in 1998 for the previous landowner, Mark Johnson. We understand that ownership of the soil survey went with the sale of the property, so have assessed that information for the proposed use.

As the western parcel had not been soil surveyed, 4 soil pits were dug to 1.5m and soil features described in accordance with the Australian Soil and Land Survey Handbook (1990) and the Soil Description Handbook (Wetherby 1992) as follows:

- Depth and texture of each soil layer
- Reaction to 1N Hydrochloric Acid as an indicator of the presence of calcium/magnesium carbonates (lime)
- pH (CSIRO field colourimetric method, Raupach and Tucker 1952)
- Colour of each horizon (Munsell moist)
- Percentage, size and lithology of coarse fragments
- Pedality (structure), grade and type of each horizon
- Depth of topsoil and primary rootzone depth
- Depth to root or water impeding layers

Soil samples were taken from each layer of two representative profiles and from an additional soil pit dug on the western edge of the eastern parcel. Laboratory analysis was conducted to determine load limiting rates for nutrient, organic and chemical contaminants.

In addition, a saturated hydraulic conductivity test was undertaken at the eastern end of the eastern parcel, to determine the limiting hydraulic load rates.

## 5 Results

### 5.1 MAPPING

In the eastern parcel 17 soil profiles were surveyed in 1998, with an additional 1 as part of this assessment along with 4 in the western parcel. The major soil properties were identified that influence soil water storage, water movement, root growth, crop suitability and drainage. The information collected from each profile has been used to produce the accompanying maps (Appendix 1):

- Soil Profile Descriptions (Map 1)
- Depth to First Impeding Layer & Soil Amelioration (Map 2)
- Readily Available Water (Map 3)

### 5.2 SOIL GROUPS

There are two soil groups on this land, the alluvial Grey Vertosols and the aeolian Rudosols. Brief descriptions of each follow.

#### 5.2.1 Grey Vertosol

The soil profile is clayey throughout. The surface soil is often a light clay (greater than 35% clay) and the subsoil usually ranges from a light medium to heavy clay. Due to the nature of the clay minerals these soils shrink and swell considerably during wetting and drying cycles (Figure 2).

#### 5.2.2 Rudosol

Rudosols show no stratification or profile development beyond some accumulation of organic matter in the surface horizon. The sands are weakly coherent when moist but tend to be loose and erodible when dry (Figure 3).

Generally, the sands are deep to very deep, can be calcareous after 0.5 m to

1.0 m, are medium to coarse and have very high infiltration and permeability rates. They also have rapid drainage, low water holding capacity and are poor in nutrients.



**Figure 2: Typical Grey Vertosol of the Western Parcel**

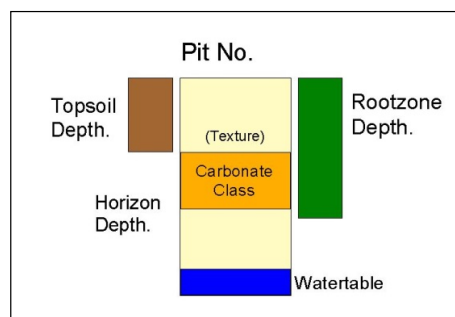


**Figure 3: Typical Rudosol of the Eastern Parcel**

### 5.3 SOIL PROFILE DESCRIPTIONS

Each column on Map 1 shows the soil profile as it occurs at each pit location. The figures on the left represent the depth in centimetres and the letters in the centre indicate the soil textures (Figure 4).

**Figure 4: Example of Soil Profile Description Column on Map 1**



The brown box on the left of the column represents the depth to the first root impeding layer and the green box on the right indicates the estimated rootzone depth at plant maturity. These estimations assume that any necessary soil amelioration has been conducted.

### 5.4 FACTORS AFFECTING ROOTZONE DEVELOPMENT

A major criterion in determining soil suitability for a particular crop is the depth of soil that allows unimpeded root growth, commonly referred to as topsoil. It is primarily controlled by the physical and chemical characteristics of the soil.

In these soils, there is one major factor that will inhibit root growth, adverse soil structure in the form of shrinking and swelling clays. These clays swell and shrink as they wet and dry. The effect of the swelling is to severely reduce the area between the soil peds (blocks) to the point where the side of each ped is working against its neighbour. When the point is reached where there can be no more horizontal expansion, the peds expand vertically. This movement results in a smearing of the ped walls, which forms a thin layer that is very hard for roots to penetrate.

The result is that the only places that roots can move into this layer are down the cracks between the peds, and when the peds are saturated this is a very difficult process. The opposite happens when this layer dries out; the peds shrink and leave large gaps, which effectively leave the roots suspended in air. Any roots that are able to penetrate the ped walls are generally broken as the peds shrink and separate.

Given adequate levels of water, nutrients and temperature, roots need at least 10 mg O<sub>2</sub>/L soil in order to grow; this requires a minimum air-filled porosity (AFP) of about 10% of the soil volume on drainage. As the level of soil saturation increases, soil softens and strength decreases, but oxygen supply also decreases (< 10%), thus limiting root elongation. In contrast, as soil dries out, oxygen supply increases (> 10%) but also soil strength increases, thus still restricting root elongation.

The difficult root growth environment means that root penetration into swelling clay layers tends to be very limited. Examination of mature vine roots in similar soils in Paringi, Euston and Tol Tol indicate that the maximum vine rootzone depth in these clays will be 40 cm.

## 5.5 SOIL PROPERTIES FOR EFFLUENT RE-USE

**TABLE 2. TYPICAL SOIL CHARACTERISTICS FOR EFFLUENT IRRIGATION SYSTEMS**

Property	Nil or Slight	Moderate	Severe	Restrictive Feature
Exchangeable Sodium % (0-40cm)	0-5	5-10 (2)	>10	Structural degradation & waterlogging
Exchangeable Sodium % (40-100cm)	<10	>10	-	Structural degradation & waterlogging
Salinity as E <sub>ce</sub> (dS/m at 0-70cm)	<2	2-4	>4 (3)	Excess salt may restrict plant growth
Salinity as E <sub>ce</sub> (dS/m at 70-100cm)	<4	4-8	>8 (3)	Excessive salt may restrict plant growth
Depth to top of seasonal water table (m)	>3 (4)	0.5-3 (4)	<0.5	Poor aeration will restrict plant growth & risk of polluting groundwater
Depth to bedrock or hardpan (m)	>1	0.5-1	<0.5	Restricts plant growth, waterlogging, poor infiltration
Saturated hydraulic conductivity (K <sub>sat</sub> , mm/hr, 0-100cm)	20-80	5-20 (5) or >80 (5)	<5	Excess run-off, waterlogging, poor infiltration
Available water capacity mm/m	>100	<100 (6)	-	Small plant available water reserve, risk of groundwater pollution
Soil pH (CaCl <sub>2</sub> ) surface layer	6.0-7.5	3.5-6.0 or >7.5	<3.5	Reduces plant growth & nutrient uptake
Effective cation exchange capacity (ECEC, cmol(+)/kg, avg 0-40cm)	>15	3-15 (3)	<3	Soil unable to hold nutrients, possible risk of groundwater contamination
Emerson aggregate test (0-100cm)	4-8	2-3	1	Poor soil structure, reduced water & nutrient holding capacity
Phosphorous (P) sorption (kg/ha total 0-100cm)	High (9)	Moderate (9)	Low	Unable to immobilise excess phosphorous

Source: Based on Hardie and Hird (1998), NSW Agriculture, Organic Waste Recycling Unit

Notes:

1. Sites with severe properties are unlikely to be suitable for irrigation of some or all effluent.
2. Application of gypsum or lime may be required to maintain long-term site sustainability.
3. Some high EC soils containing calcium 'salts' are not necessarily considered 'severe'.
4. Where unable to excavate to 3 m, local knowledge and absence of indications of water table to the depth of sampling (1 m) should be used.
5. Criteria are set primarily for assessing site suitability for plant growth. Presence of a shallow soil water table may indicate soil conditions that favour movement of nutrients and contaminants into groundwater. In such cases, careful consideration should be given to quality and potential impacts on groundwater.
6. Careful irrigation scheduling and good irrigation practices will be required to maintain site sustainability.
7. Soil pH may need to be increased to improve plant growth. Where effluent is alkaline, or lime is available, opportunities exist to raise pH.

8. Soil may become more sodic with effluent irrigation. In some cases, however, this soil property may be ameliorated with addition of a calcium source.
9. Soils with medium to high phosphorus sorption capacity can adsorb excess phosphorus not taken up by plants. The effectiveness of this depends not only on the sorption capacity but also, the depth and permeability of the soil. A nutrient budget must be undertaken.

Analysis of soil samples was conducted to confirm suitability of the land for the intended crop, and also for the application of treated effluent. Samples were taken from each horizon of three representative soil profiles. Each sample was analysed for:

- Exchangeable cations (sodium, potassium, calcium magnesium, hydrogen and aluminium)
- Calcium to magnesium ratio
- Sodium adsorption ratio
- Electrical conductivity
- pH (CaCl<sub>2</sub> & H<sub>2</sub>O)
- Emerson Dispersion
- Available phosphorous

A saturated hydraulic conductivity test was also undertaken in the southern eastern section of the eastern parcel.

All analysis results are appended (Appendix 3).

The results have been assessed against "*Typical soil characteristics for effluent irrigation systems*" from the *Environmental Guidelines for Use of Effluent by Irrigation Properties (DEC 2004/87)*, (Table 2).

Where a soil property limitation in Table 2 is considered slight, no soil amelioration is generally required. If the soil limitation is considered moderate, some soil amelioration or a management response will be required, however, where a soil limitation is considered severe, the site may be unsuited to irrigation with some or all potential effluent products.

#### **5.5.1 Soil pH**

Soil pH is a measure of the concentration of hydrogen ions in the soil. Acid soils are high in exchangeable hydrogen and have a pH of less than 7.0. Alkaline soils are high in exchangeable base and have a pH of greater than 7.0. Known to be related to the availability of plant macro and micro nutrients, for most plants a pH range of between 6 and 7.5 (measured in calcium chloride) maximises the availability of plant nutrients and hence the potential for plant growth.

The values measured for pH within the whole profile were neutral to slightly alkaline (7.0 – 7.9). Rated a nil to moderate risk in Table 3, the acidic nature of the effluent will mitigate this risk level back to nil or slight.

#### **5.5.2 Salinity**

Soil salinity refers to the amount of dissolved salts in the soil solution. The soluble salts are likely to be the cations Na<sup>+</sup>, Ca<sup>2+</sup>, and Mg<sup>2+</sup> and the anions Cl<sup>-</sup>, SO<sub>4</sub><sup>2-</sup> and HCO<sub>3</sub><sup>-</sup>. Effluent may also contribute other ions such as K<sup>+</sup>, NH<sub>4</sub><sup>+</sup> and NO<sub>3</sub><sup>-</sup> which are also plant nutrients. Effluent may raise soluble salt levels to the extent that they impede plant growth and/or create salt scalds, thereby increasing the potential for soil erosion.

However, in evaluating potential impacts on soil and groundwater salinity it is important to acknowledge the role of plant uptake in removing salt from the soil

Grapes are amongst the more salt sensitive crops; they can only withstand rootzone salt accumulation up to a threshold of around 1.5 mS/cm before there is potential to cause some production losses (Table 3).

**TABLE 3. POTENTIAL GRAPE YIELD LOSS FROM SOIL SALINITY**

Potential Yield Loss (%)	Grapes E <sub>Ce</sub> (dS/m)
0	1.5
10	2.5
25	4.1
50	6.7
100	12.0

Source: Adapted from Maas E.V. and Hoffman G.J. (1977) Crop Salt Tolerance - Current Assessment J. Irrig. & Drainage Division, ASCE 103 (115 - 134)

Salinity levels in both the eastern (0.32 – 0.68 dS/m) and western parcels (0.19 – 0.69 dS/m) were below the threshold value of 1.5 mS/cm for grape yield loss within the potential rootzone, and less than 2.1 dS/m in the subsoil.

Rated nil or slight risk in Table 3, soil degradation by salinity is not considered a risk.

### 5.5.3 Cation Exchange Capacity

The cation exchange capacity (CEC) of a soil is the total quantity of exchangeable cations it can retain on its adsorption complex at a given pH. As a rule, soils with high CEC have good soil structure and are better at mitigating any potential risks associated with the pH, nutrient, sodium, salt or contaminant content of effluent.

Addition of organic matter (which typically has a high CEC) or the incorporation of a green manure crop (which will also increase the soils organic matter content) may improve soils with a low CEC.

Exchangeable cations in soil include Ca<sup>2+</sup>, Mg<sup>2+</sup>, K<sup>+</sup>, Na<sup>+</sup> (exchangeable bases), and H<sup>+</sup> and Al<sup>3+</sup> (exchangeable acidity). The other cations such as manganese, iron, copper and zinc are usually present in amounts that do not contribute significantly to the sum of cations on the exchange complex. It is therefore common practice to measure the concentration of the five most abundant cations and use these to measure the effective cation exchange capacity ECEC.

The ECEC in the top 40 cm in the eastern parcel was 4.6, and 26.5 in the western parcel. This means the soils of the eastern parcel can hold sufficient nutrients to have a moderate risk and the soils of the western parcel can hold sufficient nutrients to give a nil or slight risk rating.

### 5.5.4 Soil Sodicity

Soil sodicity refers to the amount of exchangeable sodium (Na) cations relative to other cations in the soil and is expressed in terms of exchangeable sodium percentage (ESP).

Dispersion of soil or a poor soil structure may be associated with sodicity. Exchangeable sodium acts as a mechanism for weakening the bonds of soil aggregates creating a soil with poor structure that can impede water and plant root movement into and through the soil. The degree to which dispersion occurs is also dependent on the soil's clay content and mineralogy, pH, Ca:Mg ratio, electrical conductivity (EC), organic matter content and the presence of iron and aluminium oxides.

Amongst Australian soil scientists, the consensus is that soils with an ESP of greater than 5 are at risk of the adverse structural impacts associated with sodicity.

This risk can be enhanced or modified by the effluent. Effluent with an SAR (sodium adsorption ratio) of greater than 6 is likely to raise ESP in non-sodic soils, whereas effluent with a SAR of less than 3 may lower ESP in sodic soils.

All values are well in the nil or slight risk category for structural impacts from sodicity.

#### **5.5.5 Aggregate Stability**

The structural stability of a soil is measured by the Emerson Aggregate Test (EAT). Soils with an EAT of 1 are likely to have the least stable structure (aggregates will slake and disperse when wetted). Stable aggregates will usually have an EAT of between 4 and 7. An EAT of 8 means that the soil is so stable that it cannot be penetrated by plant roots. An EAT of 2 and 3 means that the soil has some potential to slake and disperse. Additions of gypsum, lime or organic matter can improve structural stability.

The soils of the eastern parcel are quite sandy and as expected, they slaked with an EAT score of 2, however there was no dispersion. This score places these soils in the moderate risk category, but the lack of dispersion mitigates that risk.

The soils of the western block are clays and their score of 5 indicates they are stable and as such are classified as nil or slight risk.

#### **5.5.6 Phosphorous Sorption**

Most Australian soils have the capacity to immobilise phosphorus (P) in soil, making it unavailable for plants to use. Within a particular soil profile, this capacity can vary with depth. Land managers normally apply additional phosphorus above plant requirements to overcome this problem. In general, sandy soils have a very low capacity to adsorb P, while clays have a medium to high capacity, unless they occur on sites that have been receiving high levels of P fertilisers or waste products over several years.

If the effluent has a higher P content than can be absorbed by the growing (and subsequently harvested) plant, then it will be necessary to estimate the P sorption capacity of the soil. This step is carried out to determine the risk of P leaving the irrigated site during the life of the irrigation scheme thereby potentially contaminating ground or any surface waters.

The form of P in the effluent and the pH of the soil may also affect the mobility of P in soil.

The two sites tested had very different P sorption results in the 0-100 cm depth range. The clay soil has a high P sorption capacity, while the lighter soil has a low P sorption capacity. The heavier soil site is rated as nil or slight risk of not immobilising excess phosphorous, while the light soil site is rated as a severe risk.

This is expected and reflects the difference in depth from the surface to the clay subsoil horizon found across the entire site. The presence of this horizon mitigates the risk indicated by the test result for the lighter soils.

### 5.5.7 Nutrient Loadings

Disposal of effluent to crops can significantly increase the salinity and nutrient loading of the soil. In particular, dissolved salts, nitrogen and phosphorus can pose significant environmental threats if they move off site through surface and groundwater.

This can result in problems such as algal blooms and the degradation of ground and surface water quality. Increased salinity and nutrient concentration in the soil can also affect the productivity, survival and recruitment of plant species at the site.

Therefore, the aim of wastewater disposal should not only be to utilise the surplus water supply, but to do it in such a way that maximises the removal of nutrients from the site through plant products.

Expected nutrient loadings in the effluent that will be applied to the grapes have been sourced from industry (JJC) Table 4. The expected chemical analysis of the effluent and the soil analysis data for the proposed irrigation area was modelled to determine the likely impact on the salinity, nitrogen and phosphorus balances at the site.

At a proposed EC of 1800 uS/cm, allowing that a significant portion will be potassium salts, this still rates as a Class 3 salinity loading (EPA Pub 168). A Class 3 requires an appropriate level of management, such as regular leaching and more intense monitoring if it is used on soils with restricted drainage as occurs in the subsoil of the eastern parcel and in the western parcel.

**TABLE 4. EXPECTED EFFLUENT NUTRIENT LOADINGS**

Parameter	Units	Expected Value
pH	pH scale	8.5
EC	dS/m	1.8
Suspended solids	mg/L	50
TDS	mg/L	1098
BOD	mg/L	30
COD	mg/L	100
Total N	mg/L	10
Total P	mg/L	5
Na	mg/L	180
K	mg/L	250
Mg	mg/L	22
Ca	mg/L	33
Cl	mg/L	47
SAR	ratio	6.0

The nitrogen balance was calculated using the  $N=0.01CY$  formula from EPA Pub 168 to determine whether nitrogen will accumulate at the site under grape production. Based on the intended initial annual effluent application of 50 ML across the 11 ha eastern parcel, the total nitrogen loading will be approximately 50 kg/ha/yr. As the

grape vine requirement is between 50-60 kg/ha/yr (AWRI Viti-notes), mature healthy grape vines will use all of the applied nitrogen over a year.

Like nitrogen, phosphorus poses a significant environmental threat when it moves off site and into water bodies. This is extremely unlikely to become an issue as, while the intended annual loading across the 11 ha eastern parcel is approximately 54 kg/ha/yr (slightly above the grape vine requirement of 50 kg/ha/yr (AWRI – Viti-notes)), the clay subsoils have the capacity to store large quantities of phosphorus.

In addition, as it is developed, the 19 ha western parcel will also take more and more of the effluent loading, effectively reducing the annual phosphorous loading to well below annual grape vine requirements.

### 5.5.8 Saturated Hydraulic Conductivity

The saturated hydraulic conductivity (Ksat) of the soil is an important soil property for determining the suitability of a soil for irrigation. Soils with very high Ksat (e.g. sand) may allow nutrient and salt from effluent to quickly enter the groundwater. Soils with very low Ksat (typically unstructured clayey soils) are prone to waterlogging.

Ksat varies down the soil profile. Geotechnical specialists Civil Test were engaged to undertake Ksat assessments within the top 1 m of soil in the south eastern part of the eastern parcel, where the sandy soil overlays the clay subsoil (location map in Civil Test report, Appendix 4).

The site has a Ksat value of 7.8 mm/hr. This figure is low and places the site in the moderate risk range as a potential for waterlogging and poor infiltration is indicated.

**TABLE 5. INFIELD MEASURED SUBSOIL PERMEABILITY**

Site	Parameter	Result
SE part of Eastern parcel	Rate of loss of water from reservoir	2.47 cm <sup>3</sup> /min
	Saturated hydraulic conductivity (Ksat)	0.0013 cm/min
	Indicative permeability (Ksat)	0.02 m/day

CivilTest assessed the indicative permeability values shown in Table 5 against AS/NZS 1547:2012, which indicated a maximum design irrigation rate of 3.0 mm/day and a minimum required area of 45.5 ha. In their report, CivilTest acknowledge that these figures are conservatively calculated for the worst month of the year and relate only to wastewater disposal by percolation, independent of evapotranspiration and rainfall, and with no wastewater storage capacity.

While storage on site is minimal, the key to the proposed wastewater disposal process at this site will be use of the water and nutrients by the wine grapes, rather than relying on percolation of water into the soil.

### 5.6 CROP WATER USE & EFFLUENT APPLICATION

Grape vine water use data was drawn from FAO's Irrigation and Drainage Paper 24 (1977). The decile 5 water requirement with no allowance for soil moisture storage or rainfall is shown against the expected effluent application in Table 6 below.

**TABLE 6. CROP WATER USE VS APPLICATION**

<b>Month</b>	<b>Water requirement (mm/day)</b>	<b>Effluent application rate (mm/day)</b>
January	5.9	4.5
February	5.0	4.5
March	3.2	4.5

Note: Effluent application rate calculated on 11 ha eastern parcel only and assumes mature vines

As the vines in the eastern parcel have just been planted and won't be using as much water as mature vines, until they reach their second year, or until part of the effluent load can be applied to the western parcel, without a balancing storage, during the 10 week crushing period, more water will be applied to the land than can be used by the crop.

## **5.7 WATER USE, MOVEMENT & STORAGE CHARACTERISTICS**

The terms infiltration, permeability, drainage, water-holding capacity and availability are inter-related and equally important. While permeability rates have been tested in-field, the soils have also been categorised based on field observations, assessed against characteristics listed in Table 7.

### **5.7.1 Infiltration**

Infiltration of water into a soil directly influences the possible occurrence of erosion, run off, waterlogging, surface crusting and salinisation. It should be considered in the design of irrigation systems, particularly relating to the rate of effluent water application. Generally, the larger the pore sizes, the higher the infiltration rate.

On the higher sandier soils of the eastern parcel, infiltration is rapid to very rapid due to the loose weak structure and large pore size of the dominant sandy surface soils. In the clays of the western parcel and subsoil of the eastern parcel, once moist and the cracks have closed, infiltration rates will be slow.

### **5.7.2 Permeability**

Soil permeability describes the rate of water movement through a wet soil profile. Permeability is dependent on the soil's physical attributes including texture, structure, aggregate stability, plasticity, porosity, percentage of coarse fraction, cracks and shrink/swell properties.

At any given site, the permeability of a soil profile is controlled by the potential to transmit water through the least permeable layer in the profile. If the irrigation or rainfall intensity exceeds permeability, run-off and/or waterlogging will occur.

On the sandy eastern parcel, the permeability is unrestricted, however, in the reactive clays of the western parcel and subsoil of the eastern parcel, permeability will be slow to very slow.

**TABLE 7. METHOD FOR INFERRING INFILTRATION, PERMEABILITY & DRAINAGE OF SOIL**

Field Texture	Structure	Infiltration	Permeability (mm/hr)	Drainage Time
Sandy loams	Loose	Very rapid	>120	Hours
	Weak	Very rapid	>120	Hours
Loams	Good	Rapid	60-120	<1 day
	Moderate	Moderate to rapid	60-120	Several days
	Poor	Moderate to rapid	20-60	<1 week
Clay loams	Good	Moderate to rapid	20-60	<1 week
	Moderate	Moderate	5-20	>1 week
	Poor	Slow	2.5-5	>1 week
Light clays	Good	Moderate	5-20	>1 week
	Moderate	Slow	2.5-5	>1 week, <1 month
	Poor	Very slow	<2.5	Several months
Medium to heavy clays*	Good	Slow	2.5-5	<1 month
	Moderate	Very slow	<2.5	Several months
	Poor	Very slow	<2.5	Several months

Source: Adapted by Rasic from Craze and Hamilton 1996

### 5.7.3 Drainage

Drainage is the opposite of infiltration. The rate of drainage is equivalent to the permeability rate, which reduces as the soil dries and capillary forces begin to retain water in the smaller pores.

As poor drainage may adversely affect crop performance and effluent disposal, it is important to understand the drainability of the soils on this land. The criteria in Table 7 give an effective representation of the water characteristics associated with individual texture and structure groups.

Drainability is a useful term to summarise local wetness conditions as it provides a statement about soil and site drainage that is likely to occur in most years. The following criteria were used to estimate drainability of the soils on this land.

- Rapidly drained soils - water is removed from the soil rapidly in relation to supply. No horizon is normally wet for more than several hours after water addition. Soils are usually sloping, coarse-textured, shallow, rocky, or shallow sub-plastic clays of open structure. Applies to the soils of the eastern parcel, above the clay subsoil.
- Well drained soils - water is removed readily but not rapidly. Some horizons may remain wet for several days after water addition. The soils are often sloping, of medium texture, and have a good stable structure. Does not apply to these soils.

- Moderately well drained soils - water is removed somewhat slowly in relation to supply, due to reduced (low) permeability. Some horizons may remain wet for more than one week after addition of water. Soils are usually lacking a gradient, are loamy or clayey in texture, and have weak to poor structure, or combination of these. Does not apply to these soils.
- Imperfectly drained soils - water is removed slowly in relation to supply. Some horizons are mottled and/or have orange or rusty lining of root channels, and are wet for periods of several weeks after addition of water. Soils range widely in texture, depth, structure and position of landscaping. Applies to the western parcel and clay subsoils of the eastern parcel.
- Poorly drained soils - water is removed very slowly in relation to supply. Soils range widely in texture and depth and usually have horizons that are gleyed, mottled, or possess orange or rusty linings of root channels. Subsoil horizons may remain wet for periods of several months. Seasonal ponding may also occur. Does not apply to these soils.
- Very poorly drained soils - water is removed from the soil so slowly that the water table remains at or near the surface for most of the year. Soils range widely in texture and depth, and often occur in depressed sites. Strong gleying and accumulation of surface organic matter are usually features of soils. Does not apply to this land.

#### **5.7.4 Readily Available Waterholding Capacity**

On Map 3 of the soil survey for the eastern parcel and the soil assessment of the western parcel, two RAW values are shown for each site. In those spots where there is a root impeding layer that can be ameliorated, the left value refers to the soil above that layer and the right value refers to the potential rootzone for grapes after amelioration of the root impeding layer.

It must be emphasised that RAW figures are based on the subjectively estimated depth of rootzone and the field texture. The RAW values are calculated by multiplying the thickness of each layer (cm) by a non-site-specific texture factor. This factor attempts to relate the amount of water the soil will hold between non-measured field capacity and the moisture range at which irrigated crops show moderate stress (40 kPa). The total amount of RAW within the estimated root zone is then obtained by summing together the water presumably held within the desired suction range in each soil layer.

The RAW values presented here must be interpreted with care as they are calculated to represent maximum rootzone depth at plant maturity. Consequently, for irrigation scheduling with new plantings, it is a starting point only and may need to be altered to suit the age and development of plantings.

Ongoing soil moisture monitoring is necessary to accurately match crop requirements to irrigation scheduling. Monitoring tools can include a shovel or auger, tensiometers, neutron probe or capacitance probe.

To accommodate the differing RAW values and soil characteristics, there are generally three options:

1. Breaking areas of similar characteristics and RAW values into separate management units
2. Valving each variety separately so that they can be watered individually according to crop requirement

3. Picking a median or minimum value, and accepting that there will be areas that are not producing to their maximum

As discussed throughout this report, the stark differences in water movement characteristics between the eastern parcel and the western parcel make Option 2 the most appropriate.

## 6 Discussion & Conclusions

The intent is to dispose of 50 ML of effluent from Jindalee's grape crushing operation to two adjacent parcels of land, the eastern of which has been planted to a vineyard and one which will be planted to vines in 2021.

Located on the soils of the ancient floodplain of the Murray river, north of River Road, the soils of the 19 ha western parcel are alluvial vertosols with a high clay content throughout the profile. Infiltration is rapid in a dry profile, however as water moves into the cracks, they close and once the profile is moist, infiltration, permeability and drainage become significantly restricted.

The 11 ha eastern parcel comprises a windblown sandy deposit on top of the same grey vertosols. The sands have almost no or only minor impediments to root and water penetration. Water can infiltrate rapidly, permeability is rapid and drainage is unimpeded. Water storage is relatively low for a given volume soil, but almost all of the water that is stored is available to the crop. Fertility and CEC is low due to the low clay and mineral content, pH is neutral and salinity and sodicity is low.

Fertility and CEC in the Vertosols are significantly higher due to the higher clay and mineral content than in the Aeolian Sands, as is the water holding capacity. pH is neutral at the surface becoming alkaline with depth. Salinity is low in the surface, moderate in the subsoil.

Analysis of the nitrogen and phosphorous loadings likely to be applied to the 11 ha eastern parcel, indicated that approximately 50 kg/ha/yr of nitrogen would be applied and 54 kg/ha/yr of phosphorous. As the grape vine requirement for nitrogen is between 50-60 kg/ha/yr (AWRI Viti-notes), 11 ha of mature healthy grape vines will use all of the applied nitrogen over a year.

The intended annual loading of phosphorous across the 11 ha eastern parcel is approximately 54 kg/ha/yr, slightly above the grape vine requirement of 50 kg/ha/yr (AWRI – Viti-notes). This is unlikely to be an issue as the clay subsoils have the capacity to store large quantities of phosphorus. In addition, as it is developed, the 19 ha western parcel will also take a share of the effluent loading, effectively reducing the annual phosphorous loading to well below annual grape vine requirements.

Analysis of grape water requirements against the expected loadings from Mid January to end of March indicated that while at maturity, more water would be required by the vines in January and February than supplied as effluent, during March, more water would be applied than the vines could use.

As the vineyard has just been planted, the vines won't be using as much water as mature vines. This means that without a balancing storage, during the 10 week crushing period, until they reach their second year, or until part of the effluent load can be applied to the western parcel, more water will be applied to the land than can be used by the crop.

The excess water will move slowly into the subsoil unless some other re-use strategy is employed

With regard the EPO's:

- Protection of Surface Waters: Surface waters are protected as surface drainage is contained within the site and the nearest surface water body (Murray River) is more than 500 m to the south-west, with River Road a built up levee between the two.
- Protection of Groundwater: After the first few years, the area planted to grapes and their maturity will be such that the effluent stream will provide only part of their water requirements at that time of the year. In addition, there are deep horizons of relatively low permeability clays beneath the site which will act as an aquitard.
- Protection of Lands: As above, after the first few years, the area planted to grapes and their maturity will be such that the effluent stream will provide only part of their water and nutrient requirements at that time of the year.
- Plant health will be monitored by Jindalee's agronomist and any corrective measures undertaken as required. With drip as the chosen method of effluent application, the potential for contact by animals is minimised.
- Public health risks have been minimised by siting the dam at the rear of the property, with visitors only able to access the site through the main gate. Appropriate signage will be erected to warn people that recycled water is being used on the property. Drip irrigation also minimises the risk of windborne aerosols being transported offsite.
- The effluent is now being regarded as a resource rather than a waste product and is being used to grow a commercial crop which will in turn be processed by the grape crushing plant.
- Community amenity has been accounted for by redeveloping a derelict vineyard, with the site located well away from any dwellings.

## 7 Recommendations

The following recommendations are made:

- Collect and analyse representative effluent samples from the next season's processing and use the results to refine the estimated nutrient loadings
- Place a water meter on the outflow from the crushing plant and the outflow from the dam to allow refining of the water volumes to be disposed of throughout the 10 week processing period
- Design the irrigation system to allow separate management of the eastern and western parcels.
- Consider planting an inter-row cereal cover crop in the first two years to use the excess water applied between mid January and end of March.
- Effluent irrigation volumes and intervals should be refined according to the results of a regular soil moisture monitoring program (i.e. hand auger, tensiometer, test well, neutron probe or capacitance probe) to match water application to crop water use requirements and the soil's ability to store water.

- Develop and implement a soil monitoring program to ensure that neither nitrogen or phosphorous are reaching levels that will impact negatively on either the crop or the environment

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**APPENDIX 1.  
SOIL SURVEY OF EASTERN PARCEL**

## **SPECIAL PURPOSE SOIL SURVEY**

**PROPERTY DETAILS:** River Road  
Boeill Creek, NSW.

**PREPARED FOR:** Mark Johnson

**AREA:** 50 Acres

**PREPARED BY :** Sunraysia Environmental  
2/152 Pine Avenue  
Mildura, Victoria. 3500

January, 1998

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## 1.0 **OBJECTIVES**

The aim of this survey was to determine the soil capability, in terms of it's ability to sustain permanent wine grape plantings under irrigation; and also to identify an area of the old flood plain which has been cut off by levees as a suitable spot for drainage water disposal.

Information has been collected to determine:

- depth of potential rootzones for lime sensitive and lime tolerant crops.
- the readily available waterholding capacity of those rootzones.
- the depth of water or root impeding layers
- the presence of perched water tables within 1.5m of the surface

The information collected has been presented as a description of the capabilities of the land for the intended use or uses. As such it should form the basis of a planting plan, assist in the selection of an irrigation method, facilitate shift/unit selection for an irrigation system design, and be a starting point for irrigation scheduling. It should also assist ongoing soil management to ensure that this capability is sustained.

## 2.0 **LAND DESCRIPTION**

The land examined during this survey is located to the north of River Road, Boeill Creek, New South Wales.

### 2.1 **Geology and Topography**

The land form of the portion of the property surveyed is variable. The higher ground intended for the vineyard is aeolian material that has been blown in over the alluvial soils of the floodplain. This high ground runs from north to south along the western portion of the surveyed area.

The remainder of the area is a slight rise that runs from east to west. The potential drainage area is part of the alluvial floodplain soils north of the east-west rise.

In geological terms, the lighter soil textures at the surface of the higher ground represent the recent windblown deposits of the Moulineaux Formation, which is underlain by soils of the gently undulating Woorinen Formation. The Woorinen Formation overlies the much older alluvial soils of the flood plain known as the Coonambidgal Formation.

### 2.2 **Land Use**

It is intended to plant the ridges of higher ground be planted to grape vines, with the lower area (pits 15 and 16) to be used for the disposal of drainage water via a woodlot.

### 3.0 CLIMATE

Average annual rainfall is approximately 250mm, but there is considerable variation from one year to the next. Rain occurs mainly during the winter months. Winters are cool with a moderate frost risk, summers are hot with temperatures sometimes exceeding 40°C.

### 4.0 PROCEDURES

A 100m by 100m grid was used to select pit locations. The soil profile was examined at each pit and described to a depth of 1.5m or the depth of the pit. Soil features were described in accordance with the Australian Soil and Land Survey Handbook (1990) and the Soil Description Handbook (Wetherby 1992) as follows:

- Depth and texture of each soil layer
- Reaction to 1N Hydrochloric Acid as an indicator of the presence of calcium/magnesium carbonates (lime)
- pH (CSIRO field colourimetric method, Raupach and Tucker 1952)
- Colour of each horizon (Munsell moist)
- Percentage, size and lithology of coarse fragments
- Geology
- Pedality (structure), grade and type of each horizon
- Depth of Topsoil and Primary Rootzone Depth (PRZ)
- Depth to root or water impeding layers

Soil samples were taken from each layer of pits 4 and 13 for laboratory analysis of pH and salinity.

### 5.0 RESULTS

Seventeen pits were examined and the major soil properties were identified which influence soil water storage, water movement, root growth, crop suitability and drainage hazard. The information collected from each pit (Appendix 3) represents approximately 1.0 hectare and has been used to produce the accompanying maps:

- Soil Profile Descriptions (Map 1)
- Depth of Topsoil (Map 2)
- Readily Available Water (Map 3)

#### 5.1 Soil Profile Descriptions

Each column shows the soil profile as it occurs at each pit location, the figures on the left represent the depth in centimetres, the letters on the right indicate the soil textures and in the centre the carbonate reaction. The classification and depth of the soil textures and impeding layers are shown as they occur at each pit location.

The estimated rootzone depths for grape vines are indicated by the black arrowhead on the right of the profile description.

As expected, watertables were not found in any of the pits examined.

## 5.2 Topsoil/Rootzone

As a generalisation, the major criteria in determining soil suitability for a particular crop is the potential depth of primary rootzone (PRZ). In the soils of this property, the restriction to downward root penetration will be adverse soil pedality or structure as indicated by the purple colour patches on Map 2.

As a general rule of thumb the accepted minimum depths of PRZ's required for particular crops are as follows:

- Avocados 70 - 80cm
- Almonds 40 - 60cm (rootstock dependent)
- Citrus 50cm
- Stonefruit 30 - 40cm
- Vines 30cm
- Asparagus 30cm

**For the purpose of this report, the topsoil and primary rootzone for wine grapes are both classified as the soil above a root impeding layer.**

The topsoil textures ranged from very light (loamy sand) to quite heavy (sandy clay), dependent on topography. Topsoil was generally very deep (to 150cm) over the majority of the area, but was non-existent in those low lying areas with a strongly structured clay at the surface (indicated by hatching on Map 1).

The areas of sandy raised ground have the greatest potential rootzone depths. Much of the flat alluvial areas have structurally impeding layers close to or at the surface. In all of these spots the pedality/structure of those layers is such that downward movement of air, water and roots will be very slow.

The hatched areas indicates the presence of a structural or textural impedance to downward root growth.

## 5.3 Structural/Chemical Impedances

The coloured patches on Map 2 indicate the areas where the first root impeding layer is a form of soil structure which will restrict downward vine root penetration. The impeding layers found were shrinking and swelling clays. When wet these clays restrict downward movement of air and water, and when dry can cause root breakage. The depth to the structural impeding layer at pits 14 and 17 are at a sufficient depth in the profile that they would be difficult to ameliorate, but they still allow a good depth of rootzone penetration.

At pits 9 and 10, the impeding layer occurs at the surface. Based on examination of mature vine roots in similar soils in Paringi, Euston and TolTol, it is expected that the maximum vine rootzone depth at these pits will be 40cm.

#### 5.4 Drainage Characteristics

There are quite marked differences between the drainage characteristics of the soils of the sandy rises and those of the lower areas and flood plain. The rises are generally free draining while the lower areas with their alluvial clays will have quite slow rates of infiltration, permeability and drainage.

Generally, as the clay content of soil increases, water movement through that soil slows. This slow movement of water can cause waterlogging, poor crop production and land degradation. As expected, water tables were not found in any of the pits examined, but saturation of the rootzone could easily occur in the lower areas if care is not taken to match irrigation volumes with the crop's replacement requirements.

Where clay occurs low in the soil profile, it is relatively easy to install artificial drainage on top of this layer. As can be seen on Map 1, much of the lower lying area has clay within 1.0m of the surface (red hatching). If the drains are installed at depth into these clays (pits 9 and 10), unless they are sanded at least to the top of the clay, they may never function properly because it will take too long for any drainage water to reach them.

As a means of checking for water table build up, it is suggested that testwells be installed as monitoring tools at a number of sites and that they be monitored regularly. Suggested test well sites are in the vicinity of pits 8, 9, 17 and near pit 16 in the proposed waste water disposal area.

#### 5.5 Alkalinity (pH) and Salinity

Field measured pH values were in the range of 6.5 to 8.5 in the upper horizons, with values consistently higher at depth, between 8.5 to 9.0. Soil samples were taken from each layer of pits 5, 18, 27 and 37 for laboratory analysis of pH and salinity (Appendix 1). It will be noticed that the field measurements of pH are 1 to 1.5 units higher than the laboratory results. This is normal, the field measurements are a good estimate of alkalinity or acidity on site with the laboratory analysis giving accurate unit determination.

The values measured for pH rang from slightly acidic to slightly alkaline in the upper horizons, to moderately alkaline at depth. These values are consistent with trends in these soils. Where the soils are alkaline within the rootzone, micro-nutrient uptake could be a problem. A competent agronomist should be consulted to determine the appropriate fertilisers to overcome this.

The salinity levels were low within the potential rootzone in each of the profiles tested. In all horizons, values ranged from 0.32 mS/cm (pit 13) to 0.68 mS/cm (pit 4). As a guide, Table 1 shows the yield losses to vines that can resulted from excess soil salinity.

Table 1 **Potential Grape Vine Yield Loss from Soil Salinity**

Potential Yield Loss(%)	Vines ECe (mS/cm)
0	1.5
10	2.5
25	4.1
50	6.7
100	12

Source: Adapted from Maas E.V. and Hoffman G.J. (1977) Crop Salt Tolerance - Current Assessment J. Irrig. & Drainage Division, ASCE 103 (115 - 134).

## 5.6 Readily Available Waterholding Capacity (RAW)

On Map 3, with the exception of those areas with no topsoil, two RAW values are shown for each site, the left value refers to the topsoil RAW, and the right RAW value refers to the potential vine rootzone RAW.

RAW values are calculated for each site by multiplying the thickness (cm) of each soil layer in the rootzone by a factor (Soil Description Handbook, Wetherby 1992) relating to the amount of water held in the soil between -8kPa (field capacity) and 40kPa (where horticultural crops in the Mallee begin to suffer moderate water stress). The amounts of water (mm) held within each layer in the rootzone have been added together to give the rootzone RAW.

The RAW values presented here must be interpreted with care, they are calculated to represent maximum rootzone depth at plant maturity. Consequently, for irrigation scheduling with new plantings, it is a starting point only and may need to be altered to suit age and development of plantings. Ongoing soil moisture monitoring is necessary to accurately match crop requirements to irrigation scheduling. Monitoring tools can include a shovel or auger, tensiometers, neutron probe or capacitance probe (EnviroSCAN or similar).

RAW values varied greatly, generally being linked to topography. As expected, the areas of the sandy rises in the western and southern portion of the area surveyed had the largest potential reservoir of readily available water, while parts of the south-eastern corner had the least. The large variation in values will mean that there will need to be compromises made in determining efficient irrigation management.

The south-eastern corner (pits 9 and 10), with strongly structured clay at the surface, has a shallow of potential rootzone depth, and as such also a greatly reduced RAW value in comparison to the rest of the planted area. It should also be noted that this area will have a greatly reduced water infiltration and permeability rate when compared to the remainder of the block, and so should preferably be designed with a low application rate sprinkler,

RAW values are a major factor in efficient irrigation management. These values should be taken into account when considering system design, application rate and volume of water applied.

## 6.0 CONCLUSIONS/RECOMMENDATIONS

The sandy rises with their relatively deep free draining profiles are the areas with the most options for development. Besides vines, possibilities include tree crops such as almonds, avocados and citrus.

The potential rootzones are significantly shallower in the flat area surrounding pits 9 and 10. The inhibiting factor to downward root penetration in this area is soil pedality (Section 5.3). Vines on vigorous rootstocks, olives, persimmons and stonefruit should perform well in most of this area.

It is generally a compromise when determining irrigation scheduling units based on soil RAW values because of the irregularity of boundaries. Map 3 which displays the RAW values should be used by the manager, in conjunction with an irrigation designer, to determine the appropriate boundaries for irrigation units on the block. The aim should be to set up the system to allow irrigations to be scheduled to suit the soil capability and crop requirements. It is suggested that the area of pits 9 and 10 be valved separately with a low application rate sprinkler to take account of the low water holding capacity and the low permeability rates associated with the alluvial clays.

A very high level of irrigation management will be required to keep productivity at viable levels in the heavy clays in the region of pits 9 and 10. Effective irrigation management will ensure that the appropriate volumes of water and oxygen are maintained in the soil so that the plant can operate without stress. The shrinking and swelling nature of these alluvial clays is very hard to manage in this situation as it's rates of infiltration and permeability are very low. If effective and regular soil moisture monitoring is not part of the management process, a moisture deficit can develop very quickly, and in the middle of summer this can be difficult to rectify, particularly in mature vines carrying a substantial crop.

With appropriate management, both drip and full cover sprinkler systems could produce good results in the majority of the area surveyed. It will really depend on the preferred style of management. Full cover systems give greater options with cover crops and frost control, and because of their use of a greater volume of soil as a water reservoir are also more break down proof. Drip allows the manager to be very precise with the amount of water and nutrients applied to each individual vine, but requires a higher rate of input in terms of soil moisture monitoring and intensity of operation.

**Initial irrigation volumes for each shift should be based on the appropriate RAW value with allowances made for age, development of the crop and irrigation system losses. However, it is critical that the initial irrigation volumes and the intervals between applications be refined according to the results of a regular soil/water monitoring program (i.e. hand auger, tensiometer, aquifer, neutron probe or enviroscan).**

Moisture monitoring stations should be installed at one point within each shift area to a depth that is representative of the rootzone; this will allow the manager to determine when each shift area requires an irrigation application. The monitoring station should be located in the middle of sprinkler pattern overlaps for best results.

As discussed in Section 5.4, testwells should be installed where watertables could become a problem (i.e. near pits 8, 9, 17 and 16), to a depth of about 2 to 3 metres and be monitored monthly.

Laboratory measurements of pH within the rootzone are slightly acidic to alkaline which is normal for these soils and indicate that micro nutrient uptake may be a problem. Salinity values were low in all layers at all pits tested.

The soils within the rootzone in the swales and flats, besides being quite shallow, are very susceptible to mechanical compaction, both by traffic and cultivation, particularly when moist. The process of compaction significantly reduces the size and number of naturally occurring soil pores. This creates a compacted soil layer that sits just below the surface as an unseen retardant to the free movement of two of the most important factors for plant growth, air and water between the plant roots and the surface. The results of compaction are not often able to be seen other than in reduced vigour and yields.

An important step in improving the structure of all soils is to establish and maintain an appropriate deep rooted, inter-row cover crop. It will increase the amount of water available to the plant, and continuously increase the organic content in the soil, enhance drainage and aeration capacity and increase the benefits of fertiliser applications by increasing the retention of nutrients otherwise lost by leaching. A good inter-row cover crop is composed of a mixture of grasses which act as a biological tilth at a relatively low cost. This can be achieved by using a mixture of plants which are suited to alkaline/neutral soils, and advice should be taken from local seed suppliers or agronomists.

The effective use of water and fertilisers is usually given most attention in achieving good crop production. Attention to management of soil structure is normally secondary. It becomes of prime importance however, where soils are particularly susceptible to degradation, particularly where nutrient problems have already been solved. Where large inputs of fertilisers and chemicals occur, physical restrictions to root growth and nutrient absorption are most commonly the factors that prevent crops from attaining their potential yield.

## 7.0 REFERENCES

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- Hausenbuiller R.L. (1981) *second edition SOIL SCIENCE principles and practices*. Wm. C. Brown Company, Dubuque, Iowa.
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Appendix 1**LABORATORY ANALYSIS OF SOIL SAMPLES**

Site	Depth (cm)	Salinity (mS/cm)	pH
4	0 - 90	0.54	6.8
	90 - 175	0.68	6.6
13	0 - 45	0.33	6.9
	45 - 75	0.65	7.6
	75 - 185	0.65	7.4

Appendix 2

**Carbonate Layers - Classifications and Effects on Root Growth and Drainage**  
**(Wetherby 1992)**

<b><u>Class</u></b>	<b><u>Description</u></b>	<b><u>Effects</u></b>
I	Fine soil carbonate in clay, few if any calcrete fragments present. Boundary with topsoil diffuse.	Restricts root growth of most cereal and irrigated tree crops. Usually indicates poor drainage.
II	Sheet or boulder calcrete, very hard and usually banded with pinkish colour. Concretions common in layer just above the calcrete.	Restricts root growth in sheet form but roots penetrate the area around boulders. Drainage is excellent through the boulder form but the sheet form restricts water movement. Class II usually indicates clay at depth.
IIIA	Compact mixture of finely divided carbonate sand, silt and clay. Contains less than 30% calcrete fragments. Texture - Sandy Loam to Light Clay.	Restricts root growth of most cereals and irrigated crops. Drainage medium to poor.
IIIB	As for IIIA except that calcrete fragments form 30 - 60% of the layer.	Root growth is good but water-holding capacity is reduced by the percentage of calcrete fragments. Drainage is good.
IIIC	As for IIIA except that calcrete fragments form greater than 60% of the layer.	Root growth around the calcrete fragments is good. Waterholding capacity is reduced by the percentage of calcrete fragments. Drainage is excellent.
IV	Weak accumulation of fine carbonate in a Sand to Sandy Loam matrix. The carbonate is present as a coating on sand grains and is visible as a whitening in excavated pits.	Class IV seldom restricts root growth. Drainage is excellent.

Appendix 3**KEY TO PROFILE DESCRIPTIONS****SOIL TEXTURES** (In order of increasing clay content)

KS	Coarse Sand	SCL	Sandy Clay Loam
S	Sand	SCLFS	Sandy Clay Loam, Fine Sand
FS	Fine Sand	CLKS	Clay Loam, Coarse Sandy
LKS	Loamy Coarse Sand	CLS	Clay Loam, Sandy
LS	Loamy Sand	CLFS	Clay Loam, Fine Sandy
LFS	Loamy Fine Sand	CL	Clay Loam
CKS	Clayey Coarse Sand	ZCL	Silty Clay Loam
CS	Clayey Sand	FSC	Fine Sandy Clay
CFS	Clayey Fine Sand	SC	Sandy Clay
KSL	Coarse Sandy Loam	KSC	Coarse Sandy Clay
SL	Sandy Loam	ZC	Silty Clay
FSL	Fine Sandy Loam	LC	Light Clay
LSCL	Light Sandy Clay Loam	LMC	Light Medium Clay
L	Loam	MC	Medium Clay
LFSY	Loam, Fine Sandy	MHC	Medium Heavy Clay
ZL	Silty Loam	HC	Heavy Clay
SCLKS	Sandy Clay Loam, Coarse Sand		

**CARBONATE CONTENT**

N	Nil	< 1% alkaline earths
S	Slight	0.5 - 1.5% alkaline earths
M	Medium	1.5 - 3.0% alkaline earths
H	High	3.0 - 8.0% alkaline earths
V	Very High	> 8% alkaline earths

**GEOLOGY**

Qhp	Bunyip Sands
Qpo	Woorinen Formation
Qhc	Coonambidgal Formation
Qph	Blanchetown Clay

**LITHOLOGY**

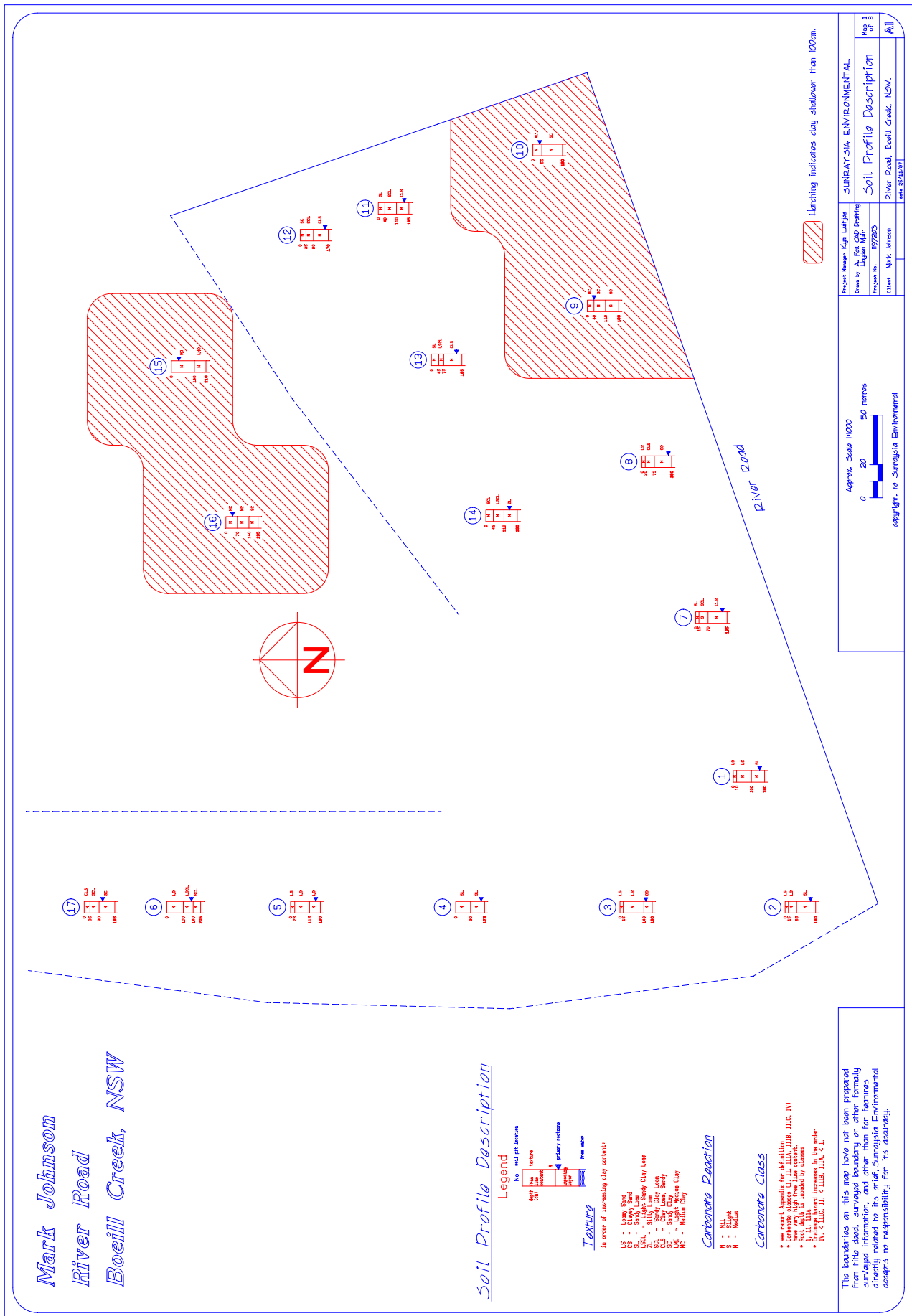
Kc	Calcium Carbonate
Gy	Gypsum

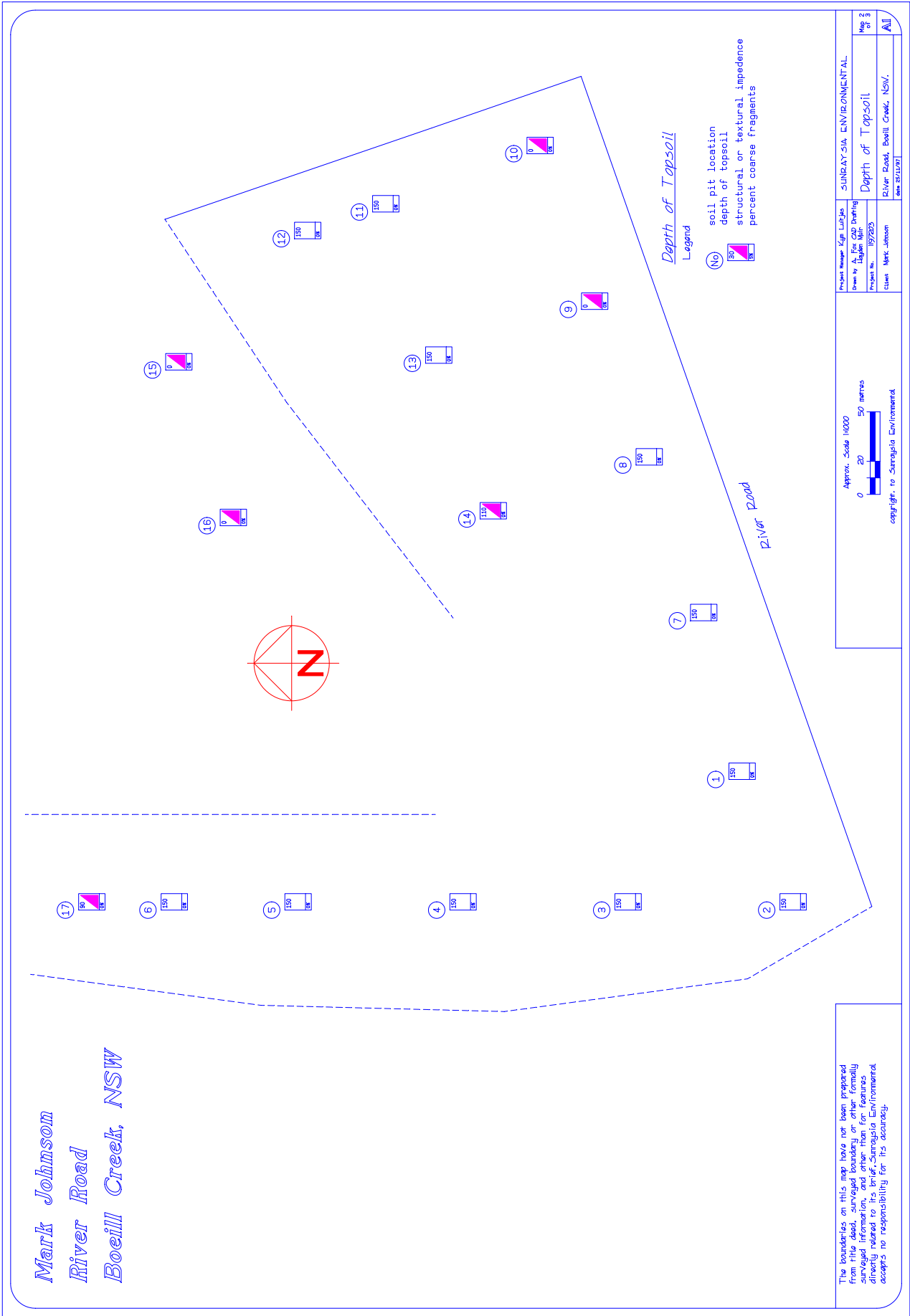
**STRUCTURE**

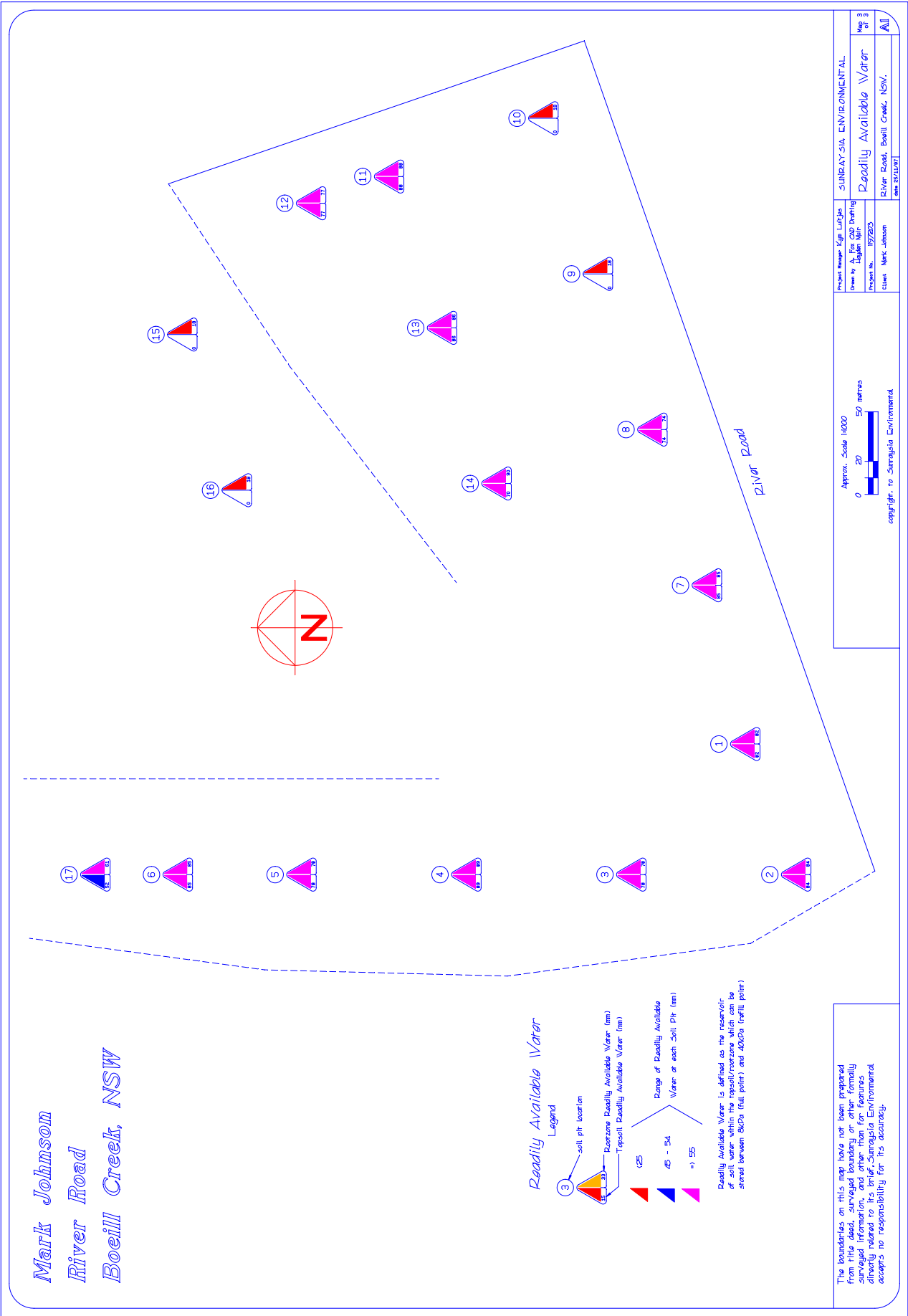
	<u>GRADE</u>		<u>TYPE</u>
V	Massive	PL	Platy
W	Weak	PR	Prismatic
M	Moderate	CO	Columnar
S	Strong	AB	Angular Blocky
		SB	Sub-Angular Blocky
		GR	Granular
		N	Unstructured

SITE	UPPER	LOWER	TEXTURE	COLOUR	FIELD pH	CARB REACT	CARB CLASS	% CRS FRAG	FRAG LITH	GEOLOGY	PEDALITY GRADE	PEDALITY TYPE
1	0	10	LS	7.5YR4/4	6.5	N	NIL	0		Qhp	G	N
1	10	100	LS	7.5YR5/3	8.0	N	NIL	0		Qhp	G	N
1	100	180	SL	10YR5/6	9.0	N	NIL	0		Qhp	G	N
2	0	15	LS	7.5YR4/4	6.5	N	NIL	0		Qhp	W	PL
2	15	65	LS	7.5YR4/3	8.0	N	NIL	0		Qhp	G	N
2	65	180	SL	10YR4/6	9.0	N	NIL	0		Qhp	G	N
3	0	15	LS	7.5YR5/3	6.5	N	NIL	0		Qhp	G	N
3	15	140	LS	7.5YR4/4	7.0	N	NIL	0		Qhp	G	N
3	140	190	CS	10YR4/6	9.0	N	NIL	0		Qhp	G	N
4	0	90	SL	7.5YR6/4	6.5	N	NIL	0		Qhp	G	N
4	90	175	SL	7.5YR6/6	9.0	N	NIL	0		Qhp	G	N
5	0	25	LS	7.5YR4/4	6.5	N	NIL	0		Qhp	G	N
5	25	115	LS	7.5YR4/6	8.0	N	NIL	0		Qhp	G	N
5	115	180	LS	7.5YR6/6	9.0	N	NIL	0		Qhp	G	N
6	0	100	LS	7.5YR4/4	6.5	N	NIL	0		Qhp	G	N
6	100	160	LSCL	7.5YR5/6	8.0	N	NIL	0		Qpo	W	SB
6	160	205	SCL	10YR5/3	9.0	N	NIL	0		Qhc	W	SB
7	0	15	SL	7.5YR5/3	6.5	N	NIL	0		Qpo	W	PL
7	15	70	SCL	7.5YR5/2	9.0	S	NIL	0		Qhc	W	PR
7	70	185	CLS	2.5Y5/3	9.0	N	NIL	0		Qhc	W	SB
8	0	20	CS	10YR4/3	6.5	N	NIL	0		Qhc	W	PL
8	20	75	CLS	10YR5/2	9.0	N	NIL	0		Qhc	W	PR
8	75	180	SC	10YR6/6	9.0	M	NIL	0		Qhc	W	SB
9	0	40	MC	10YR5/2	6.5	N	NIL	0		Qhc	M	SB
9	40	110	SC	10YR5/4	9.0	M	NIL	0		Qhc	W	SB
9	110	190	SC	10YR5/3	9.0	N	NIL	0		Qhc	W	SB
10	0	55	MC	10YR5/1	6.5	N	NIL	0		Qhc	W	PR
10	55	180	SC	2.5Y5/3	9.0	N	NIL	0		Qhc	W	SB
11	0	40	SL	7.5YR5/3	6.5	N	NIL	0		Qpo	W	PL
11	40	110	SCL	10YR5/3	8.0	M	NIL	0		Qhc	W	SB
11	110	185	CLS	10YR5/4	9.0	M	NIL	0		Qhc	W	SB
12	0	35	SC	7.5YR4/3	6.5	N	NIL	0		Qpo	G	N
12	45	80	SCL	10YR4/6	8.0	N	NIL	0		Qpo	G	NB
12	75	170	CLS	7.5YR5/4	9.0	M	NIL	0		Qhc	W	SB
13	0	45	SL	7.5YR4/4	6.5	N	NIL	0		Qpo	G	N
13	45	75	LSCL	10YR4/4	8.0	N	NIL	0		Qpo	W	SB
13	75	185	CLS	10YR4/6	9.0	M	NIL	0		Qpo	W	SB
14	0	45	SCL	7.5YR4/3	6.5	N	NIL	0		Qpo	W	SB
14	45	110	LSCL	7.5YR5/6	8.0	N	NIL	0		Qpo	W	SB
14	110	190	ZL	7.5YR5/6	9.0	N	NIL	0		Qpo	W	SB

SITE	UPPER	LOWER	TEXTURE	COLOUR	FIELD pH	CARB REACT	CARB CLASS	% CRS FRAG	FRAG LITH	GEOLOGY	PEDALITY GRADE	PEDALITY TYPE
15	0	140	MC	10YR5/2	6.5	N	NIL	0		Qhc	M	SB
15	140	210	LMC	7.5YR6/4	9.0	N	NIL	0		Qhc	W	SB
16	0	70	MC	10YR5/2	6.5	N	NIL	0		Qhc	M	SB
16	70	140	MC	10YR6/6	8.0	N	NIL	0		Qhc	W	PR
16	140	195	SC	7.5YR5/6	9.0	N	NIL	0		Qhc	W	SB
17	0	35	CLS	10YR5/1	6.5	N	NIL	0		Qpo	W	SB
17	35	90	SCL	10YR6/6	8.5	N	NIL	0		Qhc	W	SB
17	90	185	SC	10YR5/6	9.0	N	NIL	0		Qhc	M	PR





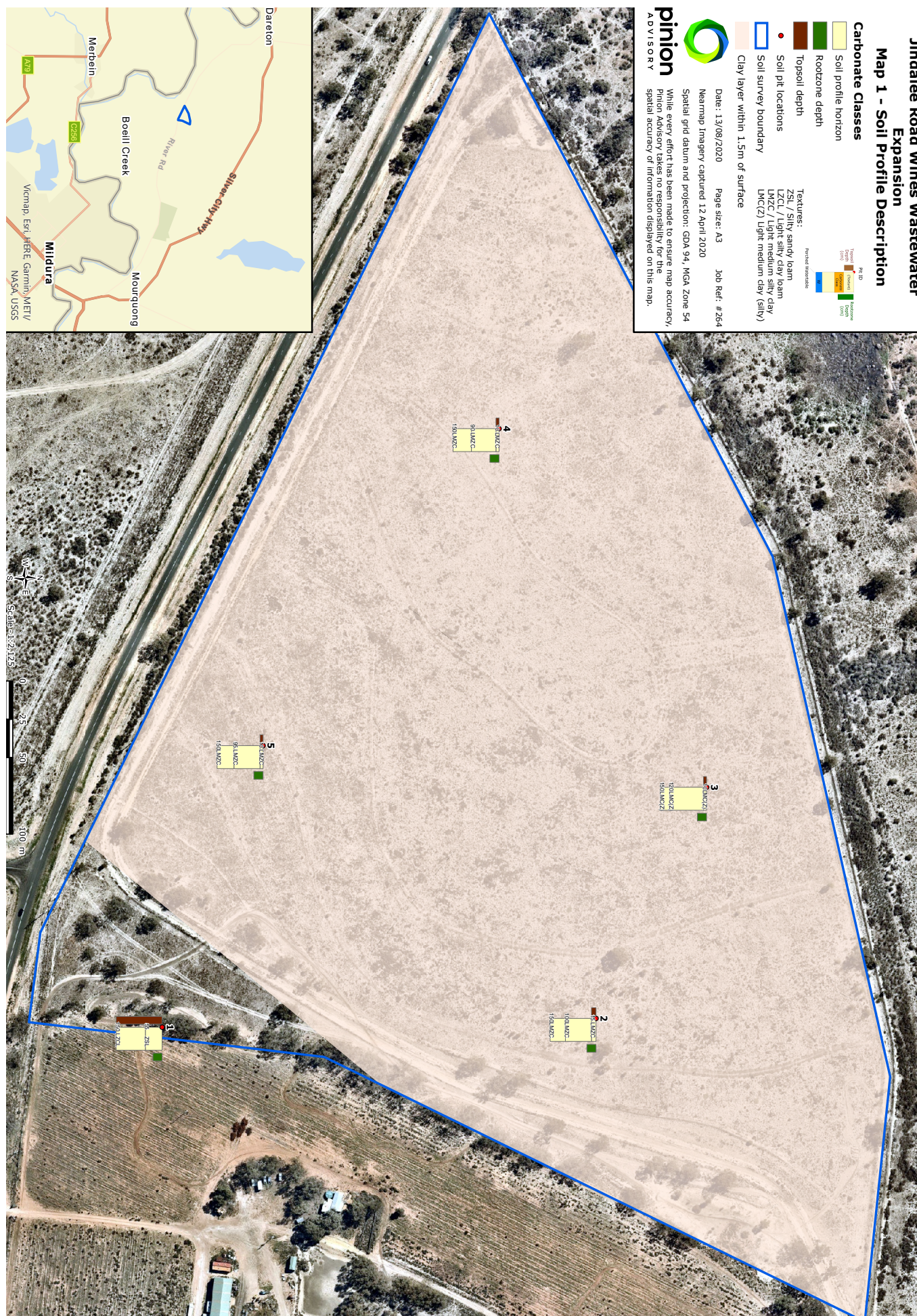
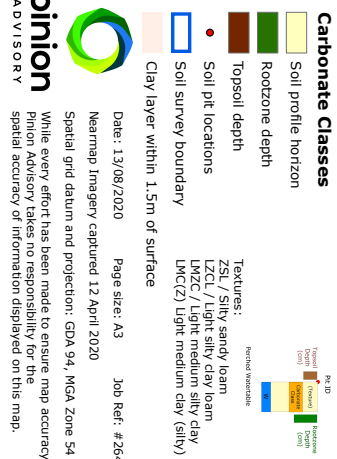


**APPENDIX 2.  
SOIL MAPS & PROFILE DATA FOR WESTERN PARCEL**

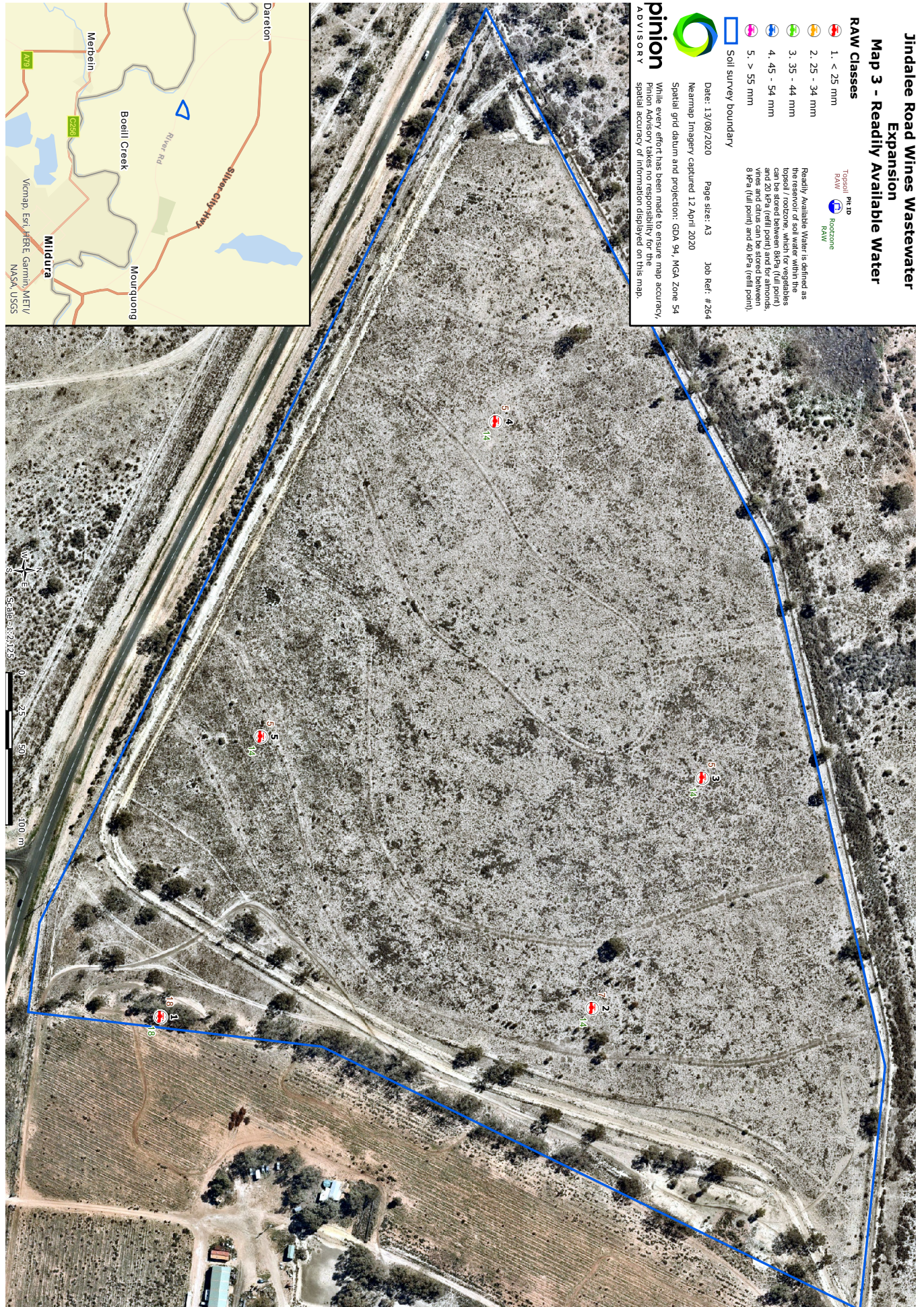
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## Jindalee Road Wines Wastewater Expansion

### Map 1 - Soil Profile Description







**APPENDIX 3.  
SOIL ANALYSIS RESULTS**



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## CERTIFICATE OF ANALYSIS 22013

### Client Details

<b>Client</b>	Pinion Advisory Pty Ltd
<b>Attention</b>	Kym Luitjes
<b>Address</b>	84 Lemon Avenue, VIC, 3500

### Sample Details

<b>Your Reference</b>	<b>3JINDR_CONS</b>
<b>Number of Samples</b>	6 Soil
<b>Date samples received</b>	28/07/2020
<b>Date completed instructions received</b>	28/07/2020

### Analysis Details

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

### Report Details

<b>Date results requested by</b>	05/08/2020
<b>Date of Issue</b>	05/08/2020
NATA Accreditation Number 2901. This document shall not be reproduced except in full.	
Accredited for compliance with ISO/IEC 17025 - Testing. <b>Tests not covered by NATA are denoted with *</b>	

#### Results Approved By

Chris De Luca, Operations Manager

#### Authorised By

P. Adams.

Pamela Adams, Laboratory Manager

Envirolab Reference: 22013  
 Revision No: R00



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Client Reference: 3JINDR\_CONS

Cation exchange capacity						
Our Reference		22013-1	22013-2	22013-3	22013-4	22013-5
Your Reference	UNITS	1/0-55	1/55-150	3/0-90	3/90-150	5/0-95
Date Sampled		20/07/2020	20/07/2020	20/07/2020	20/07/2020	20/07/2020
Type of sample		Soil	Soil	Soil	Soil	Soil
Date extracted	-	05/08/2020	05/08/2020	05/08/2020	05/08/2020	05/08/2020
Date analysed	-	05/08/2020	05/08/2020	05/08/2020	05/08/2020	05/08/2020
Exchangeable Ca	meq/100g	3.3	3.9	10	32	12
Exchangeable K	meq/100g	0.4	0.4	0.9	0.9	0.5
Exchangeable Mg	meq/100g	0.8	1.2	13	8.5	10
Exchangeable Na	meq/100g	<0.1	0.1	3.2	3.5	3.3
Exchangeable Al	meq/100g	0.2	0.2	0.4	0.3	0.4
Cation Exchange Capacity	meq/100g	4.6	5.7	27	45	26
Sodium Adsorption Ratio		0.13	0.87	6.6	6.2	5.9

Cation exchange capacity		
Our Reference		22013-6
Your Reference	UNITS	5/95-150
Date Sampled		20/07/2020
Type of sample		Soil
Date extracted	-	05/08/2020
Date analysed	-	05/08/2020
Exchangeable Ca	meq/100g	27
Exchangeable K	meq/100g	0.6
Exchangeable Mg	meq/100g	7.8
Exchangeable Na	meq/100g	2.4
Exchangeable Al	meq/100g	0.4
Cation Exchange Capacity	meq/100g	38
Sodium Adsorption Ratio		13

Client Reference: 3JINDR\_CONS

Cations in soil						
Our Reference		22013-1	22013-2	22013-3	22013-4	22013-5
Your Reference	UNITS	1/0-55	1/55-150	3/0-90	3/90-150	5/0-95
Date Sampled		20/07/2020	20/07/2020	20/07/2020	20/07/2020	20/07/2020
Type of sample		Soil	Soil	Soil	Soil	Soil
Date digested	-	05/08/2020	05/08/2020	05/08/2020	05/08/2020	05/08/2020
Date analysed	-	05/08/2020	05/08/2020	05/08/2020	05/08/2020	05/08/2020
Calcium	mg/kg	980	900	2,200	8,000	5,300
Potassium	mg/kg	990	1,100	3,000	1,900	4,400
Magnesium	mg/kg	550	670	4,200	2,200	6,500
Sodium	mg/kg	30	110	1,400	1,400	2,400

Cations in soil		
Our Reference		22013-6
Your Reference	UNITS	5/95-150
Date Sampled		20/07/2020
Type of sample		Soil
Date digested	-	05/08/2020
Date analysed	-	05/08/2020
Calcium	mg/kg	3,600
Potassium	mg/kg	3,000
Magnesium	mg/kg	3,800
Sodium	mg/kg	2,000

Client Reference: 3JINDR\_CONS

Miscellaneous Inorg - soil						
Our Reference		22013-1	22013-2	22013-3	22013-4	22013-5
Your Reference	UNITS	1/0-55	1/55-150	3/0-90	3/90-150	5/0-95
Date Sampled		20/07/2020	20/07/2020	20/07/2020	20/07/2020	20/07/2020
Type of sample		Soil	Soil	Soil	Soil	Soil
Date prepared	-	03/08/2020	03/08/2020	03/08/2020	03/08/2020	03/08/2020
Date analysed	-	04/08/2020	04/08/2020	04/08/2020	04/08/2020	04/08/2020
pH 1:5 soil:water	pH Units	7.5	8.6	7.6	8.2	7.4
pH 1:5 soil:CaCl <sub>2</sub>	pH Units	7.0	7.4	7.0	7.7	7.0
Electrical Conductivity 1:5 soil:water	µS/cm	190	150	600	2,100	690
Colwell Phosphorus	mg/kg	32	9	4	10	3
Colwell Potassium	mg/kg	260	160	310	380	180
Total Nitrogen in soil	mg/kg	370	130	260	240	320
Total Organic Carbon (Walkley Black)	mg/kg	5,100	1,400	2,600	<1000	2,500
Emerson Class	Class	5.0000	5.0000	5.0000	6.0000	3b
Chloride, Cl 1:5 soil:water	mg/kg	10	68	620	620	760

Miscellaneous Inorg - soil		
Our Reference		22013-6
Your Reference	UNITS	5/95-150
Date Sampled		20/07/2020
Type of sample		Soil
Date prepared	-	03/08/2020
Date analysed	-	04/08/2020
pH 1:5 soil:water	pH Units	8.7
pH 1:5 soil:CaCl <sub>2</sub>	pH Units	7.9
Electrical Conductivity 1:5 soil:water	µS/cm	810
Colwell Phosphorus	mg/kg	4
Colwell Potassium	mg/kg	260
Total Nitrogen in soil	mg/kg	270
Total Organic Carbon (Walkley Black)	mg/kg	1,200
Emerson Class	Class	6.0000
Chloride, Cl 1:5 soil:water	mg/kg	700

## Client Reference: 3JINDR\_CONS

Moisture						
Our Reference	UNITS	22013-1	22013-2	22013-3	22013-4	22013-5
Your Reference		1/0-55	1/55-150	3/0-90	3/90-150	5/0-95
Date Sampled		20/07/2020	20/07/2020	20/07/2020	20/07/2020	20/07/2020
Type of sample		Soil	Soil	Soil	Soil	Soil
Date prepared	-	31/07/2020	31/07/2020	31/07/2020	31/07/2020	31/07/2020
Date analysed	-	1/08/2020	1/08/2020	1/08/2020	1/08/2020	1/08/2020
Moisture	%	1.9	2.6	8.8	15	7.9

Moisture		
Our Reference	UNITS	22013-6
Your Reference		5/95-150
Date Sampled		20/07/2020
Type of sample		Soil
Date prepared	-	31/07/2020
Date analysed	-	1/08/2020
Moisture	%	13

## Client Reference: 3JINDR\_CONS

Method ID	Methodology Summary
<b>AGRI-02</b>	Colwell Phosphorus and Potassium are extracted from a dried soil, using a 0.5M Sodium Bicarbonate solution for 15 hours at ~25°C. The resultant extract is analysed by discrete analyser for Phosphorus and ICPOES for Potassium.
<b>Ext-061</b>	Particle Size Analysis by EastWest Enviroag, NATA accreditation number 12360.
<b>Inorg-001</b>	pH - Measured using pH meter and electrode in accordance with APHA latest edition, 4500-H+. Please note that the results for water analyses are indicative only as analysis outside of the APHA storage times.
<b>Inorg-002</b>	Conductivity and Salinity - measured using a conductivity cell at 25oC in accordance with APHA latest edition 2510 and Rayment & Lyons.
<b>Inorg-008</b>	Moisture content determined by heating at 105 deg C for a minimum of 12 hours.
<b>Inorg-036</b>	Total Organic Carbon or Matter - A titrimetric method that measures the oxidisable organic content of soils.
<b>Inorg-055/062</b>	Total Nitrogen - Calculation sum of TKN and oxidised Nitrogen.
<b>Inorg-081</b>	Anions - a range of Anions are determined by Ion Chromatography, in accordance with APHA 22nd ED, 4110-B. Water samples are filtered on receipt prior to analysis. Alternatively determined by colourimetry/turbidity using Discrete Analyser.
<b>Metals-020</b>	Determination of exchangeable cations and cation exchange capacity in soils using 1M Ammonium Chloride exchange and ICP-AES analytical finish.
<b>Metals-020</b>	Calcium and Magnesium analysed by ICP-AES and SAR calculated.
<b>Metals-020 ICP-AES</b>	Determination of various metals by ICP-AES.

Client Reference: 3JINDR\_CONS

QUALITY CONTROL: Cation exchange capacity						Duplicate		Spike Recovery %		
Test Description	Units	PQL	Method	Blank	#	Base	Dup.	RPD	LCS-1	22013-4
Exchangeable Ca	meq/100g	0.1	Metals-020	<0.1	3	10	10	0	94	#
Exchangeable K	meq/100g	0.1	Metals-020	<0.1	3	0.9	0.9	0	93	82
Exchangeable Mg	meq/100g	0.1	Metals-020	<0.1	3	13	13	0	99	#
Exchangeable Na	meq/100g	0.1	Metals-020	<0.1	3	3.2	3.1	3	95	#
Exchangeable Al	meq/100g	0.1	Metals-020	<0.1	3	0.4	0.4	0	101	91
Cation Exchange Capacity	meq/100g	1	Metals-020	<1	3	27	27	0	[NT]	[NT]
Sodium Adsorption Ratio		0.01	Metals-020	<0.01	3	6.6	[NT]		[NT]	[NT]

Client Reference: 3JINDR\_CONS

QUALITY CONTROL: Cations in soil					Duplicate			Spike Recovery %	
Test Description	Units	PQL	Method	Blank	#	Base	Dup.	RPD	LCS-1
Date digested	-			05/08/2020	[NT]	[NT]	[NT]	[NT]	05/08/2020
Date analysed	-			05/08/2020	[NT]	[NT]	[NT]	[NT]	05/08/2020
Calcium	mg/kg	10	Metals-020 ICP-AES	<10	[NT]	[NT]	[NT]	[NT]	99
Potassium	mg/kg	10	Metals-020 ICP-AES	<10	[NT]	[NT]	[NT]	[NT]	90
Magnesium	mg/kg	10	Metals-020 ICP-AES	<10	[NT]	[NT]	[NT]	[NT]	89
Sodium	mg/kg	10	Metals-020 ICP-AES	<10	[NT]	[NT]	[NT]	[NT]	95

## Client Reference: 3JINDR\_CONS

QUALITY CONTROL: Miscellaneous Inorg - soil					Duplicate			Spike Recovery %		
Test Description	Units	PQL	Method	Blank	#	Base	Dup.	RPD	LCS-1	22013-2
Date prepared	-			03/08/2020	1	03/08/2020	03/08/2020		03/08/2020	03/08/2020
Date analysed	-			04/08/2020	1	04/08/2020	04/08/2020		04/08/2020	04/08/2020
pH 1:5 soil:water	pH Units		Inorg-001	[NT]	1	7.5	[NT]		100	[NT]
pH 1:5 soil:CaCl <sub>2</sub>	pH Units		Inorg-001	[NT]	1	7.0	[NT]		100	[NT]
Electrical Conductivity 1:5 soil:water	µS/cm	1	Inorg-002	[NT]	1	190	[NT]		98	[NT]
Colwell Phosphorus	mg/kg	2	AGRI-02	<2	1	32	33	3	103	[NT]
Colwell Potassium	mg/kg	20	AGRI-02	<20	1	260	230	12	95	[NT]
Total Nitrogen in soil	mg/kg	10	Inorg-055/062	<10	1	370	390	5	111	113
Total Organic Carbon (Walkley Black)	mg/kg	1000	Inorg-036	<1000	1	5100	[NT]		97	[NT]
Emerson Class	Class	0	Ext-061	[NT]	1	5.0000	[NT]		[NT]	[NT]
Chloride, Cl 1:5 soil:water	mg/kg	10	Inorg-081	<10	1	10	[NT]		96	[NT]

QUALITY CONTROL: Miscellaneous Inorg - soil					Duplicate			Spike Recovery %		
Test Description	Units	PQL	Method	Blank	#	Base	Dup.	RPD	[NT]	[NT]
Date prepared	-			[NT]	2	03/08/2020	03/08/2020		[NT]	[NT]
Date analysed	-			[NT]	2	04/08/2020	04/08/2020		[NT]	[NT]
pH 1:5 soil:water	pH Units		Inorg-001	[NT]	2	8.6	[NT]		[NT]	[NT]
pH 1:5 soil:CaCl <sub>2</sub>	pH Units		Inorg-001	[NT]	2	7.4	7.7	4	[NT]	[NT]
Electrical Conductivity 1:5 soil:water	µS/cm	1	Inorg-002	[NT]	2	150	150	0	[NT]	[NT]
Colwell Phosphorus	mg/kg	2	AGRI-02	[NT]	2	9	[NT]		[NT]	[NT]
Colwell Potassium	mg/kg	20	AGRI-02	[NT]	2	160	[NT]		[NT]	[NT]
Total Nitrogen in soil	mg/kg	10	Inorg-055/062	[NT]	2	130	[NT]		[NT]	[NT]
Total Organic Carbon (Walkley Black)	mg/kg	1000	Inorg-036	[NT]	2	1400	[NT]		[NT]	[NT]
Emerson Class	Class	0	Ext-061	[NT]	2	5.0000	[NT]		[NT]	[NT]
Chloride, Cl 1:5 soil:water	mg/kg	10	Inorg-081	[NT]	2	68	68	0	[NT]	[NT]

Client Reference: 3JINDR\_CONS

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

Client Reference: 3JINDR\_CONS

### Quality Control Definitions

<b>Blank</b>	This is the component of the analytical signal which is not derived from the sample but from reagents, glassware etc, can be determined by processing solvents and reagents in exactly the same manner as for samples.
<b>Duplicate</b>	This is the complete duplicate analysis of a sample from the process batch. If possible, the sample selected should be one where the analyte concentration is easily measurable.
<b>Matrix Spike</b>	A portion of the sample is spiked with a known concentration of target analyte. The purpose of the matrix spike is to monitor the performance of the analytical method used and to determine whether matrix interferences exist.
<b>LCS (Laboratory Control Sample)</b>	This comprises either a standard reference material or a control matrix (such as a blank sand or water) fortified with analytes representative of the analyte class. It is simply a check sample.
<b>Surrogate Spike</b>	Surrogates are known additions to each sample, blank, matrix spike and LCS in a batch, of compounds which are similar to the analyte of interest, however are not expected to be found in real samples.
Australian Drinking Water Guidelines recommend that Thermotolerant Coliform, Faecal Enterococci, & E.Coli levels are less than 1cfu/100mL. The recommended maximums are taken from "Australian Drinking Water Guidelines", published by NHMRC & ARMC 2011.	
The recommended maximums for analytes in urine are taken from "2018 TLVs and BEIs", as published by ACGIH (where available). Limit provided for Nickel is a precautionary guideline as per Position Paper prepared by AIOH Exposure Standards Committee, 2016.	
Guideline limits for Rinse Water Quality reported as per analytical requirements and specifications of AS 4187, Amdt 2 2019, Table 7.2	

### Laboratory Acceptance Criteria

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

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

Spikes for Physical and Aggregate Tests are not applicable.

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

Duplicates: >10xPQL - RPD acceptance criteria will vary depending on the analytes and the analytical techniques but is typically in the range 20%-50% – see ELN-P05 QA/QC tables for details; <10xPQL - RPD are higher as the results approach PQL and the estimated measurement uncertainty will statistically increase.

Matrix Spikes, LCS and Surrogate recoveries: Generally 70-130% for inorganics/metals (not SPOCAS); 60-140% for organics/SPOCAS (+/-50% surrogates) and 10-140% for labile SVOCs (including labile surrogates), ultra trace organics and speciated phenols is acceptable.

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

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

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

Measurement Uncertainty estimates are available for most tests upon request.

Analysis of aqueous samples typically involves the extraction/digestion and/or analysis of the liquid phase only (i.e. NOT any settled sediment phase but inclusive of suspended particles if present), unless stipulated on the Envirolab COC and/or by correspondence. Notable exceptions include certain Physical Tests (pH/EC/BOD/COD/Apparent Colour etc.), Solids testing, total recoverable metals and PFAS where solids are included by default.

Samples for Microbiological analysis (not Amoeba forms) received outside of the 2-8°C temperature range do not meet the ideal cooling conditions as stated in AS2031-2012.

Client Reference: 3JINDR\_CONS

**Report Comments**

Colwell P & K and Total N analysed by Envirolab Perth - report 247850

Emerson Aggregate Test analysed by eastwest - report EW200931

CEC: #Low spike recovery was obtained for Calcium, Magnesium and Sodium for this sample. This is due to matrix interferences. However, an acceptable recovery was obtained for the LCS.

ATA ENTRY SHEET


SOIL ANALYSIS REPORT Generated:

5/08/2020 Job Number: 3JIINDR\_CO NS

	1	2	3	4	5	6	7
Job Number:	3JIINDR_CO NS	3JIINDR_CO NS	3JIINDR_CO NS	3JIINDR_CO NS	3JIINDR_CO NS	3JIINDR_CO NS	3JIINDR_CO NS
Sampling Date:	20/07/2020	20/07/2020	20/07/2020	20/07/2020	20/07/2020	20/07/2020	20/07/2020
Job No:	22013-1	22013-2	22013-3	22013-4	22013-5	22013-6	
Site ID:	1	1	3	3	5	5	
Depth:	0-55	55-150	0-90	90-150	0-95	95-150	
Conductivity (dS/m):	0.190	0.15	0.600	2.100	0.690	0.810	
H Level (CaCl2):	7.00	7.4	7.00	7.70	7.000	7.90	
H Level (H2O):	7.50	8.6	7.60	8.20	7.400	8.70	
Chloride (mg/kg):	0.00	0	0.00	0.00	0.000	0.00	
Dispersion Index:	5.00	5	5.00	6.00	3b	6.00	
Texture	sl	lscl	lmc	lmc	lmc	lmc	

Electrical Conductivity (dS/m):	1.805	1.425	3.9	13.65	4.485	5.265	
Job Number:	11	12	13	14	15	16	17
Sampling Date:							
Job No:							

**APPENDIX 4.  
IN-FIELD PERMEABILITY TEST**

 <p><b>WENTWORTH SHIRE COUNCIL</b> WORTH THE DRIVE</p>	<p>Health &amp; Planning Department 26-28 Adelaide Street PO Box 81 WENTWORTH NSW 2648  Tel: 03 5027 5027 <a href="mailto:council@wentworth.nsw.gov.au">council@wentworth.nsw.gov.au</a></p>	<p><b>DA Assessment Report Section 4.15 Evaluation</b></p> <p>Environmental Planning &amp; Assessment Act 1979 as amended</p>
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<b>File Reference:</b>	<b>DA2022/061 : PAN-230425</b>
<b>Property Title &amp; Address:</b>	Lot 1 DP 1264484 & 28 Jindalee Road Coomealla
<b>Applicant(s):</b>	James Golsworthy Consulting
<b>Proposal:</b>	Increase production of existing rural industry from 700 tonne to 4200 tonne
<b>Previous DAs:</b>	DA2018/128: Change of use farm shed to crushing plant, winery and new office; DA2021/026: Implement shed; DA2021/121: Addition of 8 insulated storage tanks, an additional chiller & improvements to receival area
<b>Cost of proposed development:</b>	\$10,000,000.00

## SITE AND SURROUNDING DEVELOPMENT

The subject site comprises of Lot 1 DP 1264484 located in Coomealla NSW. The Lot has an area of 18.34 ha and fronts River road from the south and Jindalee road from the west, linking it to the surrounding area.

The subject site is zoned RU1 Primary Production under the Wentworth Local Environmental Plan 2011 (WLEP 2011). The subject site is an irregular shaped Lot used for agriculture and rural industry purposes. Adjoining Lots are used for agriculture with associated structures. The site does not contain a heritage item or is located within the heritage conservation area. The site is located within the bushfire mapped areas. However, it is not located within the flood affected lands.

## DESCRIPTION OF PROPOSAL

The proposal seeks development consent to increase the crushing capacity of the existing rural industry from 700 tonne per week to 4200 tonne per week with a maximum of 30 000 tonne grapes processed per annum.

## HISTORY RELEVANT TO THE DEVELOPMENT APPLICATION

A development application DA2018/128 to convert an existing farm shed to crushing plant, winery and new office was lodged with Council and subsequently refused at the 20 February 2019 Council meeting. A review for the refusal was lodged and DA2018/128 was subsequently approved at the 4 September 2019 Council ordinary meeting. Conditions of consent for DA2018/128 limited the number of grapes processed to 700 tonne per week.

## 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 was not assessed against Chapter 2 and 3 of the SEPP and it did not involve the clearing of any vegetation.

The proposed development was assessed against **clause 5.9** principles of the SEPP as follows:

1. Access  
Land does not front a waterway and development will not affect any accessway to the River.
2. Bank disturbance  
The development is not located near waterway bank.
3. Flooding  
The land is not within the flood impacted mapped area.
4. Land Degradation  
The only potential impacts in terms of land degradation is the re-use of waste water for irrigation. A land capability assessment was provided listing potential impacts and mitigation measures to these impacts. The Land capability assessment will form part of the conditions of approval.
5. Landscape  
No tree removal is proposed as part of the development.
6. River related use  
The proposed development is not located within the riverfront area.
7. Settlement  
The proposed development is for increasing the capacity of a rural industry and does not propose creating a residential settlement.
8. Water Quality  
Any work and subsequent uses of the land must be managed and designed to not cause any pollution of the water as per land capability report.
9. Wetlands  
The land is not located within wetland mapped area.

#### **Wentworth Local Environmental Plan (LEP) 2011**

The proposed production extension is Permitted with consent and meet the zone objectives of the RU1 Primary Production zone under which the subject site located as shown below. The re-use of irrigation water is ancillary to the rural industry and permitted without consent as it can be defined as water reticulation system.

<b>Objectives of zone</b>	
To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.	The proposal encourages current and future primary production endeavours. The proposal will not negatively affect the natural resource base
To encourage diversity in primary industry enterprises and systems appropriate for the area.	The development enhances and expand an existing rural industry
To minimise the fragmentation and alienation of resource lands.	The proposed production extension will not cause any land fragmentation and alienation of resource lands.
To minimise conflict between land uses within this zone and land uses within adjoining zones.	Adjoining land are all zoned RU1 and are used for agriculture. Some residential lot located across the road from the rural industry. Condition of consent and documentation provided by the applicant provide management measures to reduce the development impact on surrounding lands.

To ensure the protection of both mixed dryland and irrigation agricultural land uses that together form the distinctive rural character of Wentworth.	The proposal will not take away significant agricultural land from the subject site.
To ensure land is available for intensive plant agricultural activities.	The size of the Lot and the size of the proposed development ensures that there will be adequate land available for 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.	The proposed production extension will support existing and future agricultural endeavours.

### 7.1 Earthworks

No works are proposed as the development is for increasing processing numbers using existing infrastructure.

### Wentworth Development Control Plan (DCP) 2011

The proposed development is acceptable against Chapter 5 Section 5.5 provisions of the Wentworth Development Control Plan (DCP) 2011.

### (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 relevant to the proposed development.

### (4) The likely impacts of the development

There are no likely impacts from the proposal as discussed in the table below.

Impact item (insert an 'x' in the relevant section)	Acceptable	Not acceptable	Not relevant	Comment
Context and setting	X			The site is surrounded by similar land uses (agriculture). No land will be taken away from agricultural land, and no effect on adjoining lands.
Public domain & Streetscape	X			Enough distance between the street and development. No work is expected to be done near the street.
Landscaping	X			Appropriate for the area
Stormwater			X	n/a
Heritage	X			None on the site
Soils & Soils Erosion	X			None expected from the proposed development

Air and microclimate	X			Proposed development not anticipated to affect the air or microclimate. There is enough distance between the development site to the river and nearest dwelling not related to the development
Water Resources	X			None located on land, and none expected to be impacted by proposed development. Enough distance between development and River.
Biodiversity (Flora & Fauna)	X			No native vegetation to be cleared for the development
Land Resources	X			None located on the site expected to impact the proposed development.
Utilities	X			Utilities available to the existing buildings
Access & Parking	X			Direct access to site available, space for parking available on site
Roads & Traffic	X			No new road proposed, traffic will potentially be impacted by proposal. Traffic impact report and condition of consent will address this
Solar Access and Energy Efficiency			X	N/A
Overshadowing			X	Not relevant.
Privacy & Overlooking			X	Not relevant.
Flooding	X			Not in flood impacted land
Bushfire Prone Area	X			Not in bushfire prone area
Noise	X			agriculture noises anticipated during operation
Technological hazards	X			None anticipated from the development, only rural 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 positive economic impacts by facilitating existing and future agricultural activities on the land.

#### (5) The suitability of the site for development

The site is suitable for the extension to the existing rural industry 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 extension is consistent with existing developments in the surrounding area.

#### (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. Three (3) Submissions were received, all being objections. The submissions were sent to the applicant for a chance to respond to the issues/concerns raised by the submitters. The applicants response was included in the assessment of the submissions.

The issues/concerns raised by the submitters and Council response were as follows:

#### **Traffic numbers:**

A traffic assessment was provided by the applicant identifying the anticipated traffic increase from the proposed development. Based on the TIA, the following traffic increase is anticipated:

- Light vehicle: 20
- 19m semi-trailer: 25
- Road trains (B-triples): 10

The anticipated increase will not require upgrades to the Jindalee/River Road intersection as previous upgrade conducted under DA2018/128 are able to manage the increased capacity.

River Road is a main feeder road to the Silver City Highway and with sections of it identified as road train approved route. The increased traffic numbers are in line with River Road use and are not anticipated to significantly change the Road usage. River Road has a number of horticulture properties around it, with traffic increases anticipated during harvest seasons.

#### **Traffic noise and vibration**

Form the Jindalee/River road intersection to Silver City Highway is categorised as a road train route by Transport for NSW. This means heavy vehicles, which are the main cause of traffic noise and vibrations, are permitted along the road.

#### **Road safety**

An assessment of the road safety impacts of the development were conducted as part of the initial rural industry approval (DA2018/128). Conditions of consent of that approval had measures for road safety including works along the Jindalee/River road intersection. The increase in traffic of 55 vehicles did not trigger further road upgrades or raise any significant road safety issues.

#### **Monitoring of development**

If approved, condition of consent will be placed to monitor the crushing plant operations and amount of material processed.

#### **(7) The public interest**

The proposed development is consistent with public interest as it will have no detrimental effect on the surrounding area.

#### **COMMENTS FROM COUNCIL INTERNAL DEPARTMENTS**

Department	Referred Y/N	Comments
Building	N	
Subdivision Engineer	N	
Roads & Engineering	N	
Finance & Policy	N	

Heritage Advisor	N	
Environmental Health	N	
Local Laws	N	
Floodplain Mgt Committee	N	
Sustainable Infrastructure	N	

## COMMENTS FROM EXTERNAL REFERRALS

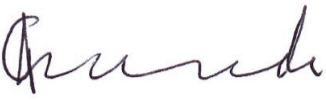
EPA: No comment as the development was not a scheduled activity under the POEO Act.

## 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 consistent with the Wentworth Shire Development Control Plan (Dec 2011). The proposal is consistent with the development controls in Chapter 5 Section 5.5 of the Wentworth Shire Development Control Plan (Dec 2011).
5. The proposed dwelling and shed accords 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:

Support the application

Delegate report author	Delegated approval and endorsement
Signature: 	Signature:
George Kenende Development Assessment Officer	
Date: 5/08/2022	Date:

<b>WENTWORTH SHIRE COUNCIL</b>  WORTH <small>THE</small> DRIVE	Health & Planning Department 26-28 Adelaide Street PO Box 81 WENTWORTH NSW 2648  Tel: 03 5027 5027 <a href="mailto:council@wentworth.nsw.gov.au">council@wentworth.nsw.gov.au</a>	<b>TEMPLATE CONDITIONS</b>
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DA2022/061 INCREASING WEEKLY PRODUCTION OF EXISTING RURAL INDUSTRY FROM 700 TONNE TO 4200 TONNE LOT 1 DP 1264484 AND LOT 989 DP 756961 28 JINDALEE ROAD AND 623 RIVER ROAD COOMEALLA NSW

## SCHEDULE 1

### PRESCRIBED CONDITIONS

1.	The development must adhere to the prescribed conditions in Part 4, Division 2 of the <i>Environmental Planning and Assessment Regulation 2021</i> .
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### GENERAL CONDITIONS

2.	<p><b>Approved plans and supporting documentation</b></p> <p>The development hereby authorised shall be carried out strictly in accordance with the conditions of this approval and stamped approved plans listed below:</p> <ul style="list-style-type: none"> <li>• <b>Statement of Environmental Effect</b> by James Golsworthy Consulting; 28 Jindalee Road, Coomealla; Date: June 2022</li> <li>• <b>Environmental Management Plan</b> by James Golsworthy Consulting; Jindalee Road, Coomealla; Date: July 2022</li> <li>• <b>Memorandum (Addendum to Traffic Assessment)</b> by Tonkin; Job Number: 20181502M01; Date: 7 July 2020</li> <li>• <b>Land Capability Assessment for Expansion of Wastewater Disposal Area (Jindalee Road Wines)</b> by Pinion Advisory; Date: September 2020</li> </ul> <p>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.</p> <p>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.</p> <p>Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development</p>
3.	<p><b>Approved development</b></p> <p>Approval is for increasing weekly production of existing rural industry from 700 tonne to 4200</p>

	tonne per week.
4.	<p><b>Lapsing of Consent</b></p> <p>This consent shall lapse and have no force or effect unless the use or development hereby permitted is physically commenced within 5 years of the date of this consent.</p>

#### OCCUPATION AND ONGOING USE

5.	<p><b>Processing amounts</b></p> <p>The rural industry must only process 4200 tonnes of grapes or less per week inclusive of the 700 tonne approved under DA2018/128. The number of grapes processed must not exceed 30,000 tonne per annum.</p> <p>Should the beneficiary of this consent require to increase the number of grapes processed, consent will be required from Council.</p>
6.	<p><b>Extraction Record</b></p> <p>The beneficiary of this consent shall keep records on the number of grapes processed on-site and provide Council with these records every 3 months.</p>
7.	<p><b>Notification of Commencement of Operations</b></p> <p>The beneficiary of this consent must notify Council two (2) days before commencement of its operations each harvest season.</p>
8.	<p><b>Emissions management</b></p> <p>The beneficiary of this consent shall:</p> <ul style="list-style-type: none"> <li>(a) implement all reasonable and feasible measures to minimise the: <ul style="list-style-type: none"> <li>• off-site odour and dust emissions of the development; and</li> <li>• release of greenhouse gas emissions from the development;</li> </ul> </li> <li>(b) minimise any visible off-site air pollution generated by the development;</li> <li>(c) minimise the surface disturbance of the site;</li> <li>(d) minimise the air quality impacts of the development during adverse meteorological conditions and extraordinary events;</li> </ul> <p>Any emissions emanating from the site must meet the relevant EPA guidelines, <i>Protection of the Environment Operations Act</i> and any other relevant guidelines, <i>Acts</i> and <i>Regulations</i>.</p>
9.	<p><b>Damage to road</b></p> <p>Any damage to the road reserve is to be restored to match surrounding landform in accordance with Council requirements.</p>
10.	<p><b>Bushfire</b></p> <p>The beneficiary of this consent shall:</p> <ul style="list-style-type: none"> <li>(a) ensure that the development is suitably equipped to respond to fires on site; and</li> <li>(b) assist the Rural Fire Service (RFS) and emergency services as much as practicable in response to fires in the vicinity of the site.</li> </ul>
11.	<p><b>Incidents</b></p>

	The beneficiary of this consent shall immediately notify Council and any other relevant agencies of any incident that has caused, or threatens to cause, material harm to the environment. For any other incident associated with the development, the beneficiary of this consent shall notify any other relevant agencies as soon as practicable after the beneficiary of this consent becomes aware of the incident.
12.	<b>Equipment management</b> The beneficiary of this consent shall ensure that all plant and equipment used on site, or in connection with the development, is: <ul style="list-style-type: none"> <li>(a) Maintained in a proper and efficient condition; and</li> <li>(b) Operated in a proper and efficient manner</li> </ul>

#### CONDITIONS FROM AGENCIES

N/A

#### REASONS FOR CONDITIONS

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

## SCHEDULE 2

#### ADVISORY NOTE

- This approval shall be operated in conjunction with DA2018/128.

## 9.11 WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011 – THEGOA LAGOON REZONING PLANNING PROPOSAL

File Number: RPT/22/492

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

Objective: 3.0 Wentworth is a community that works to enhance and protect its physical and natural environment  
Strategy: 3.3 Minimise the impact on the natural environment

### **Summary**

Council resolved to support this Planning Proposal at its Ordinary Meeting held 16 February 2022. Following that resolution, the Planning Proposal was lodged with the Department of Planning and Environmental (DPE) for a gateway determination.

A Gateway Determination to proceed was issued by the Department of Planning and Environment (DPE) on 4 April 2022 to rezone Thegoa Lagoon Reserve and waterway from RU1 Primary Production & RU5 Village zone with a minimum lot size of 10,000 hectares to C2 Environmental Conservation zone with no minimum lot sizes.

Public exhibition and state agency consultation has been conducted in accordance with Conditions 2 and 3 of the Gateway Determination. Five (5) submissions were received from state agencies, with none of them being objections. One joint submission was received from the notified adjoining land owners, with the submission being an objection.

The report also advises that in accordance with Condition 5 of the Gateway Determination, Council is authorised to act as the local plan-making authority.

Council is the Local plan-making authority for the Planning proposal including its finalisation. However, council will be requesting DPE to prepare the final mapping.

### **Recommendation**

- a) That Council, as the plan-making authority, resolve to proceed with the finalisation of the Planning Proposal as per section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW).

### **Detailed Report**

#### **Purpose**

The purpose of this report is to advise Council of the status of the Planning Proposal and provide details of the process for the Planning Proposal to be finalised.

#### **Background**

Council received a new Gateway Determination to proceed with the rezoning of Thegoa Lagoon Reserve and waterway dated 4 April 2022. The timeframe for completing the LEP amendment was nine months from the date of the determination.

Refer to Attachment 1 Planning Proposal

In accordance with conditions 2 and 3 of the Gateway Determination, Council conducted public exhibition from 18 May 2022 through until 27 June 2022.

One joint submission, being an objection, was received from adjoining landholders. No additional submissions were from the community.

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

- Heritage NSW
- Department of Primary Industries - Agriculture
- Dareton Local Aboriginal Land Council
- Western Zone Aboriginal Land Council
- Environment Protection Authority
- Water NSW
- Transport for NSW
- NTSCorp (legal representatives for Barkandji Prescribed Body Corp) – Native Title claimants

Refer to Attachment 2 Gateway Determination

Matters under consideration

Written responses were received from the following agencies:

- **Heritage NSW:** Supported the rezoning
- **Department of Primary Industries – Agriculture:** Supported the rezoning
- **Environment Protection Authority:** No comment to provide regarding the rezoning
- **Water NSW:** No objection to the rezoning
- **Transport for NSW:** No objection to the rezoning

A response was not received from the rest of the agencies within the nominated exhibition timeframe.

Refer to Attachment 3 State Agency Responses

A meeting was held on 29 July 2022 between Council and the two (2) objectors to discuss their grounds for objecting and to identify any areas where Council could respond to and satisfy the issues raised in their submission.

Following the meeting with the objectors and comments from agencies, no amendments to the Planning Proposal have been made.

Refer to Attachment 4 Community Submission (Under separate cover)

Refer to Attachment 5 Council Response to Submission

Condition 5 of the Gateway Determination states that:

*The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:*

- (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;*
- (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and*
- (c) there are no outstanding written objections from public authorities.*

Council has now satisfied all conditions of Gateway Determination. Therefore Council, as the authorised plan-making authority, can proceed to request DPE to finalise and notify the LEP amendment on the legislative website.

Due to resource constraints, Council will be requesting the DP mapping team prepare the LEP mapping on councils' behalf.

### Options

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

- a) Resolve to proceed with the Planning Proposal and forward the Planning Proposal to the Department of Planning & Environment for consideration of finalisation.

Or

- b) Resolve to set aside the Planning Proposal and not proceed

### Legal, strategic, financial or policy implications

The options contained in this report ensure that Council:






- a) Satisfies its legal obligations under the Gateway Determination; and
- b) Is consistent with the Community Strategic Plan 2022-2032; and
- c) Actions the Sustainable Wentworth Strategy.

There are no financial or policy implications for Council.

### Conclusion

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

### Attachments

1. Planning Proposal [↓](#) 
2. Gateway Determination [↓](#) 
3. State agency responses [↓](#) 
4. Community submissions (Under separate cover) 
5. Council Response to Submission [↓](#) 

# **WENTWORTH SHIRE COUNCIL**

## **WORTH THE DRIVE**

### **PLANNING PROPOSAL AMENDMENT TO THE WENTWORTH LOCAL ENVIRONMENTAL PLAN 2011**

#### **THEGOA LAGOON RESERVE REZONING**

JANUARY 2022

## Document details

Version	Purpose	Author	Review
Draft 1	Draft for Council Resolution	George Kenende	Michele Bos
Draft 2	For Exhibition	George Kenende	Michele Bos

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## INTRODUCTION

This planning proposal relates to the subject land identified as Thegoa Lagoon Reserve (Lot 7323 & 7328 DP 1174216 and waterway). The planning proposal has been prepared following investigations to determine the most appropriate zone for the subject land as recommended by the Sustainable Wentworth Strategy prepared by Wentworth Shire Council and the Management Plan for Thegoa Lagoon Reserve prepared by Thegoa Lagoon Management Steering Committee. These documents are provided in Attachment 1 & 2 respectively.

The zone investigation is provided in Attachment 3.

The planning proposal seeks to amend the following Wentworth Local Environmental Plan 2011 provisions:

- Amend the Land Zoning Map – Sheet LZN\_002B and Land Zoning Map – Sheet LZN\_002D applied to the subject land from ‘RU1 Primary Production’ & ‘RU5 Village’ to ‘C2 Environmental Conservation’ (in accordance with the proposed Land Zoning Map shown in Part 4).
- Amend the Minimum Lot Size Map – Sheet LSZ\_002B and Land Zoning Map – Sheet LSZ\_002D applied to the subject land by removing the minimum Lot size from the land currently zoned RU1 Primary Production (in accordance with the proposed Minimum Lot Size Map shown in Part 4).

The planning proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment *Planning Proposals: A guide to preparing planning proposals August 2016*.

The planning proposal seeks a Gateway Determination to proceed under Section 3.34 of the *Environmental Planning and Assessment Act 1979*.

Wentworth Shire Council is seeking delegation to make this plan as the matters contained in the planning proposal are of local significance.

### Site Location

The subject land known as Thegoa Lagoon Reserve is made up of land (Lots 7323 & 7328 DP 1174216 and Lot 117 DP 756994) and a crown waterway (lagoon). This planning proposal only applies to Lot 7323 & 7328 DP 1174216 and the waterway section of Thegoa Lagoon only. The subject land is located in Far-west NSW within the Wentworth Shire suburb of Wentworth with an area of approximately 404 ha and has access from Adams Street, Cadell Street and Murray Court.

The subject land (Lot 7323 & 7328 DP 1174216) is classified as community land (public recreation and plantation) owned by the Crown with Wentworth Shire Council as the crown land manager with the waterway designated as a crown waterway.

Eight (8) separate allotments are located within the subject land but are **not** included in this planning proposal (Table 1).

Table 1: Land uses of allotments within the subject land

Land Identifier	Zoning	Ownership	Land use	Reason for exclusion
Lot 117 DP 756994	RU1 Primary Production	Crown land reserve	Vegetated un-used site	Undetermined Aboriginal Land Claim on the land.
Lot 119 DP 756994	RU1 Primary Production	Crown land: Lease	Agriculture	Agriculture use, existing zoning adequate for land use. Leased land not recommended for rezoning under the Thegoa Lagoon Management Plan.
Lot 120 DP 756994	RU1 Primary Production	Crown land: Lease	Rural residential	Existing zoning adequate for existing land use. Agriculture use, existing zoning adequate for land use. Leased land not recommended for rezoning under the Thegoa Lagoon Management Plan.
Lot 122 DP 756994	RU1 Primary Production	Crown land: Lease	Rural Residential	Existing zoning adequate for existing land use. Agriculture use, existing zoning adequate for land use. Leased land not recommended for rezoning under the Thegoa Lagoon Management Plan.
Lot 123 DP 756994	RU1 Primary Production	Crown Land Reserve	Vegetated rehabilitated site	Land reserved for infrastructure or services not recreation. Potential rezoning into Conservation zone if reserve purpose is amended
Lot 129 DP 756994	RU1 Primary Production	Freehold	Rural Residential	Existing zoning adequate for existing land use
Lot 142 DP 756994	RU1 Primary Production	Crown Land	Vegetated rehabilitated site	Land reserved for infrastructure or services not recreation. Potential rezoning into Conservation zone if reserve purpose is amended
Lot 90 DP 1149815	RU1 Primary Production	Freehold	Sewage treatment plant/Laydown area	Existing zoning adequate for existing land use with C2 zoning not matching this use

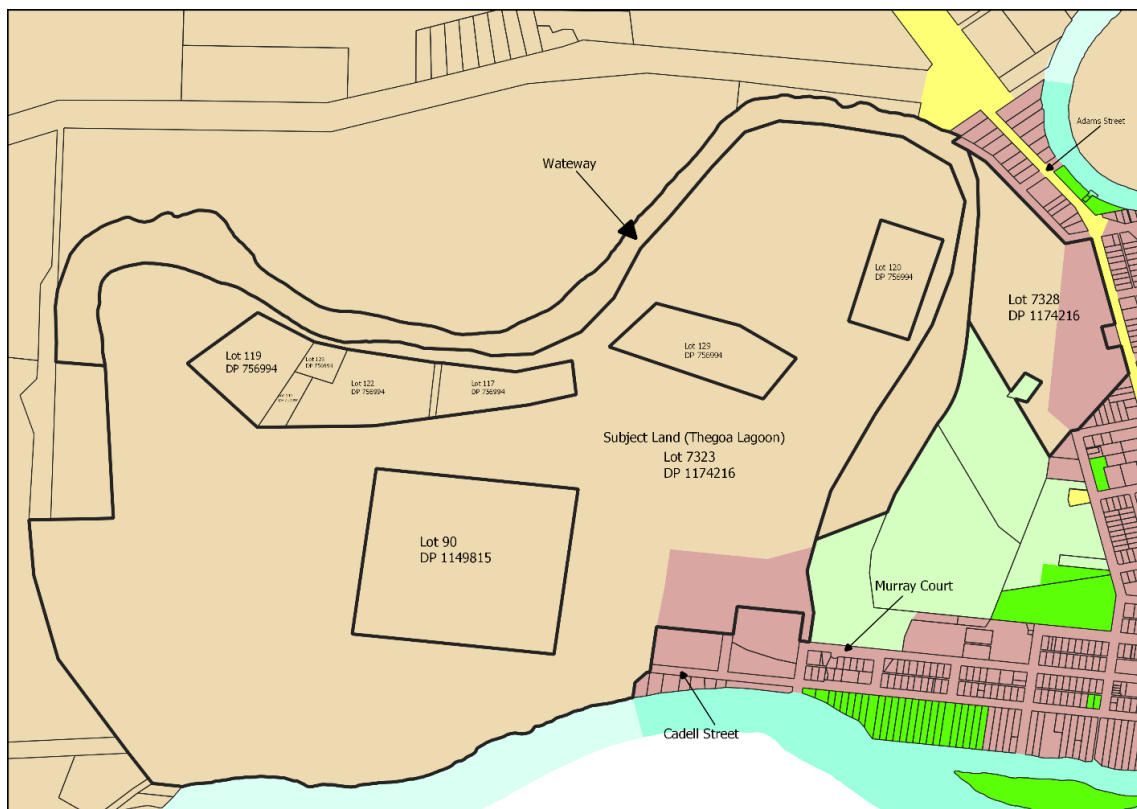


Figure 1: Subject site location

## PART 1 – OBJECTIVES AND INTENDED OUTCOMES

To amend the *Wentworth Local Environmental Plan 2011* to identify, protect and manage a high value, natural environment and heritage area by rezoning the split RU1 Primary Production and RU5 Village zoned subject land to an appropriate Conservation zone.

## PART 2 – EXPLANATION OF PROVISIONS

The objectives and intended outcomes will be achieved by amending the *Wentworth Local Environmental Plan 2011* as follows:

- Amend the Land Zoning Map – Sheet LZN\_002B and Land Zoning Map – Sheet LZN\_002D applied to the subject land from 'RU1 Primary Production' & 'RU5 Village' to 'C2 Environmental Conservation' (in accordance with the proposed Land Zoning Map shown in Part 4).
- Amend the Minimum Lot Size Map – Sheet LSZ\_002B and Land Zoning Map – Sheet LSZ\_002D applied to the subject land by removing the minimum Lot size from the land currently zoned RU1 Primary Production (in accordance with the proposed Minimum Lot Size Map shown in Part 4).

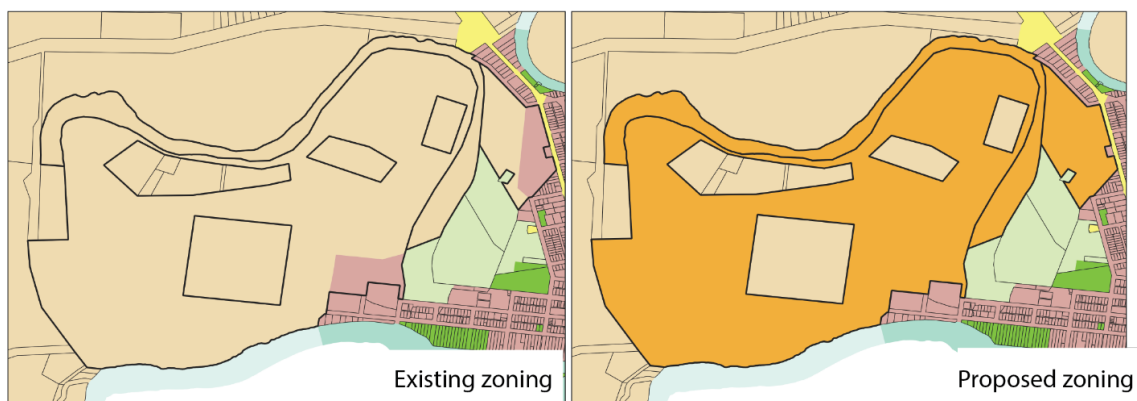


Figure 2: Existing vs Proposed zoning



Figure 3: Existing vs Proposed MLS

## PART 3 – JUSTIFICATION

This section sets out the reasons for the intended outcomes and provisions in this planning proposal.

### **Section A – Need for the Planning Proposal**

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

The planning proposal is consistent with:

- Sustainable Wentworth Strategy (2016),
- Management Plan for Thegoa Lagoon Reserve (2003) and
- Thegoa Lagoon Baseline Study Report (1993)

The Sustainable Wentworth Strategy (SWS) was prepared by Wentworth Shire Council in 2016. The SWS was undertaken to guide the future development of the township of Wentworth and to provide opportunities for alternative uses of specific sites around the township. The subject land was recommended for further investigation of an appropriate zone. This planning proposal is the result of the investigation conducted to identify an appropriate conservation zone.

The Management Plan for Thegoa Lagoon Reserve (MPTLR) was conducted and prepared by Thegoa Lagoon Management Steering Committee in 2003. The MPTLR was undertaken to guide the integrated management of the reserve by identifying management goals and actions to ensure the natural and cultural features of the Thegoa Lagoon are recognised and protected. The recommended rezoning in section 4.5 of the MPTLR of the subject land from rural to a conservation zone will allow for some of the objectives of the MPTLR to be met. Lot 7328 DP 1174216 was not included in the management plan. However, due to the land being identified as forming part of the Thegoa Lagoon Reserve, its close proximity to the study area and its current land use, the conservation and heritage value of Lot 7328 is identical to the land included in the management plan.

The Thegoa Lagoon Baseline Study Report (TLBSR) was managed by CARNMA CDEP Aboriginal Corporation in conjunction with Council, State agencies and Local aboriginal community in 1993. The main purpose of the report was to identify the current status of the subject land and investigate its potential future uses and management. The results of this baseline study were included in the drafting of the MPTLR.

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

The rezoning of the subject land from 'RU1 Primary Production' & 'RU5 Village' to 'C2 Environmental Conservation' is considered the best means of achieving the objectives and intended outcomes of the Planning Proposal in **Part 1** which are:

.... to identify, protect and manage a high value natural environment and heritage area by rezoning the split RU1 Primary Production and RU5 Village zoned subject land to an appropriate Conservation zone.

#### ***Is there net community benefit?***

There is net community benefit from the planning proposal through the generation of environmental, cultural, economic and social gains in the Wentworth local government area.

The planning proposal will reflect and highlight the value of natural environment while enabling appropriate and suitable development and management of the subject land. This will subsequently provide social and biodiversity benefits such as a healthy environment, cultural heritage protection and enhanced community interaction with the environment.

Thus, this planning proposal provides greater opportunity for continued management and protection of the subject land.

### **Section B – Relationship to Strategic Planning Framework**

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

The regional plans applicable to the planning proposal are:

- Far West Regional Plan 2036
- Draft Murray Regional Strategy 2009-2036

The Far West Regional Plan 2036 is the NSW Government's 20-year development blueprint for the future of Western NSW. The goal of the plan is to create a diverse economy supported by an exceptional natural environment and resilient communities in the Far West region. This planning proposal is consistent with the relevant directions and actions of the plan (Table 2) as the rezoning will ensure better protection and management of an environmentally significant and natural area in Wentworth.

*Table 2: Far West Regional Plan Assessment*

Regional Plan Objective	Comments/Justification
Direction 13: Protect and manage environmental assets	<p>The Regional Plan outlines the importance of protecting environmental assets such as the Murray River from pressures such as development and climate change.</p> <p>The planning proposal is consistent with Direction 13 as well as implements the following action:</p> <ul style="list-style-type: none"> <li>• Action 13.1: Map potential high environmental value areas and protect these areas through local plans and strategies</li> </ul> <p>Thegoa Lagoon Reserve is a high environmental value area as demonstrated though being mapped under the Wentworth LEP 2011 as including terrestrial biodiversity, wetlands and watercourses. Thegoa Lagoon Reserve is also mapped as having a high ecological value for groundwater dependent ecosystems under the High Ecological Value Aquatic Ecosystem framework.</p> <p>The rezoning of subject land supports the protection of Thegoa Lagoon Reserve through amending the land use to reflect the primary land use purpose of conservation and environmental management. The C2 Environmental Conservation Zone also provides the highest level of protection for Thegoa Lagoon Reserve outside of gazetted national parks and nature reserves through restricting compatible land uses</p>

	under the Wentworth LEP 2011. Whilst the site is already a Crown Reserve, appropriate conservation zoning under the Wentworth LEP 2011 will provide additional protection through further restricting potential adverse development. Crown Lands and BCD support the rezoning.
Direction 14: Manage and conserve water resources for the environment	<p>The Regional Plan discusses the importance of maintaining healthy freshwater habitats, wetlands and waterways through locating development to reduce negative impacts.</p> <p>The planning proposal is consistent with Direction 14 through providing additional protection of an area of environment significance for freshwater habitats in a key riverine corridor of the Far West region. Key freshwater habitats being protected include:</p> <ul style="list-style-type: none"> <li>• the riverbanks and riparian zone of the Murray River;</li> <li>• Thegoa Lagoon, a natural ephemeral wetland; and</li> <li>• The floodplain between the river and lagoon.</li> </ul> <p>Environmental protection of the freshwater habitats through conservation zoning will then enable leveraging for compatible recreational and eco-tourism opportunities.</p>
Direction 15: Manage land uses along key corridors	The Regional Plan outlines the strategic importance of directing settlement away from riverbank areas, such as along the Murray River. The planning proposal is consistent with Direction 15 as ribbon development will be further restricted along the subject lands 1.4km riverine corridor of the Murray River. Protection of the riverine corridor contributes to facilitating ongoing public access to the river.
Direction 16: Increase resilience to climate change	The Regional Plan outlines the risk of climate change impacting ecosystems and rural communities. The planning proposal is consistent with this Direction as it implements a higher level of protection for a locally significant ecosystem that will facilitate improved landscape habitat connectivity and resilience to climate change impacts.
Direction 17: Manage natural hazards	The Regional Plan outlines the importance of a strategic approach to natural hazards including reducing the impact and risks of flooding. The planning proposal is consistent with this Direction. Whilst the subject land is identified as flood prone land in LEP Flood Planning Area Map, the risk of flooding impacting developments on-site and neighbouring lands will not be increased as a consequence of this planning proposal since the permitted land-uses are more restrictive under the proposed zone.
Direction 18: Respect and protect Aboriginal cultural heritage assets	The Regional Plan discusses the need to identify, protect and co-manage Aboriginal cultural heritage including places and items. The planning proposal is consistent with this Direction as the proposed conservation zone will further restrict development activities that could impact cultural heritage assets. Thegoa Lagoon Reserve is an important cultural heritage area to the local Barkandji people as it contains numerous cultural items such as burials, scar trees, boundary trees and middens.
Direction 30: Create healthy built environments	The Regional Plan outlines the importance of incorporating good urban design and including opportunities for walking and cycling in public places. The planning proposal is consistent with this Direction. Additional protection of the Thegoa Lagoon Reserve ensures ongoing public access for passive recreational uses. The subject land location being adjacent to the Wentworth township underlines the importance of protecting accessible open space for the community and tourists.

The Draft Murray Regional Strategy 2009-2036 is a long-term land use planning strategy prepared by the NSW Government to guide sustainable land use and economic development in the NSW Murray Region over a period of 25 years. Among others, the strategy identifies the need for the maintenance and protection of cultural value areas. The proposed rezoning of the subject land in this planning proposal is consistent with the strategy as it reflects more accurately the importance of the existing natural environment and will ensure better management and land use of a subject land containing significant cultural and environment value.

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

The planning proposal is considered to be consistent with the planning priorities and strategic directions of the Wentworth Local Strategic Planning Statement 2020, Sustainable Wentworth Strategy 2016 and Council's Community Strategic Plan 2017-2027 as per Table 3.

*Table 3: Local strategic planning assessment*

Local Strategy	Comments/Justification
Wentworth Local Strategic Planning Statement 2020	<p>The planning proposal report outlines consistency with Wentworth Local Strategic Planning Statement (LSPS) 2020.</p> <p>The planning proposal supports the implementation of the following planning priorities:</p> <ul style="list-style-type: none"> <li>• Planning Priority 2 – Grow tourism</li> <li>• Planning Priority 8 – Preserve and promote heritage</li> <li>• Planning Priority 9 – Sustainable river systems</li> <li>• Planning Priority 10 – Manage natural hazards and climate change risks</li> <li>• Planning Priority 11 – Protect areas of environmental value <ul style="list-style-type: none"> <li>○ Action 3 – Review Wentworth LEP 2011 controls (e.g., biodiversity mapping and appropriate zoning of high value environmental areas, adopting a clause to permit undersized lot subdivision for environmental conservation) to protect biodiversity</li> </ul> </li> </ul> <p>The proposed conservation zone for Thegoa Lagoon Reserve will not only enable additional protection for biodiversity and cultural heritage for a high value area but will also enable sympathetic eco-tourism opportunities.</p> <p>Overall, the planning proposal is consistent with the Wentworth LSPS and directly implements one action.</p>
Sustainable Wentworth Strategy 2016	<p>The Sustainable Wentworth Strategy (SWS) 2016 (not Department endorsed), was developed by Council to guide future development in the Wentworth township. The draft SWS recommended that Thegoa Lagoon Reserve be rezoned to E1 National Parks and Nature Reserve, however Council received several objections during the community consultation process. The final SWS recommended the following:</p> <ul style="list-style-type: none"> <li>• Recommendation 2 – Thegoa Lagoon and Reserve: It is recommended that Wentworth Shire Council continue to investigate the most appropriate zone(s) to be applied over Thegoa</li> </ul>

	<p>Lagoon and the Reserve.</p> <p>Council has implemented the SWS recommendation through continuing the zone investigation and preparing a planning proposal to rezone the site to C2 Environmental Conservation.</p>
Community Strategic Plan 2017-2027	<p>The Community Strategic Plan 2017-2027 articulates a vision of making the Wentworth Shire a thriving region, supported by a robust economic base, distinctive open spaces, and strong local governance and leadership.</p> <p>The four strategic goals of the plan are to make the Wentworth Shire a:</p> <ul style="list-style-type: none"> <li>a) vibrant, growing and thriving shire;</li> <li>b) desirable shire to visit, live, work and invest;</li> <li>c) community that works to enhance and protect its physical and natural assets; and</li> <li>d) caring, supportive and inclusive community that is informed and engaged in its future.</li> </ul> <p>This planning proposal to rezone the subject land is consistent with the goals of the plan in that it will enhance the availability of natural recreational areas, as well as manage and enhance the cultural and environmental values of the subject land. Thus, the objectives and intended outcomes of this planning proposal enable execution of strategies and actions developed to achieve the goals and deliver the vision of the strategic plan.</p>

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

Consistency with applicable State Environmental Planning Policies is outlined below in Table 2.

*Table 4: Consistency with SEPPs*

State Environmental Planning Policy (SEPP)	Applicable (Y/N)	Consistent (Y/N)	Comments/Justification
Murray Regional Environmental Plan No 2—Riverine Land	Y	Y	The planning proposal will better align the land uses with the objectives of this deemed SEPP.
State Environmental Planning Policy (Aboriginal Land) 2019	N		
State Environmental Planning Policy (Activation Precincts) 2020	N		

State Environmental Planning Policy (Affordable Rental Housing) 2009	N		
State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004	N		
State Environmental Planning Policy (Coastal Management) 2018	N		
State Environmental Planning Policy (Concurrences and Consents) 2018	N		
State Environmental Planning Policy (Education Establishments and Child Care Facilities) 2017	N		
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008	Y	Y	The planning proposal will not alter the application of this SEPP for development that satisfies the development standards of the code.
State Environmental Planning Policy (Gosford City Centre) 2018	N		
State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004	N		
State Environmental Planning Policy (Infrastructure) 2007	Y	Y	The planning proposal will not alter the application of this SEPP for development that satisfies the development standards of the code.
State Environmental Planning Policy (Koala Habitat Protection) 2020	Y	Y	The planning proposal will not reduce or cause impediment to koala habitat.
State Environmental Planning Policy (Koala Habitat Protection) 2021	Y	Y	The planning proposal will not reduce or cause impediment to koala habitat.

State Environmental Planning Policy (Kosciuszko National Park – Alpine Resorts) 2007	N		
State Environmental Planning Policy (Kurnell Peninsula) 1989	N		
State Environmental Planning Policy (Major Infrastructure Corridors) 2020	N		
State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007	N		
State Environmental Planning Policy 19 - Bushland in Urban Areas	N		
State Environmental Planning Policy 21 – Caravan Parks	N		
State Environmental Planning Policy 33 – Hazardous and Offensive Development	N		
State Environmental Planning Policy 36 – Manufactured Home Estates	N		
State Environmental Planning Policy 47 – Moore Park Showground	N		
State Environmental Planning Policy 50 – Canal Estate Development	N		
State Environmental Planning Policy 55 – Remediation of Land	Y	Y	The subject land for this planning proposal has not been historically used for contaminating activities.
State Environmental Planning Policy 64 – Advertising and Signage	N		

State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development	N		
State Environmental Planning Policy 70 – Affordable Housing (Revised Schemes)	N		
State Environmental Planning Policy (Penrith Lakes Scheme) 1989	N		
State Environmental Planning Policy (Primary Production and Rural Development) 2019	Y	Y	This planning proposal will restrict agricultural activities to those that will not significantly impact the environmental status of the land.
State Environmental Planning Policy (State and Regional Development) 2011	N		
State Environmental Planning Policy (State Significant Precincts) 2005	N		
State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011	N		
State Environmental Planning Policy (Sydney Region Growth Centres) 2006	N		
State Environmental Planning Policy (Three Ports) 2013	N		
State Environmental Planning Policy (Urban Renewal) 2010	N		
State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017	N		
State Environmental Planning Policy (Western Sydney Aerotropolis) 2020	N		
State Environmental Planning Policy (Western Sydney Employment Area) 2009	N		

State Environmental Planning Policy (Western Sydney Parklands) 2009	N		
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***Is the planning proposal consistent with applicable Section 9.1 Ministerial Directions?***

Consistency with relevant Section 9.1 Ministerial Directions are detailed below in Table 3.

*Table 5: Consistency with S9.1 Ministerial Directions*

Section 9.1 Direction	Applicable (Y/N)	Consistent (Y/N)	Comments/Justification
<b>1. Panning System</b>			
1.1 Implementation of Regional Plans	Y	Y	The aim of Direction 5.10 is to give legal effect to the goals and directions contained in the Regional Plans. The planning proposal is consistent with this Direction as it implements seven directions in the Far West Regional Plan 2036
1.2 Development of Aboriginal Land Council land	N		
1.3 Approval and Referral Requirements	N		
1.4 Site Specific Provisions	N		
<b>1. Planning System – Pace-based</b>			
1.5 Parramatta Road Corridor Urban Transformation Strategy	N		
1.6 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N		
1.7 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N		
1.8 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N		
1.9 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N		

1.10 Implementation of the Western Sydney Aerotropolis Plan	N		
1.11 Implementation of Bayside West Precincts 2036 Plan	N		
1.12 Implementation of Planning Principles for the Cooks Cove Precinct	N		
1.13 Implementation of St Leonards and Crows Nest 2036 Plan	N		
1.4 Implementation of Greater Macarthur 2040	N		
1.5 Implementation of the Pyrmont Peninsula Place Strategy	N		
1.6 North West Rail Link Corridor Strategy	N		
1.7 Implementation of the Bays West Place Strategy	N		
<b>2. Design and Place</b>			
<b>3. Biodiversity and Conservation</b>			
3.1 Conservation zones	Y	Y	The planning proposal seeks to rezone land from a rural zone (RU1) and residential zone (RU5) to an environmental conservation zone (C2).
3.2 Heritage Conservation	Y	Y	<p>The aim of this Direction is to conserve items of heritage significance. This Direction applies to the planning proposal as the subject land contains numerous Aboriginal objects as well as being an area with very cultural heritage value.</p> <p>The planning proposal is consistent with this Direction as the proposed C2 Conservation Zone will improve protection of Aboriginal heritage items. The proposed zone will facilitate the conservation of Aboriginal items through reducing the risk of irreparable harm from incompatible development activities and restricting the permissible land uses.</p>
3.3 Sydney Drinking Water Catchments	N		

3.4 Application of C2 and C3 Zones and Environmental Overlays in Far North Coast LEPs	N		
3.5 Recreation Vehicle Areas	N		
<b>4. Resilience and Hazards</b>			
4.1 Flooding	Y	Y	<p>The aim of this Direction is to ensure that development of flood prone land is undertaken in an appropriate manner.</p> <p>This Direction is applicable as the subject land is mapped as flood prone land. However, rezoning the subject land from a rural and village zone to a conservation zone significantly reduces the risk of negative flood impacts. This is due to that the permissible land uses under the C2 Environmental Conservation Zone more restrictive than the current zones.</p>
4.2 Coastal Management	N		
4.3 Planning for Bushfire Protection	N		
4.4 Remediation of Contaminated Land	Y	Y	<p>The aim of this Direction is to ensure that planning proposals consider contamination and remediation of land to reduce the risk of harm to human health and the environment.</p> <p>The risk of contamination is considered minimal as the historic landfill (part of the subject land) has since been revegetated and rehabilitated. Additionally, the proposed conservation zone will assist prevent future disturbance and development of the landfilling site as the zone is focused on conservation outcomes and does not permit sensitive land uses such as residences, hospitals, childcare centres etc.</p> <p>Overall, the planning proposal is consistent with this Direction.</p>
4.5 Acid Sulphate Soils	N		
4.6 Mine Subsidence and Unstable Land	N		
<b>5. Transport and Infrastructure</b>			

5.1 Integrating Land Use and Transport	N		
5.2 Reserving Land for Public Purposes	N		
5.3 Development Near Regulated Airports and Defence Airfields	N		
5.4 Shooting Ranges	N		
<b>6. Housing</b>			
6.1 Residential Zones	Y	Y	<p>The aim of this Direction is to encourage variety of housing types and minimise the impact of residential development. This Direction applies to the planning proposal as it will remove residential land uses within the RU5 Village zone that is being rezoned on the subject land. This includes approximately 10ha on Adams Street on the eastern portion and approximately 11ha on West and Wilmont Street in the south-eastern corner of the site.</p> <p>The RU5 zoned section of the subject land is part of a Crown Reserve, it is unlikely that the land would be developed or historically intended for residential and dwelling purposes. Additionally, the Sustainable Wentworth Strategy 2016 (not Department endorsed) recommended conservation zoning for Thegoa Lagoon Reserve as well as determined that there was 10-20 years residential land supply. While there is minimal loss of residential zoned land for the Wentworth township, this will not impacts housing supply because of the land being lost would not be available because of environmental considerations.</p>
6.2 Caravan Parks and Manufactured Home Estates	N		
<b>7. Industry and Employment</b>			
7.1 Business and Industrial Zones	N		
7.2 Reduction in non-hosted short-term rental	N		

accommodation period			
7.3 Commercial and Retail Development along the Pacific Highway, North Coast	N		
<b>8. Resources and Energy</b>			
8.1 Mining, Petroleum Production and Extractive Industries	N		
<b>9. Primary Production</b>			
9.1 Rural Zones	Y	Y	<p>The aim of this Direction is to protect the agricultural production value of rural land. This Direction applies to the planning proposal as it will remove the existing rural zone.</p> <p>The planning proposal does not rezone the rural land to a residential, business, industrial, village or tourist zone as per Direction subclause 4(a). Additionally, whilst there is a loss of approximately 380ha of agricultural zoned land, this is considered to be of minor significance. This is due to the subject area being crown land and being primarily managed for an extended period of time to conserve its natural and cultural heritage values rather than be utilised for agricultural production. Secondly, rezoning from rural to conservation zone was first flagged nearly twenty years ago in the Thegoa Lagoon Management Plan.</p>
9.2 Rural Lands	Y	Y	<p>The aim of this Direction is to protect and minimise fragmentation of rural land as well as facilitate the economic development and viability of rural lands. This Direction applies to the planning proposal as it will affect land within an existing rural zone and a proposed environmental zone.</p> <p>Whilst agricultural zone is removed from the subject land, it is being replaced by a conservation zone. The planning proposal is also consistent with the following Direction</p>

			subclause: 1(c) identify and protect environmental values, including but not limited to, maintaining biodiversity, the protection of native vegetation, cultural heritage, and importance of water resources.  Additionally, the significance of the land for agricultural production is considered to be negligible due to its Crown Land reserve status and the planning proposal will not result in any fragmented agricultural lands. Extensive agriculture can be undertaken as such use will remain permissible without consent. The subject land incorporating Thegoa Lagoon as well as the Murray River form a natural buffer between residential land uses in west Wentworth and surrounding agricultural activities.
9.3 Oyster Aquaculture	N		
9.4 Farmland of State and Regional Significance on the NSW Far North Coast	N		

### **Section C – Environmental, social and economic impact**

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

The proposed amendment to the Wentworth LEP 2011 will facilitate the management and protection of critical habitat or threatened species, populations or ecological communities or their habitats from adverse impacts.

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

There are no other foreseen negative significant environmental effects associated with the proposed amendments to the Wentworth LEP 2011.

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

The planning proposal is anticipated to have a positive social and economic effect on the locality by ensuring the availability and protection of natural lands for passive recreational use by community and visitors. This will provide an opportunity for active, healthy lifestyle choices as well as an attractive tourist attraction in Wentworth.

### **Section D – State and Commonwealth interests**

***Is there adequate public infrastructure for the planning proposal?***

The planning proposal will not result in additional demand for public infrastructure.

***What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?***

Council has consulted with the following public authorities:

- Department of Planning, Industry & Environment (Crown Lands): Had no objection and supported the planning proposal.
- Department of Planning, Industry & Environment (Biodiversity and Conservation): No objection to the planning proposal and recommended the C2 Environment Conservation zone for the subject land.

No further pre-gateway determination consultation with any other State or Commonwealth public authority has been undertaken for this planning proposal.

**Part 4 – MAPPING**

This part contains the mapping for this planning proposal in accordance with the guide.

The planning proposal seeks to amend sheet LZN\_002B & LZN\_002D for the Land Zoning Map and sheet LSZ\_002B & LSZ\_002D for the MLS Map of the Wentworth Local Environmental Plan 2011. An indicative land zoning map and minimum lot size map is shown in Figure 4 and 5 respectively below.

Council will request assistance with the preparation of the Wentworth LEP 2011 mapping from the Department of Planning, Industry and Environment and the ability to lodge the template maps at the stage identified under S3.36 of the *Environmental Planning and Assessment Act 1979*, rather than prior to exhibition. The maps provided as part of this planning proposal are considered detailed enough for public exhibition purposes.

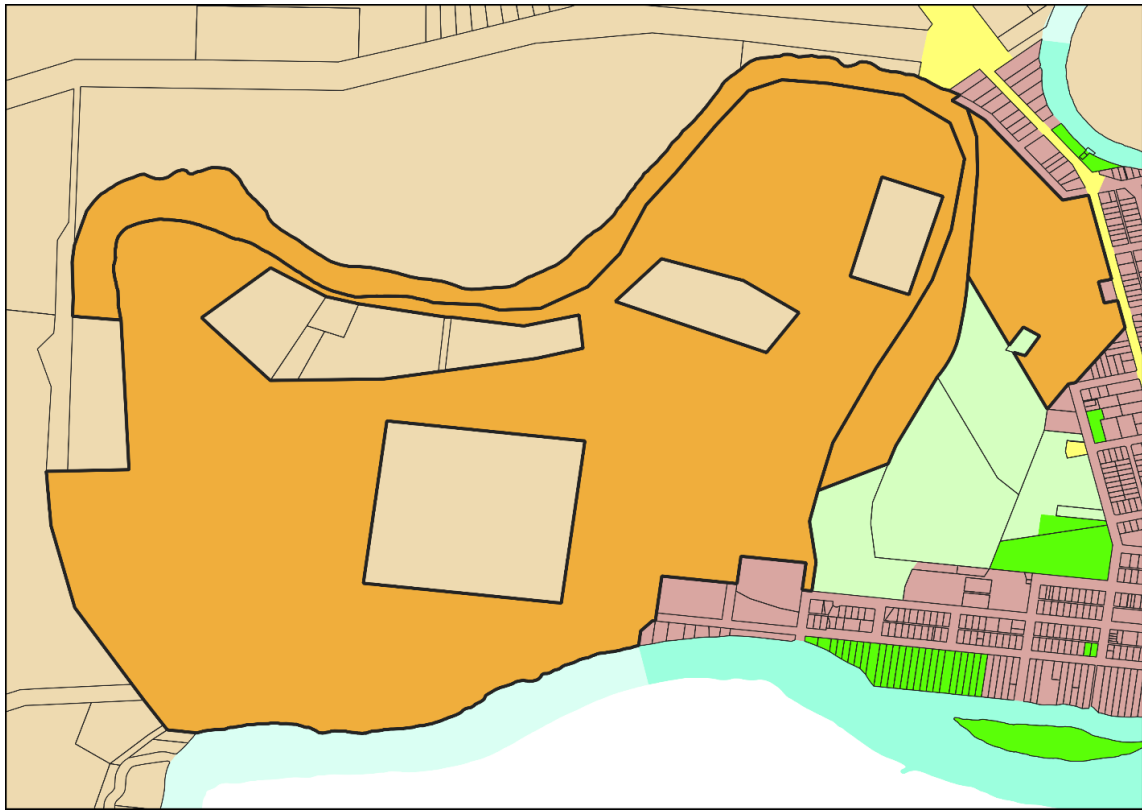


Figure 4 : Proposed zone of subject land

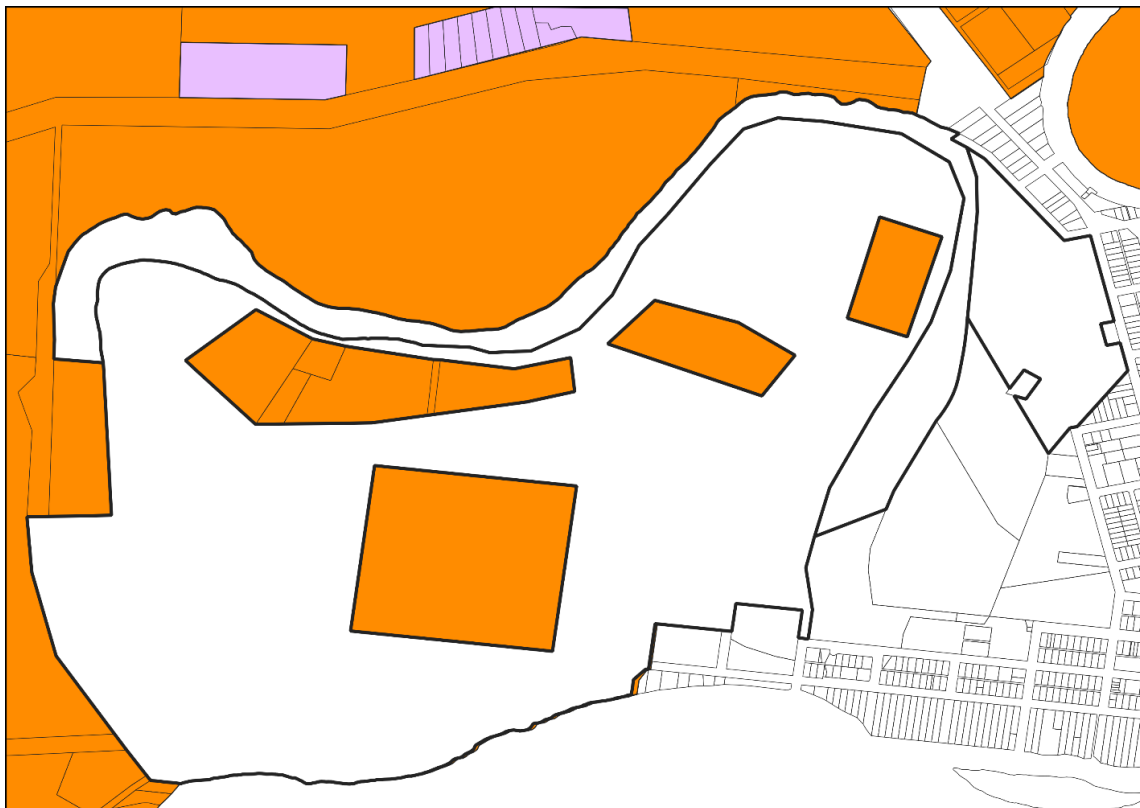


Figure 5: Proposed MLS of subject land

## Part 5 – COMMUNITY CONSULTATION

Public exhibition and community consultation will be undertaken by Council as part of the Gateway determination process.

It is proposed that the planning proposal is exhibited for a period of 28 to 42 days in accordance with Clause 4 of Schedule 1 of the *Environmental Planning & Assessment Act 1979* and the NSW Department of Planning and Environment's: *A guide to preparing local environmental plans 2016*.

A public hearing will not be conducted as part of the public exhibition process.

## Part 6 – PROJECT TIMELINE

The indicative timeframe for completing the planning proposal is outlined in Table 4 below:

Table 6: Estimated project timeline

Task	Timeframe
Anticipated commencement date (date of Gateway determination)	March 2022
Completion of required technical information	
Public exhibition/Community consultation	April 2022
State agency consultation	April 2022
Public hearing (if required)	
Consideration of submissions	May 2022
Consideration of planning proposal post exhibition (Council report)	June 2022
Request Opinion from Parliamentary Counsel	Map only amendment of WLEP 2011
Submission to the Department to finalise the LEP	July 2022
Date PPA will make the plan (if delegated)	August 2022
Date PPA will forward to the Department for notification	August 2022



## Department of Planning and Environment

## Gateway Determination

**Planning proposal (Department Ref: PP-2022-716):** *Rezone land from RU1 Primary Production and RU5 Village to C2 Environmental Conservation at Lot 7323 and 7328 DP1174216 and Crown waterway, Thegoa Lagoon Reserve, Lagoon Road, Wentworth.*

I, the Acting Director, Western Region at the Department of Planning and Environment, as delegate of the Minister for Planning, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Wentworth Local Environmental Plan 2011 to rezone land at Thegoa Lagoon Reserve to C2 Environmental Conservation zone should proceed subject to the following conditions:

1. Prior to community and agency consultation the planning proposal is to be updated to:
  - Outline amendments to Minimum Lot Size, including indicative map
  - Discuss consistency with relevant Directions from the Far West Regional Plan 2036 including Direction 13, 14, 15, 16, 17 and 18
  - Discuss consistency with relevant planning priorities from the Wentworth Local Strategic Planning Statement 2020 including Planning Priority 8, 9, 10 and 11
  - Update numbering of relevant s9.1 Ministerial Directions that came into force on 1 March 2022.

The planning proposal is to be forwarded to the Department for review and approval.

2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as standard as outlined in the Local Environmental Plan Making Guidelines (Department of Planning and Environment, 2021) and must be made publicly available for a minimum of 28 days.
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guidelines* (Department of Planning and Environment, 2021).
3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act:
  - Heritage NSW
  - Department of Primary Industries - Agriculture
  - Dareton Local Aboriginal Land Council
  - Western Zone Aboriginal Land Council
  - Environment Protection Authority
  - Water NSW
  - Transport for NSW
  - NTSCorp (legal representatives for Barkandji Prescribed Body Corp) – Native Title claimants

Each public authority / organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:
  - (a) the planning proposal authority has satisfied all the conditions of the gateway determination;
  - (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
6. The timeframe for completing the LEP is to be **9 months** following the date of the Gateway determination.

Dated 4<sup>th</sup> day of April 2022.



**Wayne Garnsey**  
**Acting Director, Western Region**  
**Local and Regional Planning**  
**Department of Planning and**  
**Environment**

**Delegate of the Minister for Planning**



OUT22/7734

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

**ATTENTION Michele Bos**

Dear Mr Ross

**Planning proposal PP-2022-716 to amend Wentworth Local Environmental Plan 2011 for Thegoa Lagoon Reserve, Lagoon Road, Wentworth**

Thank you for the opportunity to make comment on Wentworth Shire Council's planning proposal PP-2022-716 for Thegoa Lagoon Reserve. The NSW Department of Primary Industries (NSW DPI) is committed to the protection and growth of agricultural industries, and the land and resources upon which these industries depend.

NSW DPI has reviewed the planning proposal and notes that the proposal seeks to rezone RU1 Primary Production and RU5 Village lands within the Thegoa Lagoon Reserve to C2 Environmental Conservation Zone so that the environmental and heritage values can be protected and managed.

NSW DPI supports the rezoning of RU1 and RU5 lands within the Thegoa Lagoon Crown Reserve, Lots 7323 and 7328 DP1174216, to C2 Environmental Conservation Zone based on the current land use table where extensive agriculture remains permissible without consent.

Should you require clarification on any of the information contained in this response, please contact Lilian Parker, Agricultural Land Use Planning, on [landuse.ag@dpi.nsw.gov.au](mailto:landuse.ag@dpi.nsw.gov.au)

Yours sincerely

A handwritten signature in cursive script that reads 'L Parker'.

**Lilian Parker**  
**Agricultural Land Use Planning**  
Signed 9-6-2022



PO Box 398, Parramatta NSW 2124  
Level 14, 169 Macquarie Street  
Parramatta NSW 2150  
[www.waternsw.com.au](http://www.waternsw.com.au)  
ABN 21 147 934 787

8 June 2022

Contact: *Stuart Little*  
Telephone: *0436 948 347*  
Our ref: *D2022/52751*

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

Dear Mr Ross,

**RE: Thegoa Lagoon Reserve Rezoning**

I refer to the Planning Portal referral of 18 May 2022 and associated public exhibition of the Thegoa Lagoon Reserve Rezoning. The Proposal seeks to rezone two large lots and the waterway section of Thegoa Lagoon from RU1 Primary Production and RU5 Village to C2 Environmental Conservation and remove the Minimum Lot Size restriction for the RU1 zoned area. This will be given effect by amending relevant maps of the *Wentworth Local Environmental Plan 2011*.

WaterNSW has no objection to the Proposal proceeding. WaterNSW is responsible for Lock and Weir No. 10 which lies to the south and upstream of the subject land. We also have other land and assets in the vicinity of the proposed area. However, none of our assets or land are affected by the Proposal.

If you have any questions regarding the issues raised in this letter, please contact Stuart Little at [stuart.little@waternsw.com.au](mailto:stuart.little@waternsw.com.au).

Yours sincerely

A handwritten signature in black ink, appearing to read "Alison Kniha", with a long horizontal stroke extending to the right.

**ALISON KNIHA**  
**Catchment Protection Planning Manager**



DOC22/379672-3

15 June 2022

George Kenende  
Wentworth Shire Council

George.kenende@wentworth.nsw.gov.au

**Thegoa Lagoon Reserve Rezoning  
No Comment on Request for Agency Referral**

Dear Mr Kenende

I refer to your invitation to the NSW Environment Protection Authority (EPA) to provide comment on the proposed Thegoa Lagoon Reserve Rezoning (PP-2022-716) at 162 Lagoon Road, Wentworth. The EPA understands that it is proposed to amend the Land Zoning from 'RU1 Primary Production' and 'RU5 Village' to 'C2 Environmental Conservation'.

Based on the information provided, the EPA has no comment on this proposal and no further consultation is required. This is because:

- the proposal is unlikely to lead to an activity that constitutes a Scheduled Activity under Schedule 1 of the *Protection of the Environment Operations Act* (1997) and so, will not require an Environment Protection Licence under this Act,
- the proposal is unlikely to lead to an activity that will be undertaken by or on behalf of a NSW Public Authority.
- the site is not being regulated by the EPA under the *Contaminated Land Management Act* (1997).

Please contact me on (02) 49086806 or email [environmentprotection.planning@epa.nsw.gov.au](mailto:environmentprotection.planning@epa.nsw.gov.au) if you wish to discuss this matter.

Yours sincerely

**MITCHELL BENNETT**  
Unit Head -Statutory Planning

Phone 131 555  
Phone +61 2 9995 5555  
(from outside NSW)

TTY 133 677  
ABN 43 692 285 758

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Parramatta  
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4 Parramatta Square  
12 Darcy St, Parramatta  
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[info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)  
[www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)



Our ref: DOC22/376579

Mr George Kenende  
Wentworth Shire Council

Email: [george.kenende@wentworth.nsw.gov.au](mailto:george.kenende@wentworth.nsw.gov.au)

*Response provided via the NSW Government Concurrence and Referral Portal*

**Thegoa Lagoon Reserve Rezoning – 162 Lagoon Road, Wentworth (PP-2022-716; REF-1364)**

Dear Mr Kenende

Thank you for the opportunity to comment on the planning proposal for the Thegoa Lagoon Reserve under the *Wentworth Local Environmental Plan (LEP) 2011*.

**Aboriginal cultural heritage considerations under the *National Parks and Wildlife Act 1974***

We support the proposed rezoning from 'RU1 Primary production' and 'RU5 Village' to 'C2 Environmental Conservation'. We note that there are high Aboriginal cultural heritage values and numerous recorded Aboriginal cultural heritage sites across this land. The Environmental Conservation zoning is appropriate to the long term protection of Aboriginal cultural heritage values and reflects the goals of the *Far West Regional Plan 2036*.

Should this planning proposal be approved we encourage Council to prepare an updated Plan of Management for Thegoa Lagoon Reserve that includes an Aboriginal cultural heritage management plan. We recommend the management plan:

- Be prepared in consultation with the Aboriginal community
- Consider how to best protect Aboriginal cultural heritage values in the context of any proposed environmental management works (e.g. fencing, weed removal or revegetation)
- Address any Aboriginal cultural heritage legislative requirements of any proposed works within the Environmental Conservation zoned land.

Heritage NSW can provide further advice to Council on Aboriginal cultural heritage management considerations for any future management of the proposed Environmental Conservation zoned land.

**Land excluded from the planning proposal may require Aboriginal cultural heritage assessment**

We note that several lots at Thegoa Lagoon are excluded from this Planning Proposal. This land may require Aboriginal cultural heritage assessment noting that permitted uses of this land include agriculture, infrastructure and services. We encourage anyone conducting ground disturbance work on that land to familiarise themselves with the Aboriginal cultural heritage assessment requirements of the *National Parks and Wildlife Act 1974*. This includes the need to exercise due diligence to determine whether harm to Aboriginal objects can be avoided.

Where harm to Aboriginal objects cannot be avoided the proponent would be required to obtain an Aboriginal Heritage Impact Permit (AHIP) from Heritage NSW before proceeding. Further

information is available in Heritage NSW guidelines that are available on our website:  
<https://www.heritage.nsw.gov.au/applications/aboriginal-objects-and-places/>.

If you have any questions about the above advice, please contact me by phone on 02 4224 4177  
or via email at [rose.osullivan@environment.nsw.gov.au](mailto:rose.osullivan@environment.nsw.gov.au).

Yours sincerely



**Rose O'Sullivan**  
Senior Assessments Officer  
Heritage NSW  
Department of Planning and Environment

1 August 2022

## Transport for NSW

WST22/00091/01 | SF2022/107067



General Manager  
Wentworth Shire Council  
PO Box 81  
WENTWORTH NSW 2648

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**Attention: George Kenende**

30 May 2022

**Planning Proposal PP-2022-716 - Lots: 1 & 2 DP1174216 and Crown waterway  
Amend the *Wentworth Local Environmental Plan 2011* ('WLEP') to rezone land  
known as 'Thegoa Lagoon Reserve' from *RU1 Primary Production* and *RU5 Village*  
to *C2 Environmental Conservation***

Dear George,

Thank you for referring the abovementioned Planning Proposal via the NSW Planning Portal on 16 May 2022 inviting comment from Transport for NSW (TfNSW).

TfNSW's primary interests are in the road network, traffic and broader transport issues. In particular, the efficiency and safety of the classified road network, the security of property assets and the integration of land use and transport.

The Silver City Highway (B79) is a classified (State) road. Council is the roads authority for this road and other public roads in the area, in accordance with Section 7 of the *Roads Act 1993* (Roads Act).

TfNSW understands that the planning proposal seeks to rezone land known as 'Thegoa Lagoon Reserve' from *RU1 Primary Production* and *RU5 Village* zones to the *C2 Environmental Conservation* zone to protect and manage the site's natural environment and heritage value.

Following a review of the information provided, TfNSW raise no objection to the rezoning of the area nominated as it is considered there will be no adverse impact on the nearby classified (State) road network.

If you wish to discuss this matter further, please contact the undersigned on ph. 0481-068-175.

Yours faithfully,

A handwritten signature in black ink that reads "Kylie-Anne Pont".

**Kylie-Anne Pont**

A/ Team Leader Development Services (Renewable Resources)  
West Region | Community and Place  
Regional and Outer Metropolitan

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OFFICIAL

Lvl 1, 51-55 Currajong Street, Parkes NSW 2870  
E. development.west@transport.nsw.gov.au

1300 207 783  
[transport.nsw.gov.au](https://transport.nsw.gov.au)

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## Summary of Submissions and Outcomes

Submission number	Submission	Comment/Response
Submission 1 Joint submission by Owners of Lot 122 & 129 DP 756994	There are currently many "areas of significance" which have been incorrectly marked	The rezoning of the reserve does not alter any identified areas of significance. Any incorrectly marked or identified areas of significance would need to be addressed in an environmental study and recognised in future management plans of Thegoa Lagoon.
		The aim of the rezoning is to recognise the cultural and environmental significance of the reserve by amending the zone map in the Wentworth LEP 2011.
	Landholders have concerns about their rights over their own land use should this rezoning move forward.	The rezoning will only be applied to the Thegoa Reserve. The adjoining lands will remain zoned as RU1 Primary Production as identified in the Planning Proposal mapping. This will ensure that any existing use rights that are applicable to RU1 Primary Production zoned land is retained.
	Many issues remain from over 20 years of neglect by various departments including the lack of care and domestic water provision when the Lagoon was deemed a wetlands and property owners were left without water. Many of whom are still unable to afford a replacement water source.  Once clear water and sandy lagoon bottoms are now replaced with dangerous muddy holes and smelly water no longer fit even for stock or skin contact.	The rezoning of the Thegoa Lagoon Reserve and waterway will not alter the existing water management practices of the Lagoon and its water supply as outlined in the response from Water NSW.

	<p>Land holders are constantly dealing with tourists driving on unfit roads in bad weather and requiring assistance.</p>	<p>It is anticipated that the rezoning may incentivise improved management processes of the land including, but not limited to, regular road maintenance, directional and information signage for tourists. It should be noted that Council has also recently conducted road works within the Lagoon to upgrade the main roads.</p> <p>The Reserve is a popular point of interest for both tourists and residents of Wentworth, therefore, it is in Council's best interest to promote the environmental and cultural significance of the site and to maintain the site to ensure visitor satisfaction and pleasure.</p>
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## 9.12 HEALTH AND PLANNING - REQUEST FOR POLICY ADOPTION

File Number: RPT/22/493

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Matthew Carlin - Director Health and 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**

After each general election of Councillors, the Local Government Act 1993 (the Act) requires Council to review all official policies of Council. There are currently 73 policies in place of which 15 are the responsibility of the Health and Planning Department.

Health and Planning undertook public exhibition of two policies for 28 days in accordance with Councils Community Participation Plan; and there being no submissions received, these policies are now presented for adoption

### **Recommendation**

That Council, following the completion of the public exhibition period and there being no submissions, adopt the following draft policies:

- a) PR008 Compliance and Enforcement Policy
- b) PR015 Keeping of Animals at Residential Properties

### **Detailed Report**

#### **Purpose**

The purpose of this report is to update Council on the process of the review of Council policies that is ongoing following the election of all Councillors.

#### **Background**

After each general election of Councillors, the Act requires Council to review all official policies of Council. There are currently 73 policies in place of which 15 are the responsibility of the Health and Planning Department



#### **Matters under consideration**

As part of ongoing continuous improvement, a new template for both Council and Operational Policies has been developed to ensure consistency and ease of use. As part of this review process, all existing policies submitted for review have been updated using the new policy template.

#### **Conclusion**

The Local Government Act 1993 requires Council to review its official Council Policies following a general Election of Council. The Health and Planning Department is responsible for 15 Council policies. For this meeting two policies have been to public exhibition and there being no submissions, the policies are recommended for adoption.

**Attachments**

1. PR008 Compliance and Enforcement Policy Draft 2022 [↓](#) 
2. PR015 Keeping of Animals at Residential Properties Draft 2022 [↓](#) 

**Wentworth Shire Council**

Word Document Reference: DOC/22/10974

**Council Policy No: PR008****COMPLIANCE AND ENFORCEMENT POLICY**

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**POLICY OBJECTIVE**

The objective of this policy is to set out Wentworth Shire Councils approach to compliance and supporting enforcement processes. It explains how we determine our priorities, allocate resources and make decisions to achieve reasonable and defensible regulatory outcomes for the community.

**1. POLICY STATEMENT**

Wentworth Shire Council is committed to balancing individual and community interests to appropriately allocate resources to issues that present the highest risk. Choosing the appropriate regulatory option involves weighing up sometimes competing interests and priorities. The following principles underpin our compliance and enforcement program:

**Fairness and Consistency**

We will monitor and enforce the law in a fair, balanced and consistent manner, applying discretion where appropriate. Procedural fairness will be provided in all investigations and enforcement actions.

**Proportionality**

Our enforcement action will be proportionate to the level of harm, the risk posed, the seriousness of the breach and the culpability of the offender in the particular circumstances. Our officers will exercise regulatory discretion where appropriate.

**Accountability & Transparency**

We will be accountable for the efficiency and effectiveness of our compliance and enforcement activities. Our activities will aim to achieve the desired outcome with an appropriate level of resources.

**Flexibility**

We will be flexible in applying this policy in circumstances that require it, such as during a pandemic.

**POLICY COVERAGE**

This policy applies to all of the Wentworth Shire Council

**2. STRATEGIC PLAN LINK**

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

**3. DEFINITIONS AND ABBREVIATIONS**

Term/Word	Definition
Enforcement	Actions taken in response to serious or deliberate contraventions of laws.

**Wentworth Shire Council**

Word Document Reference: DOC/22/10974

**Council Policy No: PR008****COMPLIANCE AND ENFORCEMENT POLICY**

Regulation	Using a variety of tools and strategies to influence and change behaviour to achieve the objectives of an Act, Regulation or other statutory instrument administered by Council.
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**4. POLICY CONTENT****a) Risk Based Approach to Compliance**

A risk-based approach to compliance ensures our effort is focussed on activities that pose the greatest risk to the public, the environment or the integrity of our regulatory framework.

**b) Proactive Compliance**

Wentworth Shire Council undertakes a number of proactive inspection programs. We use a risk assessment approach and intelligence to determine which premises should be included in a program of compliance inspections. We prioritise the monitoring of premises and activities based on trends in noncompliance, feedback from the community and where the public interest is greatest.

**c) Reactive Compliance**

Wentworth Shire Council triages incoming reports of unlawful activity. Cases that pose a higher level of risk may be subject to varying degrees of investigation and enforcement.

Not every report will require an investigation. Based on the principles and responsibilities outlined within this policy, if a decision is made not to investigate, the decision will be recorded by the investigating officer and the reasons for that decision clearly explained to the person who reported it.

Anonymous reports will be recorded and assessed but because the complainant cannot be contacted, it may not be possible to accurately evaluate the allegation.

**d) What Council expects from people who report allegations of unlawful activity:**

Council expects that people who report allegations of unlawful activity will cooperate and act in good faith in respect of any investigations conducted by Council. This includes:

- providing a clear description of the problem (and the resolution sought, if relevant)
- providing a clear description/account of the impact that the alleged activity is having
- giving all available and relevant information to Council, including any new information about the alleged activity that may become known to the person following the making of their report
- not giving any information that is intentionally misleading or wrong
- cooperating with Council's inquiries and giving timely responses to questions and requests for information
- treating Council's staff with courtesy and respect

**e) Anonymous Reports**

Anonymous reports will be recorded and assessed. However, because it is not possible to seek clarification or additional information about a matter, it is more difficult to evaluate the allegations and therefore only high risk matters that are reported anonymously are likely to be tasked for investigation.

**Wentworth Shire Council**

Word Document Reference: DOC/22/10974

**Council Policy No: PR008****COMPLIANCE AND ENFORCEMENT POLICY**

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**f) Responding to concerns about unlawful activity**

Council will record every report alleging unlawful activity.

Not all reports will, can or need to be investigated. A preliminary assessment of all matters will be made to determine the priority for a response, and whether investigation or other action is required.

An investigation of alleged unlawful activity may take a significant amount of time to complete, particularly where the issues are complex. If Council decides to investigate, staff will give the person who reported the alleged unlawful activity regular feedback on the progress of the investigation, and any reasons for delay. This does not mean that the individual can expect to be given details about every aspect of the investigation or information that would compromise the integrity of the investigation.

Decisions about what action should be taken by Council are made at the Council's discretion. This means the objective is that reports alleging unlawful activity will be resolved to the satisfaction of Council, not necessarily the person raising the matter. Council will generally try to resolve matters as quickly and informally as possible so as to avoid the need to take formal action.

Council staff will endeavour to manage the expectations of people who report alleged unlawful activity, and in particular explain that in the absence of sufficient evidence of unlawful activity, Council may be unable to take further action. Council does not have unlimited resources and powers to deal with reports alleging unlawful activity.

**g) Investigating alleged unlawful activity**

A preliminary assessment of all requests will be made to determine whether investigation or other action is required.

When deciding whether to take enforcement action in relation to a confirmed case of unlawful activity, Council will consider the full circumstances and facts of the matter and the public interest.

The objective of the processes Council staff uses when investigating incidents of alleged unlawful activity, is to:

- determine the cause of the incident.
- determine if there has been a contravention of law, policy or standards.
- gather evidence to the required standard to support any required enforcement action.
- determine any necessary action to mitigate the possibility of reoccurrence of similar incident.

Any decision not to investigate an allegation of unlawful activity will be recorded and the reasons for that decision clearly stated.

**h) When Council will not take further action**

Council will take no further action if, following a preliminary assessment, it is identified that:

- the report is not supported with evidence or appears to have no substance.
- Council does not have jurisdiction to investigate or is not the appropriate authority to take - action on the issues raised. Where there is another appropriate authority or course of action, Council may bring the matter to the attention of the authority or provide information and contact details to the individual. For example, NSW WorkCover for workplace safety matters, the NSW

**Wentworth Shire Council**

Word Document Reference: DOC/22/10974

**Council Policy No: PR008****COMPLIANCE AND ENFORCEMENT POLICY**

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Environment Protection Authority (EPA) for possible environmental offences and Community Justice Centres NSW for personal disputes.

- the report relates substantially to a matter previously determined by Council and no new or compelling information is presented which would cause Council to change its earlier decision. In this case, staff will acknowledge the report and advise that no further action will be taken as no new information had been provided (other than where the person has previously been advised they would receive no further response).
- the allegations relate to a lawful activity (e.g. where there is an existing approval or the activity is permissible without Council approval or consent being required or it meets exempt development provisions).
- the relevant Director or the General Manager determines that investigation or other action would have an unreasonable impact on resources and/or is unlikely to achieve an outcome sufficient to justify the expenditure of resources.

**i) Relevant factors guiding decisions as to whether to act or not:**

In addition to the above considerations, Council staff are not limited in their use of discretion by these considerations and may decide to investigate based on these and other matters not stated in this policy:

- Is the activity permissible without any consent or approval?
- Are the conditions of a consent or approval being complied with?
- Is the complaint trivial, frivolous, vexatious or unreasonable?
- Is the activity having a significant detrimental effect on the environment or does it constitute a risk to public health, safety and amenity?
- Have there been previous complaints about the subject premises or this person or organisation?
- Does the complaint have special significance in relation to existing enforcement priorities?
- Overall, is it in the public interest to investigate the complaint?

**5. RELATED DOCUMENTS & LEGISLATION***Biosecurity Act 2015**Boarding Houses Act 2012**Companion Animals Act 1998**Contaminated Land Management Act 1997**Crown Land Management Act 2016**Environmental Planning and Assessment Act 1979**Fines Act 1996**Food Act 2003**Impounding Act 1993**Local Government Act 1993**Protection of the Environment Operations Act 1997**Public Health Act 2010*

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*Roads Act 1993**Swimming Pools Act 1992***6. ATTACHMENTS**

Nil

**7. DOCUMENT APPROVAL****For Council Policies please use the following, otherwise delete**

This document is the latest version of the official policy of the Wentworth Shire Council, as adopted by Council on [Click here to enter a date..](#) All previous versions of this policy are null and void.

This policy may be amended or revoked by Council at any time.

A PDF copy of the signed document can be accessed from Council's record management system and Reliansys.

Signed: .....

[Click here to enter a date.](#)**General Manager Wentworth Shire Council****Date**

**Wentworth Shire Council**

Word Document Reference: DOC/22/7994

**Council Policy No: PR015****Keeping of Animals at Residential Properties****POLICY OBJECTIVE**

To inform the community of the statutory restrictions and acceptable limits which apply to the keeping of certain animals for domestic purposes.

To give guidance and advice to those inquiring about the keeping of animals for domestic purposes

To establish standards for the keeping of animals.

To publicly notify the circumstances that Council will consider in determining whether to serve an Order under Section 124 of the Local Government Act 1993 to prohibit, restrict or in some other way, require things to be done regarding the keeping of animals.

To identify which animals are prohibited within certain zones in the Wentworth Shire Council.

**POLICY STATEMENT**

The intent of this policy is to ensure that Wentworth Shire Council establishes systems which regulate and control the keeping of animals in the Wentworth Shire Local Government Area and to inform the community of responsible animal care and ownership.

**1. POLICY COVERAGE**

This policy applies to the following zones within the Wentworth Shire Council:

- RU5 Village
- R5 Large Lot Residential
- B2 Local Centre
- IN1 General Industrial
- IN2 Light Industrial
- RU1 Primary Production for the keeping of domestic pets only

This policy does not apply to the keeping of animals for business, commercial or agricultural purposes.

**2. STRATEGIC PLAN LINK**

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

**3. DEFINITIONS AND ABBREVIATIONS**

Term/Word	Definition
The Act	Local Government Act 1993 (NSW)
Regulations	Local Government (General) Regulation 2021
Urban area/land	Residential premises zoned R5 or RU5
Rural area/land	Residential premises zoned RU1

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**Council Policy No: PR015****Keeping of Animals at Residential Properties**

Animal	'Animal' includes a mammal, bird, reptile, amphibian or fish. 'Animal' does not include a human being (as defined by the Prevention of Cruelty to Animals Act 1979, NSW).
Authorised Officer	An employee of Wentworth Shire Council provided with delegated authority to act under the Local Government Act 1993
DPI	NSW Department of Primary Industries
Prescribed premises	An adjoining dwelling, school, shop, office, factory, workshop, church or other place of public worship, public hall or premises used for the manufacture, preparation or storage of food
OEH	Office of Environment and Heritage

**4. POLICY CONTENT**

This Policy specifies the criteria which Council must take into consideration prior to issuing an Order (Order 18) of Section 124 of the *Local Government Act 1993*, relating to the keeping of animals within any premises.

This policy seeks to inform the community of Council's regulatory powers concerning the keeping of animals within the Wentworth Shire Local Government Area (LGA).

This Policy details criteria of reasonable limits on maximum numbers, and circumstances under which certain animals may be kept in the interest of amenity and public health when amenity impacts are verified.

The number of animals that may be kept at a premise should not exceed the number prescribed as appropriate to the kind of animal listed in Requirements for the Keeping of Animals included with this policy. The kind of animal that is suitable to be kept at any premises will be determined having regard for the size of the available yard area and the distance to the nearest dwelling or other prescribed building.

Certain statutory requirements also apply as noted in the Requirements for Keeping of Animals. It should not be assumed that animals of all kinds may be kept on premises that are part of a multiple dwelling development. Where a dwelling is owned within a Strata Plan, it will be necessary for the rules of the Body Corporate to be examined for requirements relevant to the keeping of animals. Animals should be kept in a manner which does not:

- Create unclean or unhealthy conditions for people or for the animals
- Attract or provide a harbourage for vermin
- Create offensive noise or odours
- Cause a drainage or dust nuisance
- Create waste disposal or pollution problems
- Create an unreasonable annoyance to neighbouring residents or fear for safety

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- Cause nuisance due to proliferation of flies, lice, fleas or other insects. Animals should not be kept at premises used for the manufacture, preparation, sale or storage of food for human consumption. Suitable shelter(s) should be provided for all animals

Certain species of animals are required to be kept in cages to prevent escape or attack by predators. Generally, other animals are to be securely enclosed with adequate fencing to prevent escape.

Certain animal shelters and facilities should not be erected or located at a premise without the prior approval of Council. Animal owners wishing to erect such structures should consult the NSW 'Exempt and Complying Development Codes SEPP 2008' - to determine which structures require development approval.

**4.1 COUNCILS POWER TO CONTROL AND REGULATE THE KEEPING OF ANIMALS****4.1.1**

Council's power to control and regulate the keeping of animals is provided under Section 124 of the *Local Government Act 1993* and *Local Government (General) Regulation 2021*.

**4.1.2**

Council may, (although not limited to) issue an Order to:

- a) prohibit the keeping of various kinds of animals
- b) restrict the number of various kinds of animals
- c) require that animals are kept in a specific manner
- d) demolish animal shelters built without prior approval; and
- e) require the occupier to do or to refrain from doing such things as are specified so as to ensure that land or premises are placed or kept in a safe or healthy condition.

**4.1.3**

Any regulatory action relating to the enforcement of this policy will be in accordance with Council's Enforcement Policy. Council staff will consider the impact of any Policy non-compliance on community amenity before deciding to take regulatory action. A breach of the numerical standards contained within this Policy alone will not necessarily result in regulatory action being taken by Council.

**5. RELATED DOCUMENTS & LEGISLATION**

*Local Government act 1993*

*Local Government (General) Regulation 2021*

*Prevention of Cruelty to Animals Act 1979*

*Protection of the Environment Operations Act 1997*

*Environmental Planning and Assessment Act 1979*

*Impounding Act 1993*

*Biodiversity Conservation Act 2016*

*Biosecurity Act 2015*

NSW State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

DPI Animal Welfare Code of Practice – Breeding dogs and cats

**Wentworth Shire Council**

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**Council Policy No: PR015****Keeping of Animals at Residential Properties**

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DPI Bee Keeping Code of Practice

DPI Bee Biosecurity Code of Practice

NSW Animal Welfare Code of Practice No. 4 Keeping and Trading birds

OEH Code of Practice for the Keeping of Reptiles

OEH Hygiene Protocol for the Control of Disease in Captive Snakes

CSIRO Model Code of Practice: Domestic Poultry

**6. ATTACHMENTS**

Requirements for Keeping of Animals

**7. DOCUMENT APPROVAL**

This document is the latest version of the official policy of the Wentworth Shire Council, as adopted by Council on [Click here to enter a date](#). All previous versions of this policy are null and void.

This policy may be amended or revoked by Council at any time.

A PDF copy of the signed document can be accessed from Council's record management system and Reliansys.

Signed: .....

[Click here to enter a date.](#)**General Manager Wentworth Shire Council****Date**

**Wentworth Shire Council**

Word Document Reference: DOC/22/7994

**Council Policy No: PR015****Keeping of Animals at Residential Properties****Requirements for Keeping of Animals**

The following criteria will be used by Council Authorised Officers when seeking to resolve verified complaints regarding the keeping of animals:

**1. The Keeping of Bees:**

- a) Beekeepers must be registered with the NSW Department of Primary Industries (NSW DPI) and must comply with the Beekeeping and Bee Biosecurity Codes of Practice for NSW.
- b) Beehives must be identified by branding all brood boxes with their registration number.
- c) Beekeepers must notify the NSW DPI within 24 hours if they become aware that their hive/s are infected with a disease.
- d) Complaints about beehives are to be directed to the Director-General of the NSW DPI.
- e) In urban areas, the number of hives permitted to be kept on land subject to the amount of free land mass area is specified in the table below:

Free land mass area (metres square)	Max. No. of Hives
<400	1
>400 and <1000	2
>1000	3

- f) Beekeepers must obtain permission from the owners of private lands or from the authority of government-controlled lands before placing beehives on such lands.
- g) Beehives should not be located within 100m of schools, child care centres, hospitals or other public facilities.
- h) A suitable barrier must be erected close to the landing board to force flight paths above two metres.
- i) Beehives are not to be positioned in the front yard of domestic premises.
- j) Swarming must be controlled. This may be achieved by re-queening regularly with a reduced swarming strain, population control or temporarily splitting into smaller hives.
- k) A permanent water source suitable for bees is to be provided at the property storing the beehive.
- l) The beehive is not to be located within nine metres of any neighbouring swimming pool.
- m) Beehives are to be regularly monitored for signs of disease.
- n) The keeping of bees in unit and townhouse developments is not permitted.
- o) Beekeepers are encouraged to increase and update their knowledge by attending training and/or belonging to a beekeeping association.
- p) Beekeepers are required to contact their immediate adjoining neighbours prior to establishing beehives to consider any impacts that may arise from persons vulnerable to bee stings.

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**Council Policy No: PR015****Keeping of Animals at Residential Properties**

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Note (i): Any person having a wild beehive on their property must consult the NSW DPI for advice on controlling the beehive. A wild beehive is described as introduced bees not in a domesticated situation and not kept within a bee frame or a beekeeper's box.

**2. The Keeping of Birds (other than poultry or pigeons)**

- a) There is no maximum number of birds permitted however numbers kept may be required to be reduced to mitigate any nuisance or improve the amenity of neighbours.
- b) Aviaries and cages must be:
  - i) constructed of appropriate materials (new or good quality second hand materials) and maintained to these standards during their use.
  - ii) constructed to be vermin proof, well ventilated, have an impervious surface and not cause or be likely to cause injury to birds.
  - iii) maintained by the owner so as to avoid the escape of birds.
  - iv) managed to prevent excessive noise and odour.
  - v) operated in accordance with the Code of Ethics produced by the Associated Bird-Keepers of Australia Incorporated, approved by the Canary and Bird Federation of Australia and NSW Animal Welfare Code of Practice No 4 - Keeping and Trading of Birds
- c) Vermin proof food storage facilities must be provided.
- d) A continuous rodent and pest control program must be in place.

**3. The Keeping of Pigeons**

The keeping of domestic homing, show or fancy class pigeons by hobbyists and racing enthusiasts in the LGA is permitted with the following control conditions applying:

- a) A maximum 20 pigeons except as permitted for Racing Pigeons may be kept subject to the submission and approval of a plan of management detailing how nuisances from noise, odour and pests will be managed.
- b) Pigeons must be housed in purpose-built facilities at least 15m from prescribed premises.
- c) Aviaries (Lofts) must be constructed on hard paving of a smooth surface, or with a suspended floor elevated 0.8m above the ground.
- d) Lofts must be enclosed to prevent food or waste becoming wet.
- e) Positioning of pigeon lofts must be such that the amenity of adjoining premises is preserved, with no inconvenience or nuisance resulting from the loft or from flying birds. The pigeons' owner or the occupier of those premises must control feral pigeons attracted to captive managed flocks.
- f) Keeping of pigeons is only permissible on residential properties that have single dwelling or dual occupancy development.
- g) Pigeons must be fed within the aviaries/lofts.
- h) Free lofting of pigeons (that is allowing pigeons to freely roam outside of their Aviary (loft) in a residential area is not permitted at any time, except as permitted for Racing Pigeons
- i) Pigeons are not allowed to roost on neighbouring buildings. Aviary (Loft) doors and traps must be locked at all times except as permitted for Racing Pigeons (see below).
- j) Food must be stored in sealed vermin proof containers and must not be left uncovered.

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**Council Policy No: PR015****Keeping of Animals at Residential Properties**

- k) Waste material, including litter and bedding, must be disposed of via an approved waste disposal service or composted.
- l) Council is to be notified of the keeping of pigeons, construction of the loft of less than 10 sqm, and any activity not considered a hobby.

**3.1 Requirements for Racing Pigeons:**

- a) The maximum number of racing pigeons that may be kept on premises within a residential area is 120 birds, provided that the keeper is a certified member of a recognised pigeon racing club, federation or association, is an active member of the sport and otherwise complies with other provisions of this Policy.
- b) Racing pigeon Aviaries (lofts) are to have adequate visible landing platforms.
- c) Pigeons must have a leg band with the club name, and unique ID number.
- d) Exercising/free flight is to occur between 7:00am and 8:00am and between 4:00pm and 5:00pm give or take 15mins either side of the time restrictions at all other times the pigeons must be kept within their enclosure.
- e) All exercise should be conducted under close supervision by the owner.
- f) The exit and entry of these birds from the Aviary (loft) must be controlled by the keeper. Provision must be made for all released birds to return through a one-way entrance that will not permit uncontrolled exit.

**4. The Keeping of Poultry**

- a) Poultry must be kept in accordance with the *Local Government (General) Regulation 2021* specifically Schedule 2, Part 5, Division 2, clauses 19 and 20.
- b) Poultry must be housed in purpose-built facilities.
- c) Food must be stored in sealed vermin proof containers and must not be left uncovered.
- d) Waste material, including litter and bedding, must be disposed of via an approved waste disposal service or composted.
- e) Outside runs must be free draining, not discharge onto neighbouring properties and not be allowed to become muddy.
- f) The total numbers of poultry (excluding pigeons and other birds) kept on premises must not exceed the maximum amount specified below:

Type	Maximum Numbers
Fowls	10
Pheasants	10
Quails	10
Pea Fowls	10

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**Council Policy No: PR015****Keeping of Animals at Residential Properties**

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**5. The Keeping of Cats**

- a) The maximum number of cats shall be limited to four (4) per premise. However, numbers kept may be required to be reduced to mitigate any nuisance or improve the amenity of neighbours.
- b) Where Council receives verified complaints regarding a roaming cat, the cat is to be prevented from leaving from the property at which it is ordinarily kept by being kept indoors (house, enclosure, shed or garage).
- c) Any enclosure used for housing cats shall be in accordance with Section 6, Table 2: Minimum Sizes for Cat Enclosures; DPI Animal Welfare Code of Practice – Breeding dogs and cats.
- d) Owners of cats are encouraged to de-sex their cats to prevent unwanted litters and keep them contained to minimise the impact on native wildlife or nuisance to neighbouring residents.
- e) Owners of cats who do not have their cat de-sexed are required to pay an annual permit in addition to the one-off lifetime registration fee.

**6. The Keeping of Dogs**

- a) The maximum number of dogs shall be limited to two (2) per premise. However, numbers kept may be required to be reduced to mitigate any nuisance or improve the amenity of neighbours.
- b) Dogs will be kept in numbers and breeds appropriate to the size of the property.
- c) Owners should remain aware of any noise nuisance created by barking dogs as they are subject to noise and nuisance dog restrictions under *Protection of the Environment Operations Act 1997* and the *Companion Animals Act 1998*.
- d) The *Companion Animals Act 1998* requires that dogs must be registered from 6 months of age and must wear a collar with a name tag displaying the dog's name and the address and/or phone number of the owner. They must also be microchipped from 12 weeks of age.
- e) A premise used for the keeping of dog/s is to be appropriately fenced to secure the dog/s within the premises in accordance with the requirements of the *Companion Animal Act 1998*.

**7. The Keeping of Pigs, Goats and Sheep**

- a) The maximum number shall be limited to two of each type, subject to the submission and approval of a plan of management detailing how nuisances from noise, odour and pests will be managed.
- b) Enclosures for these animals will be secure and fit for purpose for the type and behaviour of each animal
- c) All enclosures will be maintained and cleaned to mitigate any odour and pest issues such as flies and mosquitos.
- d) Pigs to be kept as pets are to be sourced from reputable dealers and are to be de-sexed.
- e) All sheep and goats in NSW must have appropriate identification per the NSW DPI National Livestock Identification System.
- f) Any sheep or goats to be kept as pets are to be subject to regular health checks by an appropriately qualified veterinarian or agent of a NSW State Government Agency.

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- g) Sheep and goats kept as domestic pets are prohibited from grazing outside of the property boundary.

**8. The Keeping of Fish**

- a) There are no specific limitations for the number of fish or species of fishes permitted however, numbers kept may be required to be reduced to mitigate any nuisance or improve the amenity of neighbours.
- b) Species listed in Schedule 2 of the *Biosecurity Act 2015* and DPI Pest Fish list, are classed as prohibited matter and must not be kept.
- c) Ponds are to comply with the NSW State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 requirements.
- d) Pond water is to be maintained to prevent the harbouring of mosquito larvae.
- e) Pond water filtration pumps must not be used in a manner that creates a noise nuisance to adjoining properties.
- f) Ponds must be provided with shade which includes aquatic plants.
- g) Food must be provided that suits the species of fish/fishes being kept.
- h) Ponds must be provided with fencing or a cover to protect fish from predation.
- i) All deceased or unwanted fish and aquatic plants must be disposed of via an approved waste disposal system. Fish and aquatic plants must not be disposed of into any type of waterway, pond or dam.

**9. The Keeping of Guinea Pigs and Ferrets, Rats and Mice**

- a) The maximum number shall be limited to four of each type.
- b) These animals must be kept at least 9 meters from a prescribed premise.
- c) Waste material, including litter and bedding, must be disposed of via an approved waste disposal service or composted.
- d) These animals are to be kept indoors at all times in appropriate cages which are to be kept odour free.

**10. The Keeping of Rabbits**

- a) No more than 4 domestic rabbits may be kept on premises.
- b) All rabbits are to be kept in accordance with the Model Code of Practice for the Welfare of Animals – Intensive Husbandry of Rabbits.
- c) Rabbits must be kept at least 9 meters from a prescribed premise.
- d) Rabbits should be de-sexed to prevent unwanted litters.
- e) Must be of a recognised domestic breed and kept in a rabbit proof enclosure.

**11. The Keeping of Reptiles**

- a) The *National Parks and Wildlife Act 1974* requires a Reptile Keeper's Licence to be held for anyone who keeps captive-bred reptiles.
- b) It is against the law to take reptiles from the wild. Reptiles must be obtained from a licensed breeder only.

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**Keeping of Animals at Residential Properties**

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- c) Advice on the keeping of reptiles should be sought from the National Parks and Wildlife Service in all cases.
- d) There is no maximum number of reptiles permitted however numbers kept may be required to be reduced to mitigate any nuisance or improve the amenity of neighbours.
- e) Reptiles may only be kept if in accordance with the Code of Practice for the Private Keeping of Reptiles and Hygiene Protocol for the Control of Disease in Captive Snakes, this includes obtaining a licence to keep reptiles.

**12. Animals Prohibited from being kept as domestic pets**

The following animals are not permitted to be kept in RU5, R5, B2, IN1 and IN2 or residential dwellings that exist in any other zone other than RU1; due to the likely impacts on health and amenity:

- a) Roosters
- b) Peacocks
- c) Geese
- d) Swans
- e) Turkeys
- f) Horses
- g) Cattle

### 9.13 COUNCIL STORMWATER INFRASTRUCTURE ON 191 PITMAN AVENUE BURONGA

File Number: RPT/22/415

Responsible Officer: Matthew Carlin - Director Health and Planning  
Responsible Division: Health and Planning  
Reporting Officer: Michele Bos - Strategic Development Officer

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

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

#### **Summary**

Council has received a planning proposal from Roy Costa Planning & Development seeking to rezone 191 Pitman Avenue Buronga from RU1 Primary Production zone to RU5 Village zone and remove the 10 hectare minimum lot size.

A previous report to Council in January, seeking to waive the LEP amendment fee of \$6,367.00, was refused. The proponent has now paid the applicable fee.

However, to enable the planning proposal to proceed to the next stage, being lodgement on the planning portal and an assessment of the merits and justification for the rezoning, Council needs to determine if it intends to take up ownership of the area of land that contains existing stormwater infrastructure.

#### **Recommendation**

That Council resolves to:

1. Determine if it will take ownership, or not, a portion of land containing existing stormwater infrastructure at 191 Pitman Avenue, Buronga.
2. Advise Roy Costa Planning & Development, in writing, of its decision regarding ownership of the portion of land containing existing stormwater infrastructure at 191 Pitman Avenue, Buronga.

#### **Detailed Report**

##### **Purpose**

The purpose of this report is to provide Council with necessary and relevant information to enable consideration of taking up ownership of an area of land that traverses through the subject site, containing Council's stormwater infrastructure.

##### **Background**

Roy Costa Planning & Development submitted a planning proposal to rezone the subject site from RU1 Primary Production zone to RU5 Village zone and to remove the current minimum lot size of 10 hectares.

Initial discussion relating to the proposal with the landholder involved their intention of selling a small piece of the land to Council, where existing stormwater infrastructure is located. However, there has not been formal confirmation made by Council to purchase the land on which the infrastructure is located.

The subject site is approximately 2.1 hectares in size and the Wentworth LEP 2011 minimum lot size provisions applied to the land is 10 hectares. Therefore, the property cannot be subdivided while it remains in the RU1 Primary Production zone, particularly, where there is an existing dwelling on site.

A letter has been received from Roy Costa Planning & Development requesting that Council advise of their intent, or not, to acquire the area of land where the stormwater infrastructure is located.

Refer to Attachment 1 Letter from Roy Costa Planning & Development.

Recent verbal advice received from Roy Costa Planning & Development is that the owners of the subject site are willing to grant Council ownership of the land at no cost, where the existing stormwater infrastructure is located.

Matters under consideration

Strategic justification is required for Council to support and make a recommendation to request a Gateway Determination for the planning proposal from the Department of Planning and Environment (DPE).

The Buronga Gol Gol Structure Plan (the Plan) was adopted by Council and endorsed by DPE in November last year. The Plan made numerous recommendations, including rezoning land for rural residential purposes. However, due to the amount of vacant RU5 Village zoned land, the site the subject of the planning proposal, was not included in any recommendation for rezoning at this stage.

Therefore, there is no current justification for rezoning the subject site from the existing rural zone to the village zone.

Despite the above, justification for the rezoning could be provided on the basis that Council needs to acquire or take up ownership of the area of land where the stormwater infrastructure is located, for maintenance and management purposes.

As advised by a report to Council in January 2022, the issue of the stormwater pipe being offset from the easement that was created on the land for that infrastructure, has been resolved by a new Deed of Agreement. That Agreement stated that Council will pay for the following:

- Compensation costs
- Consultancy costs
- Survey costs
- Legal costs associated with the transfer of the easement
- Site rehabilitation costs.

The subject site landowners are now willing to gift the area to Council for the purposes of maintaining and managing the infrastructure. The transfer of ownership of the land would occur, subject to a formal written agreement, following the rezoning of the subject site and subsequent subdivision of the property.

Options

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

- Resolve to enter into a formal written agreement to take ownership of the land containing the existing stormwater infrastructure following the rezoning and subdivision of the subject site, or
- Resolve to refrain from taking ownership of the area containing the existing stormwater infrastructure.

Legal, strategic, financial or policy implications

Should Council resolve to take ownership of a portion of the land, where the existing stormwater infrastructure is located, this decision will provide strategic justification for Council to support the planning proposal, and subsequently request a Gateway Determination from DPE.

It is anticipated that the Council may need to cover its legal representation costs for the transfer of the portion of land containing the existing stormwater infrastructure. Generally, legal costs associated with the transfer of land is approximately \$1,500 to \$2,000.

**Conclusion**

Having consideration for the content of this report and the letter received from Roy Costa Planning & Development, Council is requested to make a decision of its intention to take ownership, or not, of the portion of land at 191 Pitman Avenue, Buronga, where Council's existing stormwater infrastructure is located.

**Attachments**

1. Letter from Roy costa Planning & Development. [↓](#) 



**ROY COSTA PLANNING & DEVELOPMENT**

164 Eighth Street Mildura

PO Box 2925 Mildura 3502

Phone (03) 50210031 Email: [admin@roycosta.com.au](mailto:admin@roycosta.com.au)

Our Ref: 20-026  
Your Ref: RPT/22/17

12 May 2022

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

Dear Ken,

**PLANNING PROPOSAL  
REZONE LAND FROM RU1 PRIMARY PRODUCTION TO RU5 VILLAGE  
191 PITMAN AVENUE, BURONGA**

We refer to the above matter.

Following Councils resolution that our client pay the application fee required for a Planning Proposal/LEP Amendment to re-zone the above land, we are now seeking support/confirmation from Council that they will purchase the small parcel of land, currently being leased from our client for infrastructure services.

Based on initial discussions with state agencies, the planning proposal will not gain the necessary support for a gateway determination if Council is not willing to acquire the parcel of land.

Therefore, we hereby request Council advise their position regarding the acquisition of this land at their earliest convenience.

If you have any queries in relation to the above, please contact Mr. Roy Costa from our office who will be pleased to assist.

Yours sincerely,

ROY COSTA RPIA  
ROY COSTA PLANNING & DEVELOPMENT

PLANNING INSTITUTE AUSTRALIA – REGISTERED PLANNER (RPIA)

Rokar Pty. Ltd. ACN 087 497 685 Trading As Roy Costa Planning & Development



## 9.14 DELEGATED AUTHORITY APPROVALS AS AT END OF JULY 2022

File Number: RPT/22/481

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Kerrie Copley - Administration Officer

Objective: 3.0 Wentworth 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**

For the month of July 2022, a total of nine (9) Development Applications and ten (10) S4.55 Modification Applications were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$572,458.00. This brings the year to date total to sixty-three (63) Development Applications and thirty-two (32) S4.55 Applications approved, with an estimated development value of \$8,115,171.00

### **Recommendation**

That Council:

- a) Receives and notes the report for the Delegated Authority Approval for the month of July 2022.
- b) Publicly notifies, for the purposes of Schedule 1 Division 4 Section 20 (2) of the Environmental Planning and Assessment Act 1979, the applications as listed in the attachment on the Wentworth Shire Council website.
- c) Calls a Division in accordance with S375A of the Local Government Act 1993 (NSW).

### **Detailed Report**

#### **Purpose**

The purpose of this report is to provide Council with a list of Development Applications as tabled in the Attachment, determined under delegated authority by the Director Health and Planning for the month of July 2022, hence complying with the requirements under section 3.20 of the Office of Local Government Promoting Better Practice Program.

#### **Conclusion**

The total value of determinations was \$572,458.00 for the month of July 2022. The average determination time was 28 days.

### **Attachments**

1. Delegate Authority Approvals July 2022 

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF JULY 2022

FILE NUMBER	APPLICANT	LOCATION	DESCRIPTION	VALUE (EX GST)	DETERMINATION DATE	ACTIVE DAYS
DA2022/057 PAN 220636	Decentralised Demountables Pty Ltd	19 Modica Crescent Lot 4 DP 1118464 Buronga	Construction of new factory	\$147,000.00	01/07/2022	32
S4-55/2022/021 PAN 233274	MH2 Engineering & Architectural Services P/L	45 - 63 Hendy Road Lot 1 DP 1222570 Buronga 65 - 77 Hendy Road Lot 2 DP 1222570 Buronga	Modify DA2020/126 increase number of lots from 71 to 92	\$0.00	5/07/2022	21
DA2022/054 PAN 225316	Australian Vintage Ltd	High Darling Road Lot 28 DP 756926 Wentworth	Outbuilding containing lunchroom & toilet facilities	\$40,000.00	5/07/2022	42
S4-55/2022/030 PAN 237609	Mallee Sheds - Jodie Stockman	5721E Sturt Highway Lot 4 DP 827371 Monak	Modify DA2022/042 Storage shed - not for domestic storage	\$0.00	11/07/2022	4
S4-55/2022/025 PAN 231150	Danielle Linklater	20 Alderton Drive Lot 3 DP 867591 Gol Gol	Modify DA2021/169 Demolition & replacement of existing storage shed - amend internal mezzanine location	\$0.00	12/07/2022	18
S4-55/2022/024 PAN 234091	Cummins Superannuation Fund - Samantha Cummins	5A Modica Crescent Lot 27 DP 1284311 Buronga	Modify DA2020/058 Office & warehouse - add carport with disabled park close to office	\$0.00	12/07/2022	18
S4-55/2022/016 PAN 220509	GSD Architects - Geoff Sparkes	Sturt Highway Lot 2 DP 1267913 Trentham Cliffs	Modify DA2017/115 site alterations & minor cabin & unit changes	\$0.00	13/07/2022	57

**DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF JULY 2022**

DA2022/063 PAN 232343	Hayden Muir	73 Boeill Creek Road Lot 754 DP 756961 Boeill Creek	Storage shed	\$75,000.00	19/07/2022	28
S4-55/2022/032 PAN 244004	Hadyn Pike	146 Williamsville Road Lot 1 DP 386282 Curlwaa	Modify DA2021/151 Demolition of existing dwelling & replacement with new Dwelling & new storage shed - removal of condition 5	\$0.00	19/07/2022	1
DA2022/058 PAN 227925	Hatch Planning Pty Ltd - Matt Jackson	64B Beverley Street Lot 7320 DP 1158106 Wentworth 84 Beverley Street Lot 7017 DP 1126020 Wentworth	Shade sail	\$15,000.00	19/07/2022	47
DA2022/062 PAN 228189	Roy Costa Planning & Development	117 Adelaide Street Lot 1 DP 534506 Gol Gol	Change use of garage to accommodation until Dwelling is built	\$50,000.00	20/07/2022	29
S4-55/2022/026 PAN 225651	Hatch Planning Pty Ltd - Matt Jackson	17 Livingstone Drive Lot 52 DP 1229757 Gol Gol	Modify DA2021/147 Dwelling with garage & storage shed - Amend storage shed location & size	\$0.00	20/07/2022	26
DA2022/064 PAN 232604	Stuart Field	Pooncarie Road Lot 5 DP 1270097 Wentworth	Storage Shed	\$66,458.00	21/07/2022	29
S4-55/2022/017 PAN 223561	Price Merrett Consulting - Josh Brice	Midway Drive Lot 1 DP 1092845 Buronga	Modify DA2021/128 amend to 6 lot subdivision	\$0.00	25/07/2022	66
DA2022/066 PAN 231927	Roy Costa Planning & Development	93 - 107 Darling Street Lot 4 DP 759074 Section 29 Wentworth	Deck with ramps	\$30,000.00	25/07/2022	31
DA2022/067 PAN 236754	Mallee Sheds - Jodie Stockman	8 Drings Way Lot 29 DP 1057273 Gol Gol	Storage shed & pergola	\$54,000.00	26/07/2022	28

# DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF JULY 2022

S4-55/2022/028 PAN 240547	The Shed Company Mildura - Sherryn Pitt	29 Lee Court Lot 50 DP 1259103 Gol Gol	Modify DA2022/036 Pool pavilion - increase awning by 3 meters	\$0.00	27/07/2022	22
S4-55/2022/029 PAN 239700	Mallee Sheds - Jodie Stockman	8 Lee Court Lot 13 DP 1259103 Gol Gol	Modify DA2022/011 Storage shed - amend orientation	\$0.00	27/07/2022	21
DA2022/068 PAN 234998	GSD Architects - Geoff Sparkes	1298 River Road Lot 2 DP 1214442 Mourquong	Storage shed with wet area	\$95,000.00	29/07/2022	28

## 9.15 PROJECT & WORKS UPDATE - AUGUST 2022

File Number: RPT/22/477

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Chanelle Pilling - Administration Officer

Objective: 3.0 Wentworth 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 month of July 2022 and the planned activities for August 2022.

### Recommendation

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

### Detailed Report

Refer below for updates of the works completed in July and the planned activities scheduled for August 2022.

Project and Works Update for July 2022	
<b>Roads</b>	<ul style="list-style-type: none"> <li>Construction on 8.5km of Old Wentworth Road is continuing with the final layer of road base added to the main section of unsealed road. Road is currently scheduled for bitumen sealing in late October 2022.</li> <li>Punt Road Gol Gol reconstruction has commenced. The road will be sealed in September when best temperatures permit a better adhesion to the unsealed pavement. The contractor is to continue providing dust suppression in the interim.</li> </ul> <p><b><u>Pooncarie-Menindee Road Reconstruction</u></b></p> <ul style="list-style-type: none"> <li>Council has begun works on the middle section of the Pooncarie-Menindee Road. Earthmoving, road formation and drainage works continuing.</li> </ul> <p><b><u>Maintenance Grading</u></b></p> <ul style="list-style-type: none"> <li>Planned maintenance grading will be undertaken on the following roads throughout July; Gol Gol Road, Garmpang Road and Ivanhoe Road.</li> </ul>

<p><b>Road Safety Officer Projects</b></p>	<p><b><u>Local Traffic Projects</u></b></p> <ul style="list-style-type: none"> <li>• High Pedestrian Activity Area (HPAA) requests are with Transport for NSW to bid for funding. Once this is confirmed, community consultation on the footprint of the special speed zone can begin.</li> </ul> <p><b><u>Local Government Road Safety Projects</u></b></p> <ul style="list-style-type: none"> <li>• Heavy Vehicle Road Safety Forum – initial planning for industry focus conducted with Transport for NSW including Almonds and Citrus.</li> <li>• Drink Driving Plan B Win a Swag – venues booked including branding sponsor for Bar and Beer Garden at Wentworth Show and Wentworth Races. Funding application submitted for Shuttle Bus at Pooncarie Races.</li> </ul>
<p><b>Projects</b></p>	<p><b><u>Buronga Landfill Machinery Shed</u></b></p> <ul style="list-style-type: none"> <li>• Waiting on contractor to confirm a start date.</li> </ul> <p><b><u>Dareton Pool – Insurance Works (Vehicle Hit)</u></b></p> <ul style="list-style-type: none"> <li>• Contractor waiting on available bricklayers.</li> </ul> <p><b><u>Gol Gol Cemetery Shed</u></b></p> <ul style="list-style-type: none"> <li>• Construction delayed due to contractor availability.</li> </ul> <p><b><u>Gol Gol East Raw Water System</u></b></p> <ul style="list-style-type: none"> <li>• Final design and specification work completed by Public Works. Procurement of infrastructure components including pumps, filter, chlorination unit and electrical to commence from selected pre-qualified suppliers</li> </ul> <p><b><u>Gol Gol Heights Culvert Headwalls</u></b></p> <ul style="list-style-type: none"> <li>• Completed.</li> </ul> <p><b><u>Graffiti – Wentworth &amp; Dareton</u></b></p> <ul style="list-style-type: none"> <li>• Multiple occasions of graffiti vandalism have been reported around Wentworth and Dareton.</li> <li>• Karym Cleaning was contracted to clean graffiti at all locations and Dareton Police have been made aware.</li> <li>• Marshall Security have provided camera footage and a copy has been supplied to Dareton Police.</li> </ul> <p><b><u>James King Park</u></b></p> <ul style="list-style-type: none"> <li>• Designs have been completed for the timber retaining wall at the beach at James King Park. The wall is planned to consist of redgum sleepers and galvanized steel uprights. There are three sets of stairs planned for access to the beach from the existing footpath.</li> <li>• Plans for the proposed retaining wall are attached to this report. The height of the retaining wall will be no more than 1m at any point to avoid requirement for handrails.</li> <li>• The wall is intended to limit the effects of erosion by allowing for a</li> </ul>

shallower slope for the beach while retaining sand around the existing path. The retaining wall is located a short distance from the edge of the path to avoid conflicts with existing drainage systems under the path and to allow for the carrying elevation along the length of the path.

#### **Junction Island Bridge**

- Engineering plans for ramps and abutment have been completed and attached to this report. Ramps will have deck, handrails and infill consistent with the bridge span. The ramps will be supported on screw pile footings and the colours will be monument for steelwork and charcoal to match the bridge span.
- Draft REF and Aboriginal Cultural Heritage due diligence documents have been completed and are being reviewed.
- Upon sign off of the REF the procurement process can commence. It is planned to separate the steel fabrication works and the construction/demolition into separate contracts. Quotes for fabrication of the steelwork will be sought from local fabricators. Quotes for demolition of the existing bridge and installation of the footings, abutments, bridge span and ramps will be sought from local civil construction companies.

#### **Junction Island Footpath**

- Draft REF and Aboriginal Cultural Heritage due diligence documents have been completed and are being reviewed.

#### **Pink Lake**

- Council is currently developing the final report details into a detailed design package for tender within the new financial year.

#### **Pooncarie Telegraph Building**

- Building assessments and renovation discussions are in early stages due to complexity of works.
- Mallee Pest Control were engaged to assess building for a second opinion. Findings were that white ants are still active.
- A brief viability report has been compiled for the General Manager to view and discuss with Pooncarie locals to find an appropriate path and direction for the building in the future.

#### **Pooncarie Water Treatment Plant – Cupboards & Benches**

- Space has been measured for larger cupboards/storage and bench space.
- Awaiting quotes for supply and installation.

#### **Test & Tag**

- Mildura Test & Tag has completed electrical testing and tagging on all shire buildings and equipment.

#### **Wentworth EDS**




- Feedback from Council's waste water staff suggest that the Willow Bend site not be used in the case of river vessels accidentally

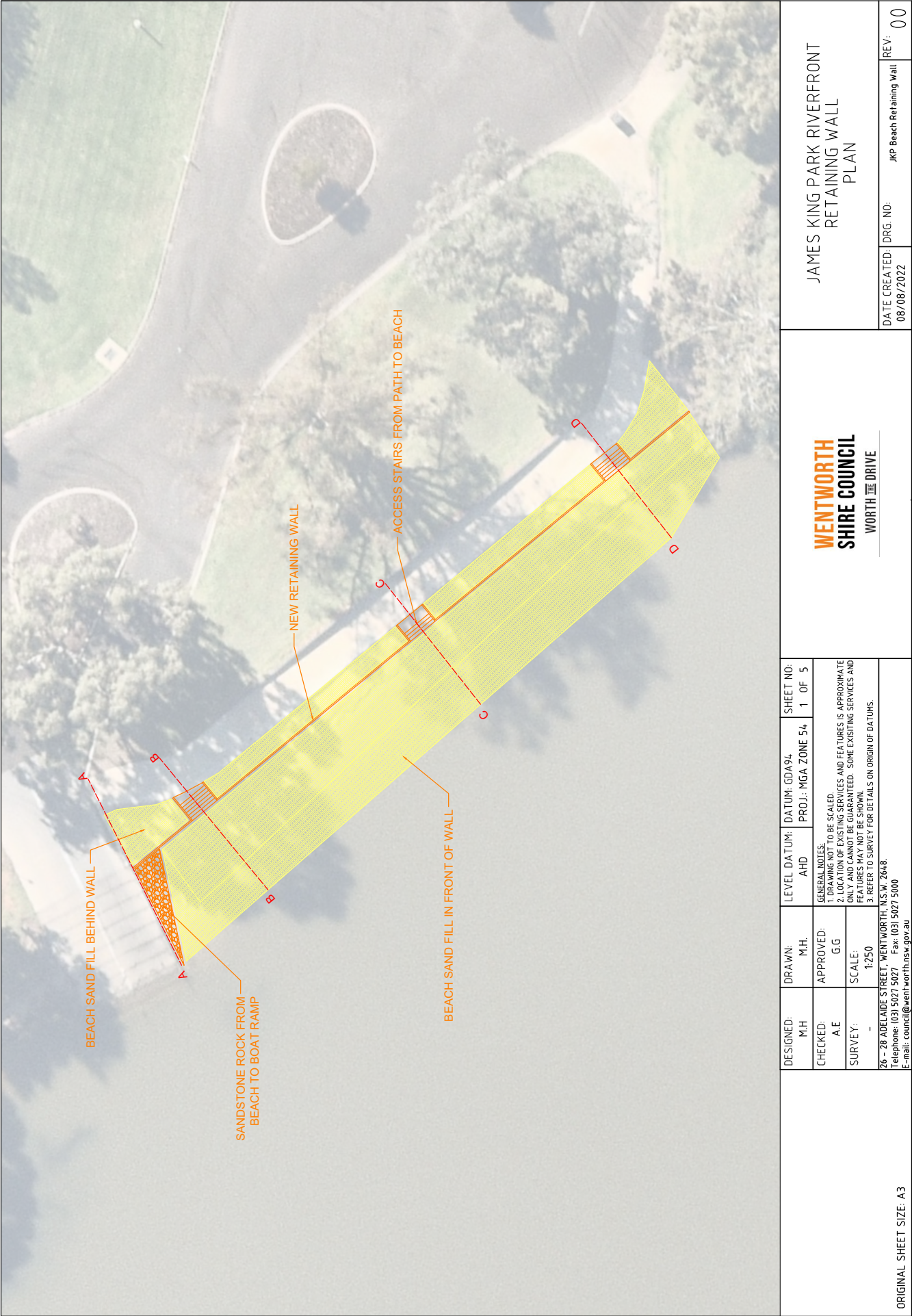
	<p>pumping fuel into the sewerage system. The outcome involving potentially evacuating the site while the contamination is cleaned/removed.</p> <ul style="list-style-type: none"> <li>Other issues being the removal of two to four river view sites from the current Willow Bend upgrade.</li> </ul> <p><b><u>Wentworth Horse Racing Track – New Barrier System</u></b></p> <ul style="list-style-type: none"> <li>Order for supply and delivery of new barrier system railing has been placed.</li> <li>Request for Quotes have been sent to selected contractors for the removal and replacement of track barrier.</li> </ul> <p><b><u>Wentworth Long Day Care Centre</u></b></p> <ul style="list-style-type: none"> <li>Building at Lock Up and plaster works completed.</li> <li>Existing Preschool Room renovated during school holidays.</li> <li>Mayor and Preschool Committee attended a walk-through with subsequent media promotion.</li> </ul> <p><b><u>Wentworth Sewerage Rationalisation Scheme</u></b></p> <ul style="list-style-type: none"> <li>Demolition works on the old sewer treatment plant have commenced with all works expected to be completed by the end of August 2022.</li> </ul> <p><b><u>Wentworth Show 2022</u></b></p> <ul style="list-style-type: none"> <li>Electrical testing has been completed.</li> <li>A&amp;C Liquid Waste has been engaged to be on standby during the show to maintain septic systems and undertake a pre-suck prior to show.</li> </ul> <p><b><u>Wentworth Sporting Complex</u></b></p> <ul style="list-style-type: none"> <li>Tennis &amp; Bowls Club Bi-Parting Doors – Sunraysia Blinds &amp; Awnings have been contracted to install two new doors. Colour and Finishing have been confirmed with User Groups.</li> </ul> <p><b><u>Wentworth Showgrounds Tower and Shade Structures</u></b></p> <ul style="list-style-type: none"> <li>Electrical works have been completed. Power outlets and lighting have been installed to both boxed of the stewards' tower and power outlets and lighting have been installed to the shade structure.</li> </ul>
<b>Projects and Works scheduled for August 2022</b>	
<b>Roads</b>	<ul style="list-style-type: none"> <li>Construction works on 8.5km of Old Wentworth Road continuing. Wentworth Shire Council awaiting confirmation from Greenedge of AHIP results for the middle section. Sealing is still currently programmed for September.</li> <li>Continuation of construction works on Little Manly Road – Culverts will be ordered early in August and installed once received. Sealing is still currently programmed in September.</li> <li>Punt Road Gol Gol reconstruction monitored for dust suppression as required until sealing works in September.</li> </ul>

	<p><b><u>Pooncarie-Menindee Road Reconstruction</u></b></p> <ul style="list-style-type: none"> <li>• Water pipeline and access points will be installed in August if Darling River water levels allow access to the property.</li> <li>• Production of crushed road base material by Mallee Earthmoving on Kinross Station to commence from mid-August.</li> <li>• Trucks will start carting onto the 1<sup>st</sup> 5km section of road from late August/early September, with earthworks continuing on the remaining sections through to end September.</li> </ul> <p><b><u>Maintenance Grading</u></b></p> <ul style="list-style-type: none"> <li>• Planned maintenance grading will be undertaken on the following roads throughout August; Polia Road and Roo Roo Road.</li> </ul>
<p><b>Road Safety Officer Projects</b></p>	<p><b><u>Local Traffic Projects</u></b></p> <ul style="list-style-type: none"> <li>• Awaiting concept designs from Transport for NSW for Midway Bus Stop to Carramar Sporting Complex and Midway Marketplace IGA.</li> <li>• 5 x Special Event Road Occupancy Applications to be assessed at the August Local Traffic Committee Meeting.</li> </ul> <p><b><u>Local Government Road Safety Projects</u></b></p> <ul style="list-style-type: none"> <li>• Child Restraint Safety – venue and qualified fitter booked. October/November date to be confirmed. Initial engagement activities included Murdi Paaki Family Fun Day Tuesday 26 August and Radio Interview HotFM Wednesday 27 August. Launch of registrations on Facebook, Website and Eventbrite this quarter once date is confirmed.</li> </ul>
<p><b>Projects</b></p>	<p><b><u>Gol Gol Cemetery Shed</u></b></p> <ul style="list-style-type: none"> <li>• Shed construction to commence.</li> </ul> <p><b><u>Gol Gol East Raw Water System</u></b></p> <ul style="list-style-type: none"> <li>• Procurement of infrastructure components to be finalized and Tender documents for installation and electrical connection to be completed.</li> </ul> <p><b><u>James King Park</u></b></p> <ul style="list-style-type: none"> <li>• Seek request for quotes for completion of REF for works to construct beach front retaining wall as per design attached in this report.</li> </ul> <p><b><u>Junction Island Bridge</u></b></p> <ul style="list-style-type: none"> <li>• Provide request for quote for fabrication of the ramps and abutments for the Junction Island Bridge to local fabricators as per the finalised plans provided in this report.</li> </ul> <p><b><u>Junction Island Footpath</u></b></p> <ul style="list-style-type: none"> <li>• Upon sign off of REF, begin procurement process for path and raised boardwalk. Provide request for quotes to local civil construction contractors.</li> </ul>

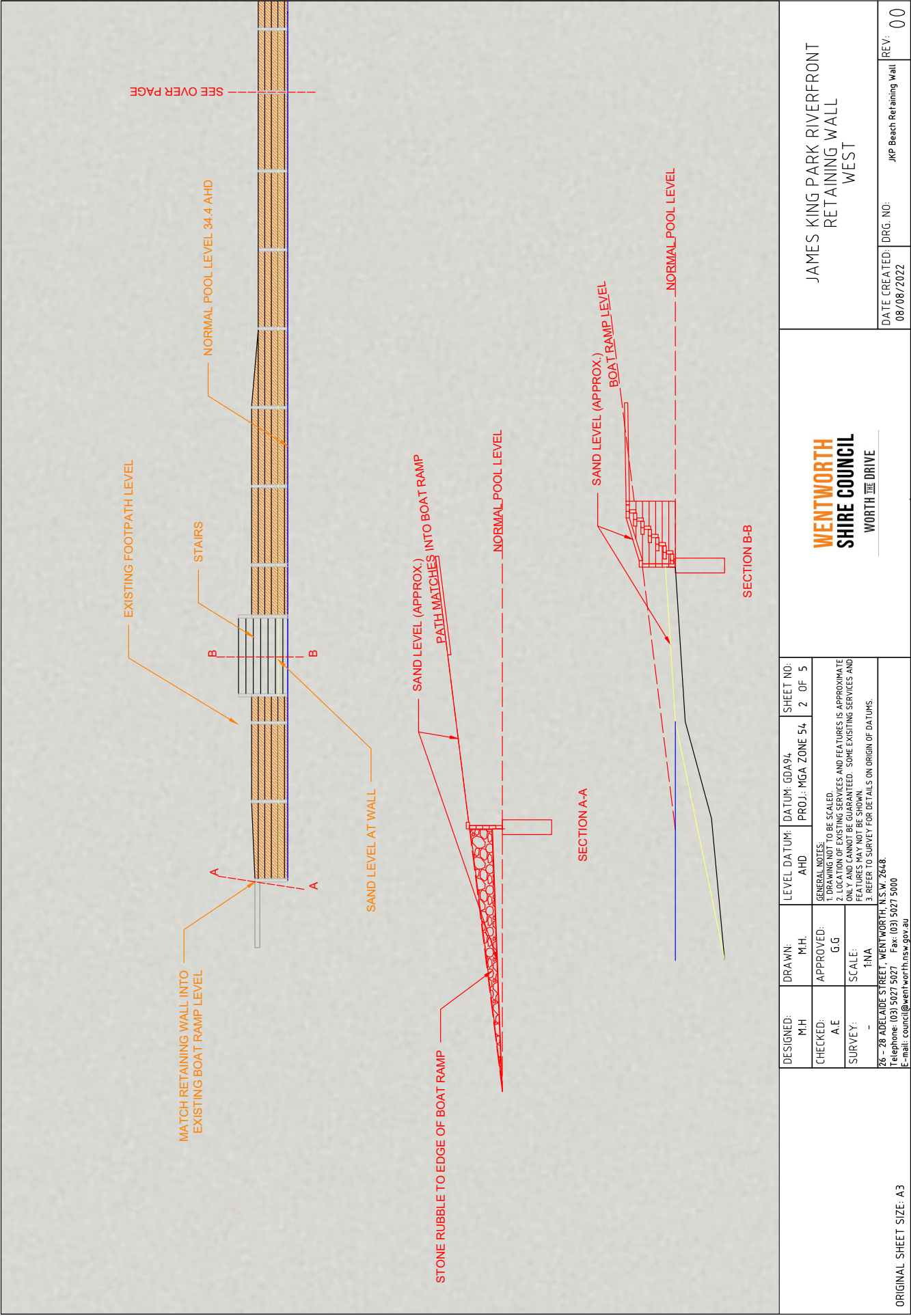
	<p><b><u>Pink Lake</u></b></p> <ul style="list-style-type: none"> <li>While the detailed design works are prepared for tender, Council staff are to liaise with WMI on feedback and approval to connect and discharge to Pink Lake.</li> </ul> <p><b><u>Wentworth EDS</u></b></p> <ul style="list-style-type: none"> <li>Detailed design works are to progress based on the original location of the Wentworth EDS.</li> </ul> <p><b><u>Wentworth Pool</u></b></p> <ul style="list-style-type: none"> <li>Tiler expected to finish works late August. Painter to begin after.</li> </ul> <p><b><u>Wentworth Rowing Club Extension</u></b></p> <ul style="list-style-type: none"> <li>BW&amp;A in receipt of post-tender documentation and Construction Certificate to be prepared.</li> </ul> <p><b><u>Wentworth Sporting Complex</u></b></p> <ul style="list-style-type: none"> <li>Tennis Club Bar &amp; Kitchen Split System Air Conditioning Units – being installed early August.</li> <li>Signage – McGowan Signage has arranged to meet with Tennis Club User Group to discuss signage design. Catherine Dawes from the Tennis Club is in discussions with McGowan Signs, no quote supplied as yet.</li> </ul> <p><b><u>Wentworth Showgrounds Tower and Shade Structures</u></b></p> <ul style="list-style-type: none"> <li>Works completed.</li> </ul>
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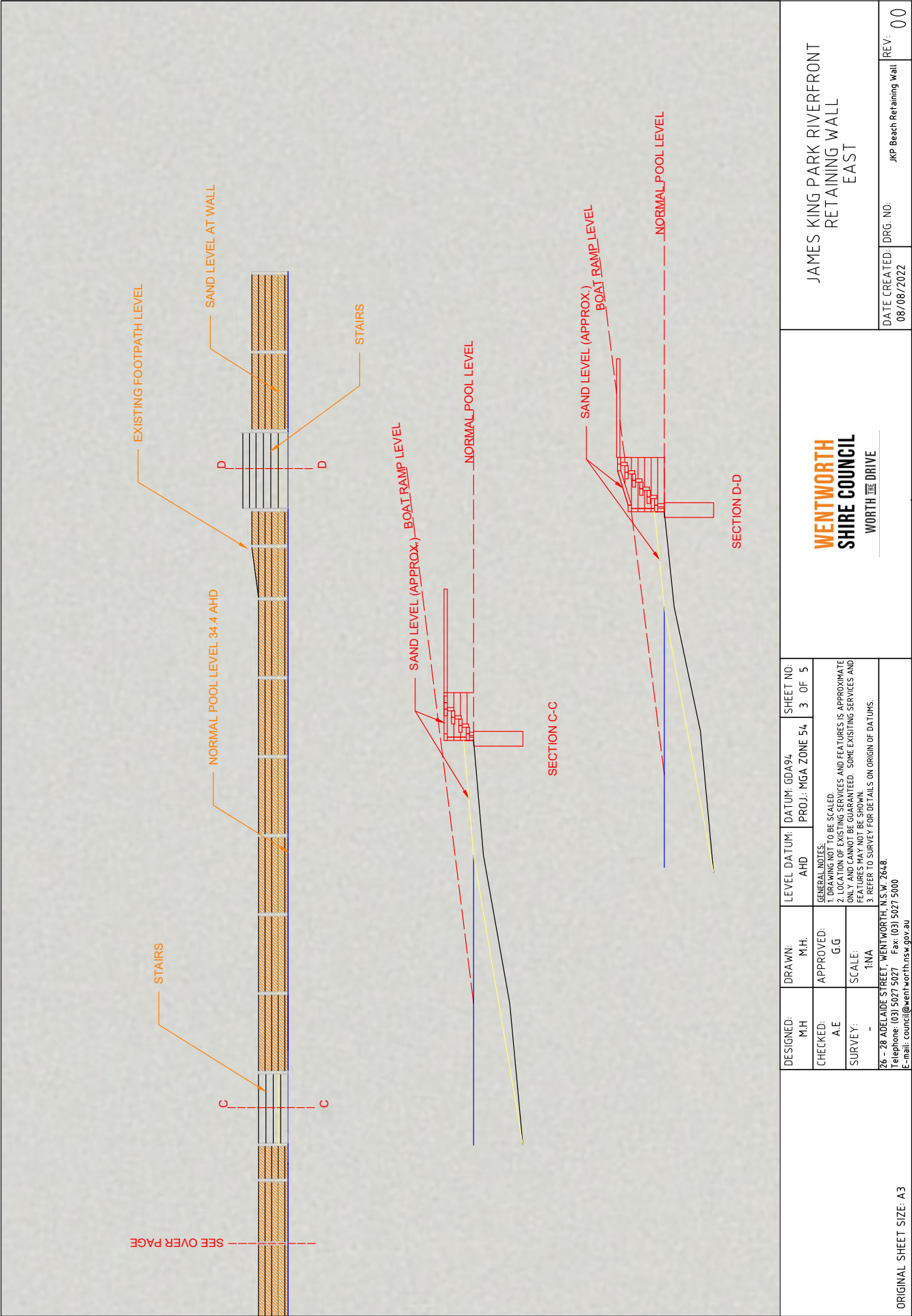
### **Attachments**

1. James King Park Retaining Wall [↓](#) 
2. Junction Island Bridge Plans [↓](#) 
3. Projects & Works Photos - August 2022 [↓](#) 

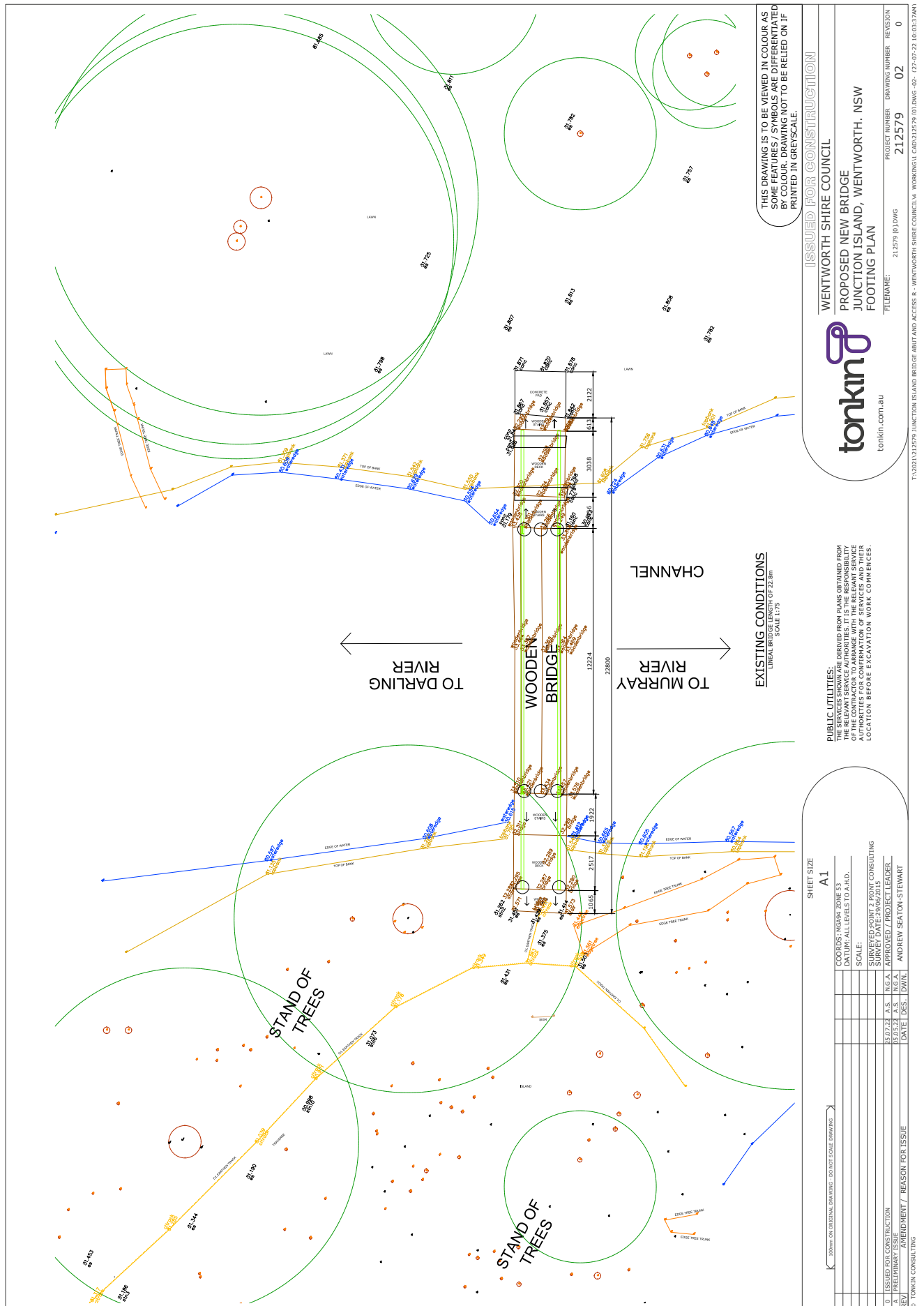


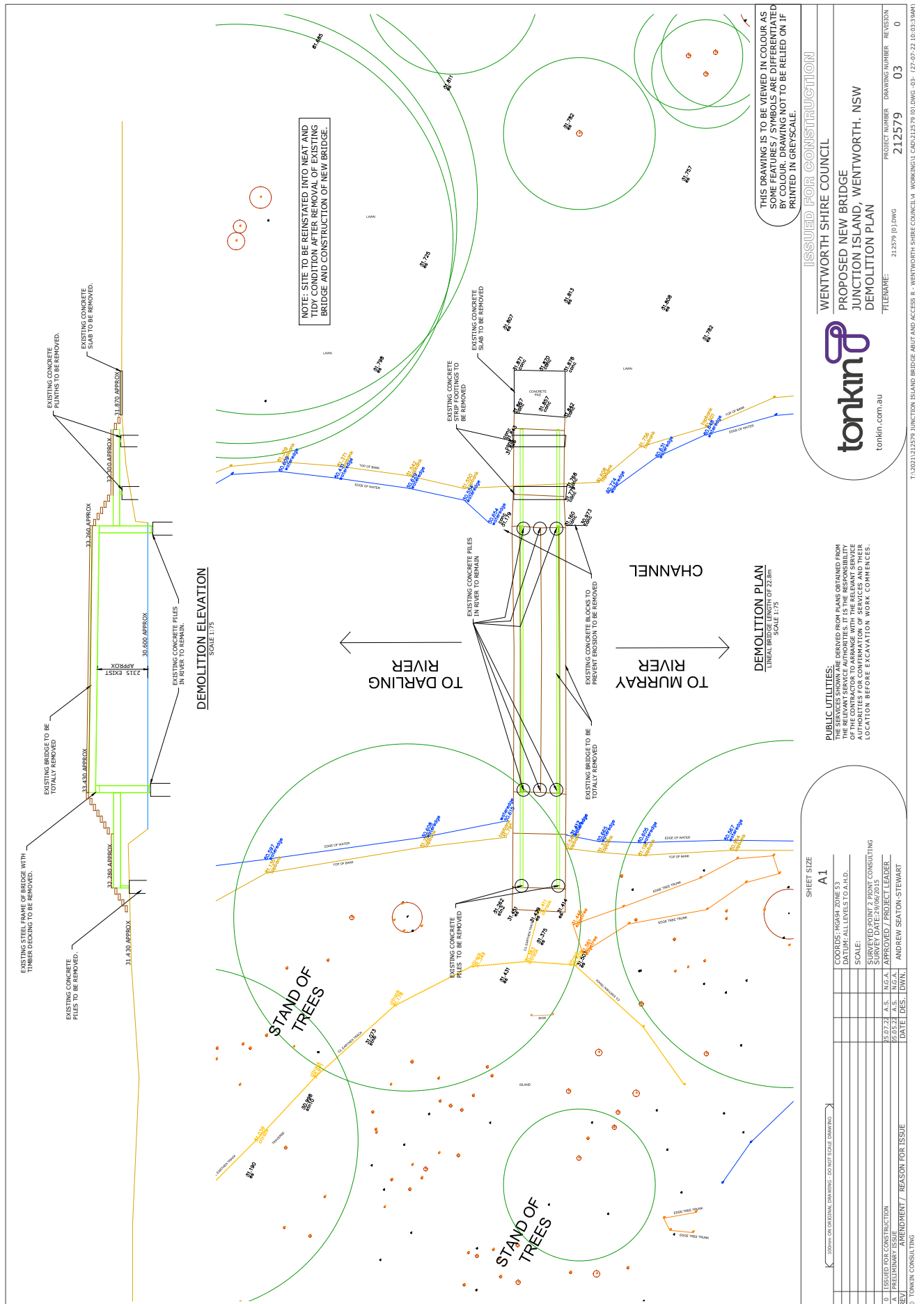
JAMES KING PARK RIVERFRONT RETAINING WALL PLAN				DATE CREATED: 08/08/2022		DRG. NO. JKP Beach Retaining Wall		REV: 00	
WENTWORTH SHIRE COUNCIL				LEVEL DATUM: AHD		DATUM: GDA94		SHEET NO. 1 OF 5	
26 - 28 ADELAIDE STREET, WENTWORTH, N.S.W. 2848. Telephone: (03) 5027 5027 Fax: (03) 5027 5000 E-mail: council@wentworth.nsw.gov.au				DESIGNED: M.H.		DRAWN: M.H.		PROJECT: MGA ZONE 54	
GENERAL NOTES: 1. DRAWING NOT TO BE SCALED. 2. LOCATION OF EXISTING SERVICES AND FEATURES IS APPROXIMATE ONLY AND CANNOT BE GUARANTEED. SOME EXISTING SERVICES AND FEATURES MAY NOT BE SHOWN. 3. REFER TO SURVEY FOR DETAILS ON ORIGIN OF DATUMS.				CHECKED: A.E.		APPROVED: G.G.		SCALE: 1:250	
ORIGINAL SHEET SIZE: A3				SURVEY: -					

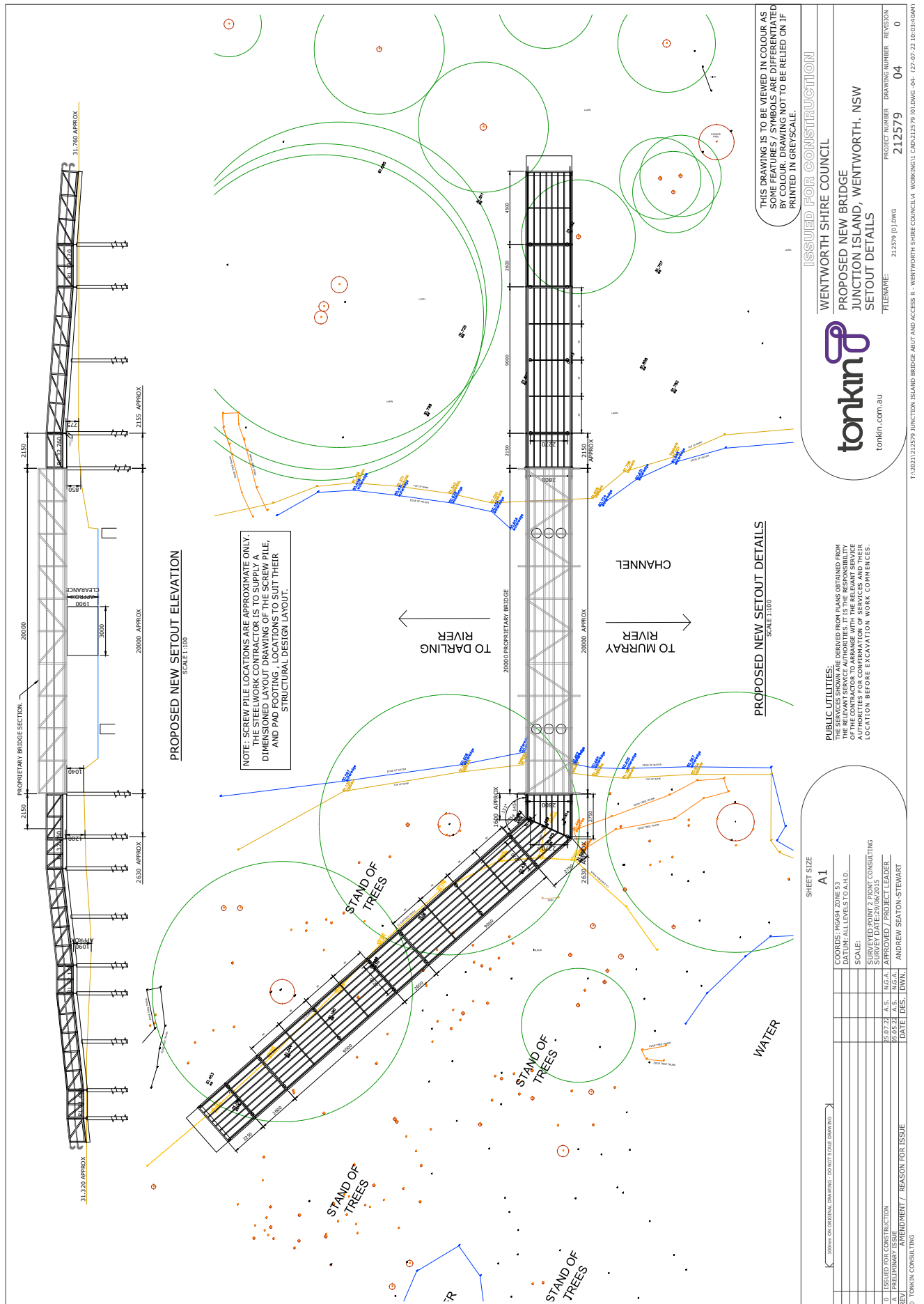


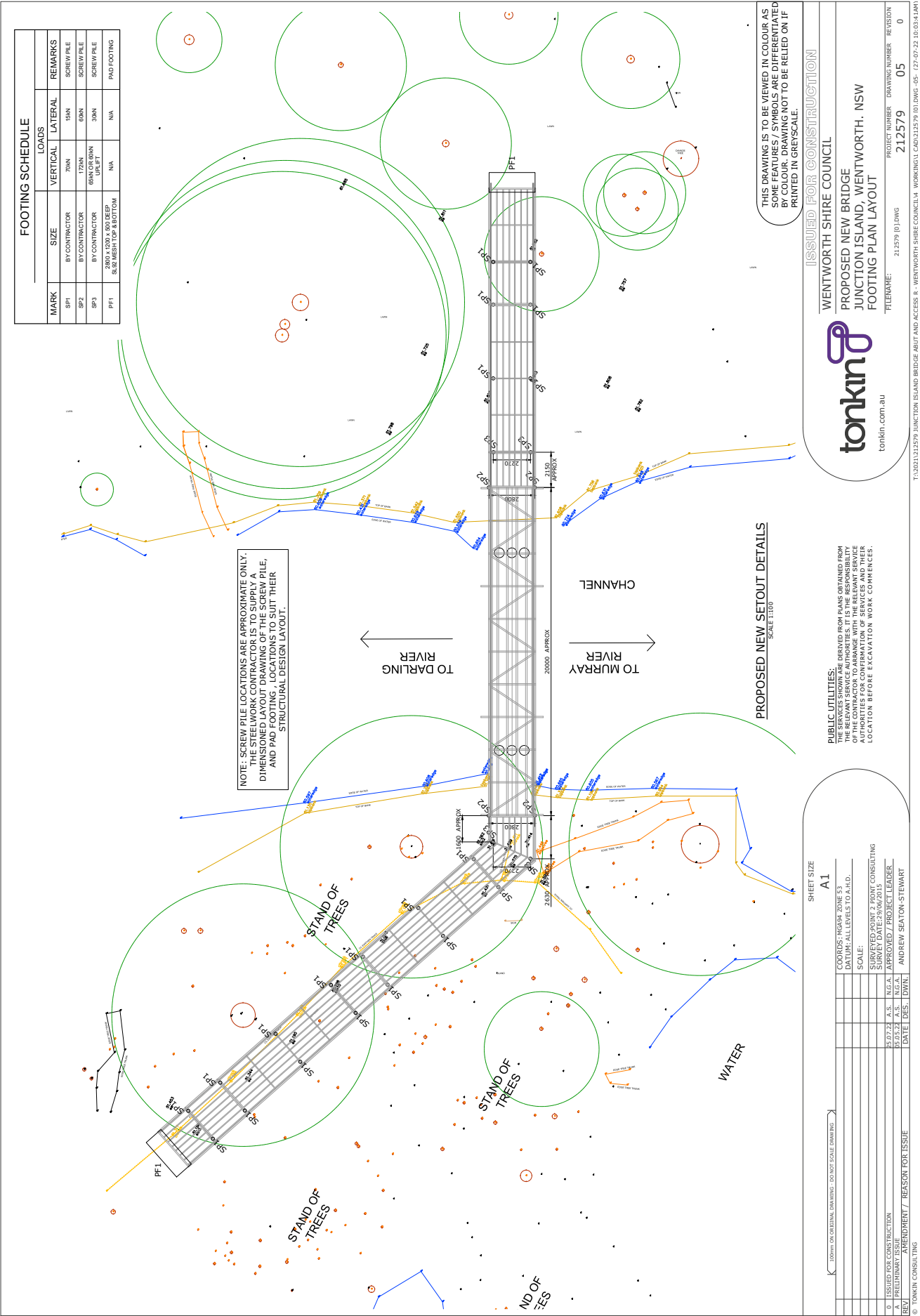


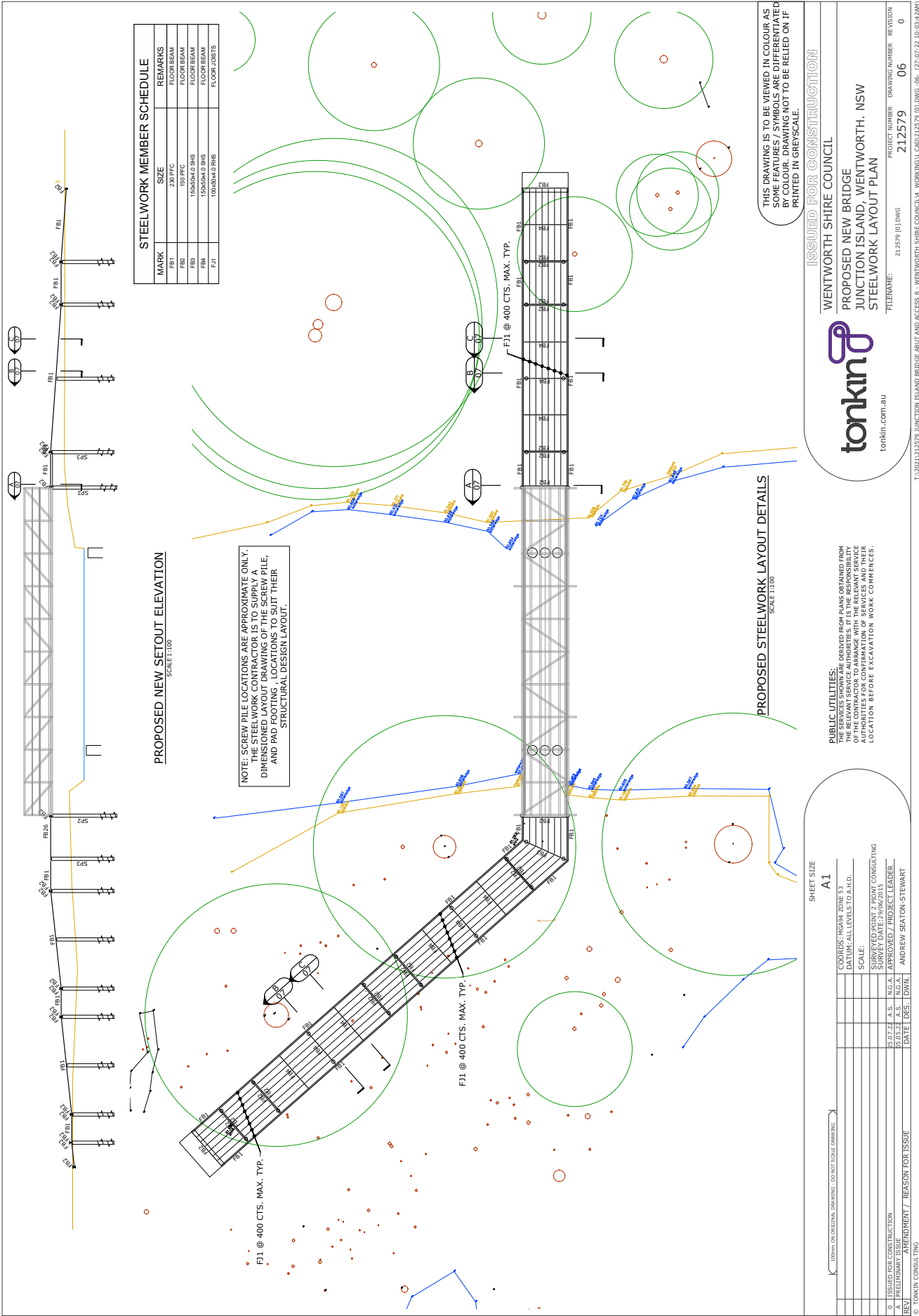




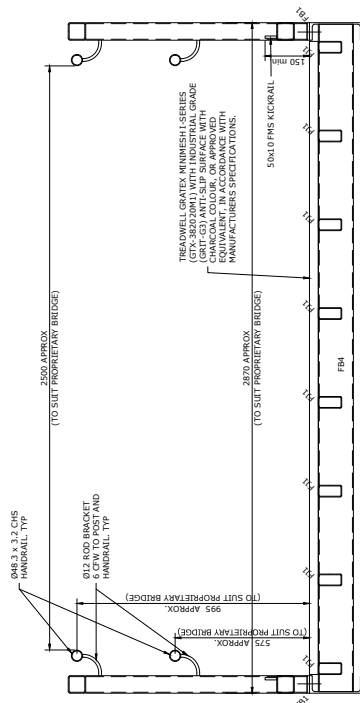




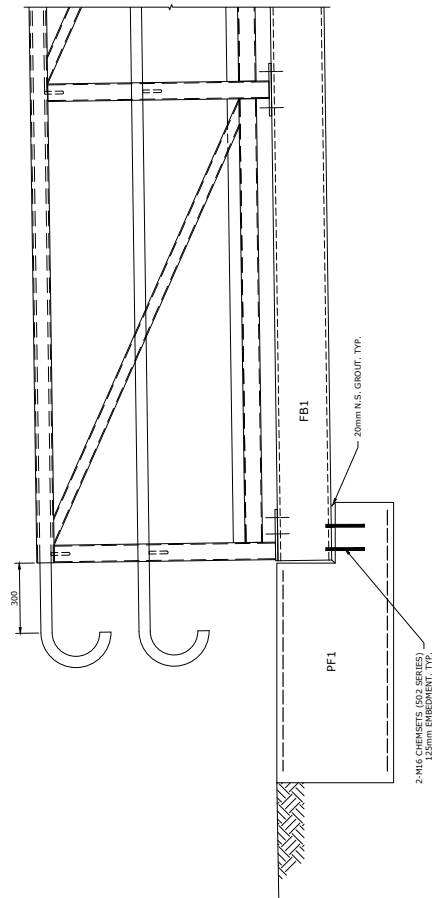








SECTION C  
06  
SCALE 1:10



TYPICAL RAMP TO PAD FOOTING  
CONNECTION  
SCALE 1:10

ISSUED FOR CONSTRUCTION

WENTWORTH SHIRE COUNCIL

## PROPOSED NEW BRIDGE

JUNCTION ISLAND, WENTWORTH, NSW  
RAMP SECTION AND PAD FOOTING CONNECTION

FILENAME:

212579 [0].DWG

PROJECT NUMBER  
212579

0

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COORDS: MGA94 ZONE 53  
DATUM: ALL LEVELS TO A.H.D.

SCALE: SURVEYED:POINT 2 PIONT CONSULTING

SURVEY DATE: 29/06/2015  
APPROVED / PROJECT LEADER

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ANDREW SEATON-STEWART

TOURNAMENT ON ORIGINAL DRAWING - DO NOT SCALE DRAWING

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## CONSTRUCTION

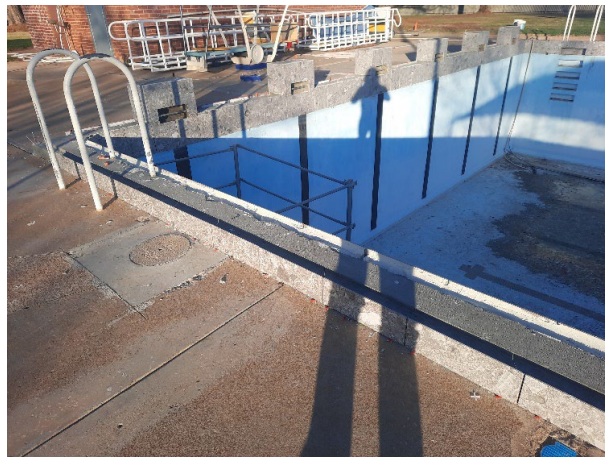
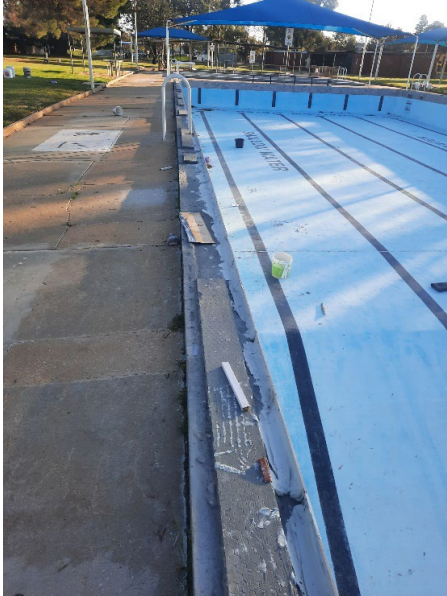
AMENDMENT / REASON FOR ISSUE

CONSULTING

Pooncarie-Menindee Road Reconstruction



Wentworth Pool



Wentworth Waste Water Treatment Plant Demolition



## 10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

### 10.1 FUNDING FOR AUSTRALIAN INLAND BOTANIC GARDENS

File Number: RPT/22/459

Councillor Rodda has indicated her intention to move the following motion:

#### **Motion**

That Wentworth Shire Council's financial contribution to the Australian Inland Botanic Gardens be increased by 5% for the current financial year.

#### **Background**

Wentworth Shire Council provides the Australian Inland Botanic Gardens financial support annually to assist the organisation.

Council's contribution to the Australian Inland Botanic Gardens has been at \$45,900 for a couple of years. The Australian Inland Botanic Gardens are Council's single biggest financial contribution towards a community or sporting organisation by more than \$30,000 and accounts for nearly a third of Council's annual financial assistance program.

The 2022 Wentworth Shire budget saw a 5% contribution increase for a number of organisations supported by Council for the 2022-2023 financial year. The Australian Inland Botanic Gardens funding was not increased this financial year.

If a 5% increase was to be applied to the Australian Inland Botanic Gardens, the contribution would be \$48,200 for the current financial year.

The Australian Inland Botanic Gardens brings together community, environment, tourism, science, education and conservation and is a site of significance within our region. Given the work of the organisation and the importance of the Australian Inland Botanic Gardens to the preservation of a range of botanic specimens including some rare species, I suggest there is a strong case for not only continued Council support, but an increase in line with other organisations.

#### **Attachments**

Nil

## 11 CONFIDENTIAL BUSINESS – ADJOURNMENT INTO CLOSED SESSION

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

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

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

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

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

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

### **Recommendation**

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

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

#### **12.1 Old Wentworth Road - Variation for Supply and Delivery of Road Base Material - PT2122/13. (RPT/22/516)**

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

## 12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

### 12.1 OLD WENTWORTH ROAD - VARIATION FOR SUPPLY AND DELIVERY OF ROAD BASE MATERIAL - PT2122/13

File Number: RPT/22/516

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Lisa Kalemkeridis - Administration Officer

Objective: 3.0 Wentworth 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.*

## **13 CONCLUSION OF THE MEETING**

### **NEXT MEETING**

21 September 2022