



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

20 JULY 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 29 June 2022 be confirmed as
circulated.



WENTWORTH SHIRE COUNCIL

ORDINARY MEETING MINUTES

29 JUNE 2022

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1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 6:33pm

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

COUNCILLORS: Councillor Brian Beaumont
Councillor Steve Cooper
Councillor Peter Crisp
Councillor Tim Elstone
Councillor Steve Heywood
Councillor Daniel Linklater
Councillor Susan Nichols
Councillor Jo Rodda

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

3 APOLOGIES AND LEAVE OF ABSENCE

Geoff Gunn Director Roads & Engineering

4 DISCLOSURES OF INTERESTS

Councillor Rodda advised that she had a pecuniary interest in Item 12.3 as she has a working relationship with one of the tenderers.

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 18 May 2022 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 18 May 2022 be confirmed as amended.

Moved Cr. Nichols, Seconded Cr Crisp

CARRIED UNANIMOUSLY

Recommendation

That the Minutes of the Extraordinary Meeting held 17 June 2022 be confirmed as circulated.

Council Resolution

That the Minutes of the Extraordinary Meeting held 17 June 2022 be confirmed as circulated.

Moved Cr Crisp, Seconded Cr. Heywood

CARRIED UNANIMOUSLY

Recommendation

That the Minutes of the Extraordinary Meeting held 20 June 2022 be confirmed as circulated.

Council Resolution

That the Minutes of the Extraordinary Meeting held 20 June 2022 be confirmed as circulated.

Moved Cr Crisp, Seconded Cr Linklater

CARRIED UNANIMOUSLY

Council Resolution

That Standing Orders be suspended for the purpose of a public forum.

Moved Cr Linklater, Seconded Cr Cooper

CARRIED UNANIMOUSLY

Mr Michael Hawtin addressed Council in relation to Item 9.12

Council Resolution

That Standing Orders be resumed.

Moved Cr Linklater, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

6.1 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

File Number: RPT/22/359

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 21 June 2022.

Council Resolution

That Council receives and notes the list of outstanding matters as at 21 June 2022.

Moved Cr. Nichols, Seconded Cr Crisp

CARRIED UNANIMOUSLY

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/22/360

In addition to the written report the Mayor acknowledged the resignation of Cr Greg Evans and thanked him for his time and efforts representing Council and its communities.

Recommendation

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

Council Resolution

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

Moved Cr Linklater, Seconded Cr Rodda

CARRIED UNANIMOUSLY

8 REPORTS FROM COMMITTEES

Nil

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGERS REPORT

File Number: RPT/22/350

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
Circular 22-12 to 22-18
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 Rodda, Seconded Cr Linklater

CARRIED UNANIMOUSLY

9.2 POLICY REVIEW - OFFICE OF GENERAL MANAGER

File Number: RPT/22/367

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

After each general election of Councillors, the *Local Government Act 1993* requires Council to review all official policies of Council. There are currently 74 policies in place of which 21 are the responsibility of the Office of the General Manager.

For this Council meeting the Office of the General Manager has reviewed two policies and are presenting two to Council for adoption.

Recommendation

That Council approve the following policies:

- a) WR006 Draft Volunteers Policy
- b) WR008 Automated External Defibrillators Policy

Council Resolution

That Council approve the following policies:

- a) WR006 Draft Volunteers Policy
- b) WR008 Automated External Defibrillators Policy

Moved Cr Rodda, Seconded Cr Cooper

CARRIED UNANIMOUSLY

9.3 RELEASING FRESHWATER CATFISH INTO THEGOA LAGOON

File Number: RPT/22/403

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

Council has received correspondence from the Environment and Heritage Group, Department of Planning and Infrastructure seeking support for the release of Freshwater Catfish into Thegoa Lagoon.

Recommendation

That Council support the release of Freshwater Catfish into the Thegoa Lagoon and advise the Environment and Heritage Group.

Council Resolution

That Council support the release of Freshwater Catfish into the Thegoa Lagoon and advise the Environment and Heritage Group.

Moved Cr Beaumont, Seconded Cr. Heywood

CARRIED UNANIMOUSLY

9.4 DETERMINATION OF COUNCILLOR REMUNERATION FOR 2022/2023

File Number: RPT/22/351

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

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

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

Summary

The Local Government Remuneration Tribunal has determined a 2% increase to the Mayoral and Councillor fees for the 2022/23 financial year, with effect from 1 July 2022.

Sections 248 and 249 of the *Local Government Act 1993* require Councils to fix and pay an annual fee based on the Tribunal's determination for the 2022/23 financial year. If a Council does not fix a fee, the Council must pay the minimum fee determined by the Tribunal.

The Remuneration Tribunal classifies the Wentworth Shire Council as a Rural Council. As such, the minimum fee for a Councillor is \$9,560 and the maximum allowable is \$12,650. In addition to the fee paid as a Councillor, the minimum fee payable to the Mayor is \$10,180 and the maximum fee is \$27,600.

In May 2021, Council resolved to increase the fees for the 2021/22 to the maximum amount. The fees for 2021/22 are \$12,400 for Councillors plus an additional \$27,060 for the Mayor.

Recommendation

That Council sets the level of fees to be paid to the Councillors and Mayor in accordance with the schedule of fees determined by the Local Government Remuneration Tribunal.

Council Resolution

That Council approves \$12,650 for Councillors and \$27,600 for the Mayor in accordance with the schedule of fees determined by the Local Government Remuneration Tribunal.

Moved Cr. Heywood, Seconded Cr Crisp

CARRIED UNANIMOUSLY

9.5 ENDORSEMENT OF INTEGRATED PLANNING AND REPORTING DOCUMENTATION

File Number: RPT/22/356

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

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

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

Summary

In accordance with the Local Government Act (the Act) Council, following an ordinary election of Councillors, Council must review the Community Strategic Plan (CSP) before the 30 June following the election.

Additionally, Council must also review the Resource Strategy, and complete a four year Delivery Program and one year Operational Plan.

The suite of draft documents were presented to Council on 18 May 2022 and were subsequently placed on public exhibition, with submissions closing on 17 June 2022.

Council is now required to consider all submissions received prior to adopting the Integrated Planning & Reporting (IP&R) suite of documents and to make and levy the following rates and charges for 2022-23 including:

- 0.70% increase in the Ordinary rate for 2022-23.
- 2.50% increase in Sewer Access Charges for 2022-23.
- 2.50% increase in Water Access Charges for 2022-23.
- 2.50% increase in Domestic Waste Charges for 2022-23.
- 2.50% increase in Water Consumption Charges for 2022-23.
- Charge the maximum 6.00% interest on overdue rates and charges

At the time of writing this report there had been no submissions received from the public during the exhibition period. Any submissions received between the time of preparing this report and the conclusion of the public exhibition period will be the subject of a supplementary late report to be tabled at the Council meeting.

There have been minor administrative changes to all documents to reflect feedback received from Councillors and to reflect ongoing internal reviews and continuous improvement by Council officers.

The major change to the Community Strategic Plan was updating the vision from the previous vision of:

“A thriving region, supported by a robust economic base, distinctive open spaces, and strong local governance and leadership”.

To reflect the following:

“Wentworth Shire will work together to create a thriving, attractive and welcoming community.”

Amendments have been made to the 2022-2023 Budget to reflect updated information received during the consultation period. The overall impact of the changes are as follows:

- Capital Grants & Contributions increased by \$2,697,436
- Operational Grants & Contributions increased by \$301,708
- Fees and Charges increased by \$150,000
- Materials & Contracts increased by \$301,708
- Other Expenditure increased by \$242,518
- Capital expenditure increased by \$3,030,437
- Use of Restricted Reserves to fund capital expenditure increased by \$300,000
- Total Surplus from Operating Activities increased by \$2,604,917
- Total 2022-2023 Cash Surplus decreased by \$125,619

Recommendation

That Council endorses the revised Community Vision as outlined in the Community Strategic Plan;

That Council endorses the 2022-32 Community Strategic Plan – Wentworth Shire: Our Future in Focus;

That Council endorses the 2022-2026 Resource Strategy, which includes the following documents:

- Long Term Financial Plan
- Workforce Management Plan
- Asset Management Strategy

That Council endorses the 2022-2026 Disability Inclusion Action Plan;

That Council endorses the 2022-2026 Delivery Program incorporating the 2022-2023 Operational Plan, Budget and Annual Statement of Revenue;

That Council resolves to increase the General rate for the 2022-23 year by the maximum 0.70% rate pegged amount as determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART);

That Council resolves to make and levy an ordinary rate to comprise of a base rate and an ad valorem rating structure for Residential, Business and Farmland categories of rates under Sections 534, 535 & 537 of the *Local Government Act 1993* (NSW) for the 2022-23 year including:

Farmland category

Includes all of the lands within the local government area of Wentworth categorised as Farmland except those parcels of rateable land sub categorised as Farmland, Dry Land Grazing and Farmland, Licence/Pump Site/Pipeline

Farmland

- An ordinary rate of 0.00334672 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Farmland, in accordance with Section 515 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$510.00) for each assessment. The base

amount accounts for 31.05% of the estimated yield for this category. The estimated yield for this rate is \$1,161,220.89

Farmland – Dry Land Grazing

- An ordinary rate of 0.00269869 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Farmland, sub categorised Dry Land Grazing in accordance with Section 515 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$510.00) for each assessment. The base amount accounts for 17.94% of the estimated yield for this category. The estimated yield for this rate is \$736,409

Farmland, Licence/Pump Site/Pipeline

- An ordinary rate of 0.04014391 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Farmland, sub categorised Licence/Pump Site/Pipeline, in accordance with Section 515 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$95.00) for each assessment. The base amount accounts for 43.00% of the estimated yield for this category. The estimated yield for this rate is \$15,683

Residential Category

Wentworth

- An ordinary rate of 0.00435451 cents in the dollar on the land value of all rateable lands with Wentworth Shire Council categorised as Residential, sub categorised Wentworth, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to base amount of (\$240.00) for each assessment. The amount accounts for 45.09% of the estimated yield for this category. The estimated yield for this rate is \$323,640

Buronga

- An ordinary rate of 0.00392586 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Buronga, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$260.00) for each assessment. The base amount accounts for 29.71% of the estimated yield for this category. The estimated yield for this rate is \$426,142

Gol Gol

- An ordinary rate of 0.00418719 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Gol Gol, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$260.00) for each assessment. The base amount accounts for 25.76% of the estimated yield for this category. The estimated yield for this rate is \$597,530

Gol Gol East

- An ordinary rate of 0.00470828 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Gol Gol East, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$360.00) for each assessment. The base amount accounts for 22.68% of the estimated yield for this category. The estimated yield for this rate is \$357,091

Pooncarie

- An ordinary rate of 0.01407047 cents in the dollar on the land value of all rateable lands with Wentworth Shire Council categorised as Residential, sub categorised Pooncarie, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$195.00) for each assessment. The base amount accounts for 46.60% of the estimated yield for this category. The estimated yield for this rate is \$22,177

Dareton

- An ordinary rate of 0.01659654 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Dareton, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$195.00) for each assessment. The base amount accounts for 48.22% of the estimated yield for this category. The estimated yield for this rate is \$76,832

Rural Residential

- An ordinary rate of 0.00382962 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Rural, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$195.00) for each assessment. The base amount accounts for 26.15% of the estimated yield for this category. The estimated yield for this rate is \$475,701

Business Category

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

Business

- An ordinary rate of 0.00716264 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, in accordance with Section 518 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$270.00) for each assessment. The base amount accounts for 19.43% of the estimated yield for this category. The estimated yield for this rate is \$261,270

Business, Wentworth

- An ordinary rate of 0.00918108 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Wentworth, in accordance with Section 518 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$270.00) for each assessment. The base amount accounts for 37.89% of the estimated yield for this category. The estimated yield for this rate is \$39,192

Business, Mourquong

- An ordinary rate of 0.30967717 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised

Mourquong, in accordance with Section 518 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$100.00) for each assessment. The base amount accounts for 0.12% of the estimated yield for this category. The estimated yield for this rate is \$245,545

Business, Trentham Cliffs

- An ordinary rate of 0.00869766 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Trentham Cliffs, in accordance with Section 518 of the Local Government Act 1993, be now made for the 2022/23 rating period, subject to a base amount of (\$120.00) for each assessment. The base amount accounts for 4.17% of the estimated yield for this category. The estimated yield for this rate is \$11,450

Business, Arumpo

- An ordinary rate of 0.06598092 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Arumpo, in accordance with Section 518 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$210.00) for each assessment. The base amount accounts for 1.35% of the estimated yield for this category. The estimated yield for this rate is \$77,522

Business, Pooncarie

- An ordinary rate of 0.08716740 cents in the dollar on the land value of all rateable lands with Wentworth Shire Council categorised as Business, sub categorised Pooncarie, in accordance with Section 518 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$100.00) for each assessment. The base amount accounts for 0.02% of the estimated yield for this category. The estimated yield for this rate is \$888,000

That Council resolves to make and levy fees and charges for Sewer Services for 2022-23 year as set out in the Annual Statement of Revenue;

That Council resolves to make and levy fees and charges for Water Services for 2002-23 year as set out in the Annual Statement of Revenue;

That Council resolves to make and levy a Domestic Waste Management charge for 2022-23 year under Section 496 of the *Local Government Act 1993* (NSW) on each parcel of rateable land of which the service is available as set out in the Annual Statement of Revenue;

That Council resolves to fix the fees and charges as set out in the Annual Statement of Revenue; and

That Council resolves to charge the maximum 6.00% interest on overdue rates and charges as determined by the Minister for Local Government.

That Council approves the proposed borrowings for 2022-2023 as outlined in the Annual Statement Revenue.

Council Resolution**Recommendation**

That Council endorses the revised Community Vision as outlined in the Community Strategic Plan;

That Council endorses the 2022-32 Community Strategic Plan – Wentworth Shire: Our Future in Focus;

That Council endorses the 2022-2026 Resource Strategy, which includes the following documents:

- Long Term Financial Plan
- Workforce Management Plan
- Asset Management Strategy

That Council endorses the 2022-2026 Disability Inclusion Action Plan;

That Council endorses the 2022-2026 Delivery Program incorporating the 2022-2023 Operational Plan, Budget and Annual Statement of Revenue;

That Council resolves to increase the General rate for the 2022-23 year by the maximum 0.70% rate pegged amount as determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART);

That Council resolves to make and levy an ordinary rate to comprise of a base rate and an ad valorem rating structure for Residential, Business and Farmland categories of rates under Sections 534, 535 & 537 of the *Local Government Act 1993* (NSW) for the 2022-23 year including:

Farmland category

Includes all of the lands within the local government area of Wentworth categorised as Farmland except those parcels of rateable land sub categorised as Farmland, Dry Land Grazing and Farmland, Licence/Pump Site/Pipeline

Farmland

- An ordinary rate of 0.00334672 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Farmland, in accordance with Section 515 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$510.00) for each assessment. The base amount accounts for 31.05% of the estimated yield for this category. The estimated yield for this rate is \$1,161,220.89

Farmland – Dry Land Grazing

- An ordinary rate of 0.00269869 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Farmland, sub categorised Dry Land Grazing in accordance with Section 515 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$510.00) for each assessment. The base amount accounts for 17.94% of the estimated yield for this category. The estimated yield for this rate is \$736,409

Farmland, Licence/Pump Site/Pipeline

- An ordinary rate of 0.04014391 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Farmland, sub categorised Licence/Pump Site/Pipeline, in accordance with Section 515 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of

(\$95.00) for each assessment. The base amount accounts for 43.00% of the estimated yield for this category. The estimated yield for this rate is \$15,683

Residential Category

Wentworth

- An ordinary rate of 0.00435451 cents in the dollar on the land value of all rateable lands with Wentworth Shire Council categorised as Residential, sub categorised Wentworth, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to base amount of (\$240.00) for each assessment. The amount accounts for 45.09% of the estimated yield for this category. The estimated yield for this rate is \$323,640

Buronga

- An ordinary rate of 0.00392586 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Buronga, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$260.00) for each assessment. The base amount accounts for 29.71% of the estimated yield for this category. The estimated yield for this rate is \$426,142

Gol Gol

- An ordinary rate of 0.00418719 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Gol Gol, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$260.00) for each assessment. The base amount accounts for 25.76% of the estimated yield for this category. The estimated yield for this rate is \$597,530

Gol Gol East

- An ordinary rate of 0.00470828 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Gol Gol East, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$360.00) for each assessment. The base amount accounts for 22.68% of the estimated yield for this category. The estimated yield for this rate is \$357,091

Pooncarie

- An ordinary rate of 0.01407047 cents in the dollar on the land value of all rateable lands with Wentworth Shire Council categorised as Residential, sub categorised Pooncarie, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$195.00) for each assessment. The base amount accounts for 46.60% of the estimated yield for this category. The estimated yield for this rate is \$22,177

Dareton

- An ordinary rate of 0.01659654 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Dareton, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$195.00) for each assessment. The base amount accounts for 48.22% of the estimated yield for this

category. The estimated yield for this rate is \$76,832

Rural Residential

- An ordinary rate of 0.00382962 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Residential, sub categorised Rural, in accordance with Section 516 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$195.00) for each assessment. The base amount accounts for 26.15% of the estimated yield for this category. The estimated yield for this rate is \$475,701

Business Category

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

Business

- An ordinary rate of 0.00716264 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, in accordance with Section 518 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$270.00) for each assessment. The base amount accounts for 19.43% of the estimated yield for this category. The estimated yield for this rate is \$261,270

Business, Wentworth

- An ordinary rate of 0.00918108 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Wentworth, in accordance with Section 518 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$270.00) for each assessment. The base amount accounts for 37.89% of the estimated yield for this category. The estimated yield for this rate is \$39,192

Business, Mourquong

- An ordinary rate of 0.30967717 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Mourquong, in accordance with Section 518 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$100.00) for each assessment. The base amount accounts for 0.12% of the estimated yield for this category. The estimated yield for this rate is \$245,545

Business, Trentham Cliffs

- An ordinary rate of 0.00869766 cents in the dollar on the land value of all rateable lands within Wentworth Shire Council categorised as Business, sub categorised Trentham Cliffs, in accordance with Section 518 of the Local Government Act 1993, be now made for the 2022/23 rating period, subject to a base amount of (\$120.00) for each assessment. The base amount accounts for 4.17% of the estimated yield for this category. The estimated yield for this rate is \$11,450

Business, Arumpo

- An ordinary rate of 0.06598092 cents in the dollar on the land value of all rateable

lands within Wentworth Shire Council categorised as Business, sub categorised Arumpo, in accordance with Section 518 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$210.00) for each assessment. The base amount accounts for 1.35% of the estimated yield for this category. The estimated yield for this rate is \$77,522

Business, Pooncarie

- An ordinary rate of 0.08716740 cents in the dollar on the land value of all rateable lands with Wentworth Shire Council categorised as Business, sub categorised Pooncarie, in accordance with Section 518 of the Local Government Act, 1993 be now made for the 2022/23 rating period, subject to a base amount of (\$100.00) for each assessment. The base amount accounts for 0.02% of the estimated yield for this category. The estimated yield for this rate is \$888,000

That Council resolves to make and levy fees and charges for Sewer Services for 2022-23 year as set out in the Annual Statement of Revenue;

That Council resolves to make and levy fees and charges for Water Services for 2002-23 year as set out in the Annual Statement of Revenue;

That Council resolves to make and levy a Domestic Waste Management charge for 2022-23 year under Section 496 of the *Local Government Act 1993* (NSW) on each parcel of rateable land of which the service is available as set out in the Annual Statement of Revenue;

That Council resolves to fix the fees and charges as set out in the Annual Statement of Revenue; and

That Council resolves to charge the maximum 6.00% interest on overdue rates and charges as determined by the Minister for Local Government.

That Council approves the proposed borrowings for 2022-2023 as outlined in the Annual Statement Revenue.

Moved Cr Linklater, Seconded Cr Crisp

CARRIED UNANIMOUSLY

9.6 POLICY REVIEW - FINANCE & POLICY DEPARTMENT

File Number: RPT/22/357

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

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

Summary

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 74 policies in place of which 25 are the responsibility of the Finance & Policy Department.

For this Council meeting the department has reviewed seven policies and are presenting them to Council for adoption.

Recommendation

That Council adopted the following revised policies:

- a) AF012 - Writing off Rates, Charges and Debts Policy
- b) AF015 - Borrowing & Overdraft Policy
- c) GOV007 - Privacy Policy
- d) GOV008 - Public Access to Information Held by Council (GIPA) Policy
- e) GOV019 - Statement of Business Ethics
- f) GOV022 - Legislative Compliance Policy
- g) PR014 - Cemetery and Memorial Management Policy

That Council, following the completion of the public exhibition period and there being no submissions, adopt the following draft policy:

GOV025 – Contract Management Policy

Council Resolution

That Council adopted the following revised policies:

- a) AF012 - Writing off Rates, Charges and Debts Policy
- b) AF015 - Borrowing & Overdraft Policy
- c) GOV007 - Privacy Policy
- d) GOV008 - Public Access to Information Held by Council (GIPA) Policy
- e) GOV019 - Statement of Business Ethics
- f) GOV022 - Legislative Compliance Policy
- g) PR014 - Cemetery and Memorial Management Policy

That Council, following the completion of the public exhibition period and there being no

submissions, adopt the following draft policy:

GOV025 – Contract Management Policy

Moved Cr. Nichols, Seconded Cr. Heywood

CARRIED UNANIMOUSLY

9.7 UPDATED DISCLOSURE OF INTEREST RETURNS

File Number: RPT/22/358

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Finance and Policy

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

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

Summary

The *Local Government Act 1993* (NSW) (the Act) and Council's Code of Conduct Policy require Councillors to update their Disclosure of Interest Return whenever there has been a change to a Councillors individual circumstances that might potentially create a pecuniary interest in matters that come before Council.

Councillors Cooper, Elstone and Nichols have recently updated their returns and they are now being tabled before Council for noting.

Recommendation

That Council notes the updated Disclosure of Interest Returns.

Council Resolution

That Council notes the updated Disclosure of Interest Returns including a minor amendment to Cr Nichols' return.

Moved Cr Crisp, Seconded Cr Rodda

CARRIED UNANIMOUSLY

9.8 MONTHLY FINANCE REPORT

File Number: RPT/22/352

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Division: Finance and Policy

Reporting Officer: Vanessa Lock - Finance Officer

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

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

Summary

Rates and Charges collections for the month of May 2022 were \$1,255,800.11. After allowing for pensioner subsidies, the total levies collected are now 88.96%. For comparison purposes 87.7% of the levy had been collected at the end of May 2021. Council currently has \$43,659,545.66 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. Heywood, Seconded Cr Beaumont

CARRIED UNANIMOUSLY

9.9 MONTHLY INVESTMENT REPORT

File Number: RPT/22/366

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 31 May 2022 Council had \$37 million invested in term deposits and \$6,659,545.66 in other cash investments. Council received \$8,783.24 from its investments for the month of May 2022.

In May 2022 Council investments averaged a rate of return of 1.11% and it currently has \$8,407,239.79 of internal restrictions and \$27,136,721.15 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 Linklater, Seconded Cr Cooper

CARRIED UNANIMOUSLY

9.10 WRITE OFF OF DOUBTFUL DEBTS

File Number: RPT/22/365

Responsible Officer: Simon Rule - Director Finance and Policy

Responsible Directorate: Finance and Policy

Reporting Officer: Vanessa Lock - Finance Officer

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

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

Summary

Council has been unable to recover the amount of \$ 10,499.50 being for waste charges from the Wentworth Caravan Park, Trade display fees for the Western Division conference. Council authorisation is required in order to write off these amounts.

Recommendation

That Council writes off as a bad debt the amount of \$10,499.50 pertaining to the Debtor accounts listed, all avenues of recovery have been exhausted and to continue pursuing the matter further would have no cost benefit for Council.

Council Resolution

That Council writes off as a bad debt the amount of \$10,499.50 pertaining to the Debtor accounts listed, all avenues of recovery have been exhausted and to continue pursuing the matter further would have no cost benefit for Council.

Moved Cr Rodda, Seconded Cr Crisp

CARRIED UNANIMOUSLY

9.11 DEPARTMENT HEALTH AND PLANNING POLICY REVIEW

File Number: RPT/22/363

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 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

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 74 policies in place of which 15 are the responsibility of the Health and Planning Department.

For this Council meeting Health and Planning has reviewed three (3) policies and one (1) document being the Community Participation Plan, which are now presented for consideration.

Recommendation

That Council adopt the following:

- a) Community Participation Plan
- b) PR003 Storm Water Drainage Policy

That Council approve PR008 – Compliance and Enforcement Policy and PR015 – Keeping of Animals at Residential Properties, to go out to public exhibition for 28 days per Council's Community Participation Plan.

Council Resolution

That Council adopt the following:

- a) Community Participation Plan
- b) PR003 Storm Water Drainage Policy

That Council approve PR008 – Compliance and Enforcement Policy and PR015 – Keeping of Animals at Residential Properties, to go out to public exhibition for 28 days per Council's Community Participation Plan.

Moved Cr. Nichols, Seconded Cr Rodda

CARRIED UNANIMOUSLY

9.12 DA2022/002 8 LOT SUBDIVISION 92-94 WOOD STREET LOT 1 DP 1018940 GOL GOL

File Number: RPT/22/340

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

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

Summary

A development application (DA2022/002) was received by Council for an 8 Lot subdivision to be located at 92-94 Wood Street Lot 1 DP 1018940 Gol Gol.

Under clause 2.6 of the *Wentworth Local Environmental Plan 2011 (WLEP 2011)*, subdivisions are permitted with consent.

The proposed subdivision proposes to create Lots with an area of 332sqm, significantly less than the surrounding area and not in line with the Buronga/Gol Gol Structure Plan 2020 (endorsed by DPE).

The application was publicly notified for 14 days as per the Council Community Participation Plan. Seven (7) submissions were received during the public notification period with a further six (6) submissions received outside the 14 days notification period. Of the thirteen (13) submissions, only eight (8) of them were unique submissions. This means five (5) of the submissions were a copy of each other.

Due to public interest identified by the number of submissions, the application must be determined by Council.

Recommendation

That Council

- a) Give development consent subject to deferred commencement provisions for DA2021/002 being an 8 Lot subdivision to be located at 92-94 Wood Street Lot 1 DP 1018940 Gol Gol subject to conditions
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Moved Cr. Rodda, Seconded Cr Crisp

Amendment

1. That Council give development consent subject to deferred commencement provisions for DA2021/002 being an 8 Lot subdivision to be located at 92-94 Wood Street Lot 1 DP 1018940 Gol Gol subject to conditions including a minimum 500sqm lot size
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Moved Cr Rodda, Seconded Cr. Heywood

-

LOST

Councillor Rodda withdrew her moving of the original recommendation

Council Resolution

That Council

- a) Give development consent subject to deferred commencement provisions for DA2021/002 being an 8 Lot subdivision to be located at 92-94 Wood Street Lot 1 DP 1018940 Gol Gol subject to conditions including a minimum 450sqm lot size
- b) Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Moved Cr. Nichols, Seconded Cr Crisp

CARRIED

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

For the Motion : ***Clr.s Beaumont, Cooper, Crisp, Elstone (Mayor), Heywood, Linklater and Nichols.***

Against the Motion: ***Clr. Rodda.***

9.13 DA2022/021 Dwelling with Garage 75-77 Wentworth Street Lot 58 DP 756994 Wentworth

File Number: RPT/22/316

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

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

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

Summary

A development application (DA2022/021) was received by Council for a new dwelling with garage to be located at 75-77 Wentworth Street Lot 58 DP 756994 Wentworth in close proximity to the river.

The location of the proposed development is a linear distance of 7.87m from the high bank. Under the *Wentworth Local Environmental Plan 2011 (WLEP 2011)*, the required river setback is 30m from the high bank.

The applicant is seeking a variation of 73.77% to the 30m setback. As this variation is greater than 10%, the application cannot be determined under delegated authority, and must be determined by Council.

Recommendation

That Council:

1. That Council approve DA2022/021 being a dwelling with garage located at 75-77 Wentworth Street Lot 58 DP 756994 Wentworth.
2. Call a division in accordance with S375A of the *Local Government Act 1993 (NSW)*

Council Resolution

That Council:

1. That Council approve DA2022/021 being a dwelling with garage located at 75-77 Wentworth Street Lot 58 DP 756994 Wentworth.
2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Moved Cr Cooper, Seconded Cr. Heywood

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.***

9.14 DELEGATED AUTHORITY APPROVALS AS AT END OF MAY 2022

File Number: RPT/22/361

Responsible Officer: Matthew Carlin - Director Health and Planning

Responsible Division: Health and Planning

Reporting Officer: Kerrie Copley - Administration Officer

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

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

Summary

For the month of May 2022, a total of nine (9) Development Applications and four (4) S4.55 Modification Applications were determined under delegated authority by the Director Health and Planning.

The estimated value of the determined developments was \$271,549.06. This brings the year to date total to forty-five (45) Development Applications and sixteen (16) S4.55 Applications approved, with an estimated development value of \$5,464,518.36

Recommendation

- a) That Council receives and notes the report for the month of May 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

- a) That Council receives and notes the report for the month of May 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).

Moved Cr Linklater, Seconded Cr Rodda

CARRIED UNANIMOUSLY

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

For the Motion : ***Clr.s Beaumont, Cooper, Crisp, Elstone (Mayor), Heywood, Linklater, Nichols and Rodda.***

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

9.15 POLICY REVIEW - DEPARTMENT ROADS & ENGINEERING

File Number: RPT/22/354

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

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 74 policies in place of which 8 are the responsibility of the Roads & Engineering Department.

For this Council meeting the department has reviewed two policies and are presenting them to Council for adopting.

Recommendation

That Council adopt the following revised policies:

- a) AF016 – Asset Management Policy
- b) PR012 – Fencing and Grids Policy

Council Resolution

That Council adopt the following revised policies:

- a) AF016 – Asset Management Policy
- b) PR012 – Fencing and Grids Policy

Moved Cr Rodda, Seconded Cr. Nichols

CARRIED UNANIMOUSLY

9.16 PROJECT & WORKS REPORT UPDATE - JUNE 2022

File Number: RPT/22/355

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 May 2022 and the planned activities for June 2022.

Recommendation

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

Council Resolution

That Council notes the major works undertaken in May and the scheduled works for the following month.

Moved Cr Linklater, Seconded Cr. Heywood

CARRIED UNANIMOUSLY

10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

10.1 UPGRADE OF ACCESS ROAD AND WALKING TRACK AT THE COOMEALLA GOLF CLUB WETLANDS

File Number: RPT/22/401

Motion

That Council makes provision in the 22/23 budget for the upgrade of the access road and walking track at the Coomealla Golf Club Wet Lands, and inform the Murray Darling Wet Lands Working Group of Councils commitment to the project.

Council Resolution

That Council makes provision in the 22/23 budget for the upgrade of the access road and walking track at the Coomealla Golf Club Wet Lands, and inform the Murray Darling Wet Lands Working Group of Councils commitment in principle to the project.

Moved Cr Crisp, Seconded Cr Linklater

CARRIED UNANIMOUSLY

10.2 OLD WENTWORTH ROAD SIGNAGE

Cr Susan Nichols requested a review of the Road Closed signs on the Old Wentworth Road.

The General Manager advised that he will get the signage reviewed from a Work Health & Safety perspective to ensure compliance and he will get back to Cr Nichols via email regarding the works schedule for the road.

Councillor Crisp advised that a committee has been formed for the Centenary of Dareton for Councils information.

10.3 NEILPO STREET FLATS

Cr Peter Crisp requested that action be taken regarding the Neilpo Street flats. It is currently an unsafe area.

Director Health and Planning Matthew Carlin advised that action has commenced.

10.4 WATER POOLING 32-34-36 CADELL STREET

Cr Brian Beaumont sited a significant problem of water pooling in the kerb & guttering at 32-34-36 Cadell Street.

The General Manager advised that Council is currently investigating and thus far it has been ascertained that the water is coming from a storm water drain at 36 Cadell Street. The resident has plumbers investigating where the leak is on the property. The kerb and guttering in a section near these residences is being replaced.

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 Extension to Wentworth Rowing Club - PT2122/16. (RPT/22/373)

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 Tronox Agreement. (RPT/22/381)

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 (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional

privilege. On balance, the public interest in preserving the confidentiality of information about the item outweighs the public interest in maintaining openness and transparency in council decision-making.

12.3 PT2122/17 - Events Management Services Tender. (RPT/22/418)

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 Beaumont

CARRIED UNANIMOUSLY

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

12.1 EXTENSION TO WENTWORTH ROWING CLUB - PT2122/16

File Number: RPT/22/373

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

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

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

REASON FOR CONFIDENTIALITY

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

The General Manager advised that Council in accordance with the provisions of the Local Government (General) Regulation 2005, Section 178(1)(a) accepted the tender from LP & J Wilkie Pty Ltd to carry out the extension to the Wentworth Rowing Club for Contract PT2122/16, in the amount of \$308,330.00 including GST and authorised the Mayor and General Manager to sign the contract documentation and affix the council seal; and allocated an additional \$111,347.00 plus 10% contingency (inc GST) in support of the Stronger Country Communities Project to cover the budget shortfall.

12.2 TRONOX AGREEMENT

File Number: RPT/22/381

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

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 (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege. On balance, the public interest in preserving the confidentiality of information about the item outweighs the public interest in maintaining openness and transparency in council decision-making.

The General Manager advised that Council accepted the Deed of Settlement and Release and authorise the Mayor and General Manager to sign the agreement and affix the Council Seal.

12.3 PT2122/17 - EVENTS MANAGEMENT SERVICES TENDER

File Number: RPT/22/418

Responsible Officer: Ken Ross - General Manager

Responsible Division: Office of the General Manager

Reporting Officer: Lexi Golding - Manager Tourism and Promotion

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

REASON FOR CONFIDENTIALITY

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

The General Manager advised that Council in accordance with the provisions of the Local Government (General) Regulation 2005, Section 178(1) (a) accepted the tender from Humm Events, and subsequently authorised the Mayor and General Manager to sign the contract documentation and affix the seal for the recommended contractor to carry out all works specified for PT2122/17 for \$249,630 GST inclusive of GST.

13 CONCLUSION OF THE MEETING

The meeting closed at 8:09pm.

NEXT MEETING

20 July 2022

.....
CHAIR

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.

Attachments

1. Outstanding Actions as at 13 July 2022 [!\[\]\(eb2da236c8e866008a78d7aa69bcc6c9_img.jpg\)](#) 

Division: Committee: Officer: Marsden, Gayle Outstanding Action Items Report					Date From: Date To: Printed: Wednesday, 13 July 2022 9:24:35 AM
Meeting	Item	Title	Item	Action Record (latest first)	
Ordinary Council 29/06/2022 2	10.3	Neilpo Street Flats	Cr Peter Crisp requested that action be taken regarding the Neilpo Street flats. It is currently an unsafe area. Director Health and Planning Matthew Carlin advised that action has commenced.	13 Jul 2022 9:27am Carlin, Matthew The matter has progressed from a notice to an order. The owners have responded and will be providing a management plan prior to the August meeting.	
Ordinary Council 29/06/2022 2	10.4	Water pooling 32-34-36 Cadell Street	Cr Brian Beaumont sited a significant problem of water pooling in the kerb & guttering at 32-34-36 Cadell Street. The General Manager advised that Council is currently investigating and thus far it has been ascertained that the water is coming from a storm water drain at 36 Cadell Street. The resident has plumbers investigating where the leak is on the property. The kerb and guttering in a section near these residences is being replaced.	11 Jul 2022 12:58pm Marsden, Gayle The source of the water pooling was confirmed as coming from inside the property and has been resolved by the owners. Awaiting new precast kerb and guttering to be delivered and installed for a section of the area in question.	

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/22/425

Summary

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

Recommendation

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

Detailed Report

The following table lists the meetings attended by Mayor Elstone for the period of 22 June 2022 – 12 July 2022.

Date	Meeting	Location
22 Jun 2022	Councillor Professional Development Session	Wentworth
22 Jun 2022	Advisory Meeting	Wentworth
28 Jun 2022	Mayoral Meeting	Wentworth
29 Jun 2022	Lower Western District National Emergency Medal Presentation Bushfires 2019/2020 & Truck Handover	Dareton
29 Jun 2022	Pre-meeting Briefing	Wentworth
29 Jun 2022	Council Meeting	Wentworth
5 Jul 2022	Mayoral Meeting	Wentworth
6 Jul 2022	Meeting Minister Tanya Plibersek	Trentham Cliffs
12 Jul 2022	Mayoral Meeting	Wentworth

Attachments

Nil

8 REPORTS FROM COMMITTEES

Nil

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.

Detailed Report

1. Circulars

Nil

2. Meetings

Following is a list of meetings or events attended by the General Manager for the period of 22 June 2022 – 12 July 2022.

Date	Meeting	Location
22 Jun 2022	Advisory Meeting	Wentworth
23 Jun 2022	Department Industry & Regional NSW Representatives	Wentworth
29 Jun 2022	Lower Western District National Emergency Medal Presentation Bushfires 2019/2020 & Truck Handover	Dareton
29 Jun 2022	Pre- Meeting Briefing	Wentworth
29 Jun 2022	Ordinary Council Meeting	Wentworth
30 Jun 2022	Council Meeting Debrief Staff	Wentworth

5 Jul 2022	Mayoral Meeting	Wentworth
12 Jul 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.

Date	Meeting	Proposed Attendees	Location
21 Jul 2022	Wentworth Shire Interagency Group Meeting	Cr Rodda	Buronga
26 Jul 2022	Audit, Risk & Improvement Committee Meeting	Cr Beaumont	Wentworth
1 Aug 2022	Wentworth Regional Tourism Meeting	Cr Rodda	Wentworth
9 Aug 2022	Australian Inland Botanic Gardens Meeting	Cr Rodda	Mourquong
18 Aug 2022	Wentworth Shire Interagency Group Meeting	Cr Rodda	Buronga

4. Other items of note

Nil

Attachments

Nil

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.

Detailed Report

Purpose

The purpose of this report is to inform Council of a request for financial and in-kind support for the 2022 Sunraysia Safari Cross Country Rally.

Background

Council is in receipt of a request from Rally Management Australia for Sponsorship for the 2022 Sunraysia Safari Cross Country Rally, a copy of which is attached for reference.

It is proposed to hold the rally from Wednesday 7 September 2022 to Saturday 10 September 2022 inclusive, subject to venue availability.

The aim is to stage the 2022 event entirely within the Wentworth Shire region.

Matters under consideration

The 2022 Sponsorship proposal includes a request for financial support of \$20,000.00 (ex GST) an increase of \$5,000 on previous years and in-kind support being exclusive use of the Wentworth Showgrounds, including cleaning, rubbish removal, use of toilets and related materials, for the period from Monday 5 September 2022 to Sunday 11 September 2022 inclusive, for the purposes of housing the event headquarters and overnight stop location.

The cost of additional staff time to prepare and service the Showgrounds for events such as these will be accounted for as part of the in-kind support and may have an impact on service delivery in other areas across the Shire.

Should Council resolve to provide Sponsorship for the 2022 Sunraysia Safari Cross Country Rally it is proposed to fund it from the 2022-2023 Wentworth Shire Tourism and Promotions Budget.

Based on 2022-2023 charges, the following costs for in-kind support would need to be considered:

- Access charges for the Showgrounds - \$170 per area/per day - \$4080
 - Rubbish bin hire (including one empty per day) - \$25 per bin - \$625
 - Unpowered site camping fees (for two people) - \$26 per site - \$2340
 - Power \$96
- Total of \$7141.00 not including cost of staff to prepare and service the Showground prior to the event and the cost of hiring cleaners to clean the showers and toilets during the event.

Options

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

- a) provide financial support only to the value of \$20,000.00 (ex GST);
- b) provide financial support to the value of \$20,000.00 (ex GST) plus in-kind support;
- c) provide financial support only to the value of \$15,000 (ex GST);
- d) provide financial support of \$15,000.00 (ex GST) plus in-kind support
- e) provide only in-kind support of use of the Wentworth Showgrounds for a period of seven (7) days; or
- f) not provide any financial or in-kind support to the 2022 Sunraysia Safari Cross Country Rally.

Conclusion

The 2022 Sunraysia Safari Cross Country Rally is proposed to be held within the Wentworth Shire region from Wednesday 7 September 2022 to Saturday 10 September 2022 inclusive, subject to venue availability. A request has been made for financial and in-kind support of the 2022 event. It is noted that this event has not been conducted for the last two years. In 2019 Council provided support in accordance with option (d) above.

Attachments

1. Letter Sunraysia Safari Cross Country Rally [↓](#) 



RALLY MANAGEMENT AUSTRALIA PTY LTD.

ACN: 128 198 756

ABN: 48 128 198 756

27 STONECUTTERS ROAD PORTSEA 3944 (HEAD OFFICE)

1806 SILVER CITY HWY DARETON 2717 (NSW OFFICE)

PH: 0428 541 809

TO: Wentworth Shire Council

RE: Support for 2022 Sunraysia Safari Cross Country Rally

Dear Councillors,

As we begin the final “big push” with preparations for this year’s Sunraysia Safari, I once again write to you to seek your support for this event. The forced cancellations of the 2020 and 2021 rallies (due to Covid Restrictions and Border Closures) have had a devastating effect on us financially, having invested money and time in preparing for two events that we ultimately couldn’t run through no fault of our own. However, we managed to find our way through (when many businesses unfortunately didn’t), and we believe the best way out is to look forward and keep working hard, so we’ve set the 2022 Sunraysia Safari as being our way of showing the World that we’re back, bigger and better than ever!

One of the really disappointing elements of not being able to run the Safari over the past two years has been the impact that’s had on our local communities. Putting aside the financial benefits that the event brings to the Wentworth Shire, the psychological boost that we witness is equally as important. I’m so pleased that we’re able to be back out and about working with the various groups we support around the Shire, and I know everyone is keenly looking forward to the Rally coming through their part of the country again.

In previous years, the Wentworth Shire has been a tremendous partner to the Sunraysia Safari, and the assistance and support that has been provided has been an integral factor in the success, and growth of the event. As has been the case since the event commenced back in 2017, we ask the Wentworth Shire for both



Financial Support (to help offset the cost of the TV Documentary that screens on the Seven Network in Australia, TV 3 in New Zealand, and other Sports Networks internationally), and in kind support, being the use of the Wentworth Showgrounds, and the cleaning of the facilities during and after the event, (showers and toilets) and rubbish removal. We respectfully request that same support once again from the Wentworth Shire, and ask if the financial contribution may be increased to \$20,000 (up from \$15,000 in previous years). The cost of staging the event has increased significantly this year, but we still firmly believe that the economic, social, and promotional value that the Sunraysia Safari brings to Wentworth far exceeds the level of investment that we've requested.

If you have any further queries, please do not hesitate to contact me. I thank you for your time, and your ongoing support of the Sunraysia Safari.

Yours Faithfully,

A handwritten signature in black ink, appearing to read "Troy Bennett", is located below the "Yours Faithfully," text.

TROY BENNETT

EVENT DIRECTOR

SUNRAYSIA SAFARI CROSS COUNTRY RALLY

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.

Detailed Report

Purpose

The purpose of this report is to consider who should attend the Local Government New South Wales Conference and who will be the Council's voting delegate.

Background

The Local Government New South Wales 2022 Annual Conference is being held from 23 October 2022 - 25 October 2022 the Crowne Plaza Hunter Valley. This forum is the main local government policy making forum for Local Government New South Wales.

Report Detail

The Annual Conference is the main policy making event for the local government sector. Motions passed at the Conference become resolutions, which Local Government New South Wales will take forward on Council's behalf as part of their sectors advocacy agenda. Wentworth Shire Council is entitled to one voting delegate which is usually the Mayor. It is also advantageous to Council for the opportunity for the Mayor and/or Deputy Mayor and General Manager to network with various Members of Parliament on a one to one basis. These networking opportunities are particularly useful when advocating for various issues.

The Conference program, outlining all intended panels and speakers, is attached to this report.

Cost


Registration for Local Government New South Wales 2022 Annual Conference is \$1088 per person. The Conference Dinner is an additional \$250 per attendee.

This cost is not inclusive of flights or accommodation.

Conclusion

Council has previously been represented by the Mayor and General Manager at the Conference. It is recommended that the Mayor and General Manager attend the Local Government New South Wales 2022 Annual Conference

Attachments

1. LGNSW 2022 Annual Conference Program [↓](#) 

Conference Program

23 OCTOBER

12.15pm	Pre-booked bus transfers to Crowne Plaza Hunter Valley from selected hotels
12.30pm – 7.45pm	Galleria foyer (ground level) Registration desk operational
1.30pm – 3.00pm	Semillon Room 1 (level 2) Workshop #1: Universal Urban Design and local government: creating welcoming, vibrant, safe and inclusive communities
1.30pm – 3.00pm	Semillon Room 2 (level 2) Workshop #2: Creating Smart Places – How Your LGA can Benefit
1.30pm – 3.00pm	Semillon Room 3 (level 2) Workshop #3: Managing Pests and weeds: Biosecurity and your council protecting the economy, environment and community
1.30pm – 3.00pm	Verdelho Room (level 2) Workshop #4: Building a new, resilient LG sector – Reset, Reshape and Resilience
2.45pm	Pre-book bus transfers to Crowne Plaza Hunter Valley from selected hotels
3.00pm – 3.40pm	Trade Area (Exhibition Centre, ground level) Refreshment Break

3.45pm – 3.50pm	Cabernet Merlot Room (ground level) Keynote sponsor introduction by <u>TPG Telecom</u> (https://www.tpgtelecom.com.au/)
3.50pm – 4.40pm	Cabernet Merlot Room (ground level) Keynote address: John Brogden AM (Lifeline International)
4.45pm – 5.00pm	Cabernet Merlot Room (ground level) Presentation of the A.R. Bluett Awards by the Trustees
5.00pm – 5.15pm	Cabernet Merlot Room (ground level) Official Opening LGNSW Conference
5.15pm – 7.45pm	Poolside, Crowne Plaza Hunter Valley President's Welcome Reception sponsored by <u>Statewide Mutual</u> (https://www.statewidemutual.com.au/) (featuring Hunter Valley food and wine) Pre-booked bus transfers from Crowne Plaza Hunter Valley to selected hotels

* **Conference program** may be subject to change

Conference Program

24 October

From 7.30am	<p>Pre-booked bus transfers to Crowne Plaza Hunter Valley from selected hotels</p> <p>Trade Area (Exhibition Centre, ground level)</p> <p>Light refreshments</p>
7.30am – 5.00pm	<p>Galleria foyer (ground level)</p> <p>Registration desk operational</p>
9.05am – 9.10am	<p>Cabernet Merlot Room (ground level)</p> <p>Conference Introduction by Scott Phillips, Chief Executive, LGNSW</p>
9.10am – 9.15am	<p>Cabernet Merlot Room (ground level)</p> <p>Welcome to Country on behalf of Metropolitan Local Aboriginal Land Council</p>
9.15am – 10.00am	<p>Cabernet Merlot Room (ground level)</p> <p>Opening of the Federal and State conferences, adoption of standing orders, business sessions and consideration of motions and conference business.</p> <p>Opening Address by Cr Darriea Turley AM President, LGNSW</p> <p>Presentation of financial reports (Treasurer)</p>
10.00am	<p>Cabernet Merlot Room (ground level)</p> <p>Demonstration of voting procedure.</p> <p>Commencement of consideration of motions and conference business</p>

10.55am – 11.00am	Cabernet Merlot Room (ground level) Presentation from Cr Linda Scott , President Australian Local Government Association (ALGA)
11.00am	Trade Area (Exhibition Centre, ground level) Refreshment break with distinguished partner <u>Transport For NSW</u> (https://www.transport.nsw.gov.au/)
11.30am – 11.35am	Cabernet Merlot Room (ground level) Address by Premier Partner <u>nbn</u> (https://www.nbnco.com.au/)
11.35am – 1.00pm	Cabernet Merlot Room (ground level) Consideration of Conference Business (continued)
1.00pm – 1.05pm	Cabernet Merlot Room (ground level) Address by Elite Sponsor <u>StateCover Mutual</u> (https://www.statecover.com.au/)
1.05pm – 2.15pm	Trade Area (Exhibition Centre, ground level) Lunch with Elite Sponsor <u>StateCover Mutual</u> (https://www.statecover.com.au/)
1.05pm – 2.20pm	Semillon Ballroom (level 2) <u>StateCover Mutual</u> (https://www.statecover.com.au/) Members' Lunch – GMs and CEOs are invited to join StateCover Mutual for a member networking event
2.20pm – 3.30pm	Cabernet Merlot Room (ground level) Consideration of Conference Business (continued)
3.30pm – 4.00pm	Trade Area (Exhibition Centre, ground level) Refreshment Break with Distinguished Partner <u>Landcom</u> (https://www.landcom.com.au/)

4.00pm – 5.05pm	Cabernet Merlot Room (ground level) Consideration of Conference Business
5.05pm – 5.35pm	Trade Area (Exhibition Centre, ground level) Networking
5.15pm	Pre-booked bus transfers from Crowne Plaza Hunter Valley to selected hotels
6.30pm	Pre-booked bus Transfers to Hope Estate Vineyards from selected hotels
From 7.00pm	Hope Estate Vineyards Local Government NSW Conference Dinner and entertainment with Elite Sponsor <u>StateCover Mutual</u> (https://www.statecover.com.au/). Presentation of Local Government Service Awards
10.30pm	Pre-booked bus Transfers from Hope Estate Vineyards to selected hotels

* **Conference program** may be subject to change

Conference Program

25 October

From 7.30am	<p>Galleria foyer (ground level) Registration desk operational</p> <p>Pre-booked bus transfers to Crowne Plaza Hunter Valley from selected hotels</p> <p>Trade Area (Exhibition Centre, ground level) Light refreshments</p>
7.30am – 8.45am	<p>Semillon Ballroom (level 2) Australian Local Government Women's Association (ALGWA NSW) Breakfast</p>
9.00am – 10.00am	<p>Cabernet Merlot Room (ground level) Housekeeping and introduction</p> <p>Keynote address followed by Q&A – The Future of Local Government</p>
10.00am – 10.05am	<p>Address from Distinguished partner <u>Transport For NSW</u> (https://www.transport.nsw.gov.au/)</p>
10.05am – 10.40am	<p>Trade Area (Exhibition Centre, ground level) Refreshment break with Distinguished Partner <u>Active Super</u> (https://www.activesuper.com.au/)</p>
10.40am – 10.45am	<p>Address from Distinguished partner <u>Active Super</u> (https://www.activesuper.com.au/)</p>

10.45am – 11.40am	Cabernet Merlot Room (ground level) Keynote address – Re-imagining Our Future Workforce with Simon Kuestenmacher, followed by case studies and Q&A
11.40am – 11.45am	Address from Distinguished partner <u>Landcom</u> (https://www.landcom.com.au/)
11.45am – 12.45pm	Cabernet Merlot Room (ground level) Final Keynote Session – Crime Prevention in NSW
12.45pm – 1.00pm	Cabernet Merlot Room (ground level) Final remarks from President LGNSW , including Annual Conference 2023 announcement and Conference Close
1.00pm – 2.00pm	Trade Area (Exhibition Centre, ground level) Collect and go – lunch box style. Trade Exhibition closes at 2.00pm Pre-booked bus transfers from Crowne Plaza Hunter Valley to selected hotels

* **Conference program** may be subject to change

Conference Program

Workshops

1.30pm – 3.00pm	<p>Choose any one of the four workshop options</p> <p>Semillon Room 1 (level 2) Workshop #1: Universal Urban Design and Local Government: Creating Welcoming, Vibrant, Safe and Inclusive Communities – \$99.00pp (inc GST). Afternoon tea served in Exhibition Centre at conclusion of workshop.</p>
1.30pm – 3.00pm	<p>Semillon Room 2 (level 2) Workshop #2: Smart Places – How Can Your LGA Benefit? \$99.00pp (inc GST). Afternoon tea served in Exhibition Centre at conclusion of workshop.</p>
1.30pm – 3.00pm	<p>Semillon Room 3 (level 2) Workshop #3: Managing Pests And Weeds: Biosecurity and Your Council Protecting The Economy, Environment and Community – \$99.00pp (inc GST). Afternoon tea served in Exhibition Centre at conclusion of workshop.</p>
1.30pm – 3.00pm	<p>Verdelho Room (level 2) Workshop #4: Building a new, resilient LG Sector, reset, reshape and resilience – \$99.00pp (inc GST). Afternoon tea served in Exhibition Centre at conclusion of workshop.</p>

* Conference program may be subject to change

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 78th 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 current Murray Darling Association representatives to the Murray Darling Association's 78th National Conference and Annual General Meeting from 19-21 September 2022.

Detailed Report

Purpose

The purpose of this report is to consider who should attend the Murray Darling Association's 78th National Conference and Annual General Meeting.

Report

The Murray Darling Association's 78th National Conference and Annual General Meeting is being held from 19-21 September 2022 in Albury. The focus of the Conference this year is 'Economics, Dams and Infrastructure'.

Traditionally Council nominates its Murray Darling Association representatives to attend the Conference. Wentworth Shire Council is entitled to two votes at the Annual General Meeting. The cost of attendance is \$886 which includes a Civic Reception, Study Tour of Dartmouth Dam, Gala Dinner and the two day conference.

Council is requested to nominate delegates to attend the MDA 78th National Conference and Annual General Meeting being held from the 19-21 September 2022 in Albury.

Recommendation

It is recommended that Council nominates Council's current Murray Darling Association representatives to the Murray Darling Association's 78th National Conference and Annual General Meeting from 19-21 September 2022.

Attachments

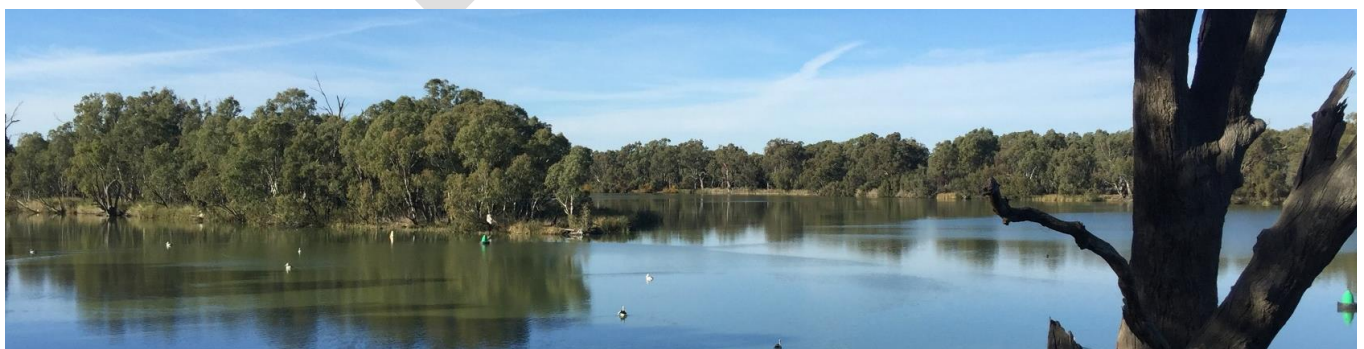
1. MDA Conference Program  



2022 National Conference and Annual General Meeting

19 – 21 September 2022, Albury NSW

Economics, Dams, and Infrastructure



Proudly hosted by



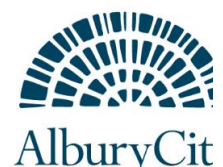
...and the conversation, to inform future policy, and to engage with the innovators, scientists, educators, and leaders of our time.

Day 0 – Welcome Day 18/9/22		
TIME	PERSPECTIVE	PRESENTER
	Welcome Day	<i>Arrive and feel welcome in Albury – settle in and enjoy a range of sites and informal events</i>
3:00pm – 5:00pm	Early Registration	
6:00pm – 7:00pm	CIVIC RECEPTION	

Day 1 – Study Tour 19/9/22		
TIME	PERSPECTIVE	PRESENTER
9:00am – 5:00pm	STUDY TOUR Guided tour of the Dartmouth Dam, with stopovers at the Yindjamurra Sculpture Trail, Hume Dam, Mitta Pub, and Mitta Micro Brewery.	Guided tour of the Dartmouth Dam by Goulburn-Murray Water.
10:00am – 2:00pm	Registrations Open	

Day 2 – 78 th National Conference 20/9/22		
TIME	PERSPECTIVE	PRESENTER
8:00am	Registrations Open	
9:00am	Event MC	CEO Mark Lamb <i>Murray Darling Association</i>
9:05am	Welcome to Country	
9:10am	Welcome to Albury	AlburyCity CEO Frank Zaknich
9:25am	Welcome to Conference	Cr David Thurley OAM <i>National President, Murray Darling Association</i>
9:45am	Opening Address	Hon Tanya Plibersek MP, Minister for Environment and Water <i>TBC</i>
10:30am	MORNING TEA	
11:00am		IXOM, Platinum Sponsor
12:00pm	LUNCH	
1:00pm	Presentation, Panel Discussion Topic: Circular Economy	Jane Coram, Director Land and Water – CSIRO Dr Heinz Schandl, Waste Impact Management Mission Lead – CSIRO Cr Melissa Rebbeck – Alexandrina Council
2:15pm	AFTERNOON TEA	
2:40pm	Panel Session: MDA Resolutions Progress	Murray Darling Association
3:00pm		Mark Francis – Murray Regional Tourism <i>(TBC)</i>
3:30pm		Hilton Taylor – CEWO
4:00pm		Michael Pisasale – Murray Irrigation <i>(TBC)</i>
4:30pm		Interim CEO Prof. Michael Stewardson – One Basin CRC <i>(TBC)</i>
5:00pm	Day 1 CLOSE	

Proudly hosted by



scientists, educators, and leaders of our time.

Day 2 – 78th National Conference 20/9/22

TIME	PERSPECTIVE	PRESENTER
6:30pm	GALA DINNER OPEN	Celebrate and socialise at the magnificent SS&A Club, the ultimate social and dining experience.
8:00pm		Mr Greg Ryan <i>Society President, Albury & District Historical Society</i> Topic: The Murray River and its impact on Albury history.
9:30pm	GALA DINNER CLOSE	

Day 3 – 78th National Conference 21/9/22

TIME	PERSPECTIVE	PRESENTER
9:00am	Opening Address	CEO Mark Lamb <i>Murray Darling Association</i>
9:05am		CEO Andrew McConville – MDBA (TBC)
9:35am		Hon Troy Grant – IGWC
10:05am	MORNING TEA	
10:35am	Panel Session: MDBA	CEO Andrew McConville – MDBA (TBC) Hon Troy Grant – IGWC
11:15am		Hon Sussan Ley MP (TBC)
12:00pm		Megan McCleod – Water Stewardship Asia Pacific (TBC)
12:30pm	LUNCH	
1:30pm	Topic: External effects on water bodies and resources.	Max Finlayson – CSU
2:00pm		Luke Friend – DPIE (TBC)
2:30pm	Conference 2023 Announcement and Host Presentation	Hosting Council
2:50pm	Closing Remarks	CEO Mark Lamb <i>Murray Darling Association</i>
3:00pm	AFTERNOON TEA	

Day 3 – Murray Darling Association AGM 21/9/22

TIME	PERSPECTIVE	PRESENTER
3:30pm	Opening Remarks	
3:50pm	78 th MDA Annual General Meeting	
6:50am	Closing Address	
12:00pm	AGM CLOSE	

Proudly hosted by



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.

Detailed Report

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

Reconciliation and Balance of Funds held as at 30 June 2022

The reconciliation has been carried out between the Cash Book of each fund and the Bank Pass Sheet as at 30 June 2022.

	Combined Bank Account
Cash Balance as at 1 June 2022	\$ 2,635,170.14
Add: Receipts for the Period Ending 30 June 2022	\$ 6,793,808.58
Rates, Debtors, Miscellaneous	
Less: Payments for the Period Ending 30 June 2022	
Cash Book entries for this Month	\$ 7,539,605.22
Cash Balance of Operating A/C as at 30 June 2022	\$ 1,889,373.50
Trust Fund Balance	\$ 823,006.87
Investments	
Total Investments as at 30 June 2022	\$ 41,026,922.76
TOTAL	\$ 43,739,303.13

Collection of Rates and Charges

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%. A summary of the Rates and Charges situation as at 30 June 2022 is as follows:

	Rates and Charges	
Levies		
Balance Outstanding at 30 June 2021 - Rates / Water	957,794.11	
Rates and Charges Levied 20 July 2021	9,545,527.09	\$ 10,503,321.20
+ Additional Water Charges	1,392,824.00	
+ Supplementary Rates and Charges	81,855.56	
+ Additional Charges	79,071.72	
- Credit Adjustments	20,090.21	
- Abandonments	861.88	\$ 12,036,120.39
Deductions		
- Payments	10,856,009.59	
- Less Refunds of Payments	13,747.13	\$ 10,842,262.46
		\$ 1,193,857.93
- Pensioner Subsidy		
Government Subsidy	98,026.36	
Council Subsidy	80,203.39	\$ 178,229.75
Total Rates/Water Charges Outstanding		\$ 1,015,628.18

Note: For comparison purposes 91.87% of the levy had been collected at the end of June 2022.

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 June 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	\$ 625,735.63	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	\$ 1,254,317.45	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	\$ 811,789.96	25/09/2028
				TOTAL	\$ 7,832,896.84	

Overtime and Travelling

Month	Jun-21	Pay Periods	24, 25 & 26			
Overtime						
	Time and a Half		Double Time		Double Time and Half	
Department	Hours	Amount	Hours	Amount	Hours	Amount
Animal Services	18.50	\$ 901.45	40.00	\$ 2,596.83		
Civil Works	4.50	\$ 214.92	1.00	\$ 88.93		
Finance	10.50	\$ 671.11				
Library	2.00	\$ 128.01	2.00	\$ 170.68		
Parks & Gardens	10.00	\$ 413.40	6.00	\$ 330.74		
Roads - Council	320.25	\$ 14,031.05	214.00	\$ 12,967.67		
Roads - RMS	32.00	\$ 1,635.37	11.00	\$ 547.88		
Roads & Eng - Indoor	68.00	\$ 5,294.88	42.00	\$ 4,162.48		
Tourism	4.25	\$ 176.68				
Waste Management	14.50	\$ 673.30	23.00	\$ 1,720.74		
Water & Waste Water	99.75	\$ 5,314.03	124.25	\$ 8,675.78		
Workshop	0.50	\$ 24.30				
Total	584.75	\$ 29,478.50	463.25	\$ 31,261.73	-	\$ -
Travel Allowance						
Department	Kms	Amount				
Water & Waste Water	519.30	\$ 407.47		Kms for Meter Reader		
Total	519.30	\$ 407.47				
Grand Total		61,147.70				

Conclusion

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

Attachments

Nil

9.6 MONTHLY INVESTMENT REPORT

File Number: RPT/22/421

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.

Detailed Report

Purpose

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

Matters under consideration

As at 30 June 2022 Council had \$43,739,303.13 invested with nine (9) financial institutions and one (1) Treasury Corporations.

Breakdown of Total Funds Available

Financial Institution	Amount	Percentage of Available Funds
AMP	\$1,000,000.00	2.29%
Bank of Queensland	\$2,000,000.00	4.57%
Bendigo Bank	\$4,712,380.37	10.77%
Commonwealth Bank	\$5,000,000.00	11.43%
IMB Bank	\$1,000,000.00	2.29%
Macquarie Bank	\$8,026,922.76	18.35%
ING Bank	\$7,000,000.00	16.00%
National Australia Bank	\$8,000,000.00	18.29%
Westpac	\$6,000,000.00	13.72%
Northern Territory T-Corp	\$1,000,000.00	2.29%
Total	\$43,739,303.13	100.00%

Investments on Hand as at 30 June 2022

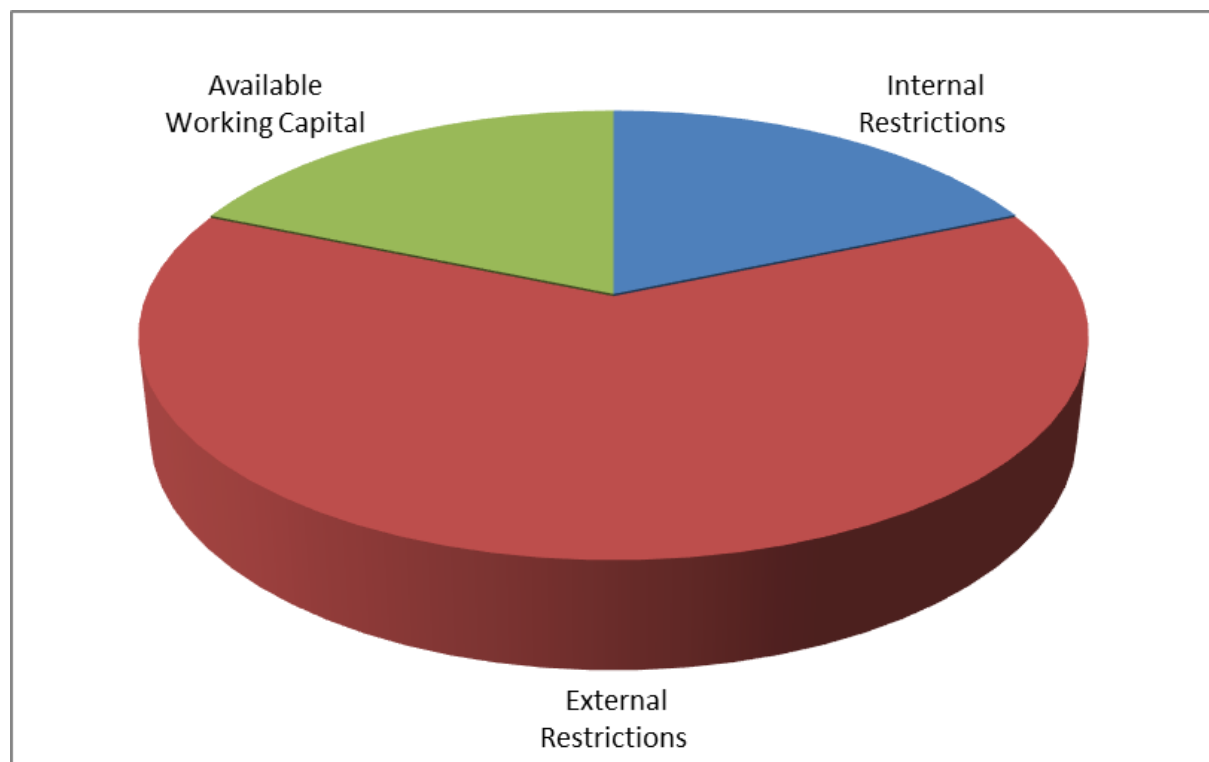
Wentworth Shire Council						
Investments on Hand as at 30 June 2022						
Investee	Date Invested	Date of Maturity	Effective Interest Rate	Investment Type	Amount Invested	Rating
AMP Bank	22/09/2021	22/09/2022	0.80%	Term Deposit	\$ 1,000,000.00	A2/BBB
Bank of Queensland	7/12/2021	5/09/2022	0.50%	Term Deposit	\$ 1,000,000.00	A2/BBB+
Bank of Queensland	15/06/2022	15/03/2023	3.50%	Term Deposit	\$ 1,000,000.00	A2/BBB+
Bendigo Bank	24/02/2022	24/02/2023	0.85%	Term Deposit	\$ 1,000,000.00	A2/BBB+
Bendigo Bank	27/06/2022	22/12/2022	3.10%	Term Deposit	\$ 1,000,000.00	A2/BBB+
Commonwealth Bank	8/04/2022	6/04/2023	1.87%	Term Deposit	\$ 1,000,000.00	A1+/AA-
Commonwealth Bank	15/06/2022	15/12/2022	3.23%	Term Deposit	\$ 1,000,000.00	A1+/AA-
Commonwealth Bank	14/07/2021	14/07/2022	0.46%	Term Deposit	\$ 1,000,000.00	A1+/AA-
Commonwealth Bank	27/05/2022	26/05/2023	3.01%	Term Deposit	\$ 1,000,000.00	A1+/AA-
Commonwealth Bank	15/06/2022	15/06/2023	4.16%	Term Deposit	\$ 1,000,000.00	A1+/AA-
IMB Bank	9/06/2022	9/09/2022	2.43%	Term Deposit	\$ 1,000,000.00	A2/BBB+
Macquarie Bank	7/10/2021	24/08/2022	0.40%	Term Deposit	\$ 1,000,000.00	A1/A+
Macquarie Bank	3/12/2021	2/11/2022	0.50%	Term Deposit	\$ 1,000,000.00	A1/A+
Macquarie Bank	22/02/2022	23/08/2022	0.65%	Term Deposit	\$ 1,000,000.00	A1/A+
Macquarie Bank	23/03/2022	23/02/2023	1.25%	Term Deposit	\$ 1,000,000.00	A1/A+
Macquarie Bank	8/03/2022	6/09/2022	0.65%	Term Deposit	\$ 1,000,000.00	A1/A+
National Australia Bank	19/04/2022	15/11/2022	1.29%	Term Deposit	\$ 1,000,000.00	A1+/AA-
National Australia Bank	19/01/2022	19/07/2022	0.52%	Term Deposit	\$ 1,000,000.00	A1+/AA-
National Australia Bank	21/01/2022	18/10/2022	0.62%	Term Deposit	\$ 1,000,000.00	A1+/AA-
National Australia Bank	19/04/2022	17/10/2022	1.20%	Term Deposit	\$ 1,000,000.00	A1+/AA-
National Australia Bank	3/12/2021	1/07/2022	0.49%	Term Deposit	\$ 1,000,000.00	A1+/AA-
National Australia Bank	11/03/2022	11/03/2024	1.85%	Term Deposit	\$ 1,000,000.00	A1+/AA-
National Australia Bank	25/03/2022	20/02/2023	1.18%	Term Deposit	\$ 1,000,000.00	A1+/AA-
National Australia Bank	15/06/2022	15/06/2023	3.70%	Term Deposit	\$ 1,000,000.00	A1+/AA-
ING Bank	23/03/2022	23/03/2023	1.24%	Term Deposit	\$ 1,000,000.00	A1/A+
ING Bank	31/03/2022	31/03/2023	1.68%	Term Deposit	\$ 1,000,000.00	A1/A+
ING Bank	19/04/2022	19/04/2024	3.09%	Term Deposit	\$ 1,000,000.00	A1/A+
ING Bank	19/04/2022	20/03/2023	1.98%	Term Deposit	\$ 1,000,000.00	A1/A+
ING Bank	19/04/2022	19/12/2022	1.42%	Term Deposit	\$ 1,000,000.00	A1/A+
ING Bank	5/04/2022	5/04/2023	1.68%	Term Deposit	\$ 1,000,000.00	A1/A+
ING Bank	18/05/2022	18/05/2023	3.11%	Term Deposit	\$ 1,000,000.00	A1/A+
NT T-Corp	16/09/2021	15/12/2025	1.35%	Fixed Bond	\$ 1,000,000.00	A1+/AA-
Westpac Banking Corporation	24/11/2021	20/10/2022	0.52%	Term Deposit	\$ 1,000,000.00	A1+/AA-
Westpac Banking Corporation	3/06/2022	3/06/2022	3.19%	Term Deposit	\$ 1,000,000.00	A1+/AA-
Westpac Banking Corporation	28/02/2022	25/11/2022	0.63%	Term Deposit	\$ 1,000,000.00	A1+/AA-
Westpac Banking Corporation	28/02/2022	28/12/2022	0.71%	Term Deposit	\$ 1,000,000.00	A1+/AA-
Westpac Banking Corporation	7/01/2022	5/08/2022	0.46%	Term Deposit	\$ 1,000,000.00	A1+/AA-
Westpac Banking Corporation	11/03/2022	11/03/2024	1.92%	Term Deposit	\$ 1,000,000.00	A1+/AA-
Total					\$ 38,000,000.00	
Other Cash Investments						
Investee	Date Invested	Date of Maturity	Effective Interest Rate	Amount Invested	Rating	
Bendigo Bank - Operating A/c	N/A	Ongoing		\$ 2,712,380.37	A2/BBB+	
Macquarie Bank (4) - Ongoing	3/12/2020	Ongoing	1.00%	\$ 3,026,922.76	A1/A+	
Total Funds Available					\$ 43,739,303.13	

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

Restrictions

Internal Restrictions		
- Employee Entitlements	\$2,376,437.00	
- Doubtful Debts	\$124,556.00	
- Future Development Reserve	\$1,076,217.20	
- Trust Account	\$823,006.87	
- Caravan Park Loan	\$1,500,000.00	
- Capital Projects	\$1,000,000.00	
- Plant Replacement Reserve	\$1,500,000.00	\$8,400,217.07
External Restrictions		
- Water Fund	\$10,438,983.51	
- Sewer Fund	\$4,418,105.07	
- T-Corp Loan Balance	\$1,108,900.00	
- Developer Contributions Reserve	\$663,375.97	
- Unexpended Grants	\$10,620,204.27	
- Crown Reserves Reserve	\$213,700.14	
- Loan Guarantee Reserve	\$3,460.91	
- Prepayments Cemeteries	\$552,416.70	\$28,019,146.57
Day to Day Liquidity		\$7,319,939.49
Total Funds Available		\$43,739,303.13

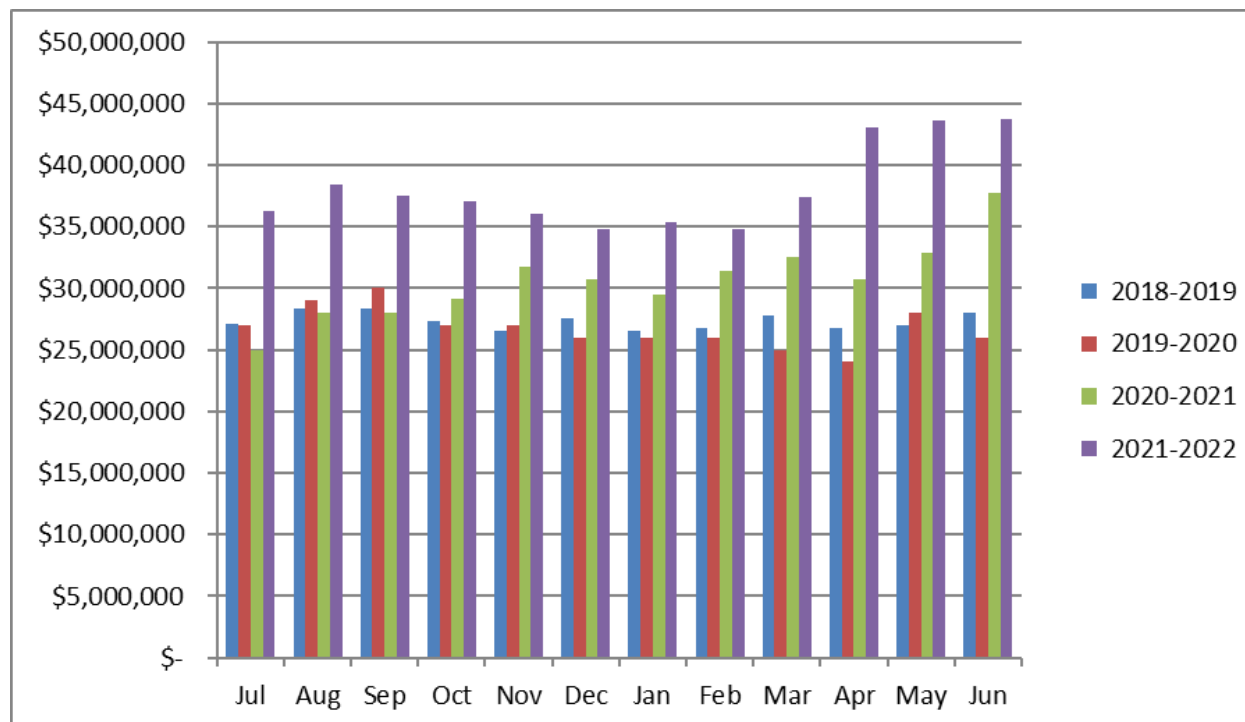
Breakdown



Summary – Unexpended Grants as at 30 June 2022

Grant	Amount
Library Infrastructure Grant	\$477,685.19
Resources for Regions VIC Relocation	\$423,300.55
SCCF Wentworth Rowing Club	\$58,612.66
Crown Reserve Improvement Fund Astronomy Park	\$656,060.21
Crown Reserve Improvement Fund Pooncarie Racecourse	\$3,200.00
Resources for Regions Junction Island Bridge	\$46,639.12
Wentworth Showgrounds Sewer Upgrade	\$2,702.62
Crown Reserve Improvement Fund Wentworth Caravan Park Grant	\$759,165.11
EDS Grant	\$121,487.82
Fixing Local Roads Grants - Stage 3	\$162,562.70
Murray Darling Basin Civic Centre Upstairs Area	\$481,389.00
Resources for Regions Round 8	\$600,957.89
Local Roads and Community Infrastructure Phase 3	\$1,278,207.00
Community Events Program	\$246,366.40
FAGS Grant Prepayment	\$5,301,868.00
Total	\$10,620,204.27

Total Funds Invested



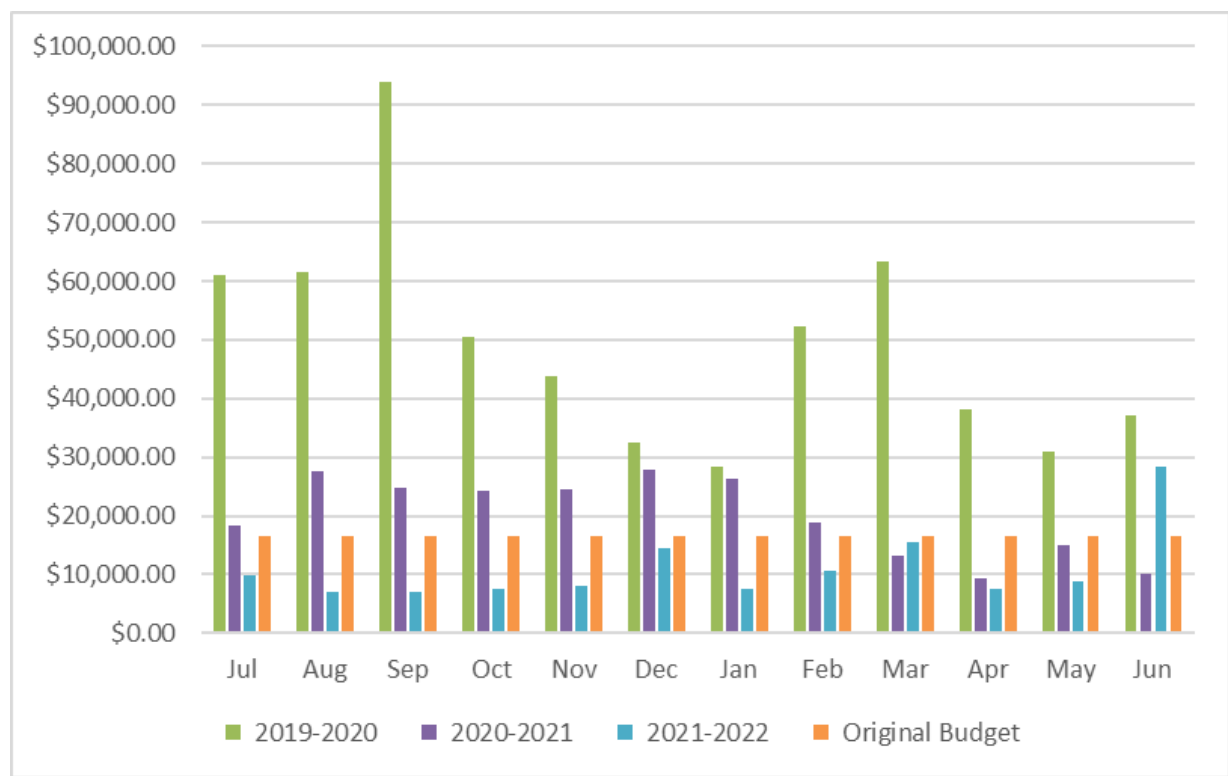
Seven (7) term deposits and One (1) other accounts matured or provided interest in June earning Council \$28,281.97 in interest. The budget for June was \$16,666.67. Year to date

Council has received \$132,278.43 in interest. The budget for the current financial year is currently set at \$200,000.00.

Investment Revenue in June 2022

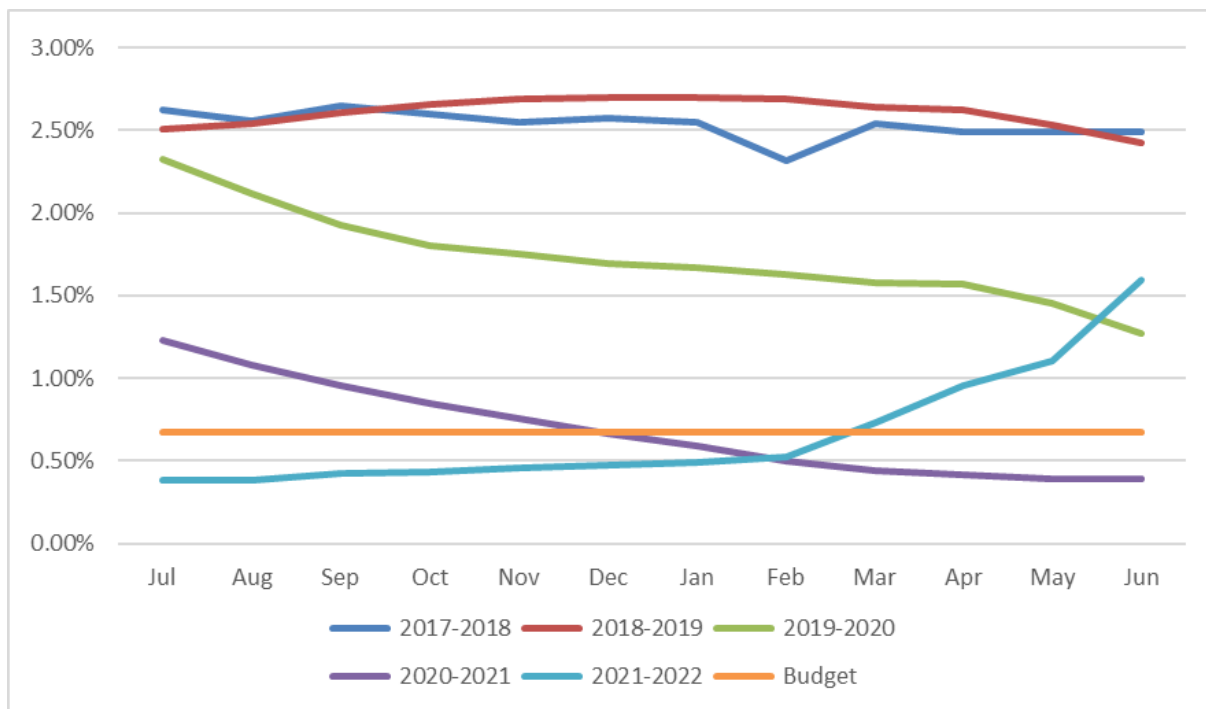
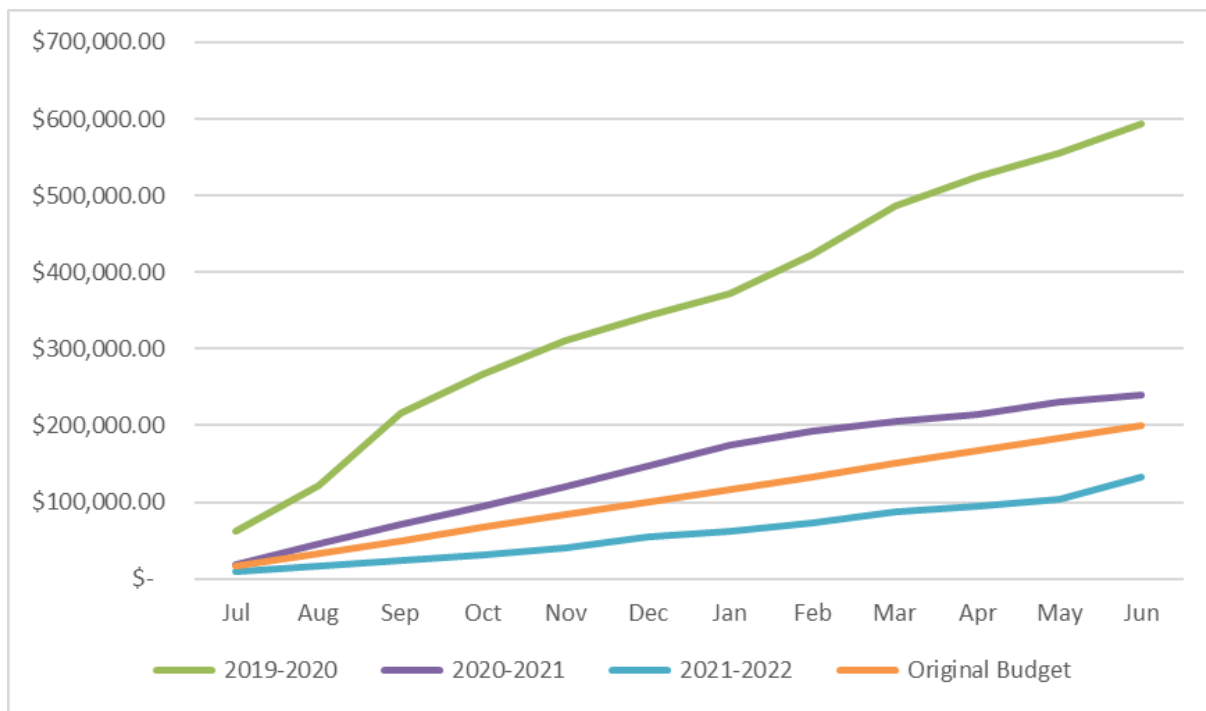
Investee	Date Invested	Date of Maturity	Effective Interest Rate	Amount Invested	Interest Earned
Term Deposits					
Westpac Banking Corporation (2)	3/12/2021	3/06/2022	0.35%	\$ 1,000,000.00	\$ 1,746.03
IMB Bank	9/03/2022	9/06/2022	1.10%	\$ 1,000,000.00	\$ 2,772.60
Suncorp Bank (2)	10/06/2021	10/06/2022	0.33%	\$ 2,000,000.00	\$ 6,600.00
Commonwealth Bank	15/06/2021	15/06/2022	0.40%	\$ 1,000,000.00	\$ 4,000.00
Bendigo Bank (7)	27/09/2021	27/06/2022	0.30%	\$ 1,000,000.00	\$ 2,243.84
Westpac Bank	11/03/2022	11/03/2024	1.92%	\$ 1,000,000.00	\$ 4,997.26
NT T-Corp	15/06/2022	15/09/2022	1.35%	\$ 1,000,000.00	\$ 3,375.00
Other Cash Investments					
Macquarie Bank	3/12/2020	Ongoing	1.00%	\$ 3,026,922.76	\$ 2,547.24
Total					\$ 28,281.97

Investment Revenue received June 2022



Total Interest received July 2021 – June 2022

For June 2022 Council's investments returned an effective average rate of 1.59%. Year to date the effective average rate has been 0.66%. 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 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

Detailed Report

Purpose

The purpose of this report is to seek a resolution of Council to seek an alteration to the initial categorisation approved by the Minister of Crown Lands of the Pooncarie Sporting Reserve 6 and the Dareton Swimming Pool Reserve 85836.

Background

In preparing the Plan of Management, under the *Crown Land Management Act 2016*, Council as manager of the land must assign one or more categories of Community Land referred to in *Section 36 of the Local Government Act 1993*, that best aligns with the reserve dedication or purpose.

Wentworth Shire Council approved an initial list of categories and resolved in October 2020 to provide the Minister written notice of initial assigned categorisation of 73 Crown reserves.

On 23 September 2021, the Department of Planning and Environment – Crown Lands wrote to Council advising the acceptance of assigned categories for 64 Crown reserves, directed the categories assigned to 7 Crown reserves, and advised that Crown Reserves 6, Pooncarie Sporting Reserve (1012528,) and R230005, Wentworth Ambulance Station required further investigation.

In April this year Council received notification that the department had reviewed the information provided and advised that Council has assigned a category that most closely aligns with the reserve purpose for part of Reserve 6.

Pooncarie Sporting Reserve 6

After consultation with the Crown and Council agreeing to the initial categorisation of Sportsground over the racetrack arena & Natural Area – Bushland for the vacant land surrounding the racetrack, it was identified that if this categorisation was left unchanged then existing user groups would not be able to conduct their annual events on the vacant land outside of the racetrack in the future.

Core objectives for management of community land categorised as:

Natural Area – Bushland

To promote the management of the land in a manner that:

- protects and enhances the values and quality of the land and facilitates public enjoyment of the land and the protection of flora & fauna.
- protect bushland as a natural stabiliser of the soil surface
- restore degraded bushland

Sportsground

- to encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and
- to ensure that such activities are managed having regard to any adverse impact on nearby residences.

General Community Use

To promote, encourage and provide for the use of the land that:

- provides facilities on the land, to meet the current and future needs of the local community and of the wider public
- a lease, licence or other estate may be granted in respect of the land
- public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public

It is therefore necessary to seek Ministers consent for the land is to recategorised as General Community Use (GCU) removing Natural Area Bushland as previously approved.

If the category is not changed to General Community Use then the existing events would not be permitted under Section 36 of the *Local Government Act 1993*.

Co-management

Before finalising the initial categorisation of the reserve, the Crown conducted an extensive status search identifying that Council co-managed Reserve 6 (R1012528) consisting of Lots 73 - 76 DP 820498 & Lot 7304 DP 1182431 with the Pooncarie Common Trust under the *Commons Management Act 1989*. This area was then required to be included in the Draft Plans of Management and categorised as Natural Area – Bushland.

Council is currently going through the process to redefine the Management of the Pooncarie Sporting Reserve including the land known as the Pooncarie Common.

Council is requesting Minister's consent to become the Land Manager of Lot 73 DP 820498, Lot 76 DP 820498, part Lot 7304 DP 1182431 covering the racetrack/aerodrome entrance. This will provide curtilage around the Pooncarie aerodrome Lot 77 DP820498 and relinquish management of Lots 72, 74, 75 DP 820498 back to the Pooncarie Common Trust.

Dareton Swimming Pool Reserve 85836

The Minister administering the Crown Land initially directed categories of Park and General Community Use over the Swimming Pool section of the reserve, part Lot 101 DP 1232722. The categorisation was considered on current use and management requirements. It is noted that the categorisation may be altered via the Plan of Management to meet future development requirements.

Council agrees with the initial assignment but is requesting an extension of General Community Use category to cover the area where the Dareton Men in a Shed will be occupying the reserve, north of the swimming pool. The community building will be in its final stages by the time the Plan of Management is adopted, the development will not be considered a future development.

A large portion of the reserve has no existing infrastructure, and not regularly used by the community. It is expected after the development that the reserve will provide facilities on the land, to meet the current and future needs of the local community and of the wider public.

The Dareton Men in a Shed Committee and Council are currently preparing a long term licence which is consistent with the category of General Community Use.

Matters under consideration

If the category change is not made to both the Pooncarie Sporting Reserve 6 & the Dareton Swimming Pool Reserve 85836, then it is likely the current activities/developments conducted on the reserves will not be allowed to take place or continue in the future.

Options

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

- 1) Keep the original categories assigned by the Minister & not allow the current activities on the land to continue OR
- 2) Apply to the Minister to change the assigned categories that reflects the actual use of the reserve

Conclusion

After considering the information contained in this report, it is recommended that Council approve the application to the Minister Administering the Crown Lands requesting an alteration of the initially assigned categories for two Crown reserves identified in this report.

Reserve 6 – Request to remove the initial categorisation of Sportsground & Natural Area – Bushland and re-categorise as General Community Use over Lot 73 DP 820498 & part Lot 7304 DP 1182431 (entrance to reserve)

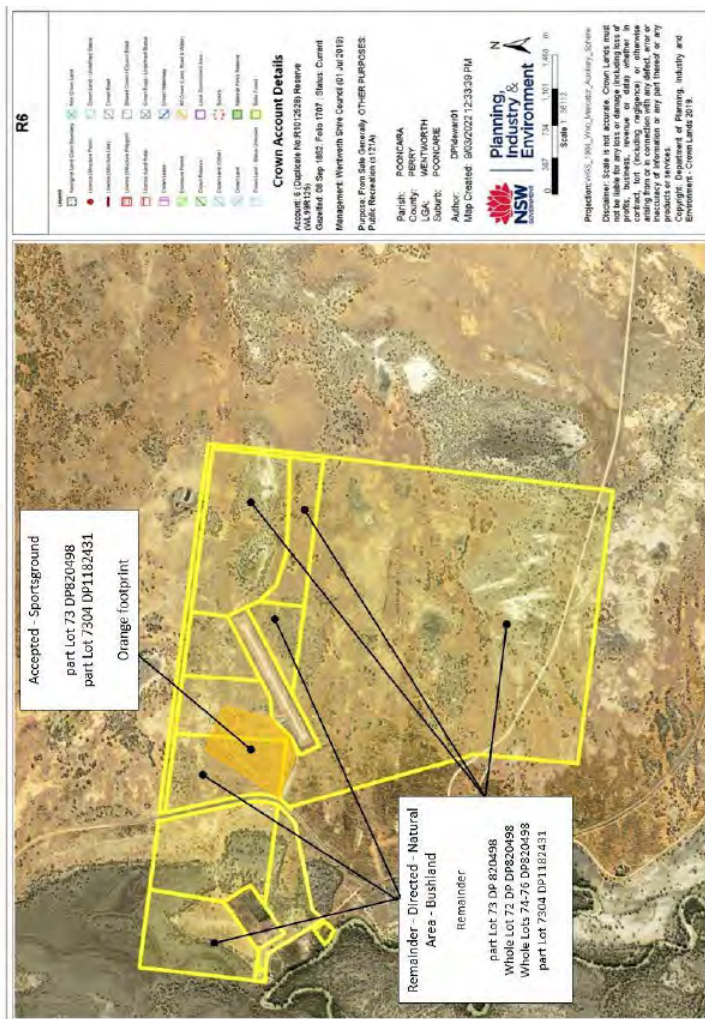
Reserve 85836 – Request an extension of the area initially categorised as General Community Use

Attachments

1. Change of categories justification  

Pooncarie Sporting Reserve 6 - Lot 73 DP 820498
Including the Pooncarie Common - Lots 72, 74, 75 & 76 DP 820498 & Lot 7304 DP 1182431

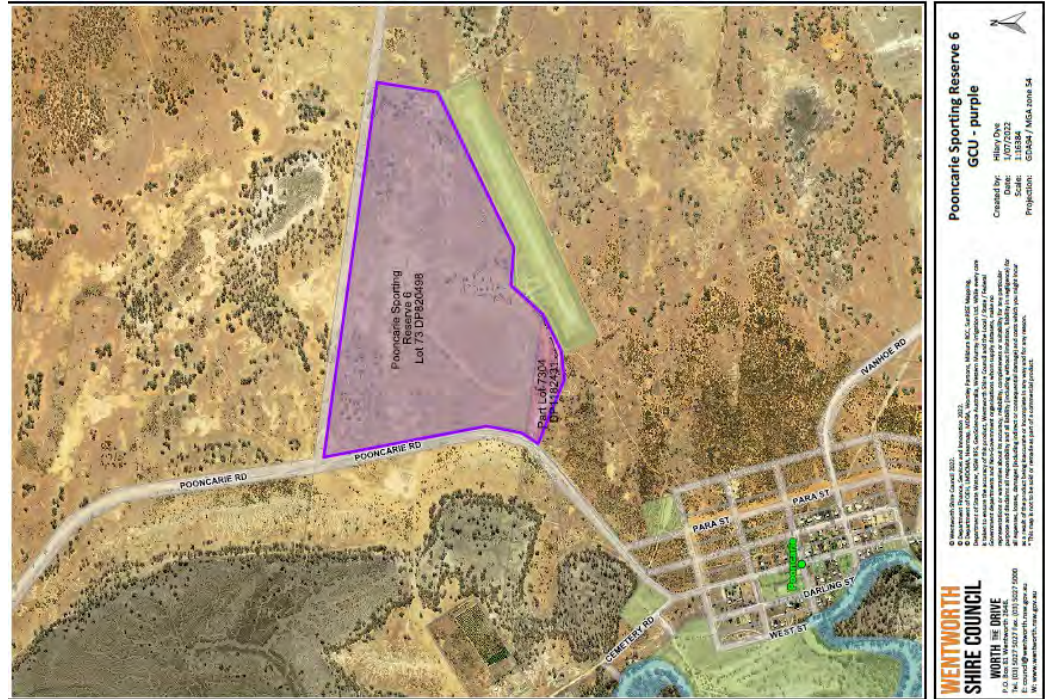
Figure 1: Whole R6(1012528) – assigned categories



Request change of categories

Main Public Arena (Lot 73 DP820498)

General Community Use – purple



Minister approved categories

Sportsground (assigned) – racetrack area & buildings only

Natural Area – Bushland (directed) area around the racetrack & including the Pooncarrie Common

Pooncarie Sporting Reserve 6, Pooncarie Road, Pooncarie

Minister approved categories				Request change of categories
Sportsground (assigned) –part Lot 73 DP 820498 (racetrack area) & part 7304 DP1182431 (entrance) Natural Area – Bushland (directed) outside area of the racetrack part Lot 73 DP 820498 & includes all the parcels of the Pooncarie Common Lots 72, 74-76 DP820498 & remaining Lot 7304 DP 1182431				General Community Use - assigned to all of Lot 73 DP820498 & part 7304 DP1182431 Remove Natural Area Bushland – to the rest of the Reserve
Reserve Purpose	Gazette	Reserve Use	Suburb	
From Sale Generally Grazing / Pump & Pipeline Public Recreation	8/9/1862	Racetrack / Gun Club & shooting range / Motor Cross Rally / Field Days / Large Community events / Primitive camping	Pooncarie	
Pooncarie Sporting Reserve 6				
Pooncarie is a small regional remote township (1.5 hours from Wentworth) with a vibrant farming community, the reserve is used for the majority of events in the town, which support the wellbeing of the community and surrounding Western Land Lease holders. Native Title is extinguished on Lot 73 DP 820498 which is the main area of public recreational use, it is listed as extinguished in Schedule 5 of the Consent Determination but exists over part 7304 DP1182431.				
Reserve	Purpose(s)	Categorisation	Justification for assigned category	
6	Public recreation	GCU Lot 73 DP 820498 Part Lot 7304 DP1182431	<p>Since the initial assignment of the categories for this reserve, it has been identified that the reserve use extends across the whole parcel of land, therefore not considered to be the best category that is closely related to the reserve purpose.</p> <p>Originally Council was under the assumption that the reserve only consisted of Lot 73 DP 820498 and the rest known as the Pooncarie Common was managed by the Pooncarie Common Trust, not Council. The area was confirmed after the Crown conducted an extensive status search & identified co-management.</p> <p>The Reserve has a long-established history and used as a multi-purpose arena, by various committees/organisation and is promoted and facilitated to encourage its use by the community and external organisations for public recreation activities. Many of these groups hold licences and host regular community events, including music festivals, seasonal festivals, horse racing, gun shoots, community field days, gymkhana's and camping.</p> <p>Structures established include a fencing, racetrack, shooting range, various buildings/sheds, public toilets, camping facilities, animal yards /sheds, defined road & walking tracks and a large section of cleared vacant land.</p> <p>Due to the remoteness of the Pooncarie township these events add to the cultural, social and intellectual welfare of members of the public.</p> <p>The activities currently conducted are compatible with existing reserve purpose of Public Recreation and will not physically harm nor contribute to the deterioration of the land. The Gun Club's shooting range is in a large proportion of the cleared land outside the main arena, these activities are conducted in a manner that will not physically harm nor contribute to the deterioration of the land. The Management of the site will be enhanced due to the fact that not only will the reserve be managed by council but the small rural community will have a vested interest to ensure the viability of the reserve for future generations.</p>	

	<i>Future public requirements / Grazing</i>	Natural Area – Bushland Lots 72, 74, 75 & 76 DP 820498 & Lot 7304 DP 1182431	Applies to the area of the reserve which is known as the Pooncarie Common. Agree with initial assignment for land known as the Pooncarie Common (not including Lot 73 DP 820498 or part of 7304 DP1182431).
--	---	---	--

Dareton Swimming Pool Reserve 85836 – Lot 101 DP 1232722

Figure 5: R85836 – Purpose 'Public Baths, Public Recreation'



Minister approved categories

Park (assigned)

General Community Use (directed) swimming pool

Reason: Categorisation has been considered on current use and management requirements. It is noted that the categorisation may be altered via the Plan of Management to meet future development requirements.

Request change of categories Park
General Community Use
Extension from swimming pool area



Dareton Swimming Pool Reserve 85836, Matong Street Dareton Lot 101 DP 132722

Minister approved categories			Request change of categories	
Park (assigned) General Community Use (directed) swimming pool			Park (agree) General Community Use - Extension of the area	
Reserve Purpose	Gazette	Reserve Use	Suburb	
Public Baths Public Recreation Urban Services	1/07/1966	Park, Public Swimming Pool and approved Men's Shed	Dareton	
Dareton Swimming Pool Reserve 85836				
Council initially agreed to the categorisation of General Community Use (GCU) over the swimming pool area & Park for the rest of the reserve but would like to extend GCU over a section of the reserve where a community building is undergoing construction. By the time this PoM is finalised the building will be nearing completion.				
Land Owners Consent has been provided by the Minister for Water, Property & Housing (LOC No. 628058) for the development of a community purpose-built building for the Dareton Men in a Shed and surrounding community.				
The reserve purpose is gazetted as public baths, public recreation and urban services. Currently the reserve is underutilised with a large portion of the reserve with no infrastructure making the characteristics of the land ideal for the construction of a community building, as no land clearing will be required.				
Lot 101 DP 1232722 - Reserve purpose of Public Baths, Public Recreation & Urban Services				
Reserve Dedication	Purpose(s)	Categorisation	Justification for assigned category	
R85836	Public Baths and Public Recreation	GCU Request extension	Applies to the section of the reserve where the building is being constructed. This reserve will become a multi-purpose arena, which is promoted and facilitated to encourage general community use for public recreation activities aimed at improving the physical, cultural, social and intellectual welfare of individual members of the public. In respect to this section of the land, the Men in a Shed, who are a not for profit community group will hold a long-term licence/lease. The current condition of the land is vacant therefore no clearing will be required for the construction of the community building nor any other improvements.	
		Park - agreed	To provide for passive recreational activities, developed to enhance the rest of the reserve, grassed area, car parking, picnic table & BBQ area. To improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management	
The above categories are all compatible with existing reserve purposes of Public Baths, Public Recreation & Urban Services and will not physically harm nor contribute to the deterioration of the land. The Management of the site will be enhanced due to the fact that not only will the reserve be managed by council but the community will have a vested interest.				

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

Detailed Report**Purpose**

The purpose of this report is to outline the need for a Pooncarie Sporting Reserve 6 Licence User Group and to elect a Wentworth Shire Councillor and an alternate Councillor to represent the Pooncarie Sporting Reserve User Group's at User Group meetings.

Background

Pooncarie Sporting Reserve 6 is a Crown owned reserve, managed by the Wentworth Shire Council, identified as Lot 73 Deposited Plan 820498 and located at 11668 Pooncarie Road, Pooncarie. The reserve was gazetted in 1862, reserved from sale generally, with an additional purpose of public recreation added at a later date.

The current reserve users consist of the Pooncarie Racing Club, the Pooncarie Gun Club, who hold annual short-term licences to occupy the reserve for their various events. Increased interest by other community groups has seen the need to create a new Reserve Licence User Group for this reserve.

Each club enters into an annual licence agreement with Council and will develop a site specific 'Management Plan' of the reserve. This plan provides a framework to guide the

planning and development of the Reserve for a period of 10 years, developed in consultation with Council staff and endorsed by Council.

Management Plan

With the formation of the User Group each user will work collaboratively to develop a site specific 'Management Plan' of the reserve. A good management plan will improve the effectiveness and efficiency of the reserve. It identifies who are the reserve users, what facilities are available, individual needs of each user group, level of involvement in general running, maintenance and financial input to the reserve by Council and the Licenced User Groups, providing the short and long-term strategy necessary to ensure the Reserve provides for future generations in a sustainable and responsible manner.

The Management Plan, once completed, is presented to Council in report form to an Ordinary Council Meeting for endorsement.

Each Management Plan also has in place a "User Group Terms of Reference" document. (provides rules as to how the meetings will be conducted).

Council Meetings

Formal meetings are conducted by Council, whereby a report is prepared for submission to a Council meeting.

Licensed User Groups elect a representative to attend a Council run meeting, reporting on individual aspirations of their organisation. The main objective of these meetings is to document and outline the responsibilities of all parties and to formulate a plan for the general running and future improvements of the Reserve.

These meetings also work in an advisory capacity to Council, who at times maybe able to assist with the reserves future developments and needs.

Matters under consideration

Holding a short-term annual licence is the most cost-effective way for Community Groups to hire a Crown Reserve, providing the activity is a prescribed as a purpose for which a short-term licence may be granted under section 2.20 of the *Crown Land Management Act 2016 Act.*, but they must not be any longer than a 12-month period.

The formation of the User Group enables each group to work together collaboratively and develop a short and long-term strategy necessary to ensure the Reserve provides for future generations in a sustainable and responsible manner.

Options

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

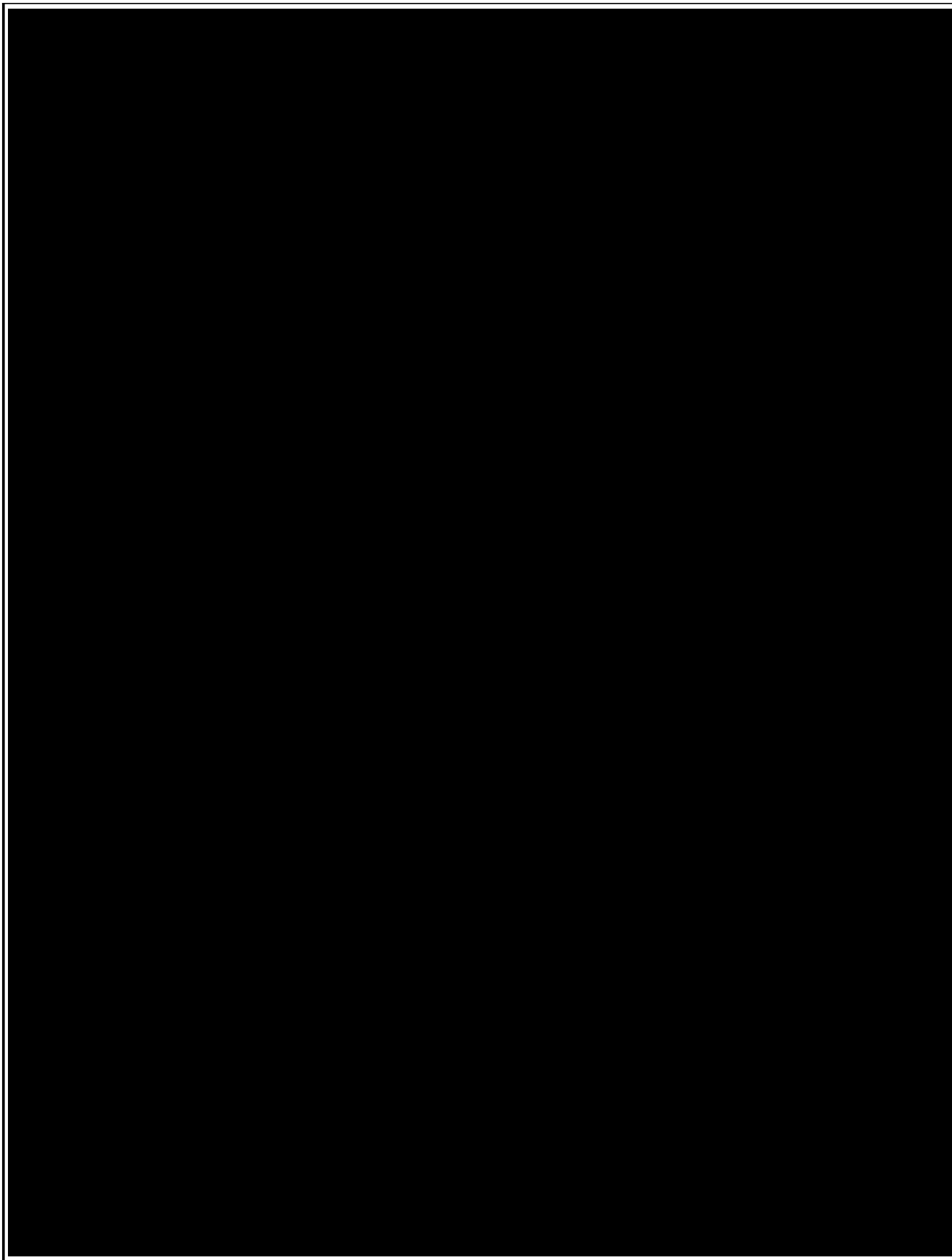
- Approve the formation of a new reserve user group at the Pooncarie Sporting Reserve.
- Not approve of the formation of a new reserve user group at the Pooncarie Sporting Reserve and let the users continue in the current form.

Conclusion

Having consideration for the content of this report, it is recommended that Council endorse the creation of a new User Group for the Pooncarie Sporting Reserve 6 and nominate a Councillor to represent the group at their User Group Meetings, conducted by Council.

Attachments

1. Pooncarie Sporting Reserve 6  



**WENTWORTH
SHIRE COUNCIL**

WORTH THE DRIVE

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Pooncarie Sporting Reserve 6

Created by: Hilary Dye
Date: 7/07/2022
Scale: 1:18056
Projection: GDA94 / MGA zone 54



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

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 Director of Health and Planning 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.

Detailed Report**Purpose**

The purpose of this report is to provide the Councilors' an opportunity to review the draft Plan of Management, consider (accredited) Native Title Manager advice on the draft Plan of Management, and gain Council's endorsement to apply to the Minister of Crown Lands to public exhibit the draft Plan of Management and seek approval to adopt the Plan of Management once the public exhibition period ends.

Background

The introduction of the *Crown Lands Management Act 2016*, removed the requirement for Local Government Trust Managers to manage Crown Reserves under the *Crown Lands Act 1989* separate to *Local Government Act 1993*.

Councils became Crown Land Managers (Council Managers) of the former reserves which became Community Land under the *Local Government Act 1993*. A transition period was legislated to enable new Plans of Management to be developed under this Act.

All community land managed by 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*. This is a statutory instrument that provides strategic planning and governance for the lawful management and use of the land.

Legislation required Council to prepare and adopt a Plan of Management for Crown reserve community lands by 1 July 2021. Changes came into effect on 4 June 2021, providing councils an exemption to complete the Plans of Management by 1 July 2023 and removed the requirement to hold a public hearing under section 40A of the Local Government Act.

Plan of Managements set out objectives and performance targets for community land and provide for active land management and use, including issuing of tenures over the land.

Through the State Government's Plans of Management Funding Support Program, Council engaged CGM Planning and Development (Consultants) to assist with the development the Plan of Management to the final draft stage.

Council must obtain Native Title Manager advice for the draft Plan of Management. The advice must consider whether the submission or adoption of Plan of Management is a valid act under the *Native Title Act 1993 (Commonwealth)*. Council must also ensure that all activities on the reserve are consistent with the reserve purpose.

Before adoption of the draft Plan of Management, Council must apply to the department as the landowner, seeking authorisation to place the draft Plan of Management on public exhibition, providing opportunities for the community to comment. This allows the community to be involved and represented in the contents of a Plan of Management. Minister's written consent to adopt the draft Plan of Management can be sought at the same time.

Following public exhibition and once all submissions are received, Council may decide to amend the draft plan or to adopt it without any amendments. If there are any changes Council must then again seek Minister's written consent to adopt the Plan of Management.

Matters under consideration

In accordance with the requirements of Section 39 of the Local Government Act 1993, Council must forward a copy of the draft plan to the person who owns or controls the land if the land is not owned by Council and must include in the draft plan any provisions that may properly be required by the person who owns or controls the land.

Council must notify the Crown Lands agency as representative of the owner of the land, seeking Ministers authorisation to place the draft Plan of Management on public exhibition. Public notification comprises 28 calendar days of exhibition and a further 14 calendar days for receipt of comments and submissions (a period no less than 42 days).

The draft Plan of Management has been prepared with a high level of local knowledge and input whilst ensuring that the relevant Acts, Regulations and directions are considered. The

strategic element was prepared in conjunction with and with consideration to the local community via Council Officers. Included are six (6) portions of Council-owned community land to comprehensively plan, and meet the requirements of the *Local Government Act 1993*, for both types of 'community land'.

The Plan of Management will support the Integrated Planning and Reporting Framework.

The remaining steps are:

1. Authorisation from Department of Planning, Industry and Environment – Crown Lands;
2. Public exhibition of the draft Plan of Management;
3. Council consideration of submissions received;
 - a. amend the draft plan or
 - b. adopt it without any amendments
4. Adoption of the final Plan of Management.

Council is required to refer the draft Plan of Management using a Crown Lands form that identifies where Community Land categories have been altered from Council's initial assignment of categories over the Crown reserves.

The alterations to Council's initial assignment of Community Land categories 21 October 2020 have been made in the draft Plan of Management in accordance with Crown Lands policies and the Local Government (General) Regulation 2021 - Part 4, Division 1 Guidelines for the categorisation of community land.


Legal, strategic, financial or policy implications

This report is compliant with the requirements of the *Crown Lands Management Act 2016* and the *Local Government Act 1993*.

Conclusion

Having consideration for the content of this report, the proposed endorsement by Council will assist the completion of the Plan of Management in a timely and compliant manner.

Attachments

1. Generic DRAFT Plan of Management [!\[\]\(e1bdc70a9006e3802acd56af7aa337d8_img.jpg\)](#) 
2. Native Title Manager Advice [!\[\]\(78e56d5e55225fd4f2631cbf51155cb8_img.jpg\)](#) 



WENTWORTH SHIRE COUNCIL

WORTH THE DRIVE

COMMUNITY LAND PLAN OF MANAGEMENT 2022

WENTWORTH SHIRE COUNCIL
PLAN OF MANAGEMENT FOR
SEVENTY-TWO CROWN RESERVES
AND
SIX COUNCIL OWNED COMMUNITY LAND
RESERVES

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Revisions

Date	Minutes	Purpose
1 February 2021		Final draft for Council officer review
15 October 2021		Updated final draft for discussion with Council
29 November 2021		Final draft as amended after Council review and comment
9 May 2022		Final draft following further Crown advice to Council; and final for Council report and submission to Crown

Community Land Plan of Management

PART 1: INTRODUCTION AND GENERAL INFORMATION

1.0 Key Information

This Plan of Management (PoM) has been prepared by Wentworth Shire Council for 72 Crown Reserves and 6 Council-owned community land areas across the Local Government Area (LGA).

It was referred to the Landowner, the Minister for Crown Lands, on [date, year] to enable public exhibition.

Following public exhibition and consideration of submissions the PoM will be adopted by Council with Ministerial approval.

Wentworth Shire Council acknowledges that within its Local Government Area boundaries are the Traditional Lands of the Indigenous Barkandji people. Council will work collaboratively with the Barkandji people to protect and preserve sites of heritage and cultural significance.

Wentworth Shire Council acknowledges the Traditional Owners of the land and pays respect to Elders past, present and emerging.

2.0 Introduction

This Community Land Plan of Management (PoM) for Wentworth Shire Council is a first PoM prepared for the LGA under the *Crown Land Management Act 2016 (CLM Act)*. It comprises Crown reserves previously managed by the Council as Reserve Trust Manager under the repealed Crown Land Act 1989 and Council-owned community land.

2.1 About Wentworth Shire

Located in the far south-west of New South Wales, bordering Victoria and South Australia, Wentworth Shire (the Shire) is positioned at the intersection of the National Land Transport Network (Sturt and Calder Highways) connecting the eastern cities of Brisbane, Sydney and Canberra with Melbourne, Adelaide and Perth.

Wentworth Shire encompasses an area of approximately 26,000 square kilometres and is the meeting place of Australia's largest and most iconic river systems – the Darling and the Murray river. The Darling and Murray Rivers intersect the arid and semi-arid landscape, running north to south and east to west, respectively.

These two river systems are the single most influential feature driving land use and activity in Wentworth Shire and shape the economy, livelihood, identity and history of the community and the environment.¹

The majority of Wentworth Shire residents enjoy a rural lifestyle, and yet are still only 10 to 30 minutes from the regional centre of Mildura, a city of more than 30,000 people.

¹ Local Strategic Planning Statement 2020

The Shire is sparsely populated with approximately 7,000 people mostly located in and around the townships of Wentworth, Dareton, Buronga and Gol Gol. The smaller remote town of Pooncarie is located approximately 120km north of Wentworth on the Darling River.

Aboriginal and/or Torres Strait Islander people make up approximately 10% of the Wentworth Shire's population compared to the NSW State and Australian average of roughly 3%. The Barkandji people are the main First Nation's people in the Shire. The Barkandji nation of far west NSW holds native title for over 128,000 square kilometres of land, of which a significant proportion is located within Wentworth Shire under the Barkandji Native Title Group Aboriginal Corporation.²

The Shire's climate is semi-temperate and lends itself to a diverse industry sector; the top three being agriculture, mining and manufacturing.

Within the Shire is Willandra Lakes World Heritage Area encompassing Mungo National Park. This land is of great significance to three local First Nation's cultural groups: the Paakantyi, Mutthi Mutthi and Ngyiampaa. It is recognised for cultural, archaeological, landscape, biodiversity and research values at a global scale, and social, economic and recreational values at the state and regional level.

Uniquely, most land across the Shire is owned by the Crown, but administered by NSW Department of Planning, Industry and Environment – Crown Lands through Western Lands lease agreements.



The meeting of the two rivers – Darling & Murray River

² Local Strategic Planning Statement 2020

2.2 Corporate Objectives

Wentworth Shire Council has developed broad plans and policies that have an effect on the management of community land. These documents have been considered when preparing this PoM:

- Council's Community Strategic Plan 2017 – 2027
- Local Strategic Planning Statement A vision to 2040 And Beyond

Council's Community Strategic Plan 2017 – 2027 (CSP) was developed by the community to achieve the vision of:

A thriving region, supported by a robust economic base, distinctive open spaces, and strong local governance and leadership.

The CSP sets out the aspirations of the Community and the strategic actions to get there.

The Strategic Goals of the CPS are to make Wentworth a:

- a) Vibrant, growing and thriving shire;
- b) Desirable shire to visit, live, work and invest;
- c) Community that works to enhance and protect its physical and natural assets; and
- d) Caring, supportive and inclusive community that is informed and engaged in its future.

This PoM for Crown and community land reserved for parks, sportsground, general community use and natural areas will aim, where relevant, to support and contribute towards achieving the following CSP strategies.

- Grow visitation to the Shire by developing a quality visitor experience and promoting the destination
- Maintain/create desirable open spaces and recreation facilities
- Plan for and develop the right assets and infrastructure
- Prepare for natural disasters, biosecurity risks and climate change
- Reduce, reuse and recover waste
- Promote disability inclusion within the community

On 18 March 2020 Wentworth Shire Council adopted its Local Strategic Planning Statement A Vision to 2040 And Beyond (LSPS) setting out a 20 year vision for land use, thus planning for Wentworth Shire Council's economic, social and environmental needs.

The LSPS provides a snapshot of population, land use and economic trends and includes a structure plan, as well as settlement and township plans to manage growth and guide improvements and investment. The LSPS therefore addresses issues of strategic significance to the Shire and identifies planning priorities and actions, spatial land use direction and guidance.

The LSPS gives effect to the *Far West Regional Plan 2036* implementing directions and actions at a local level. It is additionally informed by other State-wide and regional policies including *Future Transport Plan 2056* and the *NSW State Infrastructure Strategy 2018 – 2038*.

The Council's Community Strategic Plan (CSP) works concurrently with the LSPS to deliver the community's vision for the Shire. The planning priorities and actions identified in the LSPS provide the rationale for decisions about the use of land in order to achieve the community's broader goals.

The way in which the following planning priorities may be implemented in this PoM are set out in Table 1.

Table 1 Local Strategic Planning Statement Priorities relevant to Crown and Council-owned community land

Planning Priority in the LSPS	Crown reserves and Council-owned community land contribution
Grow tourism	The natural area parks and reserves offer places for tourism facilities and recreational opportunities
Collaborate and partner with First Nation's communities	Build a greater understanding of the Indigenous communities in managing the reserves
Infrastructure and services	Crown land and council-owned community land support infrastructure and provide community facilities to create healthy built environments that contribute to liveability
Preserve and promote heritage	Several of the reserves comprise items of environmental and/or cultural heritage
Manage natural hazards and climate change risks	Land and facilities may be located in areas of risk, such as flooding, or could incorporate new sustainable technologies (heating/cooling, water design and reuse etc) to reduce risk and cost
Protect areas of environmental value	The reserves and council-owned land may be used as biodiversity offsets for future development providing resources to assist with ongoing upkeep of assets and land.

On a State level, Crown Land 2031: State Strategic Plan for Crown Land was released in June 2021. This 10 year plan proposes to activate Crown land to grow tourism, support community groups, boost regional economies, advance Aboriginal interests, and provide more green open space.

Crown land is public land and the plan sets the direction for the estate to support activities to create social, economic, cultural and environment benefits.

The vision embodied in this plan is for:

Crown land to support resilient, sustainable and prosperous communities across NSW.

The priorities for Crown land over the next 10 years are to:

- Strengthen community connections with Crown land
- Accelerate economic progress in regional and rural NSW
- Accelerate the realisation of Aboriginal land rights and native title in partnership with Aboriginal people
- Protect cultural heritage on Crown land
- Protect environmental assets, improve and expand on green space and build climate change resilience

These priorities will be supported by a set of outcomes to be achieved over the early, middle and full decade of the plan with detailed timelines and implementation plans to follow which may be of use to Council in delivering this PoM.

2.3 What is a Plan of Management?

The *Local Government Act 1993* (LG Act) requires a Plan of Management (PoM) to be prepared for all public land that is classified as 'community' land under the LG Act.

A PoM is an important management tool written by Council in consultation with the community. It outlines the land's features, and clarifies how the council will manage, use or develop the land in the future. A PoM provides a transparent and coordinated approach to public land management.

A PoM can be prepared for more than one parcel of land (generic or geographic) or for a single property (significant or specific). This is a generic plan for community land which covers multiple reserves.

2.4 What is Community Land?

Community land is land owned or controlled by the Council and recognised as an important component of the environment; providing opportunities for recreation, leisure and contact with the natural environment. It may include a wide variety of properties, ranging from small recreation reserves to iconic parks and buildings.

Community land is valued for its important role in the social, intellectual, spiritual and physical enrichment of residents, workers, and visitors to the Wentworth Shire Council area.

2.5 Categories of Community Land

The LG Act defines five categories of community land.

1. **Park** - areas primarily used for passive recreation.
2. **Sportsground** - areas where primary use is for active recreation involving organised sports or the playing of outdoor games.
3. **General Community Use** - all areas where the primary purpose relates to public recreation and the physical, cultural, social, and intellectual welfare or development of members of the public. This includes venues such as community halls, scout and guide halls, and libraries.
4. **Cultural Significance** - areas with Aboriginal, aesthetic, archaeological, historical, technical, research or social significance.
5. **Natural Area** - all areas that play an important role in the area's ecology. This category is further subdivided into bushland, escarpment, foreshore, watercourse and wetland categories.

All Community Land must be assigned to one or more LG Act community land 'categories' which define how Council will manage each parcel of land. Each category has a set of guidelines for assigning categories and core objectives in providing guidance to the management of community land. The core objectives for each category give a broad strategic direction for management of this land, which is the same for all community land of the same category across NSW.

The CLM Act requires that assignment of community land categorisations to Crown reserves have close regard for the reserve's purpose. The reserve purposes for the 72 reserves within this PoM are listed in **Appendix A1**.

3.0 Land to which this Plan applies

3.1 What land is covered by this Plan of Management?

The land covered by this Plan of Management (PoM) is identified in schedule **Appendix A1 – Crown Reserves** and **Appendix A2 – Council-Owned**. These include Crown reserves managed as community land by Council as the Crown Land Manager, as well as Council-owned community land.

The land covered by this document is defined by real property identifiers (lots and deposited plans), as well as shown by maps in **Appendix B**.

The land on these reserves has been categorised as one or more of the following:

- Park;
- Sportsground;
- General Community Use; or
- Natural Area – Bushland and Natural Area – Watercourse.

Each of these categories have specific objectives which shape what can occur on the land, and these are detailed under the relevant section/chapter of this PoM.

3.2 What land is not covered by this Plan of Management?

This PoM does not include:

- Community land covered by specific PoMs (adopted under Local Government (LG) or Crown Land (CL) legislation);
- Council-owned operational land as these do not require a PoM;
- Crown reserves that Council manages as ‘devolved land’ and that is managed under Section 48 of the LG Act (Council is not a Crown Land Manager for these reserves), the reserves are not community land and these do not require a PoM;
- Public open space and recreation facilities which are owned and managed by other entities and not managed by Council;
- Privately owned land, which is made available for public use; and
- Land declared as critical habitat, or directly affected by a threat abatement plan or a recovery plan under threatened species laws (sections 36A(2) and 36B(3)) or by Council to contain significant natural features (section 36C(2)) or to be of cultural significance (section 36D(2)).

3.3 About this Plan of Management

The LG Act requires community land to be managed and used in accordance with an adopted PoM.

This PoM is a document covering most of the community land and open space within the Wentworth Shire Council LGA categorised as Park, Sportsground, General Community Use and Natural Area (further categorised into bushland and watercourse).

Community land in Wentworth Shire, in addition to Council-owned public land, includes Crown reserves managed by Council as community land.

The land to which this PoM applies is listed/catalogued in **Appendix A1** and **Appendix A2**.

Many Crown reserves in NSW were previously managed by councils on behalf of the NSW Government under reserve trust structure. Now, under the CLM Act, Crown reserves are managed by councils, but remain Crown land and are managed as if they were ‘public land’.

This PoM applies to Crown reserves where Wentworth Shire Council was appointed Crown Land Manager on the commencement of the CLM Act in 2018, and also includes other community land owned by Council.

A single cohesive plan enables consistent management of the open space network and enhanced appreciation by the wider community of its benefits, variety and distribution.

3.4 Purpose of this Plan of Management

The purpose of this PoM is to:

- Contribute to Wentworth Council's broader strategic goals and vision as set out in the Wentworth Community Strategic Plan 2017 – 2027;
- Ensure compliance with the *Local Government Act 1993*;
- Provide clarity in the future development, use and management of the community land; and
- Ensure consistent management that supports a unified approach to meeting the varied needs of the community.

3.5 Management Plans

Wentworth Shire Council has developed User Groups for reserves with multiple occupations. These groups have a Councillor representative and have developed Operational Management Plans over the years.

There are six reserves that have existing Management Plans or Masterplans. These have been prepared by consultants, or jointly prepared by stakeholders in conjunction with Council for:

- George Gordon Oval;
- Carramar Drive Oval;
- Great Murray Darling Junction Reserve;
- James King Park;
- Wentworth Showground Complex; and
- Thegoa Lagoon; and
- Pooncarie Sporting Reserve.

These Management or Master Plans are not Plans of Management prepared under the LG Act and the CLM Act. They do however serve to provide an integrated framework for the management and development of the land by Council and the Community. The directions, recommendations and intent of these management and master plans have been recognised, and the intent included or the outcomes are enabled in this PoM where they are consistent with it.



Carramar Drive Oval
Reserve 91386

4.0 Legislative Framework

The primary legislation affecting how community land is managed or used is briefly described below.

You can find more information about these Acts at www.legislation.nsw.gov.au

4.1 Crown Land Management Act 2016

Crown reserves are land set aside on behalf of the community for a wide range of public purposes, including environmental and heritage protection, recreation and sport, open space, community halls, special events and government services.

Crown land is governed by the CLM Act, which provides a framework for the state government, local councils and members of the community to work together to provide care, control and management of Crown reserves.

The CLM Act requires Councils to manage Crown land as public land under the LG Act. This land must be managed in accordance with its purpose and cannot be used for other activity incompatible with this – for example, Crown land assigned the purpose of ‘environmental protection’ cannot be used in a way that compromises its environmental integrity.

Councils must also manage Crown land in accordance with the principles of Crown land management outlined in the CLM Act. The principles are the key values that guide Crown land management benefiting the community and to ensure that Crown land is managed for sustainable, multiple uses.

4.1.1 Principles of Crown Land Management

- Environmental protection principles are to be observed in the management and administration of Crown land.
- The natural resources of Crown land (including water, soil, flora, fauna and scenic quality) will be conserved wherever possible.
- Public use and enjoyment of appropriate Crown land are to be encouraged.
- Where appropriate, multiple uses of Crown land should be encouraged.
- Where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained.
- Crown land is to be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the state of NSW, consistent with the above principles.

4.1.2 Crown Land Management Compliance

In addition to management and use of Crown reserves that aligns with the reserve purpose(s), there are other influences over council management of Crown reserves. For example, Crown Land Managers may have conditions attached to any appointment instruments, or councils may have to comply with specific or general Crown land management rules that may be published in the NSW Government Gazette. Councils must also comply with any additional or newly made Crown Land Regulation.

There are no conditions attached to any Crown Land Manager appointment notices, and only one Crown land management rule applies to Crown land in Wentworth Shire Council.

The rule, made under s.3.15 of the *Crown Land Management Act 2016*³ states:

³ https://www.industry.nsw.gov.au/__data/assets/pdf_file/0011/205994/clmr1801-circular-telecommunications-holdings.pdf

Crown land managers cannot, under any act (including the Local Government Act 1993), grant any lease or licence authorising:

- *the installation or construction of communication infrastructure on Crown land;*
- *the placement of communication infrastructure on Crown land;*
- *the use of communication infrastructure that is located on Crown land;*
- *access to communication infrastructure that is located on Crown land.*

However, the rule does not prevent the holder of a holding granted by the Minister administering the Crown Land Management Act 2016 subletting of communication infrastructure located on Crown land in accordance with the conditions of a holding granted by the Minister.

4.2 Local Government Act 1993

Section 35 of the LG Act provides that community land can only be used in accordance with:

- The PoM applying to that area of community land;
- Any law permitting the use of the land for a specified purpose or otherwise regulating the use of the land; and
- The provisions of Division 2 of Chapter 6 of the Act.

Section 36(3) of the Act provides that a PoM for community land must identify the following:

- a) The category of the land;
- b) The objectives and performance targets of the plan with respect to the land;
- c) The means by which the council proposes to achieve the plan's objectives and performance targets;
- d) The manner in which the council proposes to assess its performance with respect to the plan's objectives and performance targets;

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

Land is to be categorised as one or more of the following:

- a) A Natural Area;
- b) A Sportsground;
- c) A Park;
- d) An Area of Cultural Significance; or
- e) General Community Use.

Land that is categorised as a Natural Area is to be further categorised as one or more of the following: Bushland, Wetland, Escarpment, Watercourse, Foreshore, or a category prescribed by the Regulation.

4.3 Native Title Act 1993

The Commonwealth *Native Title Act 1993* (NT Act) recognises and protects native title rights and interests. The objects of the NT Act are to:

- Provide for the recognition and protection of native title;
- Establish ways in which future dealings affecting native title may proceed and to set standards for those dealings;
- Establish a mechanism for determining claims to native title; and
- Provide for, or permit, the validation of past acts invalidated because of the existence of native title.

The NT Act may affect use of Crown land, particularly development and granting of tenure. In particular, the CLM Act makes it mandatory for council to engage or employ a Native Title Manager. This role provides advice to Council as to how the Council's dealings and activities on Crown land may be valid or not valid under the NT Act.

Council must obtain written advice from an accredited Native Title Manager so that council complies with any applicable provisions of the native title legislation when:

- a) Granting leases, licences, permits, forestry rights, easements or rights of way over the land;
- b) Mortgaging the land or allowing it to be mortgaged;
- c) Imposing, requiring or agreeing to covenants, conditions or other restrictions on use (or removing or releasing, or agreeing to remove or release, covenants, conditions or other restrictions on use) in connection with dealings involving the land; and
- d) Approving (or submitting for approval) a pom for the land that authorises or permits any of the kinds of dealings referred to in (a), (b) or (c).

Crown land is subject to native title rights and interests under the NT Act which must be considered unless:

- Native title has been extinguished; or
- Native title has been surrendered; or
- determined by a court to no longer exist.

Dealings in land or water that affect (impair or extinguish) native title are referred to as 'future acts' and these acts must be done in compliance with the NT Act. The NT Act specifies procedures that must be followed before future acts can be done legally.

Some examples of acts which may affect native title on Crown land or Crown reserves managed by Council include:

- the construction of new buildings and other facilities such as toilet blocks, walking tracks, tennis courts, grandstands and barbecues.
- the construction of extensions to existing buildings.
- the construction of new roads or tracks.
- installation of infrastructure such as powerlines, sewerage pipes, etc.
- the creation of an easement.
- the issue of a lease or licence.
- the undertaking of major earthworks.

On Crown land, a future act undertaken by Council, which is not covered by one of the Future Act subdivisions of the NT Act will be invalid.

No future act can be undertaken on Crown reserves within this plan of management unless:

- the lands become or are excluded land for the purposes of the *Crown Land Management Act 2016*, or
- the act is a tenure which satisfies the requirements of Section 24HA (Management of Water and Airspace) of the *Native Title Act 1993*, or
- the act is a public work which satisfies the requirements of Section 24KA of the *Native Title Act 1993*, or
- the act is a low impact act and satisfies the requirements of Section 24LA of the *Native Title Act 1993*.

Any act authorised under Section 24LA of the *Native Title Act 1993* will terminate, after an approved determination of native title is made in relation to the land or waters, if the determination is that native title exists.

4.4 Other Council Plans and Policies relating to this Plan of Management

Council has developed Plans and Policies that have a bearing on the management of community land. These documents have been considered in preparing this PoM.

- Wentworth Local Environmental Plan 2011;
- Wentworth Development Control Plan 2011;
- Wentworth Community Strategic Plan 2017 – 2027 and
- Wentworth Local Strategic Planning Statement 18 March 2020 (see section 2.2).

Wentworth Local Environmental Plan 2011

The Wentworth Local Environmental Plan 2011 (WLEP) applies to the entire LGA and sets out the land use zones and controls for development under the *Environmental Planning and Assessment Act 1979*.

The WLEP identifies the reserves managed by the Council as one of or a combination of the following land use zones:

RURAL	RECREATION	WATERWAY	SPECIAL PURPOSE
RU1 Primary Production RU5 Village	RE1 Public Recreation RE2 Private Recreation	W1 Natural Waterways W2 Recreational Waterways	SP2 Infrastructure

These zones set objectives and define permitted and prohibited development on the land. The zones applying to the 72 Crown reserves are provided in Appendix A1.

Several land use zones given to some of the reserves are not compatible with the underlying Crown land purpose of public recreation. These will need to be amended when the WLEP is next updated.

Development or uses within the reserves requiring a Development Application will be assessed under Section 4.15 of the *Environmental Planning and Assessment Act 1979* and in accordance with the LEP.

In addition to the permitted and prohibited development set out in the land use zones, the LEP has special provisions which need to be considered for works within the reserves dependant on their location. These provisions relate to:

- Flooding;
- Heritage;
- Biodiversity;
- Wetlands;
- Development on river frontages;
- Riparian land, Murray River and other watercourses; and
- River bed and banks of the Murray River.

Heritage

The following Reserves have European Environmental Heritage listing in the LEP:

Locality	Reserve Number	Property Description	Significance	Item Number
Anabran	84989	Anabran Hall	Local	11
Curlwaa	630011	Curlwaa Memorial Hall	Local	122

Locality	Reserve Number	Property Description	Significance	Item Number
Gol Gol	1005288	Gol Gol Cemetery	Local	126
Pooncarie	35698	Pooncarie Cemetery	Local	135
Pooncarie	230096	Police Station and Post Office	Local	135 and 136
Wentworth	1036648	Wentworth Town Hall	Local	144
Wentworth	85572	Old Wentworth Gaol	State	150
Wentworth	89749	Junction Park	Local	154
Wentworth	1034808	Wentworth Cemetery	Local	153
Wentworth	84700	Wentworth Wharf	Local	161
Wentworth	87379	PS Ruby within Fotherby Park	Local	173
Wentworth	55602	Wentworth Water Tower within Great Murray Darling Junction Reserve	Local	196

Development or works on these reserves will need to consider clause 5.10 of the WLEP.

Willandra Lakes World Heritage Area (Mungo National Park) is a Heritage Conservation Area within Wentworth LGA however, it is not a reserve for which Wentworth Council has responsibility over but is part of the NSW National Parks system.

There is significant First Nation's cultural heritage in the region and within several of the Natural Area reserves including Perry Sandhills, Thegoa Lagoon and Great Murray Darling Junction Reserve. Preparation of a site-specific PoM will be considered for these reserves in the future subject to the need to consult with Aboriginal communities and Council resolution to declare these Areas of Cultural Significance under the LG Act.

Wentworth DCP 2011 is a supporting guiding document which development must also consider.

In summary, the possible impacts of any future proposal on reserve land will be considered in light of all relevant planning controls and Council policies and must be consistent with the public purpose given to the land.

Other state and federal legislation of relevance to the use of the land is in **Appendix C**.

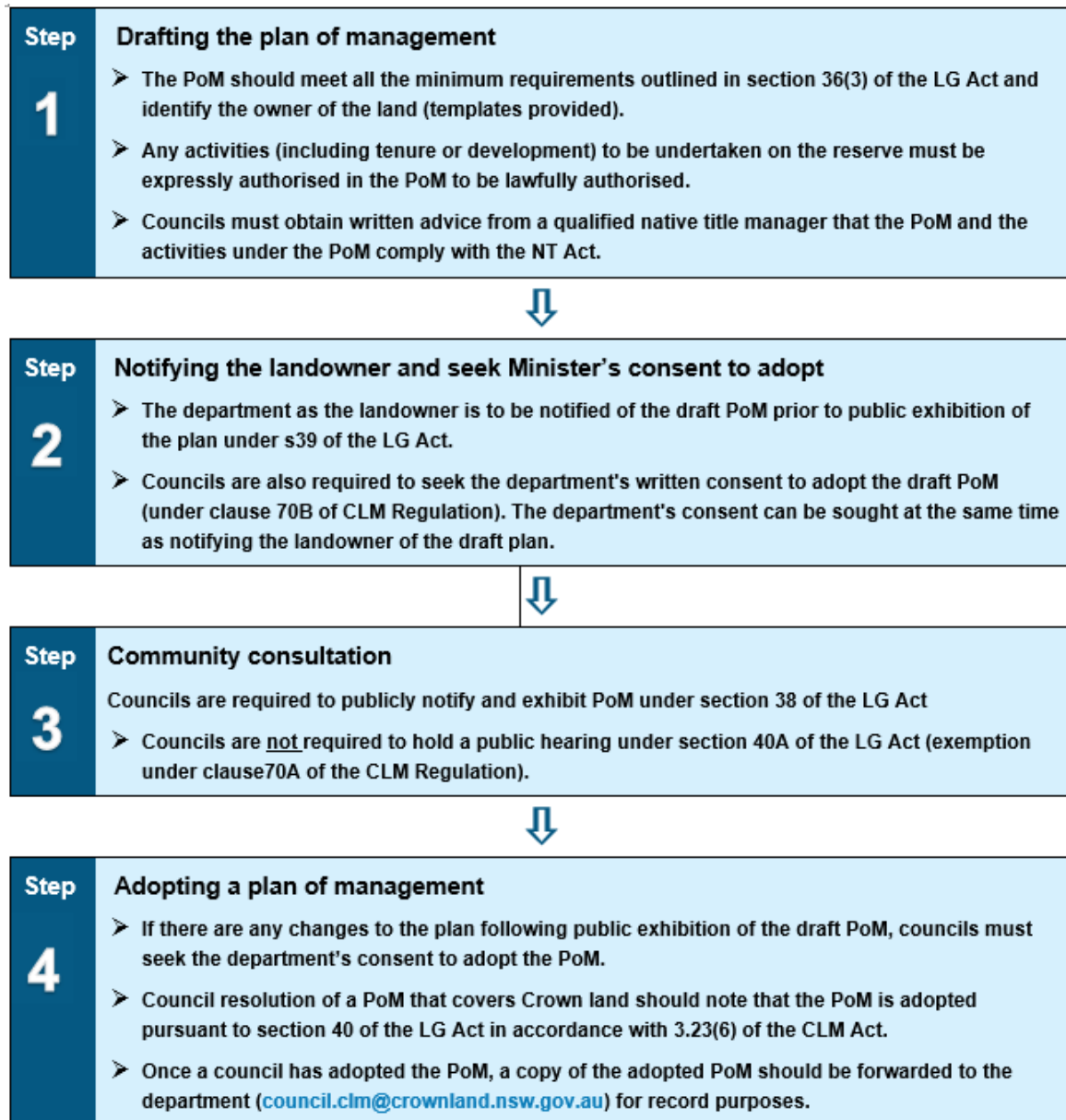


PS Ruby

5.0 Process of preparing this Plan of Management

Figure 1 below illustrates the process of preparing this PoM.

Figure 1: Process steps in preparing this plan of management



5.1 Community Consultation

Community consultation is important to ensure a PoM meets the needs of the local community. It enables the comprehensive management of public land and encourages appreciation of its social, environmental and health benefits.

In accordance with section 39 of the *Local Government Act 1993*, prior to being placed on public exhibition, the draft PoM was referred to the Department of Planning and Environment, as representative of the state of NSW, which is the owner of the 72 Crown reserves in this PoM. Council has included in the plan any provisions that have been required by the Department of Planning and Environment – Crown Lands.

As part of the initial referral of the draft PoM to the Minister, and in accordance with the CLM Reg Cl. 70B - Modification of the *Local Government Act 1993*, section 40, Council also sought the written consent of the Minister for Council to adopt the plan of management after public exhibition.

5.2 Past Consultation

On 13 November 2020, stakeholder engagement was held with key users, representatives and lessees, by way of an email survey and advice informing these users of the preparation of the draft PoM.

Other engagement options were limited due to the (then) COVID 19 restrictions.

The survey explored the importance and value of the reserves, what improvements could be made, what issues exist and potential solutions, to confirm existing and future uses and document desired future outcomes. The outcomes of this early engagement have been incorporated into this draft PoM.

A list of the stakeholders is at **Appendix D**.

Note: Council has developed User Groups for reserves with multiple occupations. These groups have a Councillor representative and have developed Operational Management Plans which to date have provided the detail for the daily management of the site/facility.

5.3 Public Hearing

The *CLM Act* and Regulation no longer require a public hearing if the community land categories assigned to Crown reserves are amended after Council's Notice of Initial Assignment.

The *LG Act* does require a public hearing for Council-owned community land, or parts of community land where categories are assigned for the first time or amended.

The Council-owned community land requiring a public hearing are:

1. Car Park Midway Centre
2. Midway Centre
3. Second Oval – land being Lot 2, DP 1239025, adjacent to George Gordon Oval (Crown Reserve 61503)
4. Civic Centre
5. Wilkinson Hall
6. Little Manly

Such a public hearing is typically held during the public exhibition of the relevant draft PoM and provides the community with the opportunity to make formal comment on the categorisation change within the draft PoM.

A public hearing was held in relation to this PoM on [insert details of public hearing, including date and venue], in accordance with the requirements of Sections 40(A) and 47(G) of the LG Act, as the PoM proposes to add a category on LG Act community land for the first time in a PoM.

5.4 Public Exhibition

The Plan will be placed on public exhibition for 28 days plus a 14-day ongoing response period (42 days total) [insert dates] in accordance with the LG Act. The exhibition period allows for interested parties to comment on the draft PoM. [Council to consider comments, and if needed amend the final document where appropriate]

Key comments were reviewed and are tabulated below.

Comment	Response for PoM finalisation



6.0 Development and Maintenance of the Reserves

The 72 Crown Reserves across the Wentworth Shire LGA are widely dispersed and range from sportsgrounds, childcare, cemeteries, caravan parks, to bushland and parks. These are important open space, recreation, cultural and social resources catering to a wide range of local and regional activities.

Council is responsible for the management of the reserves, and resources this management through:

- Administration and bookings staff;
- Dedicated maintenance and operations staff including parks and reserve operational teams;
- Licensee or lessee maintenance responsibilities, improvements, facility or site presentation as set out in detailed and formal licence or lease user agreements; and
- Advice to council on management, operations, and maintenance through a LG Act section 355 committee of management.

Council will plan for and undertake structural repairs, facility upgrades and facility renewals in accordance with its adopted asset management plans, budgets and capital works programs.

Council provides funding for the upkeep and development of the Crown reserves through consolidated revenue allocations in Council's Operational Plan and associated budgets, use of open space revenues from fees and charges, grant funding and capital developments using sponsorship, and partner funding.

The Roads and Engineering Department is responsible for the care and control, maintenance and upgrading of the parks and reserves in the Wentworth Shire LGA.

Unless otherwise determined, Council is responsible for the external structural integrity of facilities, except where a user group has a detrimental impact upon the external condition of the building.

Council maintains a dedicated works staff that undertake a range of maintenance and use management activities on the parks and reserves including mowing, rubbish management and removal, repairs and minor improvements to infrastructure and facilities.

Council and tenants will partner with a co-operative approach to the asset responsibilities and costs.

Licensees and user groups allocate volunteer and organisational resources and funds to develop and maintain their lease/license areas, buildings and structures.

Unless otherwise determined, users of the facility should be responsible for the internal maintenance of the facility. Where more than one group uses a facility, contributions and responsibility for maintenance should be shared based on the floor space usage ratio.

Council provides funding assistance and undertakes maintenance work (repairs and replacement) on community halls and other community buildings/amenities and sports facilities as the budget allows.

In addition to the evaluation of planning and development proposals that affect or use Council's parks and reserves, Council's Health and Planning Department is responsible for the development of Plans of Management which will assist in the long-term management and potential future development of these reserves.

6.1 Leases and Licences and other Estates

The LG Act requires that any lease, licence or other estates over community land must be expressly authorised by a PoM. They must be consistent with the LG Act and category core objectives, as well as the Crown reserve's purpose(s), in the best interests of the community as a whole and enable, wherever possible, shared use of community land. The term 'other estates' includes other interests, charges, rights or titles in relation to the land, for example an easement.

A lease is a contract between a landowner or manager and another entity, granting that entity a right to occupy an area for a specified period of time for agreed purposes. The main difference between a lease and licence is that a licence does not permit the sole, or exclusive, use of the area. Licences may be granted to formally recognise and endorse shared uses. For example, a sportsground is used in the summer for playing cricket and in the winter for Australian Rules Football. Licences can include conditions relating to the handover at the end of the playing season. Licences are commonly used for sports facilities such as a club house.

In accordance with the requirements of the LG Act, this PoM expressly authorises Council to grant a lease, licence or other estate on community land when:

- The activity is consistent with this PoM;
- The agreement is consistent with the core objectives for the categories of Park, Sportsground, General Community Use and Natural Area;
- The agreement is on a Crown reserve, the uses of the land are consistent with the reserve's purpose(s); and
- The lease, licence or other estate is for a purpose listed in the Tables in each Development and Use Section of this Plan of Management.

Any lease or licence proposal will be individually assessed and considered, including the community benefit, compatibility with this PoM, gazetted purpose of the reserve and the capacity of the area to support the activity.

Section 46 LG Act permits Council to grant a lease, licence or other estate on community land, without an adopted Plan of Management for:

- The provision of public utilities and works associated with or ancillary to public utilities; or
- The purpose of providing pipes, conduits or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider.

6.1.1 Maximum time period for leases or licences over any community land covered by this plan of management.

The maximum period for any lease or licence is 30 years (including any option) and Minister's consent is required if the lease/licence exceeds 21 years (Sect 47(5)(b)). Unless exempt by the regulations, all such leases, licences or grant of other estate must be advertised and the community notified in accordance with the provisions of sections 47 and 47A of the LG Act.

The grant of any tenures, e.g: tenure terms and limits, tendering, and notification and approvals, will be subject to the provisions of Part 2, Division 2 of the LG Act.

Council must call tenders for leases or licences over 5 years, unless the lease or licences is to be granted to a non-profit organisation, (s.46A).

Subleases are only allowable for the same purpose as the original lease, except for a handful of exceptions listed in cl.26, Local Government (General) Regulation.

Council may only grant exclusive occupation of community land through a lease, licence or other estate.

For leases between 5 and 21 years council must:

- give public notice of the proposal
- place a notice of the proposal on the land
- notify owners adjoining the land
- notify persons living in the vicinity of the land if the council believes that the land “is the primary focus of the person’s enjoyment of community land”
- consider submissions made about the proposal
- refer the proposal to the Minister for Local Government if council has received an objection to the proposal.

If an objection has been received, the council cannot grant the lease etc but must refer the proposal to the Minister for approval.

Table 2 below outlines purposes for which tenure may be granted on community land categorised as Sportsground, Park and General Community Use. Refer to section 7.2 for Natural Areas.



James King Park Reserve 73260

Table 2 Leases, licences and other estates and purposes for which they may be granted for community land categorised as Sportsground, Park and General Community Use.

Type of tenure arrangement	Purpose for which tenure may be granted		
	Sportsground	Park	General Community Use
Lease	<ul style="list-style-type: none"> • Use and management of field, course, court facilities and buildings and fixtures that provide for sports uses • Food and beverage outlets, such as restaurants, café/kiosk areas, including seating and tables • Hire or sale of sports or recreational equipment • Childcare facilities that provide for sportsground users • Health and fitness goods and services for sportsgrounds users and visitors 	<ul style="list-style-type: none"> • Café/kiosk areas, including seating and tables • Management of park areas and facilities • Hire or sale of recreational equipment • Community recreation, leisure and cultural activities 	<ul style="list-style-type: none"> • Child care or vacation care • Health or medical practitioners associated with the relevant facility (for example, nutrition, physiotherapy) • Educational purposes, including libraries, education classes, workshops • Community services purposes • Cultural purposes, including concerts, dramatic productions and galleries • Recreational purposes, including fitness classes, dance classes and games • Sporting uses developed/operated by a private operator • Kiosk, café and refreshment purposes • Commercial retail uses associated with the facility (e.g. Sale or hire of sports goods) • Caravan parks and camping grounds • Emergency services purposes
Licence	<ul style="list-style-type: none"> • Use and management of field, course, court facilities and buildings and fixtures that provide for sports uses • Outdoor café/kiosk seating and tables • Hire or sale of sports or recreational equipment • Health and fitness goods and services for sportsgrounds users and visitors 	<ul style="list-style-type: none"> • Outdoor café/kiosk seating and tables • Management of court or similar facilities • Hire or sale of recreational equipment 	<ul style="list-style-type: none"> • Social purposes (including child care, vacation care) • Educational purposes, including libraries, education classes, workshops • Community services purposes • Emergency services purposes

Type of tenure arrangement	Purpose for which tenure may be granted		
	Sportsground	Park	General Community Use
			<ul style="list-style-type: none"> Recreational purposes, including fitness classes, dance classes Café/kiosk areas Sale of goods or services that are ancillary to community land use and reserve purpose, for example flower sales at cemetery
<p>Short-term licence</p> <p>Subject to:</p> <p>General and ad hoc short-term or casual licences: as issued ad hoc with Council formal application process, permissions and/or approvals</p> <p>(LG Act, S.46, LG (General) Regulation, Cl.117, and CLM Act Ss. 2.20 and 3.17, CLM Regulation Cl. 31</p>	<ul style="list-style-type: none"> Sporting fixtures and events Sports and fitness training and classes Ancillary ceremonies (for example, rehearsal of opening and closing ceremonies, cheer squads, etc.) Access through a reserve Advertising Broadcasting or filming of sporting fixtures Commercial photographic sessions and filming (as defined in the Local Government Act 1993) Delivery of a public address Emergency occupation Entertainment Equestrian events Exhibitions Hiring of equipment Markets Picnics and private celebrations such as weddings and family gatherings Catering Playing of a musical instrument, or singing, for fee or reward Playing of a lawful game or sport Sales Shows Site investigations Stock agistment or grazing 	<ul style="list-style-type: none"> Community events and festivals Playing a musical instrument, or singing for fee or reward Picnics and private celebrations such as weddings and family gatherings Filming, including for cinema/television Conducting a commercial photography session Public performances Engaging in an appropriate trade or business Delivering a public address Fairs, markets, auctions and similar activities Hiring of equipment Catering Playing of a lawful game or sport Sales Shows Site investigations, 	<ul style="list-style-type: none"> Public speeches, meetings, seminars and presentations, including educational programs Functions (including commemorative functions, book launches, film releases, balls, and similar activities) Displays, exhibitions, fairs, fashion parades and shows Events (including weddings, corporate functions, and community gatherings) Concerts and other performances, including both live performances and film (cinema and TV) Broadcasts associated with any event, concert, or public speech Engaging in an appropriate trade or business delivering a public address, community events; auctions, markets and similar activities

Type of tenure arrangement	Purpose for which tenure may be granted		
	Sportsground	Park	General Community Use
	<ul style="list-style-type: none"> Storage associated with sporting events or use agreements Limited area function uses reasonably associated with the promotion or enhancement of sporting groups, fixtures and events (for example, "guest" events for juniors; gala days; club meetings) 	<ul style="list-style-type: none"> Stock agistment or grazing 	
Other estates	<ul style="list-style-type: none"> This PoM allows the council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the LG Act. Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the council or other public utility provider that is situated on community land. 		



Wentworth Wharf Reserve 84700

6.1.2 Leases and Licences for Natural Areas

The LG Act imposes restrictions on the ability of Council to grant leases, licences or other estates over community land categorised as Natural Area and further sub-categorised as Bushland, Wetland, Escarpment, Watercourse or Foreshore.

Council may only grant a lease, licence or other estate over Natural Area category land if:

- It is authorised under the PoM;
- The purpose is consistent with the core objectives for that category of land;
- The uses of the land are consistent with the reserve's purpose(s); and
- The lease/ licence is for a purpose specified in section 47B of the LG Act (as below).

Section 47B restricts the grant of a lease, licence or other estate that would enable the erection of **structures** or **buildings** to only the use or erection of these listed below:

- Walkways;
- Pathways;
- Bridges;
- Causeways;
- Observation platforms; or
- Signs.

Council is able to authorise the erection and use of those buildings or structures for the following purposes:

- Information kiosks;
- Refreshment kiosks (but not restaurants);
- Work sheds or storage sheds required in connection with the maintenance of the land; or
- Toilets or rest rooms.

While these structures are permitted to be constructed on community land categorised as Natural Area, a development application may also be required prior to their construction in accordance with the *Environmental Planning and Assessment Act 1979*.

It is noted however, that the legislation does not restrict the use of the land or the issue of a lease or licence in a Natural Area category for activities such as walking tours, environmental tours, bushcare, canoe hire etc.

See section 7.2 for Leases and Licences authorised by this PoM for Natural Areas.

6.1.3 Existing Leases and Licences on land in this PoM

Council has existing agreements previously granted for use and occupation of land with this PoM: short-term licences, licences and leases, for Crown reserves and Council-owned community land.

A list of short-term licences, licences and leases is in **Appendix A3**.

6.2 Native Title and Aboriginal Land Rights

When planning to **grant a lease or licence**, the council must comply with the requirements of the Commonwealth *Native Title Act 1993* (NT Act) and have regard for any existing claims made on the land under the NSW *Aboriginal Land Rights Act 1983*.

It is the role of Council's engaged or employed Native Title Manager to provide written advice in certain circumstances to advise if the proposed activities and dealings are valid under the NT Act. Wentworth Shire Council has received Native Title Manager advice and considered the advice prior to referral of the draft PoM to the Landowner: the Minister administering the *Crown Land Management Act 2016*.

6.3 Future Acts

Dealings in land or water that effect (impair or extinguish) native title are referred to as 'future acts' and these Acts must be done in compliance with the NT Act. Granting a lease or licence over Crown land may be a future act.

Certain types of future acts can be validated under the NT Act. Where future acts are undertaken, native title claimants and holders may be entitled to specific procedural and substantive rights. As such, the written advice of a Native Title Manager is required. The advice must state that the act complies with the NT Act, and any necessary procedural requirements must be fulfilled prior to the act taking place.

Wentworth Shire Council LGA is a party to the Barkandji # 8 Native Title Claim Determination with a date of judgement of 2015 and 2017. Council has been working closely with the Prescribed Body Corporate (PBC) of the Traditional Owners and their legal representative Native Title Services Corporation (NTSCORP) to develop an Indigenous Land Use Agreement (ILUA). This process is currently paused, but if an ILUA is registered, Council will have an agreed process to consult the Traditional Owners for any future act that could affect their Native Title Rights.

6.4 Changes and Review of Plan of Management

This PoM will require regular review in order to align with community values and changing community needs, and to reflect changes in council priorities. Typically, PoMs are updated every five years, with a more comprehensive re-write after ten years.

Council's four year Operational Plans, and Delivery Plans may impact on the priorities of PoM actions being implemented, however this PoM will be a major support to the capital and operation funds expenditure, as well as regular operational maintenance expenditure.

The performance of this PoM will be reviewed on a regular basis to ensure that community land is well maintained and provides a safe environment for public enjoyment. Council should regularly monitor and evaluate the progress of implementation and review of performance targets, means of achievement and method of assessment annually.

Any change to an adopted PoM will require the preparation of a new draft PoM, which may be a simple alteration to the existing schedules and text or change of category from Park to General Community Use or Sportsgrounds.

Each new draft PoM must be referred to the landowner and placed on public exhibition where the Community will have an opportunity to comment prior to Council adoption.

6.5 'Deemed' Landowner's Consent under the Crown Land Management Act 2016 and Development under Transport & Infrastructure SEPP 2021

Crown Land Managers (CLMs) are responsible for upgrading and replacing infrastructure, buildings and facilities, with a view to maximising the life of their assets. The scale and requirements of any infrastructure development will depend on Council's resources, assets, and perceived public demand or need.

Under the *Environmental Planning and Assessment Act 1979* (EP&A Act), 'development' includes:

- Erecting a building;
- Carrying out works;
- Demolishing a building or work;
- Subdividing land; or
- Changing the use of land.

The EP&A Act regulates development in NSW and has established a framework for the control and assessment of development proposals. This consists of environmental planning instruments, which contain the development controls, and an application, assessment and approval process. The application, assessment and approval process differs according to the nature and scale of the development proposed.

Deemed Land Owner's Consent

Proposed development that requires approval under Part 4 of the EP&A Act, requires Land Owner's Consent (LOC) for a Crown Land Manager or tenure holder to lodge a development application (DA) on Crown land, unless a development type is covered under section 2.23 of the *Crown Land Management Act 2016* (CLM Act).

Section 2.23 of the CLM Act has introduced low impact development types where the Minister responsible for the CLM Act is taken to have given land owner's consent on behalf of the Crown to make a development application (DA) under Part 4 of the EP&A Act ('deemed land owner's consent').

A Deemed Land Owners Consent fact sheet provides further guidance for CLMs or tenure holders looking to apply section 2.23 of the CLM Act.⁴

<p>CLM Act, S.2.23</p> <p>Minister taken to give consent for certain development applications over dedicated or reserved Crown land</p>
<p>These provisions apply to dedicated or reserved Crown land for the purposes of the <i>Environmental Planning and Assessment Act 1979</i> and any instrument made under that Act and has effect despite anything in that Act or instrument under that Act.</p>
<p>Land Owner's Consent</p> <p>2.23(2) The Minister is taken to have given written consent on behalf of the Crown (as the owner of dedicated or reserved Crown land) for its Crown Land Manager or the holder of a lease or licence over the land to make a development application relating to any of the following kinds of development:</p>

⁴ Attachment-A-Crown-Land-Manager-Fact-Sheet-2.23-Deemed-LOC.pdf (nsw.gov.au)

CLM Act, S.2.23**Minister taken to give consent for certain development applications over dedicated or reserved Crown land**

- (a) without limiting paragraph (g), the repair, maintenance, restoration or renovation of an existing building on the land if it will not do any of the following—
 - (i) alter the footprint of the building by adding or removing more than one square metre (or any other area that may be prescribed by the regulations),
 - (ii) alter the existing building height by adding or removing one or more storeys,
 - (iii) involve excavation of the land,
 - (b) The erection of a fence approved by the Manager or the repair, maintenance or replacement of a fence erected with the Manager's approval,
 - (c) The use of the land for any of the following purposes—
 - (i) a purpose for which the land may be used under this Act,
 - (ii) a purpose for which a lease or licence has been granted under this Act,
 - (d) The erection of signage approved by the Manager or the repair, maintenance or replacement of signage erected with the Manager's approval,
 - (e) The erection, repair, maintenance or replacement of a temporary structure on the land,
 - (f) The installation, repair, maintenance or replacement of services on the land,
 - (g) The erection, repair, maintenance or replacement of any of the following on the land—
 - (i) a building or other structure on the land permitted under the lease,
 - (ii) a toilet block,
 - (iii) a structure for the protection of the environment,
 - (h) The carrying out on the land of any other development of a kind prescribed by the regulations or permitted under a Plan of Management for the land.
- (3) Subsection (2) [The above] conditions do not apply in relation to any development that involves any of the following:
- (a) The subdivision of land,
 - (b) The carrying out of development of a kind excluded by the Regulations.
- (5) To avoid doubt, the Minister's Consent on behalf of the Crown (as the owner of dedicated or reserved Crown land) to lodgement of a development application in respect of that land is required for the carrying out of any development to which subsection (2) does not apply.

Development of a kind excluded by the CLM Regulation⁵

For the purposes of section 2.23 (3) (b) of the CLM Act development involving the erection, repair, maintenance or replacement of services is excluded if the development

⁵ Crown Land Management Regulation 2018 Part 2 Use of Crown Land, Division 2 General: 14 When Minister taken to give consent for certain development applications over dedicated or reserved Crown land

CLM Act, S.2.23**Minister taken to give consent for certain development applications over dedicated or reserved Crown land**

is not being carried out principally for the benefit of the dedicated or reserved Crown land to which the development application relates.

For the purposes of section 2.23 (3) (b) of the Act, the carrying out of development within a domestic waterfront precinct is excluded unless:

- (a) The development involves the repair or maintenance of an existing lawful building or other structure, and
- (b) The development does not involve the excavation of land, and
- (c) The building or structure (as repaired or maintained) does not change any of the following—
 - (i) Any interruption of water flow caused by the existing building or structure,
 - (ii) the height of the existing building or structure,
 - (iii) the above water footprint of the existing building or structure.

Note:

Domestic waterfront precinct means:

- (a) Submerged dedicated or reserved Crown land (including the bed of a river or estuary) that is within the coastal waters of the State, and
- (b) Dedicated or reserved Crown land that is not submerged, but adjoins—
 - (i) Submerged dedicated or reserved Crown land above the mean high-water mark for tidal land, or
 - (ii) The bank of a river, creek or lake.

Transport and Infrastructure SEPP 2021

State Environmental Planning Policy (Transport and Infrastructure) 2021 replaced SEPP (Infrastructure) 2007 however it continues to list development allowed with consent or without consent on community land.

The SEPP assists the NSW Government, private infrastructure providers, Local Councils and the Communities they support by simplifying the process for providing infrastructure like hospitals, roads, railways, emergency services, water supply and electricity delivery.

This SEPP overrides most other environmental planning instruments under the EP&A Act including local environmental plans, regional environmental plans, and other State environmental planning policies.

It designates a number of types of infrastructure and works as 'development permitted without consent' when they are carried out by public authorities.

Where a Council CLM proposes to carry out such development, and that development involves the construction of large or significant permanent structures on a Crown reserve (for example, roads, car parks, visitors' centres, maintenance depots, outdoor recreation facilities such as skate parks, etc), the Council must notify the Crown Land agency in writing of the details of the development prior to carrying out the activity.

State Environmental Planning Policy (Transport and Infrastructure) 2021**Division 12 Parks and other public reserves**

Crown Land Manager and **Crown Managed Land** have the same meaning as in the *Crown Land Management Act 2016*.

Public Reserve has the same meaning as it has in the *Local Government Act 1993* but does not include a Crown reserve that is dedicated or reserved for a public cemetery.

2.73 Development permitted without consent

Development for any purpose may be carried out without consent on Crown managed land, by or on behalf of a Council Crown Land Manager (Council CLM) of the land if the development is for the purposes of implementing a Plan of Management adopted for the land under the LG Act.

(3) Any of the following development may be carried out by or on behalf of a council without consent on a public reserve under the control of or vested in the council—

(a) development for any of the following purposes—

- (i) roads, pedestrian pathways, cycleways, single storey car parks, ticketing facilities, viewing platforms and pedestrian bridges,
- (ii) recreation areas and recreation facilities (outdoor), but not including grandstands,
- (iii) visitor information centres, information boards and other information facilities,
- (iv) lighting, if light spill and artificial sky glow is minimised in accordance with the Lighting for Roads and Public Spaces Standard,
- (v) landscaping, including landscape structures or features (such as art work) and irrigation systems,
- (vi) amenities for people using the reserve, including toilets and change rooms,
- (vii) food preparation and related facilities for people using the reserve,
- (viii) maintenance depots,
- (ix) portable lifeguard towers,

(b) environmental management works,

(c) demolition of buildings (other than any building that is, or is part of, a State or local heritage item or is within a heritage conservation area).

Note — The term **building** is defined in the *Environmental Planning and Assessment Act 1979* as including any structure.

2.74 Exempt development

(1) Development for any of the following purposes that is carried out in the prescribed circumstances is exempt development—

(a) construction or maintenance of—

- (i) walking tracks, raised walking paths (including boardwalks), ramps, stairways or gates, or
- (ii) bicycle-related storage facilities, including bicycle racks and other bicycle parking facilities (except for bicycle paths), or
- (iii) handrail barriers or vehicle barriers, or

State Environmental Planning Policy (Transport and Infrastructure) 2021**Division 12 Parks and other public reserves**

- (iv) ticketing machines or park entry booths, or
 - (v) viewing platforms with an area not exceeding 100m², or
 - (vi) sporting facilities, including goal posts, sight screens and fences, if the visual impact of the development on surrounding land uses is minimal, or
 - (vii) play equipment if adequate safety measures (including soft landing surfaces) are provided and, in the case of the construction of such equipment, so long as the equipment is situated at least 1.2m away from any fence, or
 - (viii) seats, picnic tables, barbecues, bins (including frames and screening), shelters or shade structures, or
 - (ix) portable lifeguard towers if the footprint of the tower covers an area no greater than 20 square metres,
 - (b) routine maintenance of playing fields and other infrastructure, including landscaping,
 - (c) routine maintenance of roads that provide access to or within those playing fields, including landscaping.
- (2) Development is carried out in the prescribed circumstances if the development is carried out—
- (a) on land referred to in section 2.73(1) by or on behalf of a public authority, or
 - (b) on land referred to in section 2.73(2)(a) or (b) by or on behalf of the Centennial Park and Moore Park Trust or the Parramatta Trust, as the case may be, or
 - (c) in connection with a public reserve (other than Crown managed land) by or on behalf of a public authority, or
 - (d) on Crown managed land, by or on behalf of—
 - (i) the Secretary, or
 - (ii) a Crown land manager of the land (or an administrator of the manager), or
 - (iii) the Ministerial Corporation, or
 - (iv) a council having control of the land under section 48 of the *Local Government Act 1993*, or
 - (v) the Minister administering the *Crown Land Management Act 2016*.

Development is exempt development under this clause only if the development:

- (a) Complies with clause 20 of the SEPP, and
- (b) Involves no greater disturbance of native vegetation than necessary, and
- (c) Does not result in an increase in stormwater run-off or erosion.

Please refer to the full and current version of the SEPP on the legislation website:

<https://legislation.nsw.gov.au/>.

PART 2: MANAGEMENT REQUIREMENTS BY CATEGORY

7.0 Natural Areas

7.1 Introduction and Core Objectives

Natural Area Reserves will be managed as an integral component of the overall community open space system in Wentworth Shire LGA. The guiding management principle will be to preserve remnant Bushland and Watercourses and to manage them in keeping with natural ecological processes while facilitating public enjoyment and use by all age groups, subject to available resources.

7.1.1 Definition

Natural Areas are defined in LG Regulation 102 as:

Land, whether or not in an undisturbed state, possesses a significant geological feature, geomorphological feature, landform, representative system or other natural feature or attribute that would be sufficient to further categorise the land as bushland, wetland, escarpment, watercourse or foreshore.

7.1.2 Core Objectives

The management of community land is governed by the categorisation of the land, its purpose, and the core objectives of the category.

The core objectives for Natural Areas, as outlined in Section 36E of the LG Act, are to:

- (a) Conserve biodiversity and maintain ecosystem function in respect of the land, or the feature or habitat in respect of which the land is categorised as a Natural Area; and
- (b) Maintain the land, or that feature or habitat, in its natural state and setting; and
- (c) Provide for the restoration and regeneration of the land; and
- (d) Provide for community use of and access to the land in such a manner as will minimise and mitigate any disturbance caused by human intrusion; and
- (e) Assist in and facilitate the implementation of any provisions restricting the use and management of the land that are set out in the *Threatened Species Conservation Act 1995* (repealed and replaced by *Biodiversity Conservation Act 2016*) or the *Fisheries Management Act 1994*.⁶

These higher order core objectives are given specific expression within each of the subcategories in this PoM for Natural Area – Bushland and Natural Area – Watercourse.

⁶ The *Threatened Species Conservation Act 1995* has been repealed and replaced with the *Biodiversity Conservation Act 2016*.

7.1.3 Reserves with a Natural Area Category

There are 20 Crown reserves with a category of Natural Area – Bushland or Natural Area – Watercourse in part or whole.

These are listed in section 7.3 and section 7.4 respectively.

There are several threatened and endangered species throughout the LGA, however the land covered by this PoM is not known to contain critical species. Council proposes to continue the sustainable management of these natural features and supporting habitats. Future ecological studies will inform the ongoing management and development of any of the Crown land managed by Council where such proposals have an ability to disturb natural features and habitats or if it is required for integrated and long-term sustainable management.

The most pressing environmental matters for the future identified in Council's State of Environment (SoE) Report 2015/16 relevant to the reserves were:

- Climate change - increase in number and severity of storm events;
- Flood;
- Drought;
- Management of Murray Darling Basin/Riverine environment;
- Waste management/recycling;
- Pest animals/weeds; and
- Irrigation water/supply/allocations.

The SoE also identified the following environmental attributes for three Crown Reserves.

SoE 9.3 Environmental Reserves		
Does council maintain any land for the purposes of biodiversity or the environment?	Yes	The following reserves are used for both public recreation and have Management Plans for the preservation of the natural environment and biodiversity: <ul style="list-style-type: none"> • Perry Sandhills Reserve • Thegoa Lagoon Reserve • The Great Murray Darling Junction
If so, how much land is reserved?		Thegoa Lagoon Reserve is approximately 294 hectares Perry Sandhills Reserve is approximately 97 hectares The Great Murray Darling Junction 9.31 hectares
Is this land protected from activities such as four-wheel driving and fire wood collection?		Thegoa Lagoon has a number of 4WD tracks, which is not permitted, and firewood collection is also prohibited. Council prefers that visitors use the graded track(s) Perry Sandhills prohibits vehicle access over the hills but vehicle access is permitted around the base of the site and firewood collection is prohibited The Great Murray Darling Junction provides for pedestrian access only and firewood collection is prohibited

Wentworth Shire Council was appointed Manager of Thegoa Lagoon Reserve, 30 November 1956. Council continues to work cooperatively with groups with an interest in Environmental and Heritage Conservation and Protection. For example, Murray Darling Wetlands Working Group, Landcare and the Thegoa Lagoon Management Steering Group together prepared the 2003-2006 Thegoa Lagoon Management Plan and Tourism Pamphlet.

Council's guiding management principle will be to conserve remnant bushland and rehabilitate degraded areas while facilitating public enjoyment and use by all; subject to available resources. Subject to funding, a future site-specific Management Plan may be prepared for this significant reserve.

Regarding Section 36C of the LG Act, 'Community Land containing significant natural features': it is confirmed that no land within this PoM contains any community land that is the subject of a resolution by Council declaring that the land, being the site of a known natural, geological, geomorphological, scenic or other feature to which this section applies, is:

- Considered by the Council to warrant protection or special management considerations, or
- A wildlife corridor.

Further to the registration of the Barkandji # 8 Native Title Determination Council has sought to build a mutually cooperative relationship with the PBC of the Traditional Owners.

Council has in place a number of steps when considering disturbance of Aboriginal Artefacts including:

- Council undertaking Heritage Information Management System (AHIMS) searches in the planning stages of proposed works. Where possible Council would avoid excavation in identified areas:
- During construction: the engagement of Cultural Heritage Monitors through NTSCORP. The role of the Monitors is to observe the public work being constructed to ensure that any disturbed Aboriginal Artefacts are treated with respect; and
- Continuing to meet with and progress the proposed ILUA.

7.2 Leases, Licences and other Estates for Natural Area

The LG Act requires that any lease, licence or other estates over community land must be expressly authorised by a PoM.

Table 3 below expressly authorises leases and licenses and other estates for the purposes for which tenure may be granted on community land categorised as Natural Area.



Perry Sandhills
Reserve 97997

Table 3. Leases, licences and other estates and purposes for which they may be granted for community land categorised as Natural Area.

Type of tenure arrangement	Purpose for which tenure may be granted
Lease	<ul style="list-style-type: none"> • Walkways, pathways, bridges, causeways • Observation platforms, signs • Information kiosk • Kiosk selling light refreshments (but not restaurants) • Bicycle/boat hire or similar • Work sheds or storage sheds required in connection with the maintenance of the land • Toilets • Temporary erection or use of any building or structure necessary to enable a filming project to be carried out • Carbon sequestration • Bio-banking • Soil erosion and water quality management
Licence	<ul style="list-style-type: none"> • Walkways, pathways, bridges, causeways • Observation platforms, signs • Information kiosk • Kiosk selling light refreshments (but not restaurants) • Bicycle/boat hire or similar • Work sheds or storage sheds required in connection with the maintenance of the land • Toilets • Temporary erection or use of any building or structure necessary to enable a filming project to be carried out • Scientific studies and surveys or similar • Guided walking tours, guided interpretive tours • Environmental and scientific study • Approved bush care projects requiring ecological restoration activities associated with protection of flora and fauna. • Fire hazard reduction • Soil erosion and water quality works
Short-term licence	<ul style="list-style-type: none"> • Scientific studies and surveys or similar • Guided walking tours, guided interpretive tours • Environmental and scientific study • Approved bush care projects requiring ecological restoration activities associated with protection of flora and fauna. • Fire hazard reduction • Soil erosion and water quality works • Bicycle/boat hire or similar • Temporary erection or use of any building or structure necessary to enable a filming project to be carried out
Other estates	<p>This PoM allows the Council to grant 'an estate' over community land for the provision of public utilities and works associated with or ancillary to public utilities in accordance with the LG Act.</p> <p>Estates may also be granted across community land for the provision of pipes, conduits, or other connections under the surface of the ground for the connection of premises adjoining the community land to a facility of the Council or other Public Utility Provider that is situated on community land.</p>

7.3 Natural Area - Bushland

7.3.1 Introduction and Core Objectives

This section has been prepared in accordance with the LG Act, to regulate the use and management of land categorised as Natural Area – Bushland. The land covered by this section is either owned by Council and classified as Community Land or is a Crown Reserve over which Council is the appointed Crown Land Manager. Refer to **Appendix A1** and **A2** for categorisation details for each reserve and individual land parcels.

Where a site has been divided into multiple categories (**Appendix B**) e.g: Natural Area and Park, this section applies only to that part categorised as 'Natural Area'. The remaining area will be covered by the PoM for the residual category, e.g: 'Park'.

7.3.1.1 Definition

Bushland is defined in LG Regulation 2005 clause 107(1)(a) and 107(1)(b) as:

Land containing primarily native vegetation that is the natural vegetation or a remainder of the natural vegetation of the land, or although not the natural vegetation, is still representative of the structure or floristics of the natural vegetation in the locality.

7.3.1.2 Core Objectives

These are given specific meaning in the core objectives for Bushland, as outlined in Section 36J(a)-(g) of the LG Act, which are to:

- Ensure the ongoing ecological viability of the land by protecting the ecological biodiversity and habitat values of the land, the flora and fauna of the land and other ecological values;
- Protect the aesthetic, heritage, recreational, educational and scientific values of the land;
- Manage the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land, and to implement measures to minimise or mitigate disturbance caused by human intrusion;
- Restore degraded bushland;
- Protect existing landforms such as natural drainage lines, watercourses and foreshores;
- Retain bushland in parcels of a size and configuration that will enable the existing plant and animal communities to survive in the long term; and
- Protect bushland as a natural stabiliser of the soil surface.



The Great Murray
Darling Junction
Reserve 55602

7.3.1.3 Reserves Categorised as Natural Area – Bushland

Natural Areas in Wentworth Shire Council LGA are predominately dry land intersected by the Darling and Murray Rivers with regular drought and flood cycles. The Bushland has unique characteristics which differ depending on the cycle.

The following reserves have a category of Natural Area – Bushland, in whole or part, over the land:

- Reserve 55602 The Great Murray Darling Junction Reserve
- Reserve 63988 Buronga Caravan Park
- Reserve 64544 Part Buronga Caravan Park
- Reserve 74478 Evans Flat Reserve
- Reserve 76798 Part Buronga Caravan Park
- Reserve 78438 Ramon Deed Retreat
- Reserve 85470 Gol Gol Public Recreation Reserve
- Reserve 78909 Thegoa Lagoon
- Reserve 87037 Pooncarie Public Reserve
- Reserve 87250 Buronga Riverfront old Pound Reserve
- Reserve 87379 Fotherby Park
- Reserve 89749 Junction Park
- Reserve 91386 Carramar Drive Sporting Complex
- Reserve 97997 Perry Sandhills
- Reserve 230004 Part Thegoa Lagoon
- Reserve 230005 Ambulance Station site within Thegoa Lagoon
- Reserve 230044 Pooncarie Public Reserve
- Reserve 230081 Pooncarie Multi-Purpose Park and Golf Course
- Reserve 1003148 Coomealla Memorial Gardens

The State Environmental Planning Policy (Biodiversity and Conservation) Chapter 2 regulates clearing of native vegetation in urban local government areas, as well as urban environmental zones across the state, where clearing does not otherwise require development consent under the EP&A Act.

Under this SEPP, a permit is required from Council to clear native vegetation in the reserves zoned as RU5 Village, RE1 Public and RE2 Private Recreation and SP2 Infrastructure within Wentworth Shire. Other conditions apply and there are some exemptions.

State and federal environmental laws require that certain types of development that impact on the environment must procure 'environmental offset credits' to achieve overall balance. Some Crown land with high environmental values can be used to generate offset credits.

Additionally, there are state programs that encourage land being used to maximise biodiversity and conservation. Opportunities include creating new dedications for conservation purposes, changing the way the land is managed to make it eligible for offset credits, and entering conservation agreements. Wentworth Shire Council could explore this avenue which ultimately could provide funds to help with the upkeep and maintenance of the reserves.

7.3.2 Key Issues

Generally, bushland is under increasing pressure from climate change, bushfire, weeds, pests and diseases, utility infrastructure, domestic animals, motorbikes, vehicles, vandalism and edge effects, such as from urban interface.

Common threats to biodiversity include land clearing, invasive plants species and feral and pest animals.

The habitat and native wildlife in each of the Natural Area – Bushland have the potential to be affected by rabbits, European red foxes, goats, wild pigs and feral cats.

National threat abatement plans exist for these species and identify the research, management and other actions needed to ensure the long-term survival of native species and ecological communities affected by predation and/or habitat disturbance.

Control or eradication of these species, weed control and appropriate management of the reserves will support its ecological health and clean air, water and soil.

These bushland reserves are also fire prone and appropriate management of the reserves, particularly those close to residential areas, is needed.

Within the Shire are critically endangered species and ecological communities identified under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*, and the NSW *Biodiversity Conservation Act 2016*, along with other threatened plants and animals. At the time of writing this PoM none of these were known to occur on the Crown land.

Natural areas specific management issues have been developed to help define the action plans in this PoM ensuring that community land is maintained and managed in a sustainable way. These are set out in **Table 5** below.

Table 5 Natural Area Issues

Category - Natural Area Issue	Issue Overview
The need for strategic management	Council's natural areas require a strategic approach to account, budget, prioritise and manage for the large area of land categorised as Natural Area.
Limited participation by small sections of the community in the management of Natural Areas	A need to promote increased structured opportunities for community participation in the management of Natural Areas (i.e., Bush care groups) and to promote environmental education. Increasing the community's awareness to the importance of natural areas is one of the best ways to ensure the proper future management of these declining ecosystems.
Limited but dispersed nature of natural areas to manage and conserve	The dispersed nature of Natural Area sites (Bushland and Watercourse) to be maintained throughout the LGA places pressure on the allocation of resources to ensure that such sites are managed in accordance with the principles of Ecologically Sustainable Development and Council's resources.
The potential for Aboriginal heritage sites to be located on lands which have been previously unsurveyed	Many of the Natural Areas under Council's care and control are largely undisturbed. In addition, there are many adjacent to a river, lagoon or other water source which is where Aboriginal persons congregated. Local Archaeologists and Aboriginal Persons continue to complete the references documentation requirements to register Aboriginal Heritage sites in the Aboriginal Heritage Information System (AHIMS).
Invasion of exotic flora and fauna	Exotic species invade natural areas and out-compete the native species interrupting ecosystem integrity and threatening biodiversity.

Category - Natural Area Issue	Issue Overview
Vandalism and the illegal dumping of rubbish	As many natural areas are surrounded by high-usage residential, commercial and industrial areas, they tend to become subject to vandalism by the way of flora destruction, arson and the dumping of rubbish on all scales from littering to building waste. Removal of wood continues to be an issue.
Fire	<p>Bushfire at the inappropriate frequency and temperature can result in the disruption of the life cycle processes in native plants and animals and loss of vegetation structure and therefore must be managed accordingly. The risk of fire adversely affecting community or environmental assets within or adjacent to natural areas must be managed in accordance with the Bush Fire Risk Management Plan and Bush Fire Operations Plan.</p> <p>Council coordinates an active Local Emergency Management Committee (LEMC) with representation from NSW Fire and Rescue and the NSW Rural Fire Service (RFS). The RFS document Planning for Bush Fire Protection (PBP) was adopted in 2019. PBP 2019 is a document prepared by NSW RFS that sets out the bushfire management requirements for developing on bushfire prone land (see Source Planning Circular PS20-001 March 2020).</p>
Threatened Species, Threatened Ecological Communities and Key Threatening Process Management	<p>Wentworth Shire contains many threatened flora and fauna species and ecological communities that are listed under the <i>Biodiversity Conservation Act 2016</i>. As Local Land Managers, Council must ensure that proper environmental management systems are in place to promote the recovery of such species and ensure their existence in association with the National Parks and Wildlife Service and in accordance with the <i>Biodiversity Conservation Act 2016</i>.</p> <p>Where community land comprises the <u>critical habitat</u> of threatened species as declared by the <i>Biodiversity Conservation Act 2016</i> or the <i>Fisheries Management Act 1994</i> a site specific PoM will be required for that area.</p>
Recreation and visitor usage of Natural Areas	<p>Many of council's natural areas are frequented by a high percentage of the community, particularly the bushland. The number of people which use these areas can place pressures on the natural environment.</p> <p>However, the opportunity also exists to provide interpretive educational walks and eco-tourism opportunities.</p>
Pressures on Natural Areas from urban interface	Areas of bushland, scrub, sandhills and waterways bordering the urban interface face greater exposure and pressure from the surrounding areas. Pressures are increased due to invasion of weeds from garden escapees and predator pressures from exotic species such as cats. These edge effects generally decrease with an increase in distance from the urban interface. Other pressures on the bushland ecosystem and biodiversity because of close proximity to urban areas include rubbish dumping, arson, vandalism, uncontrolled access, stormwater and nutrient and pesticide runoff. These factors all contribute to the deterioration of the quality of natural areas.

7.3.3 Development and Use

The use and development of community land should be compatible with the legislated purpose of the land and the wider community context.

Wentworth Shire Council encourages a wide range of uses of its community land and intends to facilitate uses which increase the activation and utilisation of its land.

The general types of uses which may occur on community land categorised Natural Area – Bushland, and the forms of development generally associated with those uses, are set out in **Table 6** below.

The anticipated uses and associated development identified in the table are intended to provide a general guide. The facilities on community land may change over time, reflecting community needs.

Table 6 Permissible use and development of community land categorised as Bushland

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> • Preservation of the Council's Natural Heritage including any identified endangered ecological communities • Preservation of biological diversity and habitat • Providing a location for relaxation and passive informal recreation • Walking/hiking • Guided bushwalks and interpretive tours • Environmental and scientific study • Bush regeneration works • Carbon sequestration • Bio-banking • Approved bush care projects requiring ecological restoration activities associated with protection of flora and fauna. • Fire hazard reduction • Soil erosion and water quality • Pushbikes on designated tracks 	<ul style="list-style-type: none"> • Visitor facilities: toilets, picnic tables, BBQs, sheltered seating areas, lighting, low impact carparks, refreshment kiosks (but not restaurants) • Low-impact walking and bicycle trails • Interpretive signage, information kiosks • Water-saving initiatives such as rain gardens, swales and sediment traps • Bridges, observation platforms, boardwalks, signs • Work sheds or storage sheds required in connection with the maintenance of the land • Temporary erection or use of any building or structure necessary to enable a filming project to be carried out or for specific one off events • Locational, directional and regulatory signage

7.3.4 Management Framework for Natural Areas Categorised as Bushland

The bushland in the Wentworth LGA is either dry land or adjacent to a river. Dry land consists of Mallee Eucalypt species which typically grow with multiple stems springing from an underground lignotuber. These species can grow up to 10 metres in height.

Bushland adjacent to an aquatic environment typically consists of Red Gum, Coolabah and Box trees. These Floodplain Woodlands can tolerate flooding and long dry periods.

Council's objectives in managing these areas will be to:

- Identify and incorporate these reserves into the wider open space and recreational network for the enjoyment of the community and visitors;
- Conserve ecological habitats;
- Restore and rehabilitate bushland areas;
- Preserve natural geological features;
- Introduce a community access and education program;
- Manage the reserves as a buffer between other uses/development and waterbodies;
- Reduce threat to life and property by fire; and
- Seek funding and use limited available resources efficiently and effectively.

Section 36(3) of the LG Act requires that a PoM for Community Land details:

- The category of the land,
- The objectives and performance targets of the plan with respect to the land,
- The means by which the council proposes to achieve the plan's objectives and performance targets, and
- The manner in which the council proposes to assess its performance in achieving the plan's objectives and performance targets.

However, this may require the prior approval of the Council to the carrying out of any specified activity on the land. **Table 7** sets out these requirements for community land categorised as Bushland.

Table 7 Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as Bushland

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of Achievement of Objectives	s.36(3)(d) Manner of Assessment of Performance
1.1 Ecological habitats being preserved and managed.	No loss of existing habitat and regeneration of the natural bushland encouraged.	Undertake bushland restoration projects that foster natural seeding and regeneration. Where native seed banks remain in the soil, it is preferable to use fire, ripping of the soil or other techniques to encourage natural regeneration. Locally occurring indigenous plants that have been recorded within the reserve/s are used in restoration works. Retain hollow logs and living hollow bearing trees. Investigate opportunities to use Crown reserves to generate off set credits.	Number and type of bushland restoration projects carried out. Amount of natural regeneration occurring. Number of native endemic species planted. Hollow logs and hollow bearing trees remain untouched in the reserves. Liaison with NSW Government agencies to further develop and provide opportunity for the natural areas of the Local Government Area. Eligibility of key reserves is assessed for their potential to provide off set credits and funding.

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of Achievement of Objectives	s.36(3)(d) Manner of Assessment of Performance
1.2 Manage the land consistent with recovery of threatened species, populations and ecological communities.	<p>Implement sympathetic habitat management in crown reserves where the Hooded Robin (south-eastern form) and Black-chinned Honeyeater (eastern subspecies) occur.</p> <p>Minimise human disturbance at identified key foraging sites of the Black tail Godwit (disturbance from 4WDs, recreational users, dog-walkers, fishermen etc).</p> <p>Fence sites to prevent grazing (domestic stock, rabbits and kangaroos), slashing and soil compaction and pugging.</p> <p>Within the reserves, manage total grazing pressure through such actions as removal of artificial water points.</p>	<p>Identify the extent of threatened plant and animal species within the reserves to support recovery programs and for funding purposes.</p> <p>Where feasible fence sites to protect local plant populations and seed banks of threatened grasses, herbs and shrubs.</p>	<p>Number of recovery strategies implemented in accordance with the State Priority Actions for the Shire.⁷</p> <p>Amount of natural regeneration occurring.</p> <p>Extent of fencing erected and number of artificial water sources removed.</p>
1.3 Manage noxious weeds, feral and pest animals.	<p>Protect the habitat values of the land by encouraging responsible pet management and limit the effects of invasive animals on native wildlife and vegetation.</p>	<p>Council and the Community undertake a program of Community Environment Days to eradicate the reserves of weeds and pest animals.</p>	<p>Number of volunteers attending community events on the reserves to help protect its biodiversity.</p> <p>Regular treatment and reduction in weeds, pest animals (goats, foxes, rabbits) and feral cats.</p> <p>Maintenance works are required to consolidate regenerated areas.</p> <p>Off leash dogs are not permitted in Natural Areas.</p> <p>Healthy floristic community.</p>

⁷ <https://www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species>

Management Issues	s.36(3)(b) Objectives and Performance Targets	s.36(3)(c) Means of Achievement of Objectives	s.36(3)(d) Manner of Assessment of Performance
1.4 Bushfire Management.	Review Bush Fire Management and determine the most appropriate fire regime for vegetation on these reserves near to assets (e.g homes and infrastructure).	Area is inspected and assessed by Council in conjunction with the rural fire services.	Policy for bushfire management of the reserve is developed. Volunteers assist with the removal of appropriate ground fuel.
1.5 Management of the land in a manner that protects and enhances the values and quality of the land and facilitates public enjoyment of the land.	Promote community awareness about the benefits of natural areas and manage vandalism and dumping. Implement measures to minimise or mitigate disturbance caused by human intrusion. Minimise soil erosion. Protect bushland as a natural stabiliser of the soil surface. Identify and protect Aboriginal sites. Access to rivers is maintained and appropriately managed.	Develop a program of Community Awareness. Interpretive, educational and directional signs provided. Identify and construct walking tracks to minimise impacts on vegetation. Seats and other furniture provided, where appropriate. Limit motorbike and vehicular access through the reserves. Close and rehabilitate vehicle access tracks where no longer required. Retain ground cover and vegetation on slopes and drainage lines to minimise soil erosion. Consult with the Aboriginal community to determine the presence of any aboriginal sites, places or objects.	Community feedback from Community Awareness Program. Reduction in vandalism, dumping and removal of wood. Reserve identification signage installed to confirm public land and use. Wayfinding signs and pathway system. Number of vehicular access points and road network minimised. Off road motor bikes and other illegal activities banned from the reserves. Assessment of change in ground cover and vegetation. Frequency and number of consultations with Aboriginal community. Aboriginal sites or historical sites identified and protected.

7.4 Natural Area - Watercourse

7.4.1 Introduction and Core Objectives

This section has been prepared in accordance with the LG Act, to regulate the use and management of land categorised as Natural Area-Watercourse. The land covered by this section is either owned by Council and classified as Community Land or is a Crown reserve over which Council is the appointed Crown Land Manager. Refer to **Appendix A1** and **A2** for categorisation details for each reserve and individual land parcels.

Where a site has been divided into multiple categories e.g: Natural Area and Park, this section applies only to that part categorised as 'Natural Area – Watercourse'. The remaining area will be covered by the PoM for the residual category, e.g: 'Park'.

7.4.1.1 Definition

Watercourses are defined in LG Regulation clause 110 as:

- (a) Any stream of water, whether perennial or intermittent, flowing in a natural or artificial channel, and (b) associated riparian land or vegetation⁸.

7.4.1.2 Core Objectives

The Management of Community Land is governed by the categorisation of the land, its purpose, and the core objectives of the category.

The core objectives for Watercourses, as outlined in Section 36M of the LG Act, are to:

- (a) Manage watercourses so as to protect the biodiversity and ecological values of the instream environment, particularly in relation to water quality and water flows;
- (b) Manage watercourses so as to protect the riparian environment, particularly in relation to riparian vegetation and habitats and bank stability;
- (c) Restore degraded watercourses; and
- (d) Promote community education, and community access to and use of the watercourse, without compromising the other core objectives of the category.

7.4.1.3 Reserves Categorised as Natural Area – Watercourse

There are five reserves with a part Natural Area – Watercourse category under this PoM and are mapped in **Appendix B**.

These are:

- Reserve 55602 The Great Murray Darling Junction Reserve
- Reserve 78909 Thegoa Lagoon
- Reserve 89749 Junction Park
- Reserve 97997 Perry Sandhills
- Reserve 230004 Part Thegoa Lagoon

⁸ LOCAL GOVERNMENT (GENERAL) REGULATION 2005 - REG 110 Guidelines for categorisation of land as a watercourse (austlii.edu.au)

7.4.2 Key Issues

Natural Area – Watercourse specific management issues have been developed to help define the action plans ensuring that community land is maintained and managed in a sustainable way. These are set out in **Table 8** below.

Table 8 Natural Area – Watercourse Management Issues

Value	Issues
Natural	<p>Soils: soil erosion and sedimentation; soil contamination (from farming or adjoining land uses).</p> <p>Water: altered hydrology; unknown water quality.</p> <p>Vegetation: flora survey; vegetation management; weed invasion; riverine management; wildlife corridors.</p> <p>Fauna: limited understanding of fauna in reserve; protection of vulnerable fauna species; presence of feral animals; companion animals.</p> <p>Fire management: altered fire regime; fire risk to adjoining properties.</p>
Water Quality	Poor water quality from urbanisation, run-off, localised industrial pollution, sewerage and illegal dumping disrupts ecosystems and adds to the decline in biodiversity.
Flood Risk	The junction of the Murray and Darling Rivers occurs in Wentworth. Flood events in either or both of these rivers affect the Reserves with Watercourses. The flora and fauna of the Reserves recover well from flood events. One of the main focus areas for flood management is Council's watercourses.
Recreational/Social	<p>Access and circulation: access points; universal access; bicycle parking; walking tracks; links with surrounding areas; vehicle access.</p> <p>Inappropriate fencing restricting access to allow for fish restocking of waterways or recreational activities.</p> <p>Lack of structures and identification signage or wayfinding.</p> <p>Safety of reserve users: bushfire safety or water risks.</p>
Educational	Awareness and interpretation; education and research.
Cultural	There is substantial known Aboriginal cultural history and post 1788 cultural history on the watercourse reserves.
Management	<p>Land ownership; plans of management; utility infrastructure; public safety and risk management; funding.</p> <p>A Management Plan was prepared for Thegoa Lagoon in 2003 and updated in 2006 to provide an integrated and long-term approach to the management of its land, water, vegetation and cultural heritage values. This was a collaborative action plan with State and Local Government and Community input.</p>

7.4.3 Development and Use

The general types of uses that may occur on community land categorised Watercourse, and the forms of development generally associated with those uses, are set out in **Table 9** below.

The anticipated uses and associated development identified in the table are intended to provide a general guide. All development should seek to address and support rejuvenating remnant bushland and riparian vegetation, minimising creek line/riverbank erosion and improving water quality.

Table 9 Permissible use and development of community land categorised as Watercourse.

Purpose/Use	Development to facilitate uses
<ul style="list-style-type: none"> • Preservation of the council's natural heritage including any identified endangered ecological communities • Preservation of biological diversity and habitat • Providing a location for relaxation and passive, informal, water-based recreation, unless prohibited • River and water body edge walking/hiking • Guided walks and interpretive tours • Environmental and scientific study • Approved bush and river care projects requiring ecological restoration activities associated with the protection and conservation of flora and fauna • Restoration works associated with the protection of the biodiversity and ecological values of the in-stream environment • Stabilisation of banks and water quality management • Maintenance of access to the watercourse for fish restocking and recreational use 	<ul style="list-style-type: none"> • Visitor facilities: toilets, picnic tables, BBQs, sheltered seating areas, lighting, low-impact carparks, refreshment kiosks (but not restaurants) • Low-impact walking trails • Interpretive signage, information kiosks • Water-saving initiatives such as rain gardens, swales and sediment traps • Work sheds or storage sheds required in connection with the maintenance of the land • Bicycle/boat hire or similar • Temporary erection or use of any building or structure necessary to enable a filming project to be carried out • Locational, directional and regulatory signage • Flood mitigation works, such as detention basins, realignment of water flows and banks, installation of pipes, culverts and other structures to assist in control of flood waters

7.4.4 Management Framework for Natural Areas Categorised as Watercourse

Section 36(3) of the LG Act requires that a PoM for Community Land details:

- (a) The category of the land;
- (b) The objectives and performance targets of the plan with respect to the land;
- (c) The means by which the council proposes to achieve the plan's these objectives and performance targets; and
- (d) The manner in which the council proposes to assess its performance in achieving the plan's objectives and performance targets.

However, it may require the prior approval of the Council to the carrying out of any specified activity on the land. **Table 10** sets out these requirements for community land categorised as Watercourse as an action plan.

Table 10 Objectives and performance targets, means of achieving them and assessing achievement for community land categorised as Watercourse

Watercourse Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
1.1 Biodiversity conservation.	Conserve and properly maintain ecological habitats by understanding the hydrology, fauna and flora. Better understand the role of the rivers, waterways and lagoons and adjoining crown land as wildlife corridors and refuges.	Undertake research or surveys to determine species composition (both flora and fauna) and publish the information so it can guide sustainable management of key natural assets.	Work is undertaken by volunteers or universities/research organisations to record plant and animal species within the riverine corridor. Increase in native fish species count. Water quality testing. Presence of frog species and increase in water birds.
1.2 Protection of watercourse values.	Protect the biodiversity and ecological values of the instream environment.	Better understanding of best management practices.	Improvements in native fish species count. Reduction in exotic fish and weeds. Water quality testing. Presence of frog species.
1.3 Management of watercourses.	Manage watercourses to protect the riparian environment, vegetation and habitats and bank stability.	Minimising creek line erosion and improve water quality. Seek State Government funding for ongoing works to create healthier riparian corridors and minimise erosion.	Water quality testing. Amount of funding received, or support provided. Length of river cleared of weeds, number of native stock planted or percentage of areas regenerating.
1.4 Restoration and rehabilitation.	To protect the riparian environment.	Riparian vegetation and habitats and bank stability protected.	Seek State Government funding for ongoing works to create healthier riparian corridors and minimise erosion. Length of river/waterways protected from wandering stock, and removal of weeds.

Watercourse Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
1.5 Community access and education.	Promote community education, and community access to and use of the watercourse.	<p>The watercourse and riparian vegetation is defined, and access managed to reduce impacts.</p> <p>Minimise pesticide or chemical drift from adjoining areas into waterways.</p> <p>Consult with the Aboriginal Community to determine the presence of any aboriginal sites, places or objects.</p>	<p>Action plan prepared to provide access at specific spots for education, relaxation etc.</p> <p>Pedestrian and bicycle access and pathways are rationalised and signposted.</p> <p>Interpretive, educational and directional signs are erected.</p> <p>Seats and other furniture provided.</p> <p>Frequency and number of consultations with Aboriginal community.</p> <p>Aboriginal sites or historical sites identified and protected.</p>
1.6 Protect and manage Thegoa Lagoon (an ephemeral freshwater wetland), its flora, fauna and Aboriginal cultural significance.	To build on the work undertaken by the Murray Darling Wetlands Working Group, Council and community in restoring the lagoon to its natural state.	<p>Seek funding in collaboration with interested and suitable partners, e.g: Thegoa Lagoon Management Plan Steering Committee, to implement or update the 2006 Management Plan for Thegoa Lagoon.</p> <p>Following any Council decommission of sewerage treatment facilities, consider preparing a site-specific plan of management for Thegoa Lagoon that also provides for rehabilitation of the works site.</p>	<p>Restoration works continue to be funded and implemented.</p> <p>Decision made on whether to prepare a site-specific PoM under the LG Act and funding obtained.</p>

8.0 Sportsgrounds, Parks and General Community Use

8.1 Introduction and Core Objectives

This section has been prepared in accordance with the LG Act, to regulate the use and management of land categorised as Sportsground, Park and General Community Use. The land covered by this section is either owned by Council and classified as Community Land or is Crown reserves where Council is the appointed Crown Land Manager. Refer to **Appendix A1** and **A2** for categorisation details for the reserves which are also identified by individual land parcels.

Where a site has been divided into multiple categories e.g. Sportsground, Park and/or General Community Use, the part categorised as 'Sportsground, Park or General Community Use' must be managed in accordance with the category definition and objectives set out in Section 8.1.1 below.

8.1.1 Core Objectives for Sportsground, Park and General Community Use

The Management of Community Land is governed by the categorisation of the land, its purpose (where a Crown Reserve), and the core objectives of the category.

Category	Definition under LG Regulation	Objectives of the LG Act
Sportsground	Land used primarily for active recreation involving organised sports or playing outdoor games	<ul style="list-style-type: none"> Encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games Ensure that such activities are managed having regard to any adverse impact on nearby residences
Park	Land which is improved by landscaping, gardens or the provision of non-sporting equipment and facilities, and for uses which are mainly passive or active recreational, social, educational and cultural pursuits that do not intrude on the peaceful enjoyment of the land by others	<ul style="list-style-type: none"> Encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities Provide for passive recreational activities or pastimes and for the casual playing of games Improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management
General Community Use	Land that may be made available for use for any purpose for which community land may be used, and (b) does not satisfy the definition of natural area, sportsground, park or area of cultural significance.	<ul style="list-style-type: none"> Promote, encourage and provide for the use of the land and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public: <ul style="list-style-type: none"> (a) in relation to public recreation and the physical, cultural, social and intellectual welfare or

Category	Definition under LG Regulation	Objectives of the LG Act
		development of individual members of the public; and (b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

8.1.2 Reserves Categorised as Sportsground, Park and General Community Use

The *Sustainable Wentworth Strategy 2016* (Strategy) found that the township of Wentworth has:

- 7.06 hectares of public open space, which are used as parks and playgrounds; and
- 29.8 hectares of public open space dedicated to passive use and for organised recreational activities.

The Strategy found that in terms of the provision of public open space and recreational land for current and future residents, Wentworth has sufficient space to cater for a population of approximately 13,000 people.

Overall, Wentworth Shire has a generous supply of active and passive recreational land dispersed between the five urban centres of Buronga, Gol Gol, Dareton, Wentworth and Pooncarie. Additional recreational land is also allocated for the benefit of Curlwaa and Pomona residents.

An analysis of the open space provision in the smaller villages of Dareton, Buronga, Gol Gol and Pooncarie is being undertaken as each town's Sustainable Strategy is developed. For example, the Draft Sustainable Dareton Strategy (The Plan) item 5.3.7 recommends "that Wentworth Shire Council consult and collaborate with NSW Crown Land and Western Murray Irrigation Ltd to realign and consolidate boundaries of lots that form the Dareton Riverfront to delineate this recreational area." The Plan further identifies proposed public open space precincts for Dareton Riverfront, Active Open Space and Rest Area.

An analysis of Reserves that are categorised as Sportsground and Park and the total applicable areas are detailed below:

Wentworth	77 hectares
Buronga / Gol Gol	150 hectares, plus an additional 22 hectares as recommended by the Buronga / Gol Gol Structure Plan
Dareton	135 hectares
Pooncarie	194 hectares
Total	557 hectares

The provision of public open space for passive and active recreational use in the Wentworth Shire far exceeds the Department of Planning, Industry and Environment former benchmark of 2.83 hectares per 1,000 people. While there is currently no endorsed open space benchmark in NSW it can be said that Wentworth Shire has ample open space and sportsground facilities space to cater for its residents and visitors.

Sportsground

The reserves where a Sportsground category (in part or whole) has been assigned in this PoM are:

- Reserve 61503 George Gordon Oval
- Reserve 72718 Pooncarie Oval
- Reserve 73211 Curlwaa Oval
- Reserve 73260 James King Park
- Reserve 74593 Alcheringa Tennis Courts
- Reserve 78698 McLeod Oval
- Reserve 81398 McLeod Oval
- Reserve 83919 McLeod Oval
- Reserve 88251 Coomealla Golf Course
- Reserve 91386 Carramar Drive Sporting Complex
- Reserve 98030 Ellerslie Sporting Complex Reserve
- Reserve 230004 Part Thegoa Lagoon
- Reserve 230081 Pooncarie Multi-Purpose Park and Golf Course

See **Appendix A1** and **A2** for the list of all reserves with their categories.

See **Appendix B** for the mapped areas for each of these reserves where more than one category applies.

The recreational facilities, sportsgrounds and golf course provide health and social benefits, development of team or club spirit and provide the opportunity for community interaction in outdoor settings.

Council's sportsgrounds, facilities and parks make a positive contribution to each town landscape and build form, providing landscaped visual amenity and open space that are attractive to users and spectators as well as residents and visitors to the towns.

Park

The reserves where a sole category of Park has been applied in this PoM are:

- Reserve 65654 Dareton Basketball Courts
- Reserve 77215 Dareton Children's Playground
- Reserve 77413 Pioneer Memorial Park
- Reserve 81861 Rotary Playground
- Reserve 81810 O'Donnell Park
- Reserve 82971 Buronga Children's Playground
- Reserve 85320 Pt Wentworth Golf Course
- Reserve 85419 Wilkinson Park
- Reserve 85733 Strother Park
- Reserve 89757 Apex Park
- Reserve 96592 Tuckers Creek Reserve
- Reserve 98109 Darling Street Reserve
- Reserve 150040 Sturt Park
- Reserve 150041 Tapio Park
- Reserve 1011728 Dareton Lions Park

The reserves that have a Park category (in part) along with other relevant categories are:

- Reserve 55602 The Great Murray Darling Junction Reserve
- Reserve 63988 Buronga Caravan Park

- Reserve 72718 Pooncarie Oval
- Reserve 73260 James King Park
- Reserve 77930 Wentworth Rowing Club Reserve
- Reserve 78909 Thegoa Lagoon
- Reserve 81398 McLeod Oval
- Reserve 83026 U Can Do It Boxing Gym
- Reserve 83919 McLeod Oval
- Reserve 84700 Wentworth Wharf
- Reserve 85836 Dareton Swimming Pool
- Reserve 87379 Fotherby Park
- Reserve 89749 Junction Park
- Reserve 97997 Perry Sandhills
- Reserve 630005 Pomona Hall

Parks are predominately in and around the township of Wentworth and vary from being open space areas with trees and/or children's playgrounds to larger regional/district open space.

General Community Use

There are 39 Crown reserve parcels of land and six Council-owned community land parcels that have all or part of the land categorised as General Community Use.

A number of the 39 Crown reserve land parcels combine to form one facility or area of open space or community facility, for example:

- Wentworth Showground comprises four Crown reserves; and
- Buronga Caravan Park comprises three Crown reserves.

All the General Community Use category land and facilities can be generally grouped into community facility types, with the major planning and management components of buildings or facilities with land, open space land with associated facilities, and use of land or facilities:

- Community buildings and infrastructure, e.g: community halls or centres, clubs, pre-school/kindergartens, scout or guide halls;
- Caravan parks, recreation vehicle and camping areas;
- Historical places and attractions;
- Showground; and
- Cemeteries.

There are 23 Crown reserves and six Council-owned community land parcels with a single category of General Community Use.

- Reserve 6 Pooncarie Spring Reserve
- Reserve 32017 Willow Bend Caravan Park
- Reserve 35698 Pooncarie Cemetery
- Reserve 67891 Wentworth Showground
- Reserve 73351 Wentworth Showground
- Reserve 75014 Wentworth Showground
- Reserve 76144 Wentworth Tennis Courts
- Reserve 84989 Anabranche Hall and Tennis Courts
- Reserve 85572 Old Wentworth Gaol Reserve
- Reserve 85636 Dareton Pre School
- Reserve 89255 Buronga Community Arts
- Reserve 89637 Alcheringa Pre-School

- Reserve 89864 Dareton Community Activity Centre
- Reserve 150038 Coomealla Pioneer Park
- Reserve 230030 Wentworth Pre School
- Reserve 230096 Pooncarie Outback and Beyond
- Reserve 630001 Wentworth Showground
- Reserve 630006 Dareton Town Square
- Reserve 630011 Curlwaa Memorial Hall
- Reserve 630036 Wentworth War Memorial
- Reserve 1002827 Pooncarie Hall
- Reserve 1005288 Gol Gol Cemetery
- Reserve 1036648 Wentworth Town Hall

Council-owned community land:

- Car Park Midway Centre
- Midway Centre
- Second Oval - land being Lot 2, DP 1239025, adjacent to George Gordon Oval - Reserve 61503
- Civic Centre
- Wilkinson Hall
- Little Manly

The following Crown Reserves have a category of General Community Use (in part) along with other categories to reflect the current and potential future use of the land. These are mapped in **Appendix B**.

- Reserve 63988 Buronga Caravan Park - The Caravan Park Component
- Reserve 73211 Curlwaa Oval
- Reserve 77930 Wentworth Rowing Club Reserve
- Reserve 78438 Ramon Deed Retreat
- Reserve 83026 U Can Do It Boxing Gym
- Reserve 83919 McLeod Oval
- Reserve 84700 Wentworth Wharf
- Reserve 85836 Dareton Swimming Pool
- Reserve 87379 Fotherby Park
- Reserve 98030 Ellerslie Sporting Complex Reserve
- Reserve 230081 Pooncarie Multi-Purpose Park and Golf Course
- Reserve 630005 Pomona Hall
- Reserve 1003148 Coomealla Memorial Gardens



Fotherby Park
Reserve 87379

8.2 Key Issues for Sportsground, Park and General Community Use

Sportsground, Park and General Community Use management issues have been developed to help define the action plan (found in section 8.4) ensuring that community land is maintained and managed in a sustainable way. These matters are set out below.

The broad category of key issues are:

- Public Access and Multiple Use
- Facility, Buildings, Amenities and Infrastructure – Management, Maintenance and Upgrade
- Landscape Character and Amenity
- Safety and Risk Management
- Vehicle Access and Parking
- Signage and Advertising
- Booking systems Allocation of Space and Use Agreements
- Environmental Sustainability - Management and Cost Efficiency
- Event Management
- Lighting and Fences
- Dogs and Public Land
- Connectivity with other Open Space Reserves and Parks
- Community Gardens, Personal Trainers, and Small Event Bookings
- Economic Benefit
- Community Involvement
- Encroachment on Public Land
- Conservation of Cultural Heritage
- Cemetery Operations
- Interim Use and Development
- Residential Occupation in Caravan Parks (Crown Reserve and Community Land Constraints)

These broad issues are common/universal to the management of the land whether it is categorised as Park, Sportsground or General Community Use. At a local level, these issues can be pragmatically used in managing the land. However, key words have been used to clarify where an action may apply for each category.

Public Access and Multiple Use

The primary purpose of most of the Reserves as Public Recreation, when coupled with the multi-use and equitable access objectives of the CLM Act, sets the framework for open and accessible use of the land and facilities.

The land in the Plan of Management categorised as Park and Sportsground are solely Crown Reserves with a range of gazetted purposes of which public recreation is the most common. See **Appendix A1** for the list of purposes.

Community facilities and associated open spaces and landscapes play an important role for the local community as well as for visitors and tourists to the Wentworth LGA.

These areas offer an opportunity for temporary rest or respite when travelling, opportunities for play with children and animals, as well as contribute to an aesthetic and attractive townscape, while providing variation to the townscape for longer term visitation and stays.

Many of the community facilities, in particular the caravan and camping grounds, the historical buildings and attractions, are important facilities in the town's economic and tourism development, as well as providing spaces for community use and hire.

Equity of access is fundamental to General Community Facility use for all age groups and levels of ability, particularly to promote independence and social and economic inclusion of people with disability.

Aged, less-mobile and individuals with disabilities, parents with young children or prams, people in wheelchairs or needing ambulatory support all have a right to access and enjoy community facilities and associated open spaces and landscapes. Accessible car parking, paving and level changes, suitable facilities, sightlines, equal access furniture and equipment help to make a park an equally accessible environment for people who may feel constrained in use of community facilities and associated open spaces and landscapes when these accessible and designed facilities are not available.

Barriers to access such as lack of car parking or high steps, guttering, soft or unsteady surfaces should be limited, and design and improvements/developments should incorporate equitable access as a priority.

Facility and Building Management

Facility and Building Management for the entire range of built structures on land is fundamental to the safe operation of the facility, and enjoyable visitor and community use. All the land categorised as General Community Use has facility buildings, structures or infrastructure as part of the land's purpose and use.

There are differing types of management, including direct Council management, leased or licensed management, community groups and organisations, and volunteers. Whilst the facilities and infrastructure are different, there are standard management practices that are applicable, and procedures that ensure quality management of community facilities.

Maintenance and Upgrade of Facilities

Systemic and formally planned and implemented upgrade and maintenance of active recreation and community facility infrastructure including fields, buildings, aquatic facilities, storage spaces, outdoor playing surfaces, associated amenities and infrastructure, viewing areas, storage spaces and access is important to ensure that the reserve facilities and opportunities continue to meet necessary user standards for current use patterns and to meet future use needs.

Infrastructure maintenance can facilitate increased use of associated and connected public spaces by the local community and visitors to the area, including shared use path linkages, open space furniture, landscape, public art and signage. Buildings and amenities may be provided where consistent with the need to facilitate the recreational use of the land.

Buildings and amenities are to be maintained to the highest possible standard. Where appropriate, public toilets and amenities should be provided and maintained at sites where there are a significant number of users, or a lack of immediate facilities and/or distance from other amenities.

Buildings and amenities will be regularly cleaned and maintained in tidy conditions in accordance with any adopted Council Procedures Manual.

Any areas held under lease, licence or regular occupancy shall be maintained by the regular occupant. Existing assets on the land should be identified and measures taken to maintain them in a satisfactory manner. Council may make arrangements for Community Groups to undertake maintenance for specific facilities on the Council's behalf.

Landscape Character and Amenity

Sportsground and park vegetation provides a range of benefits from environmental benefits such as wind reduction, water conservation and increased habitat and biodiversity, to community health benefits such as shade and aesthetic landscapes.

The character of open space, landscaping and the associated amenity available in the grounds of sportsgrounds, parks and community facilities, whether from urban or rural landscapes, neighbourhood or regional uses, is an important feature in the community appreciation of the reserves.

The supply and availability of a range of facilities including seating and table, shade, play equipment, paths, signage and amenities buildings such as toilets, provide support and opportunity to further enhance and make safe the parkland and landscapes at sportsgrounds and around community facilities.

Landscape Amenity and Aesthetics

- Shade provision is important at community facilities and associated open spaces in the Wentworth local environment. Shade structures, canopies and awnings, as well as trees, need to be provided and kept in optimal condition to ensure the best possible shade.
- Landscapes need to be varied, usable and accessible to a range of community members and groups. View lines and scenic design can vary from long range and open views to the close and carefully designed and managed smaller areas that create a sense of safety as well as variation.
- Landscaping provides a range of benefits including environmental benefits such as wind reduction, water conservation and increased habitat and biodiversity, as well as community health benefits such as shade and aesthetic landscape benefits.

Furniture and Other Structures

- The supply of outdoor furniture and structures assist safe enjoyment of parks, sportsgrounds and community facilities, and enable a range of activities and opportunities for recreation. Seating, tables, BBQs, shade structures, pathways and bridges, rubbish containers and signage are typically afforded to provide the basis for a range of human age group activity, social family and group interaction.
- Play equipment shall be constructed and regularly maintained in accordance with the relevant Australian Standard and Council's playground and/or equipment policies and may be replaced or removed as required.

Playgrounds, Fitness Equipment and Skate Parks

Parks, sportsgrounds and certain community facilities land provide an excellent location for many types of play and fitness infrastructure associated with casual and informal recreation, as well as health and fitness, and the development of motor skills at all ages and stages of human development.

Trees and Vegetation and Landscape Protection

- Trees, shrub and flower planting as well as grass or turf in parks and sporting areas provide a respite from the built environment and a chance for the community to relax in a more natural surroundings, while experiencing open-air recreation and leisure.
- Trees provide shade, landscape variation as well as a range of aesthetic benefits in the changing seasons. Planting of shrubs and flower beds can define space or add colour and texture to the landscape, reducing landscape monotony while providing seasonal variation.

Safety and Risk Management

Council is responsible for the safety of users and general public for sportsgrounds, parks and community facilities use in the absence of any clear booking, hire or occupancy agreement conditions that transfer certain levels of the safety and risk management responsibilities to the hirer/occupant.

Council preparation of a Risk Management and Harm Minimisation Strategy for its sportsgrounds and parks supplemented by an annual audit of sportsgrounds, community facilities, parks and associated amenities for development of a repairs and maintenance schedule, will assist in the management and reduction of risk along with benefits for public and user safety.

Vehicle Access and Parking

Vehicle access and movement, including car parking for regular use and event management is fundamental to safe and effective park, sportsground, community facilities and associated open spaces use.

Provision of dedicated access routes/points and parking arrangements for user and organiser vehicles will assist in the reduction of accidents and provide clear directions for users and community at sportsground, park and community facilities.

Large events using sportsground, park, community facilities and associated open spaces should have traffic management and vehicle parking plans that require Council Officer approval. Liaison with local area police should also occur to ensure basic and adequate traffic management issues are implemented and to reduce the potential for user/vehicle conflict.

Dedicated parking and thoroughfares or internal access routes will concentrate use impacts and reduce or limit facility or site landscape or asset degradation such as soil compaction, vegetation or asset damage.

Roads and parking areas may be constructed or reconstructed to a safe and all-weather standard.

Signage and Advertising including Town Wayfinder and Site Based Directional

Wayfinder or town directional signage provides for general visitors and district or regional users, as well as playing important roles in providing tourists with information about the availability and location of facilities.

As part of wayfinder signage, place name signs provide the visiting users with destination and place name clarity. Site-specific circulation signage and guidance can enhance visitor and user experience but also make activity an easier experience for personal community members.

Site-based signage provides clear regulatory, as well as user conditions of use, including alcohol free zones, permissible and non-permissible activities, dog leash or leash-free zones, times of specific uses, and internal site or facility directions.

It is important to make the Reserve environment enjoyable for all users and excessively noisy, dangerous or anti-social activities can be regulated and minimised through use of signage and ranger or ordinance officer monitoring.

Interpretive and explanatory signage, whether simple tree genus or species name plates, or heritage or environmental information or education can enhance park use experiences as well as help to provide education or awareness for the community.

Advertising signage at Crown reserves should be ancillary or supportive of the reserve purposes and activities and is not generally acceptable for solely external advertising purposes.

Booking Systems and Allocation of Playing Fields, Courts or Areas of Parkland

Sportsground fields, courts or areas of parkland booking and allocation of use for temporary, seasonal or annual periods of time is undertaken by Council through its Finance and Policy Department when these arrangements are not subject to existing leases or licences.

Council Policies on use and facility allocation, accompanied by formal advertising of expressions of interest and clear allocation guidelines and criteria will be beneficial for general community and user groups in the reduction of user conflicts and transparency in allocation of community resources and expenditure.

Use Agreements

Council Policies on use and facility allocation, accompanied by formal advertising of expressions of interest and clear allocation guidelines and criteria will be beneficial for general community and user groups in the reduction of user conflicts and transparency in allocation of community resources and expenditure.

Use, hiring, and lease or licence agreements are important to ensure that users of community facilities and associated open spaces are aware of, and comply with the conditions and responsibilities of use or occupation.

Council's User Agreements need to be underpinned by use policies and be agreements that set out rights and responsibilities, and matching fees and charges for use, if applicable.

Clear and published conditions of hire and use, including permissible uses, times and user or hirer responsibilities, will provide clarity for users and the community of access and use, user responsibilities and availability of sportsground areas, park facilities or hire of buildings.

Council publishes an annual Schedule of Fees and Charges for a range of goods and services provided by Council and its organisation sections. Inclusion of fees and charges in Council's annually published schedule for Community Facilities and associated open spaces will provide the general community and user groups with clarity and budgetary assurance for short-term, casual hiring as well as seasonal bookings.

Cost Efficiency and Environmental Management

Establishing improved levels of base level infrastructure (such as water and electricity) to enable effective use of open space areas and buildings for events, both occasional and regular, will reduce management costs. It will also assist in the allocation of expenditure savings to other areas within the sportsgrounds or make available funds for expenditure elsewhere across Council's open space and community land network.

Operational costs for energy and water use may be reduced through a range of environmental means that warrant Council investigation. Environmental sustainability options and infrastructure, including alternate energy sources, energy and water use efficiency practices and systems, including timing systems or regulated watering practices can be implemented to reduce costs and wastage.

Surface water run-off loss reduction and collection practices not only optimise water application and reduce stormwater loss but can also provide for alternate sources of town or reticulated water supplies during periods of limited availability.

Council and user organisations with occupancy and use agreements, (lessees) should have agreed and sustainable fertiliser and pesticide application and management plans and practices to limit dispersal into less robust environmental systems such as watercourse and water bodies, and to limit human contact from aerial or surface exposure.

Event Management

The sportsgrounds, larger parks, tennis courts, community facilities and associated open spaces provide opportunities for a range of events and community activities that enrich the community and provide for celebration and festivities. Council is responsible to ensure that events and organised activities are safe for the public and providers/organisers, as well as avoiding damage to the reserve and its facilities by the users.

Lighting

Where appropriate, adequate lighting shall be provided on the land to ensure public safety and security for people, buildings and amenities. Night lighting should provide for safe passage through parks or around community facilities without being intrusive on surrounding residential areas.

Fences

Fences may be constructed and shall be in accordance with any standards or guidelines adopted by the Council. Normally, as provided for in the *Dividing Fences Act 1991*, boundary fences are the responsibilities of adjoining owners to construct and maintain, and Council does not contribute to fencing boundaries to private land where adjoining community facilities and associated open space land.

Dogs in Neighbourhood Parks and Sportsgrounds

Walking and playing with dogs is a popular recreational activity with physical and mental health benefits. The use of Council footpaths, parks and reserves for casual dog walking and play is generally accepted by the community.

Sportsgrounds have particular use characteristics that warrant restrictions on use of playing fields by dogs, particularly if the sports people come into contact with the surface of the field, e.g: football codes, or the field is used in concentrated fashion such as athletics tracks.

Community facilities are often used by a range of people with particular social, health and community service needs. Whilst companion animals may be required, and the presence of dogs and other animals may be beneficial for many people, walking and playing with dogs at community facilities should be carefully managed.

Parks and sportsgrounds also provide large spaces which are available for a variety of casual recreational uses when not booked by a sporting group or at large park bookings or events. This includes recreational dog use. Recreational dog use includes walking a dog on a leash, and dog off-leash use on some specified areas.

The *Companion Animals Act 1998* provides the Framework for Management of Dogs in NSW. The aim of this Act is to provide for effective and responsible care and management of companion animals, and responsible and co-operative management of dogs in public spaces.

Under the *Companion Animals Act 1998*, and subject to any Council signage, dogs may be walked anywhere on a lead, except within 10 metres of:

- A children's playground; or
- A food preparation area.

Signage and clear notices about any restrictions Council introduces will assist the community understand and comply with safe and responsible dog and park use.

Connectivity with Other Open Space Reserves and Parks

Improved integration of the network of community facilities, parks with sportsgrounds and nearby land uses of residential and retail, schools, caravan and camping ground will aid visitor use, assist in service delivery and promote higher participation in open space activities.

Community Gardens

Community gardens provide the local community with an opportunity to use the land in a cooperative way to produce vegetables, fruit, herbs and flowers while fostering community engagement and interaction.

Gardens can be operated and managed in a number of ways including LG Act S.355 committees, licences or simply availability supported by council, schools or community groups.

Gardens also provide an opportunity for the community to engage in and learn about environmental sustainability and recycling initiatives that benefit the community, including school groups or environmentally interested members of the public.

Personal Trainers, and Small Event Bookings

Personal trainers, fitness groups and small event bookings can be accommodated in parks under licence or hiring arrangements and should be subject to time and area limited with use conditions to limit conflicts of use with the general public.

Contribution to Tourism and Local Economy

Tourism and sporting events and activities, either formal or informal and recreation-oriented, have the capacity to make a strong contribution to community and local economies.

The Wentworth Visitor Information Centre in the town of Wentworth, plays an important role in the promotion of environment and heritage of the Shire, as well as the availability of formal and informal sporting and recreational opportunities. This can provide an additional reason for tourists and visitors to use facilities as well as to contribute to the local economy through increased accommodation, food and beverage, goods and services expenditure.

Community Involvement/Neighbour Relations

Sportsgrounds and large community events can generate significant noise, traffic, waste management and visitor number issues for local and nearby residents. Night lighting can also cause problems for adjacent residential properties due to glare or lighting spill.

Most environmental impacts on adjacent land uses, such as residential properties or environmentally sensitive areas, can be considered and mitigated as part of development application and approval conditions, and/or implementation of mitigating conditions in user agreements, such as leases or licenses.

Operating Committees/Incorporated Bodies

Council is empowered by Section 355 of the LG Act to delegate Council functions, including management responsibilities for sportsgrounds and parks, to Council Committees. This Management Committee arrangement is governed by Council Operation provisions in Chapter 12 of the LG Act.

Encroachment on Public Land

Any encroachments on public land, once identified, should be resolved as quickly as possible to minimise the impact of unlawful use or unauthorised developments on the reserves.

Conservation of Cultural Heritage

The Old Wentworth Goal, the War Memorial, and the three cemeteries (Coomella Memorial Gardens, Pooncarie and Gol Gol), the PS Ruby Wentworth Paddleboat, Wentworth Wharf, Coomealla Pioneer Park, The Great Murray Darling Junction Reserve and Wentworth Showground are sites that have specific European cultural heritage values, structures and associated landscapes.

Identified Aboriginal Heritage includes Sturts Billabong, Snaggy Bend Aboriginal Burial Ground, Rufus Creek area and massacre burial site, Willandra Lakes World Heritage Area, Lake Nitchie Area and Fletchers Lake Area.

These sites (where agreed) require specific management that focuses on conservation and interpretation to enable the fabric and history to be conserved and made available for use and visitor experience.

Residential Occupation in Caravan Parks

Crown caravan parks and camping grounds are highly valued public land that generally provide for tourist and recreational uses, as well as support the public's access and use of adjoining or surrounding recreational Crown land.

The operation and management of Crown caravan parks and camping grounds should be considered in context of the larger or surrounding Reserves. However, in rural and regional areas caravan parks also supply valuable and much-needed limited amounts of low-income or short-term residential opportunities.

There are two important roles for Council in the management of Crown Reserves used for caravan parks and/or camping grounds as:

- a Crown Land Manager in accordance with the CLM Act; and
- an Authority that makes an approval to operate a caravan park or camping ground under Section 68 of the LG Act.

There are two Council-approved caravan parks included in the PoM: Willow Bend Caravan Park on R32017 and Buronga Caravan Park on R63988, both of which have a component of residential tenancies on the land. It is not possible under the LG Act to have residences on Community Land unless it is housing owned by Council, is leased for a residential purpose and is consistent with the Core Objectives of the applied community land category (LG Act S46).

Crown Reserves used and approved for caravan parks or camping grounds can be generally classified as Community Land under the LG Act. The exception to this classification is where portions of Crown caravan parks may need to be classified and managed as Operational Land to accommodate existing long-term or residential uses.

The portions of the caravan park that are occupied by residential tenancies can be classified as Operational Land. It is possible for a Council Crown land manager to seek Ministerial consent for Operational Land management for a whole reserve, or for clearly defined portions of a reserve, if the circumstances warrant the consent.

The land occupied by residential occupancies need to be managed as Operational Land if the land:

- cannot be suitably categorised under the LG Act as the land does not fall within any of the categories for Community Land; and
- cannot continue to be used and dealt with as it currently is if it is to be used and dealt with as Community Land.

Council will seek Minister's consent to manage those parts of the Crown Reserve where the approval to operate a caravan park permits residential uses as if it is Operational Land in accordance with the provisions in the CLM Act.

The Council Approval to operate a caravan park and/or camping ground requires that the caravan park or camping ground operator must submit and have a 'Community Map' approved by Council. The Community Map, in relation to a caravan park or camping ground means a scale map that accurately shows:

- the access roads, community amenities and community buildings within the caravan park or camping ground, and
- the number, size, location and dimensions of dwelling sites or camp sites within the caravan park or camping ground, and
- in relation to a dwelling site or camp site the particular off-site parking space or spaces (if any) designated for use by the occupier of the dwelling site or camp site.

The approved Community Map that identifies dwelling and camp sites enables council as a Crown Land Manager to seek the Ministers consent to operate those dwelling sites in the reserve that are used for long-term use as Operational Land with the balance of the reserve classified as Community Land.

The two caravan parks in this PoM have different approvals and arrangements:

Willow Bend Caravan Park on R32017 is Council-operated and under redevelopment planning and construction. It will have a revised LG Act Section 68 Approval and Community Map for its future uses and currently six sites are occupied by long-term residential uses. Council has stated that it will reduce the six sites by a process of end-of-tenure attrition and convert these to short-term sites.

Buronga Caravan Park on R63988 is leased by Council to a private operator. It has a current LG Act Section 68 Approval and a Community Map that clearly shows the seven long-term sites under occupation grouped together in a specific location.

The land managed by Council or lessee, as operational land (after ministerial consent), will still be managed in accordance with the adopted PoM and with the extent of the operational-managed land and the residential occupation defined and limited by the adopted PoM, the Council S68 LG Act approval requirements and conditions, and the provisions of the *Residential Parks Act 1998* and the *Residential Parks Regulation 2006*.



Willow Bend Caravan Park Reserve 32017, Wentworth

8.3 Development and Use

The use and development of community land should be compatible with the legislated purpose of the land and the wider community context.

Council provides and supports a wide range of uses on community land and will continue to facilitate uses which increase the activation of its land and encourage a broad range of activities that are accessible to all.

The use of community land is often supported by appropriate ancillary development such as playground equipment, BBQs, amenity blocks or food kiosks. The general types of uses that may occur on community land and are common to land categorised as Sportsground, Park and General Community Use are set out in **Table 11** below.

Separate tables that identify specific uses and developments only permissible to each category are also provided at:

- Sportsground – **Table 12**;
- Park – **Table 13**; and
- General Community Use – **Table 14**.

The facilities on community land may change over time, reflecting the needs of the community.

The anticipated uses and associated development identified in the table are intended to provide a general guide. The terminology used is not intended to impose an exact meaning. For example, references such as 'field', or 'court' are not intended to exclude other sporting surfaces.

Table 11 Consolidated permissible use and development of Community Land that is common to land categorised as Sportsground, Park and General Community Use.

Purpose/Use	Development to Facilitate Uses
<ul style="list-style-type: none"> • Organised and unstructured recreation and cultural activities • Community events and gatherings • Active and passive recreation including children's play and cycling • Group recreational use, such as picnics and private celebrations • Eating and drinking in a relaxed setting • Publicly accessible ancillary areas, such as toilets • Festivals, parades, markets, fairs and similar • Concerts, including all musical genres • Performances (including film and stage) • Exhibitions • Events and gatherings • Workshops • Leisure or training classes • Filming and photographic projects • Busking • Public address (speeches) 	<ul style="list-style-type: none"> • Development for the purposes of improving access, amenity and the visual character of the reserve and its uses, for example paths, public art, pergolas • Development for the purposes of active recreation such as play equipment, exercise equipment, bike racks, half-court basketball courts, bocce courts • Amenities to facilitate the safe use and enjoyment of the reserve, for example picnic tables, BBQs, sheltered seating areas • Landscaping and finishes, improving access, amenity and the visual character of the reserve • Café or refreshment areas (kiosks/restaurants) including external seating • Lighting, seating, toilet facilities, courts, paved areas • Hard and soft landscaped areas • Storage sheds • Car parking and loading areas • Commercial development that is sympathetic to and supports use in the area, for example hire of recreation equipment • Ancillary areas (staff rooms, meeting rooms, recording rooms, equipment storage areas)

Purpose/Use	Development to Facilitate Uses
	<ul style="list-style-type: none"> • Toilet/shower facilities • Shade structures • Storage ancillary to recreational uses, community events or gatherings, and public meetings • Locational, directional and regulatory signage • Heritage and cultural interpretation, e.g. signs • Equipment sales/hire areas ancillary to the reserve purposes and the approved uses • Advertising structures and signage (such as A-frames and banners) that: <ul style="list-style-type: none"> ○ relate to approved uses/activities ○ are discreet and temporary ○ are approved by the council • Water-saving initiatives such as stormwater harvesting, rain gardens and swales • Energy-saving initiatives such as solar lights and solar panels • Bio-banking and carbon sequestration initiatives

Table 12 Permissible use and development of Community Land that is specific to land categorised as Sportsground.

Purpose/Use	Development to Facilitate Uses
<ul style="list-style-type: none"> • Active and passive recreational and sporting activities compatible with the nature of the particular land and any relevant facilities • Commercial uses associated with sports facilities 	<ul style="list-style-type: none"> • Development for the purpose of conducting and facilitating organised sport (both amateur and professional), for example: <ol style="list-style-type: none"> 1. Sports field (cricket, football, track and field athletics, baseball, softball) 2. Marked court (basketball, volleyball, badminton, tennis, hockey, netball etc.) 3. Aquatic facility (learn to swim classes, squad training, fitness and health classes including aqua aerobics, recreational and competitive swimming and diving, organised water sports including water polo, diving, hydrotherapy facilities) • Professional rooms for hire • Facilities for sports training, e.g. batting cages, tennis walls • Provision of amenities to facilitate use and enjoyment of the community land including seating, change rooms, toilets, storage, first aid areas • Meeting rooms/staff areas • Compatible, small scale commercial uses, e.g. sports tuition

Table 13 Permissible use and development of Community Land that is specific to land categorised as Park

Purpose/Use	Development to Facilitate Uses
<ul style="list-style-type: none"> Low-intensity commercial activities (for example recreational equipment hire) Community gardening Camping is expressly prohibited in reserves categorised as Park, with the exception of those identified for Development to facilitate uses - camping (shown in adjoining column) 	<ul style="list-style-type: none"> Community gardens Camping in designated areas in: <ul style="list-style-type: none"> Reserve 55602 -The Great Murray Darling Junction, Reserve 78909 – Thegoa Lagoon, and Reserve 97997- Perry Sandhills

Table 14 Permissible use and development of Community Land that is specific to land categorised as General Community Use.

Purpose/Use	Development to Facilitate Uses
<p>Providing a location for, and supporting, the gathering of groups for a range of social, cultural or recreational purposes.</p> <p>Providing multi-purpose buildings (for example, community halls and centres) with specialised community uses such as:</p> <ul style="list-style-type: none"> Casual or informal recreation meetings (including for social, recreational, educational or cultural purposes) Functions Child care (for example, before and after school care, vacation care) Community services purposes (e.g. Community health centres) Emergency services purposes (e.g. Rural fire stations) Designated group use (e.g. Scout and girl guide use, Men's Shed, etc) Educational centres, including libraries, information and resource centres Entertainment facilities Active cemeteries Caravan parks and camping grounds 	<p>Development for the purposes of social, community, cultural and recreational activities, such as libraries, childcare centres, youth services, aged services, men's sheds, health services, sports.</p> <p>Development includes:</p> <ul style="list-style-type: none"> Provision of buildings or other amenity areas to facilitate use and enjoyment by the community Provision of buildings or ancillary/supportive areas to facilitate delivery of community or emergency services Development (particularly within buildings) for the purposes of addressing the needs of a particular group (for example, a stage) Car parking and loading areas

8.4 Management Framework for Reserves Categorised as Sportsground, Park and General Community Use

8.4.1 Action Plan for Sportsground, Park and General Community Use

Section 36(3) of the LG Act requires that a PoM for community land details:

- (a) The category of the land;
- (b) The objectives and performance targets of the plan with respect to the land;
- (c) The means by which the Council proposes to achieve the plan's these objectives and performance targets; and
- (d) The manner in which the Council proposes to assess its performance in achieving the plan's objectives and performance targets.

However, it may require the prior approval of the Council to the carrying out of any specified activity on the land. **Table 15** sets out these requirements for community land categorised as Sportsground, Park and General Community Use as an action plan.

The action table has been subdivided into management areas so that the user may discern which action applies to which category of land. In many cases the actions are common or universal to most reserves in the Shire however specific and additional actions have been prepared for certain land uses that have unique characteristics for example, cemeteries.



Nature Playground part Buronga Caravan Park Reserve 63988

Table 15 Objectives and Targets, Means of Achievement and Method of Assessment for Community Land Categorised as Sportsground, Park and General Community Use

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
Public Access and Multiple Use			
Ensure public access and multiple use	<ul style="list-style-type: none"> Compliance of toilets, change rooms and associated amenities infrastructure at sportsgrounds and community facilities for disabled and equitable access uses Ensure public accessibility and multiple uses of land in any user occupancy agreements Provide for disabled and equitable access at all reserves Delineate on-street parking for more efficient use of the street, enable parking close to the facilities Undertake analysis of parks, sporting facilities and community facilities to ensure planned upgrades have capacity to service demands of a changing population Provide a formalised, centralised booking system for reserves and facilities to facilitate multiple uses and public benefit 	<ul style="list-style-type: none"> Annual audit of all public use and visitor facilities to evaluate equitable access and maintenance or upgrade needs for compliance with State Legislation and Guidelines Include conditions in user agreements/licences that provide for multiple uses and public accessibility where safe to permit Identify disability parking spots at each field, park and facility Identify high use sportsgrounds and community facilities to clearly mark on-street parking limits and times User and visitor conditions of use and activity clearly published and notified to improve safety awareness Improve centralised booking system installed for grounds, function centres, halls, meeting rooms etc to facilitate use and enjoyment Maintain register and use statistics to ensure capacity of fields, parks and facilities service community needs Undertake annual user satisfaction surveys 	<ul style="list-style-type: none"> Annual amenities equitable access audit and report with response actions prepared Publication and use of licence agreements that meet objectives Installation of disability parking spots at reserves where most needed On-street car parking times, places and conditions sign-posted and/or marked at high use facilities and reserves e.g James King Park, Wentworth Showgrounds, Sporting Ovals. Relevant Council Director to manage program of use and capacity statistics and report on any response actions Consider a facilities booking module as an optional extra with the implementation of a new CIS. A decision has yet to be made as to whether this will be included.

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
			<ul style="list-style-type: none"> User satisfaction surveys conducted
Facility, Buildings, Amenities and Infrastructure – Management, Maintenance and Upgrade			
Safe maintenance and upgrade of buildings, structures and facilities	<ul style="list-style-type: none"> Maintain buildings, field and grounds, parks and community facilities to required standards for users and public safety Building and structures compliance with Australian Standards and NSW Building Codes Regular repairs, painting and maintenance Safe electrical systems Safe gas supply Sustainable water supply Fire systems compliance with NSW Standards Safe and operational kitchens Safe chemical storage and use 	<ul style="list-style-type: none"> Implement asset maintenance plans for all major sportsground, park and community facilities buildings, structures and landscape assets Annual audit and review of buildings and structures to comply with Australian and NSW Building Codes standards System to receive reports/requests for maintenance needs is clearly published and acted upon Annual program of (Test & Tag) electrical equipment inspection and testing by a competent person to identify and repair/replace damaged, worn and faulty electrical equipment Annual electrical, gas and water supply systems check and review for maintenance and upgrade needs Bi-annual fire safety systems check for maintenance or upgrade to meet standards and codes by local Fire brigade or registered authority Biannual inspection of all kitchens by health and safety officers to ensure clean, healthy and safe kitchens for users and visitors 	<ul style="list-style-type: none"> Asset management plans in place and implemented with annual reports to Council Grants Officer to work with the reserve users to coordinate funding for identified needs Relevant Council Director responsible for program to review/audit sportsground, parks and community facilities compliance with codes and standards Audit and review conducted and reported to Council Relevant Council Director approves maintenance system and is accountable for reporting Annual Test & Tag inspection results and response actions reported to Council Annual electrical, gas and water supply systems check and review for maintenance and upgrading needs

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
		<ul style="list-style-type: none"> All chemical storage, use and handling to be certified by current NSW authority, e.g: WorkSafe NSW Whole of site concept plans investigated for high use or important community resources Relocate and rebuild the equipment/maintenance shed at the Wentworth Golf Course. Improve storage at the Wentworth Town Hall to provide dust free storage space Quarterly audit of Council buildings – internal and external 	<ul style="list-style-type: none"> Bi-annual fire safety systems check and response actions reported to Council Bi-annual inspection of all kitchens by health and safety officers to and response actions Chemical storage, use and handling certification and response actions reported to Council. Council considers investigation of whole-site concept/master plan for high use or important community resources e.g Wentworth Showground and racecourse. Subject to Council resource allocation: <ul style="list-style-type: none"> Move and improve the safety of the equipment maintenance shed at the Wentworth Golf Course Investigate provision of dust free storage within the Wentworth Town Hall
Sportsground maintenance	<ul style="list-style-type: none"> Maintain a high level of sportsground and playing surface and associated equipment 	Mowing	<ul style="list-style-type: none"> Annual or seasonal (as appropriate) user and sportsground hirer or tenure

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
		<ul style="list-style-type: none"> Playing fields and ovals will be mowed in accordance with approvals, manuals or schedules as required. <p><u>Line Marking</u></p> <ul style="list-style-type: none"> Line marking may be undertaken but will normally be the responsibility of users. <p><u>Erection of Posts</u></p> <ul style="list-style-type: none"> The erection of posts on playing fields is allowed by this plan and is the responsibility of Users. <p><u>Watering</u></p> <ul style="list-style-type: none"> Watering of playing fields and ovals shall be undertaken as required and according to specific water restrictions that may be in place. Sustainable water supply and management options investigated to minimise long term costs <p><u>Wet Weather Use</u></p> <ul style="list-style-type: none"> During periods of wet weather, the Council may restrict use of playing fields and ovals to prevent damaged to grass surfaces. <p><u>Hours of Operation</u></p> <ul style="list-style-type: none"> Council may restrict the hours of operation of any playing field at its discretion. 	<p>holder's satisfaction surveys for:</p> <ul style="list-style-type: none"> Quality of field surfaces or pitches by clubs Mowing Line marking Erection of posts by clubs Watering Wet weather use and availability Hours of operation <ul style="list-style-type: none"> Progressive reduction in water supply and/or management costs as sustainable innovative solutions introduced
Amenity Provision	<ul style="list-style-type: none"> Amenity blocks are available at sites of high or frequent use or sites where no other amenities are nearby 	<ul style="list-style-type: none"> Identify high user and visitor facilities and sites to evaluate amenities provision and supply to meet needs of community and visitor experience 	<ul style="list-style-type: none"> Analysis of user and visitor satisfaction surveys Relevant Council Director approves maintenance

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
	<ul style="list-style-type: none"> Amenities provided are kept clean and accessible to users and visitors during daylight hours and at high or frequent visitation sites during facility or site opening hours Amenities are maintained for safety, usability and modern standard 	<ul style="list-style-type: none"> Regular inspection and maintenance regime that is clearly published and provides contact details for community and visitor maintenance requests 	<p>program and is accountable for reporting on outcomes and monitoring of contact queries and complaints</p>
Landscape Character and Amenity			
Landscape design, grounds and vegetation management	<ul style="list-style-type: none"> Provide landscape amenity and environmental benefits at sportsgrounds, parks and community facilities Trees and shrubs health maintained, and public risk managed Grass and turf maintained to user requirements and standards Shade provided at all facilities including playgrounds Outdoor fixtures – seats, tables, bins, provided at all sites where outdoors space is associated with facilities Play equipment provided at sites where children are substantial numbers of visitors or users 	<ul style="list-style-type: none"> Retain and maintain existing trees and vegetation in parks and around sportsground for environmental and community benefit Prepare landscape masterplans for high use or significant sportsgrounds, parks and community facilities Implement vegetation management plans for environmental benefits such as wind reduction, water conservation and increased habitat and biodiversity, community health benefits such as shade and aesthetic landscape benefits Regular program of tree and shrub maintenance to ensure healthy and safe vegetation Agreed user and community standards for grass and turf maintenance, including limitation of small fire and reduction of 	<ul style="list-style-type: none"> Council preparation of landscape masterplans for high use or significant sportsgrounds, parks and community facilities Council consider report on vegetation management plans, retention and improvement of existing vegetation Relevant Council Director approves maintenance program and is accountable for reporting on outcomes User and tenure holders consulted in standards for field, grass and turf standards Installation of shade structures or increased use of

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
		<ul style="list-style-type: none"> danger on sites, e.g: noxious plants, feral or dangerous animals Review of outdoor spaces associated with facilities and building to evaluate shade needs and provision Review of outdoor spaces associated with facility buildings and structures to evaluate and implement outdoor fixture provision Review of facilities and sites with substantial numbers of children and teenagers to ensure adequate provision of play equipment and suitable health and leisure fixtures Review of cleaning of Play Equipment Roster 	<ul style="list-style-type: none"> shade trees to meet shade and sun protection needs Fire risk vegetation management in regular maintenance program Feral animal, noxious weeds and pest, and dangerous animal reduction programs implemented Installation of park and outdoor fixtures, including play, leisure and health equipment is subject to landscape masterplanning for high use sites, or provided consistent with any specific Council policies User group and community consultation for provisions of play, leisure and health equipment 12 month audit of Play Equipment by contracted auditor

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
Safety and Risk Management			
Safety and Risk Management	<ul style="list-style-type: none"> Minimise public safety and user risk at sportsgrounds, parks and community facilities 	<ul style="list-style-type: none"> Risk Management and Harm Minimisation Strategy prepared for sportsgrounds, parks and community facilities Annual Safety Audit of all facilities on sportsgrounds conducted by Council in conjunction with formal occupants (lessees, licensees and contracted management) Improved lighting for security along pedestrian walkway/lanes – conducted quarterly night audits Council to review needs for security around buildings and structures 	<ul style="list-style-type: none"> Annual reporting on implementation and risk minimisation Annual Council and formal occupant audit of facilities conducted, and response actions reported to Council Installation of additional lighting to increase safety along main pedestrian pathways and thoroughfares Council review and report on security needs and options for improvement to relevant facility buildings
Vehicle Access and Parking			
Roads, vehicle access and parking	<ul style="list-style-type: none"> Provide a safe, effective and efficient vehicle and pedestrian environment for community facilities and associated open spaces users and visitors Events using community facilities and associated open spaces have safe traffic management and reduce the potential for user/vehicle conflict 	<ul style="list-style-type: none"> Review of vehicle and traffic infrastructure for entry, internal movement, car parking and vehicle-pedestrian conflict minimisation Clear marking of designated access routes and parking arrangements for user and organiser vehicles Lessees and licensees have event and traffic management plans incorporated into user agreement conditions as part of agreement 	<ul style="list-style-type: none"> Vehicle and traffic infrastructure review conducted Designated traffic, parking and pedestrian lanes marked for areas where events are held and at high attendance facilities Event licences and permits to include conditions for event and traffic, user and

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
	<ul style="list-style-type: none"> Dedicated parking and thoroughfares or internal access routes to minimise use conflict or site landscape or asset degradation Parking areas, speed and vehicle limits clearly signed and marked 	<ul style="list-style-type: none"> Special events have traffic, user and organisation vehicle management plans prepared in liaison with Local Area police Regulation of user parking and vehicle at events Placement of speed limit signs at prominent locations Vehicle type and use restrictions, and parking times clearly signposted where required 	<ul style="list-style-type: none"> organisation vehicle management plans prepared in liaison with Local Area Police Council resource regulatory officers for traffic and vehicle management at high attendance special events Dedicated access routes and parking arrangements for organiser vehicles provided in event agreements Speed limits signage installed at sites and facilities where required after review Vehicle use and parking time signage installed
Signage and Advertising			
Signage and advertising including town wayfinder and site based directional	<ul style="list-style-type: none"> Upgrade town signage and wayfinding for general visitors and district or regional users, as well as playing an important role in providing tourists with information about the availability and location of facilities Provide clear guidance to sportsground, park and community facility users on reserves conditions of use. 	<ul style="list-style-type: none"> Prepare and implement a Strategic Town and LGA Wayfinder Signage Program including: <ul style="list-style-type: none"> Town information maps and signage Sports grounds, parks and community facilities information, use, permissible activity and regulation signage Site-based facility, structure, field and open space regulatory signage to address activity, including: 	<ul style="list-style-type: none"> Strategy prepared, adopted by Council and implemented as per resources and priorities, including site-based facility, building/structure, field and open space signage, and permissible/non-permissible activity signage. Installation of regulatory signage at high use or

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
	<p>including alcohol free zones, permissible and non-permissible activities, dog leash or leash-free zones, times of specific uses, and internal site or facility directions</p> <ul style="list-style-type: none"> Promotional signage for caravan park, halls, and tourist centre and golf course On-site directional signs installed to advise of facilities and service locations on site Site-based rules and regulations for caravan park, halls, and tourist centre installed in prominent site and facility locations Advertising signage at Crown Reserves should be ancillary or supportive of the reserve purposes and activities and is not generally acceptable for solely external advertising purposes 	<ul style="list-style-type: none"> Alcohol-free zones, Permissible and non-permissible activities, Dog leash or leash-free zones, Times of specific uses Evaluate any signage proposals for Crown reserves to ensure advertising is ancillary to reserve use and management Improve signage in Fotherby Park in particular to identify the hydraulic bridge jack 	<p>visitation sports grounds, parks and community facilities</p> <ul style="list-style-type: none"> Subject to available resources erect identification signage for the hydraulic bridge jack at Fotherby Park
Booking Systems Allocation of Space and Use Agreements			
Booking systems, fees and charges and conditions of hire	<ul style="list-style-type: none"> Council review and formalisation of integrated booking systems for casual and seasonal use agreements. Public awareness notices or policies of booking and hiring systems are clearly available 	<ul style="list-style-type: none"> Council development and implementation of policies on use and facility allocation, accompanied by formal advertising of expressions of interest and clear allocation guidelines and criteria 	<ul style="list-style-type: none"> Council adoption and publication of grounds and facility allocation policy and procedures Seasonal and annual EOI processes conducted to

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
	<ul style="list-style-type: none"> • Clear and accountable fees and charges for sportsground use and hire • Conditions of use and hire are clearly published and supplied with booking and hire details • Standard user agreement documents, e.g: leases, licences and short-term use permits 	<ul style="list-style-type: none"> • Formal EOI and user agreement allocations to be conducted at annual or seasonal, as well as event -based periods • All bookings or hiring receive e-copy or paper copy of confirmation including any conditions of use and hire with contact details to assist hirer or user • Publication of booking and hiring notices and policies, fees and charges on Council website, local media as required and at sites where warranted • Council develop lease, licence and casual hiring, short-term and temporary licence agreements based on Crown Lands templates • Clear and published conditions of hire and use, including permissible uses, times and user or hirer responsibilities 	<p>inform allocation procedures and hire or use agreements</p> <ul style="list-style-type: none"> • Council website publication • Production and use of conditions of use and hire with contact details to assist hirer or user with all bookings or hiring Standardised user agreements in use • Council publication of conditions of hire and use, including permissible uses, times and user or hirer responsibilities on use agreements, and casual hire permits.
Use Agreements	<ul style="list-style-type: none"> • Council policies on use and facility allocation are accompanied by formal advertising of expressions of interest and clear allocation guidelines and criteria • Standard user agreement documents, e.g: leases, licences and short term use permits 	<ul style="list-style-type: none"> • Council develop lease, licence and casual hiring, short-term and temporary licence agreements based on Crown Lands templates • Clear and published conditions of hire and use, including permissible uses, times and user or hirer responsibilities 	<ul style="list-style-type: none"> • Council publication of conditions of hire and use, including permissible uses, times and user or hirer responsibilities on use agreements, and casual hire permits • New centralised, integrated booking system installed.

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
Environmental Sustainability - Management and Cost Efficiency			
Environmental Management and sustainability	<ul style="list-style-type: none"> Council investigation of environmental sustainability options and infrastructure, at sportsgrounds, parks and community facilities Reduction in operational costs for energy and water use through a range of environmental and sustainable means to reduce costs and wastage Surface water run-off loss reduction and collection practices to optimise water use and reduce stormwater loss to minimise use of town or reticulated water supplies during periods of limited availability limit dispersal of sustainable fertiliser and pesticide into less robust environmental systems such as watercourse and water bodies, and limit human contact from aerial or surface exposure Development and maintenance is undertaken with environmentally sustainable practices and within Australian or NSW standards All hazardous materials and chemicals are handled, stored 	<ul style="list-style-type: none"> Investigate implementation of alternate energy sources such as solar electricity and heating systems at facilities on sites <ul style="list-style-type: none"> Energy and water use efficiency practices and systems, including timing systems or regulated watering practices. Council investigation of investment into water efficiency actions Safe re-use of effluent and grey waters Water harvesting from storm and ground water through collection for use at sports grounds On site dams where suitable, e.g: golf course Council and user organisations with occupancy and use agreements for sustainable fertiliser and pesticide application and management plans and practices All chemical storage, use and handling to be certified by current NSW authority, e.g: WorkSafe NSW and initiatives to replace or reduce use investigated 	<ul style="list-style-type: none"> Council investigate and consider options for cost-efficiency and sustainability of: <ul style="list-style-type: none"> Sources such as solar electricity and heating systems at facilities on sites Energy and water use efficiency practices and systems, including timing systems or regulated watering practices Investment into water efficiency actions Safe re-use of effluent and grey waters Water harvesting from storm and ground water through collection for use at sportsgrounds On site dams where suitable, e.g: golf course Council publication and use of user agreements that include conditions for sustainable fertiliser and pesticide

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
	and used in accordance with NSW legislation		<ul style="list-style-type: none"> application and management plans and practices Chemical storage, use and handling certification and response actions reported to Council.
Cost efficiency in utilities and infrastructure	<ul style="list-style-type: none"> Reduce costs to Council, users and hirers/tenants at sportsgrounds, parks and community facilities 	<ul style="list-style-type: none"> Review of water and energy use at facilities Investigation of alternate and cost-effective energy and water systems Investigate timed or smart lighting. 	<ul style="list-style-type: none"> Review and investigations conducted, and response actions reported to Council
Environmental sustainability	<ul style="list-style-type: none"> Use of chemicals and fertilisers is limited and sustainable Groundwater run-off is contained and recycled where possible, or directed to storage Conditions of use and development clearly outlined in occupancy agreements 	<ul style="list-style-type: none"> User/occupants to provide annual report on chemical and fertiliser use Occupancy agreements detail environmentally sustainable conditions including groundwater management plan 	<ul style="list-style-type: none"> Annual reports provided to relevant Council Director Occupancy agreements contained required conditions
Feral animals, pests and noxious weeds	<ul style="list-style-type: none"> Removal of pests and noxious weeds is undertaken and pest and feral animals captured, removed or reduced in compliance with legislation and council policies Conditions for management and reduction of feral animals, pest animals and noxious weeds 	<ul style="list-style-type: none"> User/occupants to provide annual report on pests, noxious weeds and feral animal management Occupancy agreements detail pest animals, noxious weeds and feral animal management conditions 	<ul style="list-style-type: none"> Annual reports provided to relevant Council Director Occupancy agreements contain required conditions

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
	included in occupancy agreements		
Event Management			
Event Management	<ul style="list-style-type: none"> Ensure all events have event management licenses or permits through bookings or hiring. Include event management plans, traffic management plans, waste and public safety plans in licence conditions. Establish clear and published booking and hire system for events 	<ul style="list-style-type: none"> Prepare and use event licences or permits with inclusion of event management plans, traffic management plans, waste and public safety plans 	<ul style="list-style-type: none"> Publication and use of licences with conditions that address objectives Council website publication of booking and hire systems including seasonal dates and conditions of application Council is resourced to have a staff member/s able to manage hire queries
Lighting and Fences			
Lighting	<ul style="list-style-type: none"> Lighting is provided for visitor and user safety at all buildings and on structures where night/dark use is present Lighting impact on neighbours and other users not requiring lighting is minimised Lighting is supplied at all car parks where night/dark use is present Lighting is provided for user and visitor throughfare travel at sites of frequent use 	<ul style="list-style-type: none"> Review of facilities and structures to evaluate lighting needs and gaps for safety and to meet users and visitor needs Ensure lighting spill and brightness complies with current and acceptable industry standards Review provision of safe lighting at night/dark use carparks and user or visitor thoroughfares and install lighting to meet needs or gaps in provision Lighting for evening and night grounds uses conform to Australian and industry/sports standards 	<ul style="list-style-type: none"> Lighting needs review and implementation program prepared and adopted by Council All lighting approved by development application to meet identified standards Night/dark safe lighting needs review conducted, incorporating CEPTED principles and provision priorities reported to Council

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
	<ul style="list-style-type: none"> Reduce the impact of night lighting on adjacent residential properties due to glare or lighting spill. Review sportsground, park and community facility lighting to ensure lighting spill impacts are limited on adjacent properties and businesses 	<ul style="list-style-type: none"> Include lighting in development approval conditions and event or user agreements. 	<ul style="list-style-type: none"> Relevant Council Director to manage review and report to Council on any response outcomes Council Planning directorate to integrate public lighting into development application approval conditions
Fences	<ul style="list-style-type: none"> Clear demarcation of public spaces and community facility boundaries with fences constructed in accordance with any standards or guidelines adopted by the Council 	<ul style="list-style-type: none"> Negotiate with adjacent landowners to erect and maintain suitable and safe fencing 	<ul style="list-style-type: none"> Fencing installed at agreed or required dimensions
Dogs and Public Land			
Dogs on sportsgrounds, parks and community facility open space	<ul style="list-style-type: none"> Ensure dog use on parks, reserves, and sportsgrounds complies with State legislation. Manage dog walking and play on and around sportsground playgrounds, food preparation areas, footpaths, parks and reserves. Reduce impacts of dog use on fields and parks 	<ul style="list-style-type: none"> Install signage including restricted areas, particularly on playing fields, but with an emphasis on no dogs within 10 metres of: <ul style="list-style-type: none"> A children's playground; or A food preparation area. Provide at least one leash-free dog area in the LGA Publish animal and dog handling guidelines on Council website 	<ul style="list-style-type: none"> Signage installed One leash-free dog play area in LGA created and managed Dog faeces bins provided at high use areas – sportsgrounds, parks, community facilities and any identified or promoted walking tracks and trails Council website publication of Companion Animal and Dog

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
			Handling Rules and Regulations
Connectivity			
Connectivity with other open space reserves and parks	<ul style="list-style-type: none"> Improved access movement between reserves and community facilities 	<ul style="list-style-type: none"> Provide pathways and signage between sportsgrounds, parks and community facilities and town centre, nearby schools and council facilities 	<ul style="list-style-type: none"> Pathway development and maintenance program approved and implemented by Council Provide improve pathways and all weather covering between adjacent facilities at sportsgrounds, parks and community facilities Pathway development and maintenance program approved and implemented by Council
Community Gardens, Personal Trainers, and Small Event Bookings			
Community Gardens	<ul style="list-style-type: none"> Provide opportunities for interested parties to establish and maintain community gardens at suitable locations 	<ul style="list-style-type: none"> Work with community groups and organisations, schools and incorporated bodies to determine interest in community garden establishment and maintenance 	<ul style="list-style-type: none"> Establishment of community gardens managed by community groups and organisations, schools and incorporated bodies
Personal trainers, and small event bookings	<ul style="list-style-type: none"> Personal trainers, fitness groups and small event bookings are safely conducted with minimal impacts on other reserve users and adjacent residences. 	<ul style="list-style-type: none"> Personal trainers, fitness groups and small event bookings are accommodated in the park under licence or hiring arrangements, subject to time and area limited with use 	<ul style="list-style-type: none"> Licence system and documents prepared and used for personal trainers, fitness groups and small event bookings.

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
		conditions to enable use to limit conflicts of use with the general public.	
Economic Benefit			
Contribution to tourism and local economy	<ul style="list-style-type: none"> Council coordination of sportsgrounds and event management with tourism and economic development officers in Council and community Improved integration of parks, sportsgrounds and community facilities with town and village commercial and retail areas to attract and retain visitors to the area Promote sporting facilities and availability of formal and informal sporting opportunities for tourists and visitors Council proactively supports the financial sustainability of its reserves which contribute to the local economy, and social and community well being Invest in public WIFI to attract and retain visitors and workers to the area 	<ul style="list-style-type: none"> Development of Sports and Recreation Economic Tourism Plan or Strategy Undertake concept or masterplans to link and connect commercial core areas with parks and reserves to provide improve relationship between public and commercial spaces Develop Shire-wide promotional strategies that focus on the leisure and tourism industry with use of sports fields, parks, golf course and community facilities, e.g. camping and caravan grounds to use not only the facilities but also contribute to the local economy through increased accommodation, food and beverage, goods and services expenditure. Reduction in running costs and ability to recoup investment through lease, license and user agreements Investigate ways to generate revenue to enable the reserves to be self-sustaining Investigate the viability of providing public WIFI in high use areas 	<ul style="list-style-type: none"> Sports and Recreation Tourism Strategy considered by Council and developed and adopted by Council Council consideration of concept plan or masterplan for public space integration with commercial and retail areas Wentworth Shire Council promotional strategies for leisure and tourism considered, developed and adopted by Council An income stream is identified for relevant reserves Council considers and implements longer term lease or license agreements to facilitate long term planning and investment e.g Options for provision of public WIFI considered and actioned by Council

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
Community Involvement			
Community involvement/neighbour relations	<ul style="list-style-type: none"> Manage event and activity noise, traffic, waste management and visitor number issues for local and nearby residents User agreements include conditions to limit impacts from noise, rubbish, traffic 	<ul style="list-style-type: none"> Prepare and implement user agreements (licences or permit) system 	<ul style="list-style-type: none"> Licences published and used with conditions to limit or reduce impacts from noise, rubbish, traffic
Operating committees and incorporated bodies	<ul style="list-style-type: none"> Increase user and community involvement in sportsground, park and community facility management and maintenance 	<ul style="list-style-type: none"> Establish a Reserve User Group where there are multiple users at a reserve Council. 	<ul style="list-style-type: none"> Half yearly meeting conducted with representatives from each group (Office bearer and member) with WSC representative and a Councillor
Contract and Volunteer Labour	<ul style="list-style-type: none"> Safe, legal and formal contractor and volunteer involvement in management, use and maintenance of community facilities and associated open spaces 	<ul style="list-style-type: none"> Review of existing contract agreements and permits or licences for volunteer groups, organisations and any individuals Preparation and use of legal contracts and agreements, licences and permits 	<ul style="list-style-type: none"> Review conducted, gaps and needs established Agreements, contract, licences and permits in use
Encroachment on Public Land			
Encroachment on Public Land	<ul style="list-style-type: none"> Encroachments on public land, once identified are resolved as quickly as possible to minimise the impact of unlawful use or 	<ul style="list-style-type: none"> Council rectification of encroachments or illegal developments on all Council-owned and managed open and public spaces Licence agreements can be issued for some encroachments on Crown land 	<ul style="list-style-type: none"> Identified encroachments rectified

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
	unauthorised developments on the reserves.		
Conservation of Cultural Heritage			
Conservation of Aboriginal and European Heritage	<ul style="list-style-type: none"> Important Aboriginal and European Cultural Heritage is conserved for future generations Cultural Heritage information and education are readily available for community, visitors and tourists 	<ul style="list-style-type: none"> Ensure Local, State and National heritage items have required or suitable planning instrument protection and listings Review of heritage items, sites and areas for conservation needs, planning and management Aboriginal Heritage Information Management System (AHIMS) Searches are conducted prior to any Council development Follow the Due Diligence Code of Practice for the protection of Aboriginal Objects in NSW Consult with the Aboriginal Community to determine the presence of any aboriginal sites, places or objects Review heritage items, sites and areas for education, information and interpretive schemes 	<ul style="list-style-type: none"> Heritage Register listings are updated and maintained Local Environment Plan updated for new or revised heritage listings as relevant Aboriginal sites or historical sites identified and protected Implementation of heritage site, items and area interpretation plans and schemes
Cemetery Operations			
Cemetery operation	<ul style="list-style-type: none"> Cemeteries are operated and maintained to provide cultural, respectful and accessible interment for community 	<ul style="list-style-type: none"> Cemeteries are operated by Council as a cemetery operators under the <i>Cemetery and Crematoria Act 2013</i> Council cemetery and crematoria operations are undertaken consistent with any guidelines, circulars, protocols and customer 	<ul style="list-style-type: none"> Cemetery operation is legal, safe and interment is provided in a respectful, affordable and sustainable manner

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
		<ul style="list-style-type: none"> standards prepared by Cemeteries and Crematoria NSW CCANSW Council provides relevant data and information as requested by Cemeteries and Crematoria NSW 	<ul style="list-style-type: none"> Cemetery operation and interment costs are included in the Council's Annual Fees and Charges publication Annual report to Council on operations and compliance with the <i>Cemetery and Crematoria Act 2013</i>, and any guidelines, circulars, protocols and customer standards prepared and issued by Cemeteries and Crematoria NSW
Interim Use and Development			
Interim uses	<ul style="list-style-type: none"> Occupancy agreements are implemented at each location only for agistment or low-impact agricultural uses and without any permanent structures Enclosure/fencing is the responsibility of occupants Interim uses and purposes are used as conditions in occupancy agreements 	<ul style="list-style-type: none"> Occupancy agreements include condition that only provide for: <ul style="list-style-type: none"> Agistment or low-impact agricultural uses and limits on permanent structures; and Occupant responsibility for adequate and suitable fencing of properties 	<ul style="list-style-type: none"> Occupancy agreements contained required conditions
Development and uses	<ul style="list-style-type: none"> Limited to low impact uses with no fixtures or structures unless approved through adopted Plan of Management and Council Approval 	<ul style="list-style-type: none"> Council approval and adopted Plan of Management permission for developments and uses (other than low impact uses without permanent structures) 	<ul style="list-style-type: none"> Permission provided by this Plan of Management and Council Approval

Management Issues	Objectives and Performance Targets s.36(3)(b)	Means of Achievement of Objectives s.36(3)(c)	Manner of Assessment of Performance s.36(3)(d)
Residential occupation in caravan parks			
Management of residential tenancies in Willow Bend and Buronga Caravan Parks	<ul style="list-style-type: none"> Caravan park use is consistent with the CLM Act and the LG Act 	<ul style="list-style-type: none"> Council S68 LG Act approval identifies limited residential tenancies Land areas occupied by residential tenancies are managed as operational land with the Minister's consent Land managed as operational land is managed in accordance with the adopted PoM 	<ul style="list-style-type: none"> Legal occupation of caravan park sites by residential occupancies
	<ul style="list-style-type: none"> Residential tenancies in caravan parks is limited by Council adopted socio-economic policy 	<ul style="list-style-type: none"> No increase to existing approved numbers of long-term dwellings Council policy development to set criteria for residential occupations on operational land in caravan parks Council phase out occupation except for sites that meet criteria for occupation 	<ul style="list-style-type: none"> No increase in residential tenancies Tenancies meet socio-economic policy criteria Phase out of sites not used in accordance with policy criteria

Appendix A1 — List of Crown reserves covered by this PoM

Appendix A1: Crown Reserves in this PoM

Data source: Wentworth Shire Council and Crown Land NSW portal May 2022

Note: Reserve numbers run sequentially.

Res #	Name	Gazette	Purpose	Initial Assigned or Directed Category	PoM Category	Use	Lots	Suburb	Zoning
6	Pooncarie Sporting Reserves and The Pooncarie Common (part of Reserve 6 identified as Reserve 1012528)	8/9/1862	From Sale Generally Grazing Pump & Pipeline Public Recreation	Sportsground Natural Area – Bushland (directed)	General Community Use	User Group in place - multiple permanent users with various community events, racetrack and Gun Club	Whole: Lot 73 DP 820498, part Lot 7304 DP 1182431 Parish Pooncaira County Perry	Pooncarie	RU1 Primary Production RE2 Private Recreation (Lot 73 DP 820498)
32017	Willow Bend Caravan Park	18/01/1901	Public Recreation	General Community Use	General Community Use	Commercial Lease	Lots 1-2 DP 1121941 Parish Wentworth County Wentworth	Wentworth	RU5 Village
35698	Pooncarie Cemetery	25/04/1903	Cemetery	General Community Use	General Community Use	Cemetery	Lot 7300 DP 1156360 Parish Pooncaira County Perry	Pooncarie	RU1 Primary Production
55602	The Great Murray Darling Junction Reserve	11/08/1922	Public Recreation	Park, Natural Area - Watercourse Natural Area – Bushland (directed)	Park, Natural Area - Watercourse Natural Area - Bushland	Park	Lot 2 DP 817572, Lots 7011-7012 DP 1125398 Parish Wentworth County Wentworth	Wentworth	RU5 Village RE1 Public Recreation
61503	George Gordon Oval	1/11/1929	Public Recreation	Sportsground	Sportsground	User Group in place - permanent use	Lot 7011 DP 1101609, Lot 7012 DP	Coomealla, Dareton	RU5 Village

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Res #	Name	Gazette	Purpose	Initial Assigned or Directed Category	PoM Category	Use	Lots	Suburb	Zoning
						of grounds pavilions and change rooms.	1101611, Lot 1 DP 1158152 Parish Mourquong County Wentworth		
63988	Buronga Caravan Park	16/06/1933	Public Recreation Urban Services	General Community Use Park Natural Area-Bushland	General Community Use Park Natural Area – Bushland	Commercial Caravan Park / with long term lease arrangements in place	Whole: Lot 1159 DP 725383, Lot 980 DP 756961, Lots 2-4 DP 1032974, Lot 101 DP 1232718, Parish Mourquong County Wentworth	Buronga	RE2 Private Recreation RE1 Public Recreation
64544	Part Buronga Caravan Park	11/05/1934	Public Recreation Access	Natural Area - Bushland	Natural Area - Bushland	Vacant scrub land adjacent to Caravan Park Reserve.	Lots 429-431 DP 756961 Parish Mourquong County Wentworth	Buronga	RE1 Public Recreation
65654	Dareton Basketball Courts	29/11/1935	Public Recreation	Park	Park	Bitumised area for basketball casual users	Lot 701 DP 1126803 Parish Mourquong County Wentworth	Dareton	RU5 Village
67891 (see also 630001, 75014, 73351)	Wentworth Showground	16/09/1938	Addition Showground	General Community Use	General Community Use	User Group in place - multiple permanent users	Lot 2618 DP 764646 Parish Wentworth County Wentworth	Wentworth	RE1 Public Recreation

Res #	Name	Gazette	Purpose	Initial Assigned or Directed Category	PoM Category	Use	Lots	Suburb	Zoning
72718	Pooncarie Oval	4/06/1948	Public Recreation	Sportsground Park	Sportsground Park	Cricket club disbanded - community oval with no regular users.	Lot 1430 DP 763147, Lot 7302 DP 1182431 Parish Pooncaira County Perry	Pooncarie	RE1 Public Recreation
73211	Curlwaa Oval	10/06/1949	Public Recreation Rural Services	General Community Use, Sportsground	General Community Use, Sportsground	Cricket club including clubrooms - new Hall constructed to replace condemned hall on Reserve 630011	Lot 19 DP 725678 Parish Wentworth County Wentworth	Curlwaa	RU1 Primary Production
73260	James King Park	19/08/1949	Public Recreation	Park Sportsground (directed)	Park Sportsground	Park with no regular users	Lots 7300-7301 DP 1176238 Parish Gol Gol County Wentworth	Gol Gol	RE1 Public Recreation
73351	Wentworth Showground	14/10/1949	Addition Showground	General Community Use	General Community Use	User Group in place - multiple permanent users	Lot 121 DP 756994 Parish Wentworth County Wentworth	Wentworth	RE1 Public Recreation
74478	Evans Flat Reserve	14/09/1951	Public Recreation	Natural Area - Bushland	Natural Area - Bushland	Riverfront scrub / recreational use – fishing & boating etc- no regular users	Lot 686 DP 756961, Lot 1174 DP 820132 Parish Mourquong County Wentworth	Buronga	RU1 Primary Production
74593	Alcheringa Tennis Courts (part of James King Park R73260)	16/11/1951	Public Recreation	Sportsground	Sportsground	Public tennis courts - regular licenced group	Lot 7007 DP 1125869, Lot 7302 DP 1176238 Parish Gol Gol County Wentworth	Gol Gol	RE1 Public Recreation

Res #	Name	Gazette	Purpose	Initial Assigned or Directed Category	PoM Category	Use	Lots	Suburb	Zoning
75014	Wentworth Showground	30/05/1952	Addition Showground	General Community Use	General Community Use	User Group in place - multiple permanent users	Lot 7352 DP 1177510 Parish Wentworth County Wentworth	Wentworth	RE1 Public Recreation
76144	Wentworth Tennis Courts	7/08/1953	Public Recreation Urban Services	General Community Use	General Community Use	Former tennis courts - bitumen surface - identified as car parking for adjoining kindergarten child care centre and Aged Care Home opposite	Lot 13 Section 9 DP 759074 Parish Wentworth County Wentworth	Wentworth	RU5 Village
76798	Part Buronga Caravan Park Reserve	4/06/1954	Public Recreation	Natural Area - Bushland	Natural Area - Bushland	Vacant scrub land adjacent to Caravan Park Reserve.	Lots 427-428 DP 756961 Parish Mourquong County Wentworth	Buronga	RE1 Public Recreation RU1 Primary Production
77215	Dareton Children's Playground	29/10/1954	Children's Playground	Park	Park	Park	Lot 1 Section 15 DP 758338 Parish Mourquong County Wentworth	Dareton	RU5 Village
77413	Pioneer Memorial Park	28/01/1955	Children's Playground	Park	Park	Children's Playground / Park	Lot 7013 DP 1124723, Lot 7307 DP 1180919 Parish Pooncaira County Perry Note: Lot 7307 DP 1180919 is also part of R98109	Pooncairie	RU5 Village

Res #	Name	Gazette	Purpose	Initial Assigned or Directed Category	PoM Category	Use	Lots	Suburb	Zoning
77930	Wentworth Rowing Club Reserve	2/09/1955	Public Recreation	General Community Use, Park	General Community Use, Park	Rowing Club building + river access – Licenced user	Lot 1464 DP 763434 Parish Wentworth County Wentworth	Wentworth	RE1 Public Recreation
78438	Ramon Deed Retreat	29/03/1956	Public Recreation Community Purposes	General Community Use, Natural Area - Bushland	General Community Use, Natural Area - Bushland	Vietnam Veterans Retreat + scrub – Licenced user	Lot 713 DP 756961, Lot 1 DP 803205, Lots 2-3 DP 853243 Parish Mourquong County Wentworth	Dareton	RU1 Primary Production
78698	McLeod Oval	6/07/1956	Public Recreation Urban Services	Sportsground	Sportsground	Golf Course	Lot 1272 DP 762867, Lot 190 DP 820470, Lot 7017 DP 1126020 Parish Wentworth County Wentworth	Wentworth	RE2 Private Recreation
78909	Thegoa Lagoon	21/09/1956	Plantation Public Recreation	Park, Natural Area - Bushland, Natural Area - Watercourse.	Park, Natural Area - Bushland, Natural Area - Watercourse.	Natural scrub, low impact recreational activities like bird watching, walking & bike riding	Lot 7323 DP 1174216 Parish Wentworth County Wentworth	Wentworth	RU5 Village RU1 Primary Production changing to C2 Environmental Conservation
81010	O'Donnell Park	22/08/1958	Public Recreation	Park (directed)	Park	Children's Playground / Park / Public Toilets	Lots 1-2 DP 117894 Parish Wentworth County Wentworth	Curlwaa	RU1 Primary Production
81398	McLeod Oval	20/02/1959	Public Recreation Urban Services Accommodation	Sportsground, Park	Sportsground, Park	Grandstand part of oval - public swimming pool - Licenced users	Lot 7322 DP 1158106 Parish Wentworth County Wentworth	Wentworth	RE1 Public Recreation RE2 Private Recreation

Res #	Name	Gazette	Purpose	Initial Assigned or Directed Category	PoM Category	Use	Lots	Suburb	Zoning
81861	Rotary Playground	14/08/1959	Public Recreation	Park	Park	Children's Playground / Park	Lot 5 Section 34 DP 759074 Parish Wentworth County Wentworth	Wentworth	RE1 Public Recreation
82971	Buronga Children's Playground	13/01/1961	Children's Playground	Park	Park	Children's Playground / Park	Lot 7009 DP 1124517 and 7010 DP 1124614 Parish Mourquong County Wentworth	Buronga	RU5 Village
83026	U Can Do It Boxing Gym	27/01/1961	Public Recreation	Park, General Community Use	Park, General Community Use	Building unsuitable for hire within car park	Lot 444 DP 756961 Parish Mourquong County Wentworth	Buronga	RU5 Village
83919	McLeod Oval	20/07/1962	Public Recreation Urban Services Accommodation	Sportsground, General Community Use, Park	Sportsground, General Community Use, Park	Other part of oval - cricket clubrooms bowling greens - tennis courts buildings for golf, tennis and bowling clubs - User Group in place - multiple permanent users	Lot 7320 DP 1158106 Parish Wentworth County Wentworth	Wentworth	RE1 Public Recreation RE2 Private Recreation
84700	Wentworth Wharf	10/01/1964	Public Recreation Urban Services	General Community Use Park	General Community Use Park	Public Wharf and temporary moorings - park	Lot 101 DP 1232727 Parish Wentworth County Wentworth	Wentworth	RE1 Public Recreation

Res #	Name	Gazette	Purpose	Initial Assigned or Directed Category	PoM Category	Use	Lots	Suburb	Zoning
84989	Anabranch Hall And Tennis Courts	28/08/1964	Public Recreation	General Community Use	General Community Use	Community hall playground BBQ and tennis courts - meeting place for surrounding Western Lands Lease holder's families - multiple events held	Lot 5 DP 756191, Lot 2591 DP 764619 Parish Wilton County Tara	Anabranch South	RU1 Primary Production
85320	Pt Wentworth Golf Course	7/05/1965	Public Recreation Urban Services	Park	Park	Lot 1 DP 1143037 now Lot 100 DP 125699 about to be acquired	Lot 7313 DP 1127027, Parish Wentworth County Wentworth	Wentworth	RU5 Village
85419	Wilkinson Park	13/08/1965	Children's Playground	Park	Park	Park/Children's Playground	Lot 9 Section 13 DP 758456 Parish Gol Gol County Wentworth	Gol Gol	RU5 Village
85470	Gol Gol Public Recreation Reserve	12/11/1965	Public Recreation	Natural Area - Bushland	Natural Area - Bushland	Landlocked scrub land	Lot 187 DP 756946 Parish Gol Gol County Wentworth	Buronga	RU1 Primary Production
85572	Old Wentworth Gaol Reserve	10/12/1965	Preservation Of Historical Sites And Buildings	General Community Use	General Community Use	Historic Gaol under lease	Lot 90 DP 756994 Parish Wentworth County Wentworth	Wentworth	RU5 Village
85636	Dareton Pre School	25/02/1966	Day Nursery	General Community Use	General Community Use	General Community Use- several licenced users	Lots 3-4 Section 8 DP 758338 Parish Mourquong County Wentworth	Dareton	RU5 Village
85733	Strother Park	7/04/1966	Public Recreation	Park	Park	Park/Children's Playground / Public toilets	Lot 7351 DP 1178836 Parish Wentworth	Wentworth	RE1 Public Recreation

Res #	Name	Gazette	Purpose	Initial Assigned or Directed Category	PoM Category	Use	Lots	Suburb	Zoning
							County Wentworth		
85836	Dareton Swimming Pool	1/07/1966	Public Baths Public Recreation Urban Services	Park, Sportsground (directed)	Park, General Community Use	Park, Public Swimming Pool and approved Men's Shed Building	Lot 101 DP 1232722 Parish Mourquong County Wentworth	Dareton	RU5 Village
87037	Pooncarie Public Reserve	10/01/1969	Public Recreation	Natural Area - Bushland	Natural Area - Bushland	Park - no improvements	Lots 1-4 Section 15 DP 758851 Parish Pooncaira County Perry	Pooncarie	RU5 Village
87250	Buronga Riverfront old Pound Reserve	27/06/1969	Public Recreation	Natural Area - Bushland	Natural Area - Bushland	Vacant block	Lot 7007 DP 1124947 Parish Mourquong County Wentworth	Buronga	RU5 Village
87379	Fotherby Park	12/09/1969	Public Recreation	Park General Community Use Natural Area - Bushland	Park, General Community Use, Natural Area - Bushland	Park with historical buildings / structures and slipway for historic paddle steamer	Lot 103 DP 1232727 Parish Wentworth County Wentworth	Wentworth	RE1 Public Recreation
88251	Coomealla Golf Course	2/07/1971	Public Recreation	Sportsground	Sportsground	Golf Course held under lease	Lot 1136 DP 725640 Parish Mourquong County Wentworth	Dareton	RU1 Primary Production
89255	Buronga Community Arts	2/08/1974	Boy Scouts Community Purposes	General Community Use	General Community Use	Old Scout Hall housing theatre props - youth theatre - Licenced user group	Lot 594 DP 756961 Parish Mourquong County Wentworth	Buronga	RU5 Village

Res #	Name	Gazette	Purpose	Initial Assigned or Directed Category	PoM Category	Use	Lots	Suburb	Zoning
89637	Alcheringa Pre-School	7/11/1975	Kindergarten	General Community Use	General Community Use	Preschool – long term licenced holder – exclusively use	Lot 211 DP 756946, Lot 7305 DP 1141029 Parish Gol Gol County Wentworth	Gol Gol	RE1 Public Recreation
89749	Junction Park	19/03/1976	Public Recreation	Park Natural Area - Bushland Natural Area - Watercourse	Park, Natural Area - Bushland, Natural Area - Watercourse	Riverside Park	Lots 1-5 Section 3 DP 759074 Lots 1-10 Section 4 DP 759074 Lots 1-8 Section 4A DP 759074 Lots 7335-7336 DP 1173326 Parish Wentworth County Wentworth	Wentworth	RE1 Public Recreation
89757	Apex Park	26/03/1976	Children's Playground Urban Services	Park	Park	Park / Children's Playground	Lot 105 DP 1232727 Lot 10 DP 756994 Parish Wentworth County Wentworth	Wentworth	RE1 Public Recreation
89864	Dareton Community Activity Centre	30/07/1976	Girl Guides Community Purposes	General Community Use	General Community Use	Refurbished Scout Hall housing licenced community art group	Lot 16 Section 5 DP 758338 Parish Mourquong County Wentworth	Dareton	RU5 Village
91386	Carramar Drive Sporting Complex	9/02/1979	Public Recreation Urban Services	Sportsground Natural Area - Bushland	Sportsground, Natural Area - Bushland	Ovals netball courts cricket nets playground - pavilion suitable for hire - User Group in place - multiple permanent users	Lot 472-473 DP 1268325 Parish Gol Gol County Wentworth	Gol Gol	RE1 Public Recreation

Res #	Name	Gazette	Purpose	Initial Assigned or Directed Category	PoM Category	Use	Lots	Suburb	Zoning
96592	Tuckers Creek Reserve	11/02/1983	Flood Mitigation Public Recreation	Park	Park	Riverfront park - easement over Lot 30 for Town Levee	Lot 30 DP 45055, Lot 7340 DP 1176401 Parish Wentworth County Wentworth	Wentworth	RU5 Village
97997	Perry Sandhills	22/11/1985	Public Recreation	Park Natural Area - Bushland Natural Area - Watercourse	Park, Natural Area - Bushland, Natural Area - Watercourse	Natural inland sandhills and riverfront scrub	Lots 3-4 DP 610639, Lot 5204 DP 725295, Lots 16, 51, 58-60, 63-64, 7009-7012 DP 756964, Lot 7309 DP 1183405 Parish Neilpo County Wentworth, Lot 5201 DP 725295 Parish Wentworth County Wentworth	Wentworth	RU1 Primary Production
98030	Ellerslie Sporting Complex Reserve	20/12/1985	Public Recreation	General Community Use, Sportsground (directed)	General Community Use, Sportsground	Community building - tennis courts - oval - tree plantation - dam - golf course - Licence user group	Lot 5132 DP 720112 Parish Palinyewah County Wentworth	Ellerslie	RU1 Primary Production
98109	Darling Street Reserve	7/03/1986	Public Recreation	Park	Park	Park / Children's Playground	Lot 399 DP 761064, Lots 7307-7309 DP 1180919 Parish Pooncaira County Perry Note: Lot 7307 DP 1180919 is also part of R77413	Pooncarie	RU5 Village

Res #	Name	Gazette	Purpose	Initial Assigned or Directed Category	PoM Category	Use	Lots	Suburb	Zoning
150038	Coomealla Pioneer Park	2/11/1990	Community Purposes	General Community Use (directed)	General Community Use	Library and Senior Citizens	Lot 701 DP 1126798 Parish Mourquong County Wentworth	Dareton	RU5 Village
150040	Sturt Park	10/05/1991	Public Recreation Water	Park	Park	Park and Water Tower	Lots 7300-7301 DP 1121297 Parish Mourquong County Wentworth	Dareton	RU5 Village
150041	Tapio Park	10/05/1991	Public Recreation Heritage Purposes	Park	Park	Park - old war memorial newly erected	Lot 702 DP 1126798 Parish Mourquong County Wentworth	Dareton	RU5 Village
230004	Part Thegoa Lagoon	8/07/1988	Public Recreation	Natural Area - Bushland, Natural Area - Watercourse, Sportsground	Natural Area - Bushland, Natural Area - Watercourse, Sportsground	North of Golf Course + scrub	Lot 7328 DP 1174216 Parish Mourquong County Wentworth	Wentworth	RU5 Village RU1 Primary Production changing to C2 Environmental Conservation
230005	Ambulance Station site within Thegoa Lagoon	25/11/1988	Ambulance Station	Natural Area - Bushland	Natural Area - Bushland	Vacant block – investigating being incorporated into R230004	Lot 7301 DP 1126251 Parish Mourquong County Wentworth	Wentworth	RU5 Village
230030	Wentworth Pre School	28/08/1987	Kindergarten Community Purposes	General Community Use	General Community Use	Preschool and Extended Day Care - long term licenced holder – exclusively use	Lot 14 Section 9 DP 759074 Parish Mourquong County Wentworth	Wentworth	RU5 Village

Res #	Name	Gazette	Purpose	Initial Assigned or Directed Category	PoM Category	Use	Lots	Suburb	Zoning
230044	Pooncarie Public Reserve	10/06/1988	Public Recreation	Natural Area - Bushland	Natural Area - Bushland	Riverfront scrub – used for fishing	Lot 2 DP 725311, Lot 7006 DP 1113537 Parish Pooncaira County Perry	Pooncarie	RU1 Primary Production
230081	Pooncarie Multi-Purpose Park and Golf Course	13/11/1992	Public Recreation	General Community Use - Natural Area - Bushland Sportsground	General Community Use, Natural Area - Bushland, Sportsground	Golf Course - Boat ramp - Camping facilities - Scrub – Licenced user	Lot 6588 DP 769379 Parish Pooncaira County Perry	Pooncarie	RU1 Primary Production
230096	Pooncarie Outback and Beyond	29/03/1996	Community Purposes	General Community Use	General Community Use	Community Hub - Post Office – Library – Licenced	Lots 7-9 Section 8A DP 758851 Parish Pooncaira County Perry	Pooncarie	RU5 Village
630001	Wentworth Showground	7/01/1899	Showground	General Community Use	General Community Use	User Group in place - multiple permanent users	Lot 84 DP 756994 Parish Wentworth County Wentworth	Wentworth	RE1 Public Recreation
630005	Pomona Hall	18/01/1952	Public Hall - Public Recreation Rural Services	General Community Use - Park	General Community Use, Park	Public Hall - RFS Shed – Public toilets used by the General public	Lot 8 DP 432081, Lot 1 DP 434771, Lot 7300 DP 1141042 Parish Neilpo County Wentworth	Pomona	RU1 Primary Production
630006	Dareton Town Square	21/12/1928	Public Hall - Urban Services	General Community Use	General Community Use	Public toilets – Car park – Shade structures for seating	Lots 1-2 Section 3 DP 758338 Parish Mourquong County Wentworth	Dareton	RU5 Village
630011	Curlwaa Memorial Hall	10/06/1949	Public Hall	General Community Use	General Community Use	RFS Shed / Licenced user	Lot 18 DP 725678 Parish Wentworth County Wentworth	Curlwaa	RU1 Primary Production

Res #	Name	Gazette	Purpose	Initial Assigned or Directed Category	PoM Category	Use	Lots	Suburb	Zoning
630036	Wentworth War Memorial	7/12/1945	War Memorial Urban Community Services	General Community Use	General Community Use	General Community Use - currently Visitor Information Centre, Op Shop and Community Meeting Room – various licenced user groups.	Lot 9 Section 25 DP 759074 Parish Wentworth County Wentworth	Wentworth	B2 Local Centre
1002827	Pooncarie Hall	17/01/1947	Public Hall	General Community Use	General Community Use	Town Hall – variety of casual users	Lot 10 Section 21 DP 758851 Parish Pooncarie County Perry	Pooncarie	RU5 Village
1003148	Coomealla Memorial Gardens	12/04/2002	Cemetery and Crematorium	General Community Use - Natural Area - Bushland	General Community Use; Natural Area - Bushland	Cemetery and Crematorium	Lots 1-2 DP 1121904 Parish Mourquong County Wentworth	Coomealla	RU1 Primary Production
1005288	Gol Gol Cemetery	15/08/1879	General Cemetery	General Community Use	General Community Use	Cemetery	Lot 225 DP 705014, Lots 4, 6 Section 37 DP 758456 Parish Gol Gol County Wentworth	Gol Gol	RU5 Village
1011728	Dareton Lions Park	30/06/2006	Public Recreation	Park	Park	Park/Children's Playground	Lot 21 Section 19 DP 758338 Parish Mourquong County Wentworth	Dareton	RU5 Village

Res #	Name	Gazette	Purpose	Initial Assigned or Directed Category	PoM Category	Use	Lots	Suburb	Zoning
1036648	Wentworth Town Hall	16/11/2012	Community Purposes Government Purposes Town Hall Urban Services	General Community Use	General Community Use	Town Hall – variety of casual users	Lot 1 DP 630527 Parish Wentworth County Wentworth	Wentworth	RU5 Village

Appendix A2 — List of Council-owned Community Land covered by this PoM

Res #	Type	Reserve Name Description	PoM Category	Use	Lots	Suburb
Nil	FREEHOLD - WSC	Car Park Midway Centre	General Community Use	Car Park for Midway Centre	Lot 1 DP 873390	BURONGA
Nil	FREEHOLD - WSC	Midway Centre	General Community Use	Community Centre - areas for hire - library - basketball courts – multiple licenced users	Lot 2 DP 873390	BURONGA
Nil	FREEHOLD - WSC	Second Oval - land being Lot 2, DP 1239025, adjacent to George Gordon Oval - Reserve 61503	General Community Use	Sporting Oval – User Group in place - multiple permanent users	Lot 2 DP 1239025	DARETON
Nil	FREEHOLD - WSC	Civic Centre	General Community Use	Being developed as Council Offices	Lot 6 SP 85315	WENTWORTH
Nil	FREEHOLD - WSC	Wilkinson Hall	General Community Use	Leased to community group	Lot 4 DP 29252	GOL GOL
Nil	FREEHOLD - WSC	Little Manly	General Community Use	Public recreation, area suitable for camping, fishing, picnicking, etc	Lot 3 DP 807829	CURLWAA

Appendix A3 — Existing Leases and Licences on land in this PoM

Data source: Wentworth Shire Council – for a list of occupant activities and agreement purposes please contact Council.

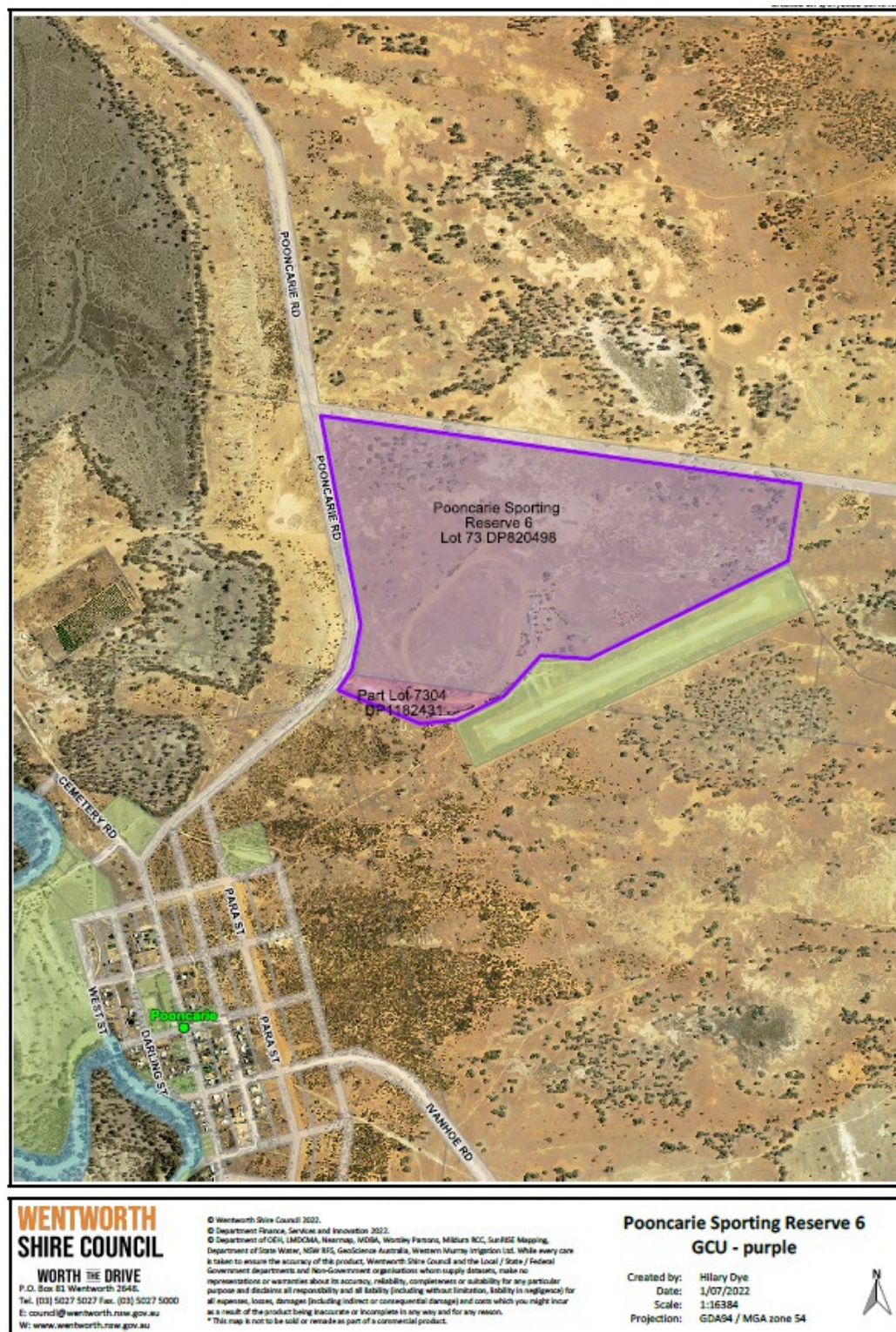
Reserve No	Reserve Name	Organisation
Short Term Licences – annual basis		
6	Pooncarie Sporting Reserve	Pooncarie Gun Club Inc Pooncarie Racing Club Inc Sunraysia Motorsports Club Inc. Pooncarie Field Days Group
61503	George Gordon Oval	Coomealla Wentworth Cricket Club Wentworth District Football Netball Club
63988	Buronga Caravan Park Reserve (Wentworth Rowing Club)	Wentworth District Rowing Club Incorporated Coomealla Triathlon Club
67891 630001 73351 75014	Wentworth Showgrounds	The Dareton Kennel Club Inc. Wentworth Show Society Inc The Vintage Machinery Society of Sunraysia Inc Wentworth District Racing Club Inc. Australian Mounted Games Association Inc. Mildura Wentworth Music Festival
73211 & 630011	Curlwaa Oval	Curlwaa Islanders Cricket Club The Delta Scout Group The Coomealla Wentworth Cricket Club Inc.
77930	Wentworth District Rowing Club	Wentworth District Rowing Club Incorporated
78698 & 83919	Wentworth Sporting Complex Reserve Trust (McLeod Oval)	Wentworth Sporting Complex Golf Club
81398 & 83919	Wentworth Sporting Complex Reserve Trust (McLeod Oval)	Coomealla Wentworth Cricket Club
83919	Wentworth Sporting Complex Reserve Trust (McLeod Oval)	Wentworth Bowling Club Inc Wentworth Tennis Club
84989	Anabranche Hall and Tennis Courts	Lower Anabranche Sporting and Landcare Group Inc Various short term licences for camping
85636	Dareton Pre School	Dareton Youth & Children's Outreach Coomealla Health Aboriginal Corporation (CHAC)
89255	Buronga Community Arts	Electric Light Theatre Inc.
89637	Gol Gol Kindergarten Reserve Trust	Gol Gol Preschool
89749	Wentworth Junction Park	Murray Darling Junction Fishing Club
89864	Dareton Community Activity Centre	Dareton Community Creative Centre Inc

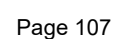
Reserve No	Reserve Name	Organisation
91386	The Alcheringa Oval Reserve Trust/ Carramar Drive Sporting Complex	Gol Gol Cricket Club Inc. Gol Gol Hawks Football Netball Club Inc.
98030	Ellerslie Sporting Complex Reserve	Ellerslie Community Hub
150038	Coomealla Pioneer Park	Coomealla Senior Citizens Club
230030	Wentworth Preschool	Wentworth District Pre-school & Play Centre
230081	Pooncarie Multipurpose Park and Golf Course	Pooncarie Golf Club Incorporated Pooncarie and District Development Association Incorporated (PADDA) Pooncarie & District Development Association
230096	Pooncarie Outback and Beyond Craft Gallery and Museum	Pooncarie Mail Exchange
630036	Wentworth War Memorial Rooms	Rotary Wentworth Op Shop Darling Junction CWA Diggerland Church Inc Wentworth District RSL Sub Branch Wentworth RSL Auxiliary Dareton Primary Health Centre - Far West Local Health District Wentworth District Community Medical Centre Wentworth Senior Citizens Club
1036648	Wentworth Community & Council Facilities Reserve Trust (Wentworth Town Hall)	New South Western Standard Bulletin Wentworth Regional Community Project Association Inc.
97997	Perry Sandhills Reserve	Various short term licences for filming
Long term licences		
73620	James King Park	Alcheringa Tennis Club
78438	Dareton Horse Complex	Ramon Deed Veterans Retreat
85836	Dareton Swimming Pool	Men in a Shed
Contracts/Service Agreements		
1010468	Gol Gol Fire Station	Commissioner of the NSW Rural Fire Services
630005	Pomona Public Hall	Commissioner of the NSW Rural Fire Services
73211	Curlwaa Oval	Commissioner of the NSW Rural Fire Services
85836	Dareton Swimming Pool	WSC contract to Belgravia
81398	Wentworth Swimming Pool McLeod Oval	WSC contract to Belgravia
Leases		
88251	Coomealla Golf Course	Coomealla Memorial Golf Club
85572	Old Wentworth Gaol Reserve	Old Wentworth Gaol Reserve
63988	Buronga Caravan Park	Buronga Bridge Mooring Pty Ltd
32017	Willow Bend Caravan Park	WSC - Willow Bend Caravan Park
63988	Buronga Caravan Park -part	Discovery Parks Holdings Pty Ltd

Reserve No	Reserve Name	Organisation
1003148	Coomealla Memorial Gardens Crematorium	Mildura Funeral Services Pty Ltd
WSC Freehold	Wilkinson Hall	Mildura Vintage Vehicle Club Inc.



Appendix B — Category maps





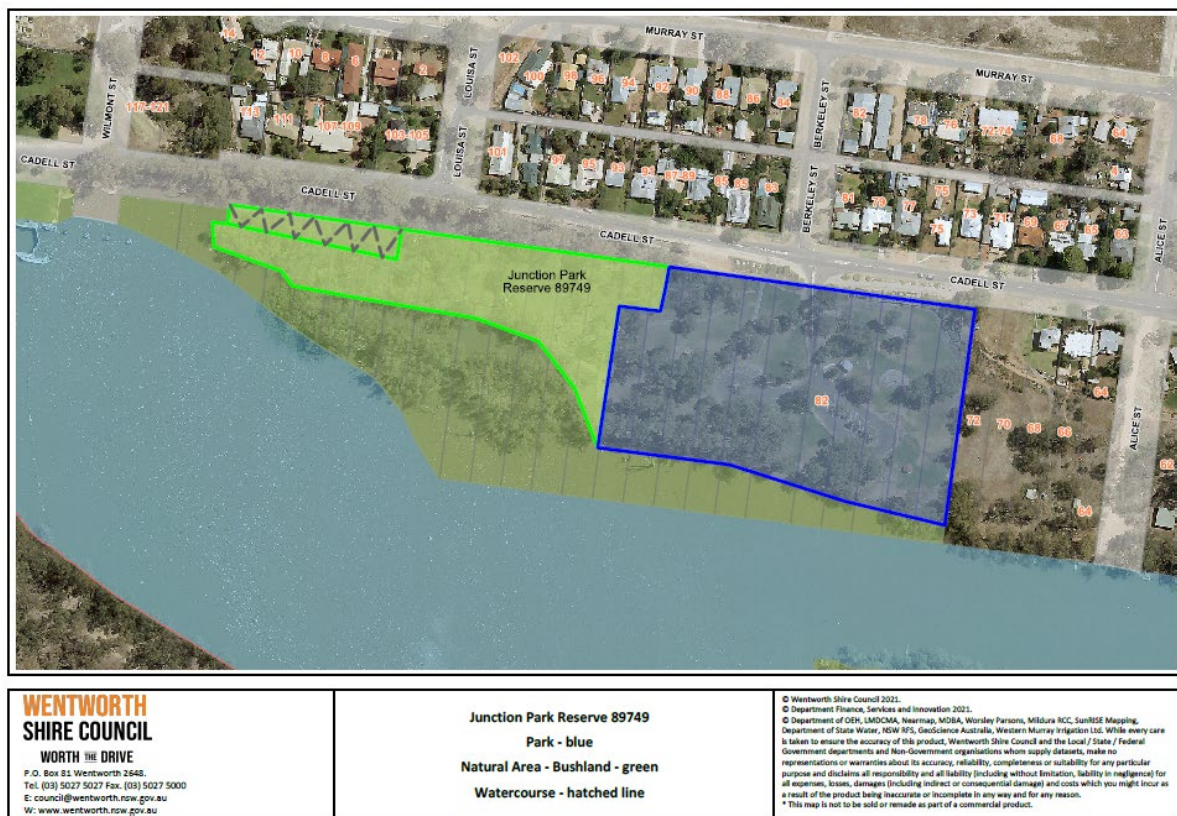


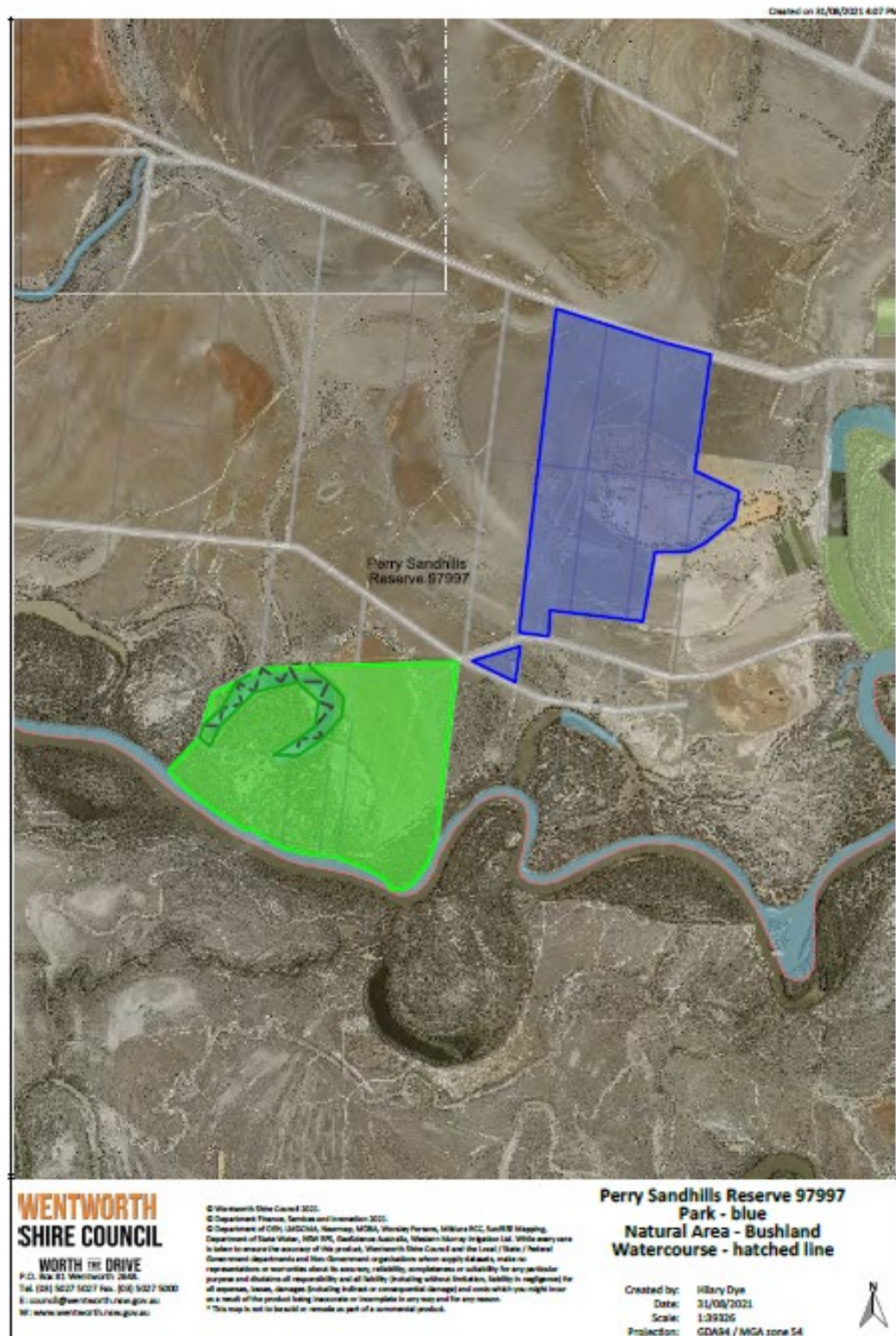


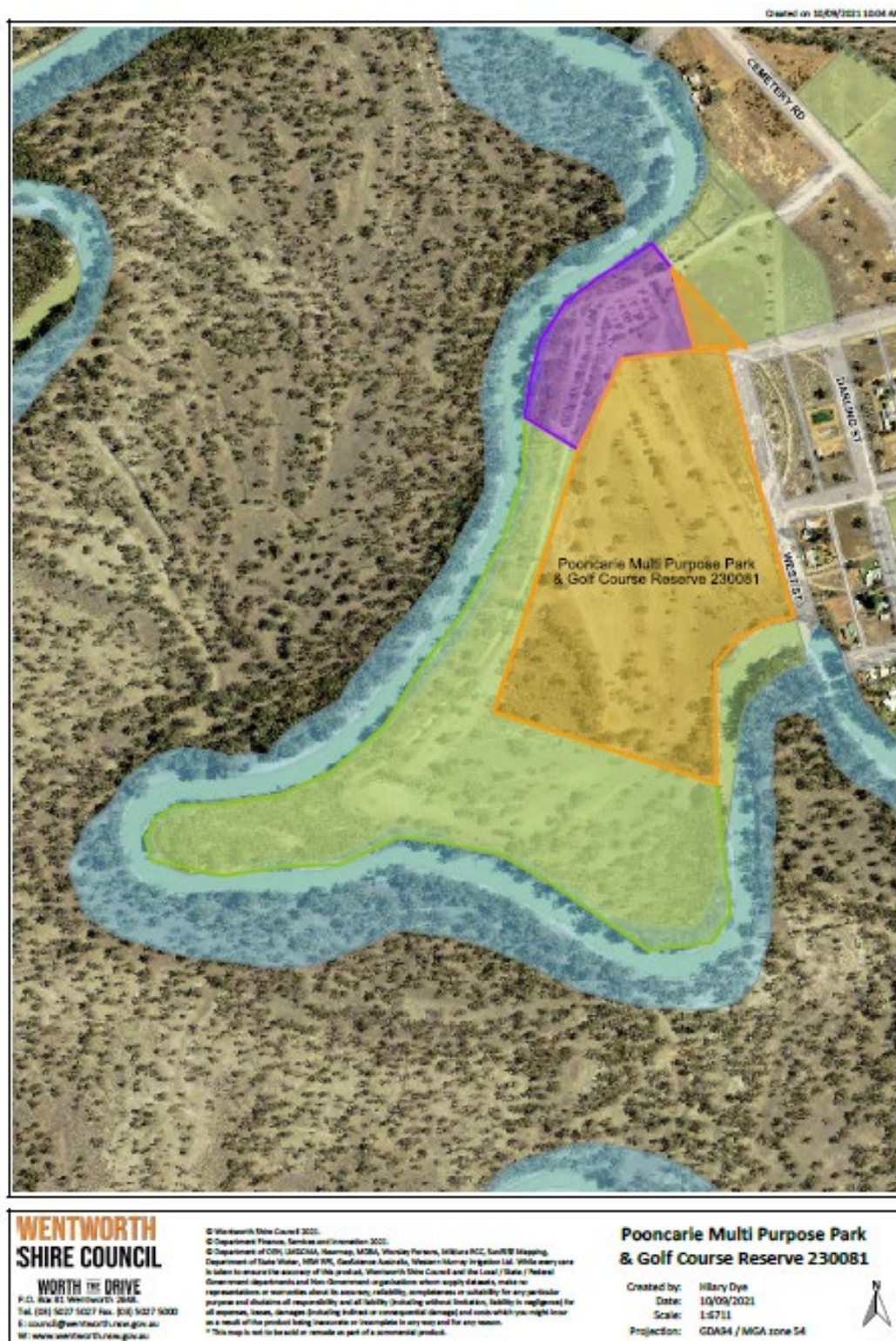


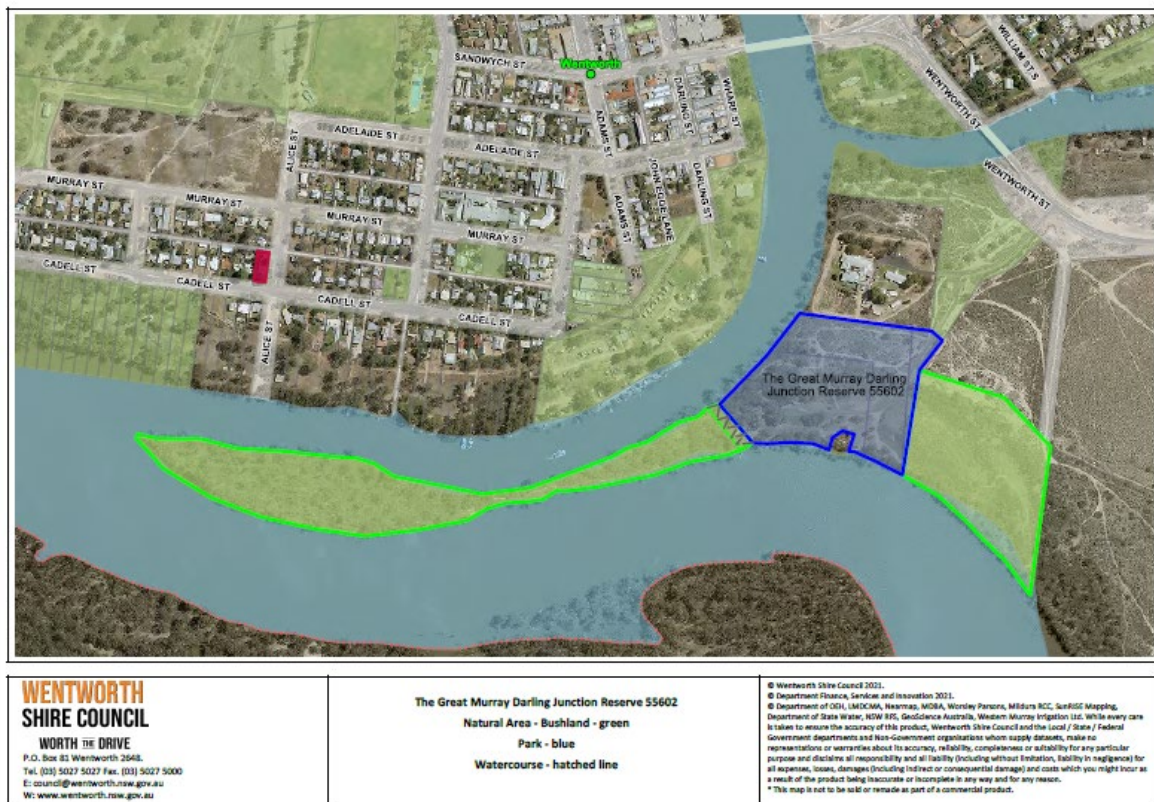






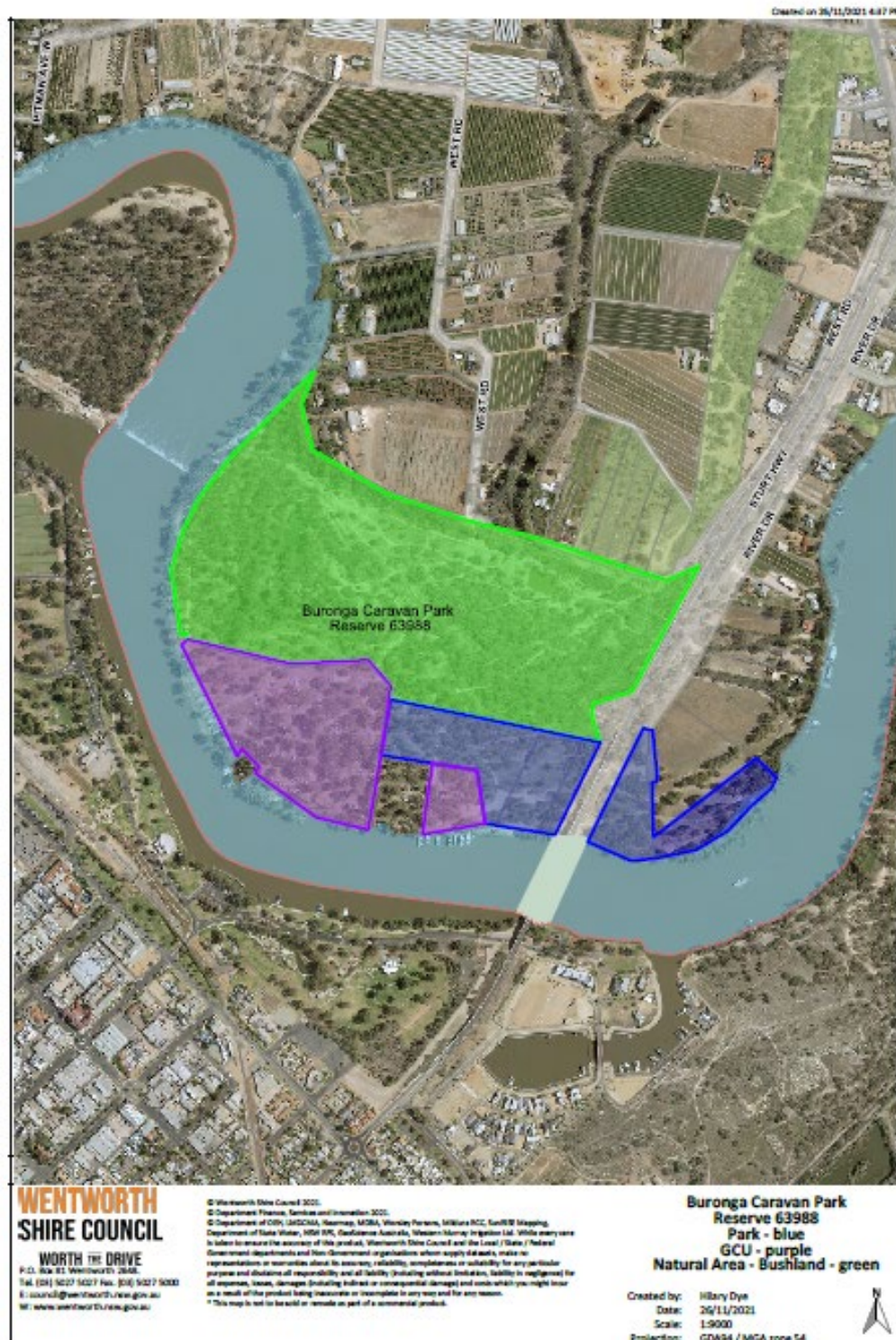






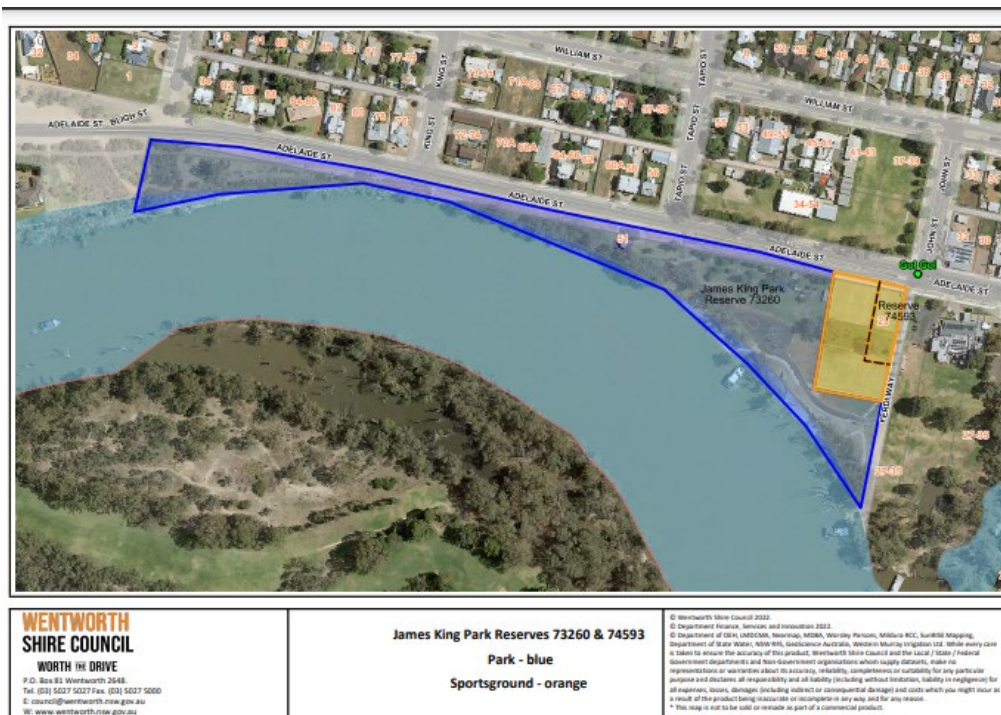




























Appendix C – Other State and Federal legislation

NSW state legislation

Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) provides the framework for planning and development across NSW and guides environmental planning instruments which provide a basis for development control.

The EP&A Act ensures that effects on the natural environment, along with social and economic factors, are considered by the council when granting approval for or undertaking works, developments or activities.

This Act is also the enabling legislation for planning policies which may have a direct influence on open space management. On a state-wide level there are State Environmental Planning Policies (SEPPs). On a regional level there are Regional Environmental Plans (REPs). On a local level there are Local Environmental Plans (LEPs) as well as Development Control Plans (DCPs).

Aboriginal Land Rights Act 1983

The *Aboriginal Land Rights Act 1983* (ALR Act) is important legislation that recognises the rights of Aboriginal peoples in NSW. It recognises the need of Aboriginal peoples for land and acknowledges that land for Aboriginal people in the past was progressively reduced without compensation. Crown land meeting certain criteria may be granted to an Aboriginal Land Council. This Act may affect dealings with Crown land that is potentially claimable.

National Parks and Wildlife Act 1974

Statutory responsibilities on the council arising from this Act specifically relate to the protection of sites of pre- and post-European contact archaeological significance. This Act may affect community land categorised as cultural significance, natural area or park.

Biodiversity Conservation Act 2016

Note: This Act repealed several pieces of legislation including the *Native Vegetation Act 2003*, *Threatened Species Conservation Act 1995*, the *Nature Conservation Trust Act 2001*, and the animal and plant provisions of the *National Parks and Wildlife Act 1974*.

This Act covers conservation of threatened species, populations and ecological communities, the protection of native flora and fauna. This Act primarily relates to community land categorised as natural area. However, other categories may also be affected.

The *Threatened Species Conservation Act 1995* has been repealed and superseded by the *Biodiversity Conservation Act 2016*. However, references to the former legislation remain in the LG Act and are therefore retained in this guideline.

DPIE's Energy, Environment and Science division advises that recovery plans and threat abatement plans made under the *Threatened Species Conservation Act 1995* were repealed on the commencement of the *Biodiversity Conservation Act* in 2017. These plans have not been preserved by any savings and transitional arrangement under the Biodiversity Conservation Act or LG Act, meaning pre-existing plans have no legal effect.

For this reason, requirements relating to recovery plans and threat abatement plans for local councils preparing plans of management under section 36B of the LG Act are now redundant. Councils will be advised if future amendments are made to the LG Act to enable these mechanisms.

Certain weeds are also declared noxious under this Act, which prescribes categories to which the weeds are assigned, and these control categories identify the course of action which needs to be carried out on the weeds. A weed may be declared noxious in part or all of the state.

Fisheries Management Act 1994

The *Fisheries Management Act 1994* (FM Act) includes provisions for the management of state fisheries, including the conservation of fish habitats, threatened species, populations and ecological communities of fish and marine vegetation and management of the riparian zone, waterways and threatened marine/freshwater aquatic species. This relates to community land categorised as natural area (foreshore, watercourse or wetland).

Where an area of community land is declared to be critical habitat, or if that area is affected by a recovery plan or threat abatement plan under Part 7A of the FM Act, a site-specific plan of management will need to be undertaken.

Rural Fires Act 1997

This Act contains provisions for bushfire risk management and the establishment of a Bushfire Management Committee. It also includes direction on development in bushfire prone lands.

Water Management Act 2000

This Act is based on the concept of ecologically sustainable development, and its objective is to provide for the sustainable and integrated management of the water sources of the state for the benefit of both present and future generations. The Act recognises:

- the fundamental health of our rivers and groundwater systems and associated wetlands, floodplains, estuaries has to be protected
- the management of water must be integrated with other natural resources such as vegetation, native fauna, soils and land
- to be properly effective, water management must be a shared responsibility between the government and the community
- water management decisions must involve consideration of environmental, social, economic, cultural and heritage aspects
- social and economic benefits to the state will result from the sustainable and efficient use of water.

Heritage Act 1977

This Act contains provisions for the conservation of items of heritage and may relate to community land categorised as cultural significance or natural area.

Commonwealth legislation

Environmental Protection and Biodiversity Conservation Act 1999

This Act enables the Australian Government to join with the states and territories in providing a national scheme of environment and heritage protection and biodiversity conservation. It incorporates threatened species on a national level and with relevance to Matters of National Environmental Significance.

Telecommunications Act 1997

This Act provides for telecommunication facilities being permitted on community land without authorisation in a PoM.

State Environmental Planning Policies

State Environmental Planning Policy (Biodiversity and Conservation) 2021

This planning policy replaces the following SEPPs as relevant to Wentworth Shire:

- SEPP (Vegetation in Non-Rural Areas) 2017
- SEPP (Koala Habitat Protection) 2020 and 2021
- SEPP 19 Bushland in Urban Areas

State Environmental Planning Policy No 21—Caravan Parks

This Planning Policy permits caravan parks on all land with development consent.

State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

The *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (SEPP) policy aims to provide streamlined assessment processes for development that complies with specified development standards by identifying, in the exempt development codes, types of development that are of minimal environmental impact that may be carried out without the need for development consent.

SEPP Exempt and Complying Development Codes 2008 covers tents, marquees, etc

State Environmental Planning Policy (Transport and Infrastructure) 2021

This planning policy replaces SEPP (Infrastructure) 2007 however continues to list development allowed with consent or without consent on community land.

Other Relevant Legislation, Policies and Plans

Biosecurity Act 2015

Companion Animals Act 1998

Disability Discrimination Act 1992 (Cwlth)

Disability Inclusion Act 2014

Local Land Services Act 2013

Pesticides Act 1999

Protection of the Environment Operations Act 1997

Retail Leases Act 1994

Soil Conservation Act 1938

NSW Invasive Species Plan 2008–2015

National Local Government Biodiversity Strategy

NSW Biodiversity Strategy

Australian Natural Heritage Charter

Appendix D – Stakeholder Consultation Groups and Outcome

On 30 November 2020, Council sent out a survey to all user groups and sought their feedback of key facilities to assist in identifying values, issues and opportunities for this Plan of Management.

Responses were received from the following groups in relation to the relevant facility.

Group	Facility/Reserve
Machine Knitters	Wentworth War Memorial Rooms Reserve 630036
Wentworth Golf Club	Wentworth Sporting Reserves 83919 & 78698
Wentworth Rotary Club	The Rotary Club run the Opportunity Shop out of the Wentworth War Memorial Rooms Reserve 630036 Fotherby Park Reserve 87379- static displays colonial sheds
Wentworth District Racing Club	Wentworth Showgrounds Reserves 75014, 630001, 67891 & 73351
NSW Standard Bulletin	Wentworth Town Hall Reserve 1036648
Dareton Primary/Community Health Centre	Buronga - Midway Wentworth Health Clinic in Town Hall Reserve 1036648, Town Hall buildings and Wentworth War Memorial Rooms Reserve 630036
Wentworth Tennis Club	Wentworth Sporting Reserve 83919

While the response to the survey was not as extensive as hoped, several issues identified in relation to maintenance, signage and lighting have been addressed in the action tables in this PoM.

It is noted that Council has regular user group meetings (4) that the Roads & Engineering Department conducts at Carramar Oval Reserve 91386, George Gordon Oval Reserve 61503, Wentworth Showgrounds Reserve 630001 and Wentworth Sporting Reserves 83919, 67891, 75014 and will provide ongoing valuable input to the actions in this PoM.

Council has received expressed interest from other Community Groups to set up more Crown Reserve User Groups. Council will review expressions of interest as need arises.



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NATIVE TITLE MANAGER ADVICE

Wentworth Shire Council Draft Plan of Management: Community Land Plan of Management 2022

Prepared for: Wentworth Shire Council

Native Title Manager: Carl Malmberg

Accredited: February 2020

10 May 2022

CGM Planning & Development P/L

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Executive Summary

Wentworth Shire Council (Council) has sought advice from an accredited native title manager for a draft plan of management (the draft PoM) prepared for Crown reserves and reserved and dedicated Crown land in the Council local government area under the provisions of S3.23 of the *Crown Land Management Act 2016* and Division 2 of the *Local Government Act 1993*.

Council is a Crown land manager of reserved and dedicated Crown land and must ensure its dealings and activities on these managed Crown reserves comply with native title legislation.

The land involved in the draft PoM is comprised of Crown land where Federal Court determinations have determined that some land has had native title extinguished, which is excluded land, and other land has non-exclusive native title possession, which is 'relevant land' under the *Crown Land Management Act 2016*.

This relevant land is comprised of Crown reserves within the Council local government area where Council is the Crown land manager, being Crown land reserved or dedicated for a range of purposes.

- | | |
|--|--|
| • Access | • Heritage Purposes |
| • Accommodation | • Kindergarten |
| • Addition | • Plantation |
| • Ambulance Station | • Preservation of Historical Sites and Buildings |
| • Boy Scouts | • Public Baths |
| • Cemetery, Cemetery and Crematorium, and General Cemetery | • Public Hall |
| • Children's Playground | • Public Recreation |
| • Community Purposes | • Rural Services |
| • Day Nursery | • Showground |
| • Flood Mitigation | • Town Hall |
| • From Sale Generally | • Urban Services |
| • Girl Guides | • War Memorial |
| • Government Purposes | • Water |

The Crown land included in the draft PoM has been the subject (with other Crown land) of Native Title Determination by the Federal Court of Australia in *Barkandji Traditional Owners #8* (NC1997/032) with determinations Part A (2015) and Part B (2017).

The Crown land included in the draft PoM has therefore been subject to significant and detailed evaluation with extensive supporting documentation as to the land status, history of use and ownership. This advice relies upon the Native Title Tribunal Register (NTTR) records, supplemented by Council's legal advice and records.

This written native title manager report provides the following advice.

Native title and excluded land

There have been three determined native title claims over Crown land within the Council LGA and one currently active claim.

Barkandji (Paakantyi) People # 11 determined that native title did not exist in the area claimed but did not include any land that is part of the draft PoM.

The Barkandji Malyangapa People (active claim) is a claim to determine compensation.

Barkandji Traditional Owners # 8 did not determine that there were any areas of Crown land that are included in the draft PoM where (native title) exclusive possession was identified.

Barkandji Traditional Owners # 8 (parts A and B) did determine that there were fifteen Crown reserves, included in the draft PoM, which contained land areas of Crown land where native title was determined to have been extinguished.

Additionally Wentworth Shire Council has acquired a further six portions of reserves for infrastructure such as roads and sewer pump stations to result in a total of 21 reserves or parts of reserves that have had native title extinguished.

The Native Title Tribunal Register of Indigenous Land Use Agreements (ILUAs) includes three ILUAs that have land within the Council LGA within an Agreement.

No Crown land included in the draft PoM is included in the three ILUAs with the exception of the Barkandji Interim Licences ILUA that is an interim five year agreement to provide for the use of land previously subject to a licence granted by the Crown Lands Minister, where the licence has been terminated and has not yet been reissued.

There are no Future Act Applications and Determinations listed in the Native Title Tribunal Register that include land in the Council LGA.

Section 8.4 of the CLM Act provides for the Minister to issue native title certificates. Council and this native title manager are unaware of any Native Title Certificate requested or issued for reserved or dedicated Crown land in the Council LGA.

Twenty-one (21) Crown reserves, either in total or in part area(s) have Crown land within the reserve that is 'excluded land' under the CLM Act Section 8.1. The balance of the reserves (52) or parts of the 21 reserves where it has not been determined that native title is extinguished, are not 'excluded land' under the provisions of the CLM Act Section 8.1.

Native title rights must be assumed to remain in existence where land in the draft PoM is not 'excluded land' under the *Crown Land Management Act 2016*.

Valid creation of the reserved and dedicated Crown land

The reserved and dedicated Crown land in the draft plan of management, including three reserves with State of NSW gazettal dates after 23 December 1996, are regarded as having been validly created (a 'valid act') by the State of NSW (the Crown) and Council is regarded as validly appointed as Crown land manager for the reserved and dedicated Crown land.

Previous exclusionary possession acts

The relevant Federal Court Determinations that native title has been extinguished over parts of or the total area of the excluded land (Section 2.2) leaves those parcels of the 21 where non-exclusive native title remains, and the balance of the 52 reserves covered by the draft PoM.

Council may act in confidence that in these instances of excluded land that native title has been determined extinguished.

Validity of Future Acts

The adoption of the draft PoM with proposed uses, developments and tenures that are in accordance with the reservation (or dedication) and the purposes of the Crown land, is a future act that meets the

requirements of validation under the *Native Title Act 1993* (Cwlth) Subdivision J, Section 24JA, Section (1) (a-e).

The plan of management

The submission of the draft plan of management for adoption to the Minister administering the CLM Act, will not have an effect on native title rights over the excluded land in the 21 Crown reserves that have been subject to acts that are *previous exclusive possession acts* (PEPAs), either over the whole of the reserved and dedicated Crown land or parts of the land in reserves.

The adoption, or referral to the Minister administering the CLM Act for adoption, of the plan of management over the parts of the 21 reserves where there is remaining non-exclusive native title, and the 52 other reserves with non-exclusive native title has been subjected to the NT Act (Cwlth) 'future acts regime' to determine if the plan of management adoption is a 'valid act'.

The adoption of the plan of management by Council in good faith and with proposed uses, developments and tenures that are in accordance with the reservation (or dedication) and the purposes of the Crown reserves is a valid future act under Section 24JA of the *Native Title Act 1993* (Cwlth).

The draft plan of management proposes a range of future acts that are public works and construction of services to the public, such as construction of a Men's' Shed at the Dareton Swimming Pool reserve or redevelopment of the Willow Bend Caravan Park, which are consistent with the reserve purpose and the draft PoM is validated under Section 24JA.

Any act of construction or establishment of a 'public work' or 'facilities for services to the public', as defined by the *Native Title Act 1993* (Cwlth), on Crown land where native title is deemed to exist and the non-extinguishment principle does not apply, will be deemed to extinguish native title and will require notification to any representative body, registered native title body corporate and registered native title claimant to provide them with an opportunity to comment prior to commencement of the public work.

Recommendation

Council may endorse the draft PoM as a draft for referral to, and submission for adoption from, the landowner: The Minister administering the *Crown Land Management Act 2016* as a landowner representative of the State of NSW.

Disclaimer:

The advice within this report is based on Federal Court and Native Title Tribunal Register records, State Government databases and Council records and advice. It is correct to the best of author's knowledge, as of 10 May 2022, and is opinion prepared in good faith and based upon, and with reference to, the NSW Government: 'Native Title Managers Handbook' 2nd Edition 2019.

1. INTRODUCTION

1.1 Crown Land Management Act 2018

- a) Wentworth Shire Council (Council) is a Crown land manager (Council Manager) for the purposes of the *Crown Land Management Act 2018* (CLM Act).
- b) A Council Manager is responsible for the care, control and management of reserved and dedicated land (Crown reserves) where the Council was previously appointed as Crown reserve trust manager under the former *Crown Lands Act 1989*.
- c) A Council Manager of Crown reserves is enabled by the CLM Act to manage the reserves as public land under the *Local Government Act 1993* (LG Act). Most of this public land is managed by Council as if it is community land under the LG Act.
- d) Community land is required to have a Council-adopted plan of management (PoM) to authorise tenures (lease, licences and other estates) and to guide the use, management and development of the community land. The CLM Act requires Council Managers to have adopted PoMs for Crown reserve community land as soon as practicably possible.

1.2 Native Title and Council

- a) The CLM Act requires the Council Manager (as a 'responsible person') to ensure Council's dealings and activities on Crown reserves that it manages comply with the native title legislation.
- b) Council managers need to employ or engage native title managers to ensure compliance with native title legislation. Council has engaged an accredited native title manager: Carl Malmberg, Director, CGM Planning & Development P/L. See **Appendix D** for letter of accreditation.
- c) The relevant legislation is the *Crown Land Management Act 2016*, the *Native Title Act 1993* [NT Act (Cwlth)] and the *Native Title Act 1994* [NT Act (NSW)].
- d) The CLM Act requires native title managers to provide written advice to the *Council Crown Land Manager* when the Council intends to perform one of the following functions in relation to the land it manages or own:
 - i. grant leases, licences, permits, forestry rights, easements or rights of way;
 - ii. mortgage the land or allow it to be mortgaged;
 - iii. impose, require or agree to (or remove or release, or agree to remove or release) covenants, conditions or other restrictions on use in connection with dealings involving the land, or
 - iv. approve (or submit for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to in i to iii above.

1.3 Written Native Title Manager advice

Council is the Council Manager of Crown reserves in the Council Local Government Area (LGA). Council has prepared a draft PoM in accordance with the CLM Act and the LG Act.

This report meets Council's requirement under the CLM Act to obtain written native title manager's advice as Council is considering submission of the draft Council Crown Reserves Plan of Management for approval to The Minister administering the *Crown Land Management Act 2016*, representing the State of NSW as landowner of the reserved Crown land, and subsequent Council adoption of the draft PoM.

2. THE LAND

2.1 Identification of the Crown land (reserves) and purposes.

The Crown land included in the draft PoM has been the subject (with other Crown land) of Native Title Determination by the Federal Court of Australia in *Barkandji Traditional Owners #8* (NC1997/032) with determinations Part A (2015) and Part B (2017).

The Crown land included in the draft PoM has therefore been subject to significant and detailed evaluation with extensive supporting documentation as to the land status, history of use and ownership. This advice relies upon the Native Title Tribunal Register (NTTR) records, supplemented by Council's legal advice and records.

- a) Council has a total of 72 Crown reserves managed by Council as Council Manager that are included in the draft PoM.

Council has also included areas six Council-owned community land in the draft PoM. These six land areas are not included in this advice report as there is no application of native title to the six areas.

These reserves have been identified as Crown land reserved or dedicated for the following purposes.

- Access
- Accommodation
- Addition
- Ambulance Station
- Boy Scouts
- Cemetery, Cemetery and Crematorium, and General Cemetery
- Children's Playground
- Community Purposes
- Day Nursery
- Flood Mitigation
- From Sale Generally
- Girl Guides
- Government Purposes
- Heritage Purposes
- Kindergarten
- Plantation
- Preservation of Historical Sites and Buildings
- Public Baths
- Public Hall
- Public Recreation
- Rural Services
- Showground
- Town Hall
- Urban Services
- War Memorial
- Water

Table 1: List of reserved and dedicated Crown land in the plan of management

Reserve Number	Reserve Name	Gazetted	Reserve Purpose(s)	Lots/DPs Parish, County	Suburb
6	Pooncarie Sporting Reserves	8/9/1862	From Sale Generally Public Recreation	Whole: Lot 73 DP 820498 Parish Pooncaira County Perry	Pooncarie
1012528 (6)	Pooncarie Sporting Reserves Common		From Sale Generally; Grazing; ;	Part Lot 7304 DP 1182431,	Pooncarie
32017	Willow Bend Caravan Park	18/01/1901	Public Recreation	Lots 1-2 DP 1121941 Parish Wentworth County Wentworth	Wentworth
35698	Pooncarie Cemetery	25/04/1903	Cemetery	Lot 7300 DP 1156360 Parish Pooncaira County Perry	Pooncarie
55602	The Great Murray Darling Junction Reserve	11/08/1922	Public Recreation	Lot 2 DP 817572, Lots 7011-7012 DP 1125398	Wentworth

				Parish Wentworth County Wentworth	
61503	George Gordon Oval	1/11/1929	Public Recreation	Lot 7011 DP 1101609, Lot 7012 DP 1101611, Lot 1 DP 1158152 Parish Mourquong County Wentworth	Coomella, Dareton
63988	Buronga Caravan Park	16/06/1933	Public Recreation Urban Services	Lot 2-4 DP 1032974 Lot 101 DP 1232718 Lot 980 DP756961 Lot 1159 DP 725383 Parish Mourquong County Wentworth	Buronga
64544	Part Buronga Caravan Park	11/05/1934	Public Recreation Access	Lots 429-431 DP 756961 Parish Mourquong County Wentworth	Buronga
65654	Dareton Basketball Courts	29/11/1935	Public Recreation	Lot 701 DP 1126803 Parish Mourquong County Wentworth	Dareton
67891	Wentworth Showground	16/09/1938	Addition Showground	Lot 2618 DP 764646 Parish Wentworth County Wentworth	Wentworth
72718	Pooncarie Oval	4/06/1948	Public Recreation	Lot 1430 DP 763147, Lot 7302 DP 1182431 Parish Pooncaira County Perry	Pooncarie
73211	Curlwaa Oval	10/06/1949	Public Recreation Rural Services	Lot 19 DP 725678 Parish Wentworth County Wentworth	Curlwaa
73260	James King Park	19/08/1949	Public Recreation	Lot 7003 DP 756946, Lots 7300-7301 DP 1176238 Parish Gol Gol County Wentworth	Gol Gol
73351	Wentworth Showground	14/10/1949	Addition Showground	Lot 121 DP 756994 Parish Wentworth County Wentworth	Wentworth
74478	Evans Flat Reserve	14/09/1951	Public Recreation	Lot 686 DP 756961, Lot 1174 DP 820132 Parish Mourquong County Wentworth	Buronga
74593	Alcheringa Tennis Courts	16/11/1951	Public Recreation	Lot 7007 DP 1125869, Lot 7302 DP 1176238 Parish Gol Gol County Wentworth	Gol Gol
75014	Wentworth Showground	30/05/1952	Addition Showground	Lot 7352 DP 1177510 Parish Wentworth County Wentworth	Wentworth
76144	Wentworth Tennis Courts	7/08/1953	Public Recreation Urban Services	Lot 13 Section 9 DP 759074 Parish Wentworth County Wentworth	Wentworth
76798	Part Buronga Caravan Park Reserve	4/06/1954	Public Recreation	Lots 427-428 DP 756961 Parish Mourquong County Wentworth	Buronga
77215	Dareton Children's Playground	29/10/1954	Children's Playground	Lot 1 Section 15 DP 758338 Parish Mourquong County Wentworth	Dareton
77413	Pioneer Memorial Park	28/01/1955	Children's Playground	Lot 7013 DP 1124723, Lot 7307 DP 1180919 Parish Pooncaira County Perry	Pooncarie

Native Title Manager Report: Wentworth Shire Council Draft Plan of Management

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				Note: Lot 7307 DP 1180919 is also part of R98109	
77930	Wentworth Rowing Club Reserve	2/09/1955	Public Recreation	Lot 1464 DP 763434 Parish Wentworth County Wentworth	Wentworth
78438	Ramon Deed Retreat	29/03/1956	Public Recreation Community Purposes	Lot 713 DP 756961, Lot 1 DP 803205, Lots 2-3 DP 853243 Parish Mourquong County Wentworth	Dareton
78698	McLeod Oval	6/07/1956	Public Recreation Urban Services	Lot 1272 DP 762867, Lot 190 DP 820470, Lot 7017 DP 1126020 Parish Wentworth County Wentworth	Wentworth
78909	Thegoa Lagoon	21/09/1956	Plantation Public Recreation	Lot 7323 DP 1174216 Parish Wentworth County Wentworth	Wentworth
81010	O'Donnell Park	22/08/1958	Public Recreation	Lots 1-2 DP 117894 Parish Wentworth County Wentworth	Curlwaa
81398	McLeod Oval	20/02/1959	Public Recreation Urban Services Accommodation	Lot 7322 DP 1158106 Parish Wentworth County Wentworth	Wentworth
81861	Rotary Playground	14/08/1959	Public Recreation	Lot 5 Section 34 DP 759074 Parish Wentworth County Wentworth	Wentworth
82971	Buronga Children's Playground	13/01/1961	Children's Playground	Lot 7010 DP 1124614 Parish Mourquong County Wentworth	Buronga
83026	U Can Do It Boxing Gym	27/01/1961	Public Recreation	Lot 444 DP 756961 Parish Mourquong County Wentworth	Buronga
83919	McLeod Oval	20/07/1962	Public Recreation Urban Services Accommodation	Lot 7320 DP 1158106 Parish Wentworth County Wentworth	Wentworth
84700	Wentworth Wharf	10/01/1964	Public Recreation Urban Services	Lot 101 DP 1232727 Parish Wentworth County Wentworth	Wentworth
84989	Anabrach Hall And Tennis Courts	28/08/1964	Public Recreation	Lot 5 DP 756191, Lot 2591 DP 764619 Parish Wilton County Tara	Anabrach South
85320	Pt Wentworth Golf Course	7/05/1965	Public Recreation Urban Services	Lot 7313 DP 1127027, Parish Wentworth County Wentworth	Wentworth
85419	Wilkinson Park	13/08/1965	Children's Playground	Lot 9 Section 13 DP 758456 Parish Gol Gol County Wentworth	Gol Gol
85470	Gol Gol Public Recreation Reserve	12/11/1965	Public Recreation	Lot 187 DP 756946 Parish Gol Gol County Wentworth	Buronga
85572	Old Wentworth Gaol Reserve	10/12/1965	Preservation of Historical Sites and Buildings	Lot 90 DP 756994 Parish Wentworth County Wentworth	Wentworth
85636	Dareton Pre School	25/02/1966	Day Nursery	Lots 3-4 Section 8 DP 758338	Dareton

				Parish Mourquong County Wentworth	
85733	Strother Park	7/04/1966	Public Recreation	Lot 7351 DP 1178836 Parish Wentworth County Wentworth	Wentworth
85836	Dareton Swimming Pool	1/07/1966	Public Baths Public Recreation Urban Services	Lot 101 DP 1232722 Parish Mourquong County Wentworth	Dareton
87037	Pooncarie Public Reserve	10/01/1969	Public Recreation	Lots 1-4 Section 15 DP 758851 Parish Pooncaira County Perry	Pooncarie
87250	Buronga Riverfront old Pound Reserve	27/06/1969	Public Recreation	Lot 7007 DP 1124947 Parish Mourquong County Wentworth	Buronga
87379	Fotherby Park	12/09/1969	Public Recreation	Lot 103 DP 1232727 Parish Wentworth County Wentworth	Wentworth
88251	Coomella Golf Course	2/07/1971	Public Recreation	Lot 14 DP1253515 Parish Mourquong County Wentworth	Dareton
89255	Buronga Community Arts	2/08/1974	Boy Scouts Community Purposes	Lot 594 DP 756961 Parish Mourquong County Wentworth	Buronga
89637	Alcheringa Pre- School	7/11/1975	Kindergarten	Lot 211 DP 756946, Lot 7305 DP 1141029 Parish Gol Gol County Wentworth	Gol Gol
89749	Junction Park	19/03/1976	Public Recreation	Lots 1-5 Section 3 DP 759074 Lots 1-10 Section 4 DP 759074 Lots 1-8 Section 4A DP 759074 Lots 7335-7336 DP 1173326 Parish Wentworth County Wentworth	Wentworth
89757	Apex Park	26/03/1976	Children's Playground Urban Services	Lot 10 DP 756994 Lot 105 DP1232727 Parish Wentworth County Wentworth	Wentworth
89864	Dareton Community Activity Centre	30/07/1976	Girl Guides Community Purposes	Lot 16 Section 5 DP 758338 Parish Mourquong County Wentworth	Dareton
91386	Carramar Drive Sporting Complex	9/02/1979	Public Recreation Urban Services	Lot 472 DP 1268325, Lot 473 DP 1268325 Parish Gol Gol County Wentworth	Gol Gol
96592	Tuckers Creek Reserve	11/02/1983	Flood Mitigation Public Recreation	Lot 30 DP 45055, Lot 7340 DP 1176401 Parish Wentworth County Wentworth	Wentworth
97997	Perry Sandhills	22/11/1985	Public Recreation	Lots 3-4 DP 610639, Lot 5204 DP 725295, Lots 16, 51, 58-60, 63-64, 7009- 7012 DP 756964, Lot 7309 DP 1183405 Parish Neilpo County Wentworth, Lot 5201 DP 725295 Parish Wentworth County Wentworth	Wentworth
98030	Ellerslie Golf Course	20/12/1985	Public Recreation	Lot 5132 DP 720112 Parish Palinyewah County Wentworth	Ellerslie

98109	Darling Street Reserve	7/03/1986	Public Recreation	Lot 399 DP 761064, Lots 7307-7309 DP 1180919 Parish Pooncaira County Perry Note: Lot 7307 DP 1180919 is also part of R77413	Pooncarie
150038	Coomealla Pioneer Park	2/11/1990	Community Purposes	Lot 701 DP 1126798 Parish Mourquong County Wentworth	Dareton
150040	Sturt Park	10/05/1991	Public Recreation Water	Lots 7300-7301 DP 1121297 Parish Mourquong County Wentworth	Dareton
150041	Tapio Park	10/05/1991	Public Recreation Heritage Purposes	Lot 702 DP 1126798 Parish Mourquong County Wentworth	Dareton
230004	Part Thegoa Lagoon	8/07/1988	Public Recreation	Lot 7328 DP 1174216 Parish Wentworth County Wentworth	Wentworth
230005	Station site in Part Thegoa Lagoon	25/11/1988	Ambulance Station	Lot 7301 DP 1126251 Parish Wentworth County Wentworth	Wentworth
230030	Wentworth Pre School	28/08/1987	Kindergarten Community Purposes	Lot 14 Section 9 DP 759074 Parish Wentworth County Wentworth	Wentworth
230044	Pooncarie Public Reserve	10/06/1988	Public Recreation	Lot 2 DP 725311, Lot 7006 DP 1113537 Parish Pooncaira County Perry	Pooncarie
230081	Pooncarie Multi-Purpose Park and Golf Course	13/11/1992	Public Recreation	Lot 6588 DP 769379 Parish Pooncaira County Perry	Pooncarie
230096	Pooncarie Outback and Beyond	29/03/1996	Community Purposes	Lots 7-9 Section 8A DP 758851 Parish Pooncaira County Perry	Pooncarie
630001	Wentworth Showground	7/01/1899	Showground	Lot 84 DP 756994 Parish Wentworth County Wentworth	Wentworth
630005	Pomona Hall	18/01/1952	Public Hall Public Recreation Rural Services	Lot 8 DP 432081, Lot 1 DP 434771, Lot 7300 DP 1141042 Parish Neilpo County Wentworth	Pomona
630006	Dareton Town Square	21/12/1928	Public Hall Urban Services	Lots 1-2 Section 3 DP 758338 Parish Mourquong County Wentworth	Dareton
630011	Curlwaa Memorial Hall	10/06/1949	Public Hall	Lot 18 DP 725678 Parish Wentworth County Wentworth	Curlwaa
630036	Wentworth War Memorial	7/12/1945	War Memorial Urban Services Community Services	Lot 9 Section 25 DP 759074 Parish Wentworth County Wentworth	Wentworth
1002827	Pooncarie Hall	17/01/1947	Public Hall	Lot 10 Section 21 DP 758851 Parish Pooncaira County Perry	Pooncarie
1003148	Coomealla Memorial Gardens	12/04/2002	Cemetery and Crematorium	Lots 1-2 DP 1121904 Parish Mourquong County Wentworth	Coomealla
1005288	Gol Gol Cemetery	15/08/1879	General Cemetery	Lot 225 DP 705014,	Gol Gol

				Lots 4, 6 Section 37 DP 758456 Parish Gol Gol County Wentworth	
1011728	Dareton Lions Park	30/06/2006	Public Recreation	Lot 21 Section 19 DP 758338 Parish Mourquong County Wentworth	Dareton
1036648	Wentworth Town Hall	16/11/2012	Community Purposes Government Purposes Town Hall Urban Services	Lot 1 DP 630527 Parish Wentworth County Wentworth	Wentworth

Source: Draft PoM and Crown Land Managers Reserves Portal and DPIE - Crown Lands advice

The identification of the land and status as a Crown reserve relies upon the NTTR and Council records and advice, and is also based upon State Government records (DPIE – Crown Lands: Crown Land Manager Reserve Portal). The Government records indicate that all 72 Crown reserves are in the ownership of the State of NSW and can be regarded as Crown reserves within the meaning of the (now) CLM Act.

Native Title Manager Advice 1.

State of NSW Government records indicate that the Crown land covered by the plan of management is owned by the State of NSW and is Crown land reserved or dedicated for the following purposes.

- Access
- Accommodation
- Addition
- Ambulance Station
- Boy Scouts
- Cemetery, Cemetery and Crematorium, and General Cemetery
- Children's Playground
- Community Purposes
- Day Nursery
- Flood Mitigation
- From Sale Generally
- Girl Guides
- Government Purposes
- Heritage Purposes
- Kindergarten
- Plantation
- Preservation of Historical Sites and Buildings
- Public Baths
- Public Hall
- Public Recreation
- Rural Services
- Showground
- Town Hall
- Urban Services
- War Memorial
- Water

2.2 Is the Land excluded land as defined by the CLM Act?

- a) 'Excluded land' under the CLM Act native title provisions is land where there is no native title, or native title has either been extinguished, surrendered, under protection, or acquired, or where a native title certificate has been issued by the Minister responsible for the CLM Act.
- b) The CLM Act Section 8.1 defines 'Excluded land' as the following:
 - land subject to an approved determination of native title (as defined in the NT Act (Cwlth) which has determined that:
 - all native title rights and interests in relation to the land have been extinguished, or
 - there are no native title rights and interests in relation to the land,
 - land where all native title rights and interests in relation to the land have been surrendered under an Indigenous land use agreement – an ILUA, (as defined in the *Native Title Act 1993* of the Commonwealth) registered under that Act,
 - an area of land to which section 24FA protection applies, defined in the NT Act (Cwlth) where a non-claimant application under S.24FA permits dealing with the land where native title may exist, even if the act affects native title,
 - land where all native title rights and interests in relation to the land have been compulsorily acquired,
 - land for which a native title certificate is in effect.

The Native Title Tribunal maintains a set of Registers (NTTR) of claims, determinations, Indigenous Land Use Agreements, and Future Act Non-Claimant Applications.

i. Native Title Claims

There have been three determined native title claims over Crown land within the Council LGA and one currently active claim.

Table 2: List of determined and active native title claims

Name	Legal process	Determination date	Status	Outcome
<u>Barkandji Traditional Owners # 8 (Part B)</u>	Consent	22/08/2017	Determined Part B NCD2017/001	Native title exists in parts of the determination area
<u>Barkandji Traditional Owners # 8 (Part A)</u>	Consent	16/06/2015	Determined Part A NCD2015/001	Native title exists in the entire determination area
<u>Barkandji (Paakantyi) People # 11</u>	Litigated	16/02/2004	Determined NPD2004/001	Native title does not exist
<u>Barkandji Malyangapa People</u>	Active			

Source: Draft PoM, Native Title Tribunal Register

- Barkandji (Paakantyi) People # 11 determined that native title did not exist in the area claimed.
- Barkandji Malyangapa People (active claim) is a claim to determine compensation.

There have been 23 other native title claims that include land in the Wentworth Shire LGA that were either dismissed, discontinued or withdrawn.

ii. Native Title Determinations

Barkandji Traditional Owners # 8 did not determine that there were any areas of Crown land that are included in the draft PoM where exclusive possession was identified.

Barkandji Traditional Owners # 8 (parts A and B) did determine that there were fifteen Crown reserves, included in the draft PoM, which contained areas of Crown land where native title was determined to have been extinguished.

Additionally Wentworth Shire Council has acquired a further six portions of reserves for infrastructure such as roads and sewer pump stations to result in a total of 21 reserves or parts of reserves that have had native title extinguished.

Table 3: Land where native title has been determined to be extinguished

Reserve Number	Reserve Name	Reserve Purpose(s)	Lots/DPs Parish, County	Native Title Extinguishment
6	Pooncarie Sporting Reserves	From Sale Generally Public Recreation	Lot 7311 DP 755396 Lots 72, 74-76 DP 820498 Lot 7304 DP 1182431 Parish Pooncaira County Perry	Extinguished Lot 73 DP 820498 NCD20015 ID 3824
63988	Buronga Caravan Park - The Caravan Park Component	Public Recreation Urban Services	Lot 1159 DP 725383 Lot 980 DP 756961 Lots 2-4 DP 1032974 Lot 101 DP 1232718 Parish Mourquong County Wentworth	Extinguished Lot 4 DP 1032974 NCD2015 ID 6357 Lot 102 DP 1232718 extinguished by recent Council acquisition for sewer pump station
72718	Pooncarie Oval	Public Recreation	Lot 1430 DP 763147 Lot 7302 DP 1182431 Parish Pooncaira County Perry	Extinguished Lot 1430 DP 763147 NCD2015 ID 3755
76798	Part Buronga Caravan Park Reserve	Public Recreation	Lots 427-428 DP 756961 Parish Mourquong County Wentworth	Extinguished Lot 427 DP 756961 NCD2015 ID 3917
78438	Ramon Deed Retreat	Public Recreation Community Purposes	Lot 713 DP 756961 Lot 1 DP 803205 Lots 2-3 DP 853243 Parish Mourquong County Wentworth Listed in Schedule 5 consent Determination – incorrect location should be Water Tower R78438	Extinguished Lot 1 DP 803205 – R78438 - Water Tower Namatjira - future acquisition area was surveyed in previous years when it was listed to be acquired. Council is creating a new Lot & DP
78909	Thegoa Lagoon	Plantation Public Recreation	Lot 7323 DP 1174216 Lot 117 DP 756994 Parish Wentworth County Wentworth	Extinguished Lot 117 DP 756994 (was resumed WLL) NCD2015 ID 1951
81010	O'Donnell Park	Public Recreation	Lots 1-2 DP 117894 Parish Wentworth County Wentworth	Extinguished Lot 1 DP 117894 NCD2015 ID 1253

Reserve Number	Reserve Name	Reserve Purpose(s)	Lots/DPs Parish, County	Native Title Extinguishment
84700	Wentworth Wharf	Public Recreation Urban Services	Lot 101 DP 1232727 Parish Wentworth County Wentworth	Lot 102 DP 1232718 extinguished by recent Council acquisition for sewer pump station
85320	Wentworth Golf Course	Public Recreation Urban Services	Lot 7313 DP 1127027	Lot 100 DP 1252699 extinguished by recent Council acquisition for sewer pump station
85470	Gol Gol Public Recreation Reserve	Public Recreation	Lot 187 DP 756946 Parish Gol Gol County Wentworth	Extinguished Lot 187 DP 756946 NCD2015 ID 2640
85836	Dareton Swimming Pool	Public Baths Public Recreation Urban Services	Previously Lot 16 Section 18 DP 758338 New Lot 101 DP 1232722 Parish Mourquong County Wentworth	Lot 102 DP 1232722 extinguished by recent Council acquisition for sewer pump station
87379	Fotherby Park	Public Recreation	Previously Lot 7337 DP 1173879 new Lot 103 DP 1232727 Parish Wentworth County Wentworth	Lot 104 DP 1232727 extinguished by recent Council acquisition for sewer pump station
88251	Coomealla Golf Course	Public Recreation	Previously 136 DP 725640 new Lot 14 DP1253515 Parish Mourquong County Wentworth	Acquisition of land within old DP – new DP registered Lot 14 DP1253215
89255	Buronga Community Arts	Boy Scouts Community Purposes	Lot 594 DP 756961 Parish Mourquong County Wentworth	Extinguished Lot 594 DP 756961 NCD2017 NO ID
89749	Junction Park	Public Recreation	Lots 1-5 Section 3 DP 759074 Lots 1-10 Section 4 DP 759074 Lots 1-8 Section 4A DP 759074 Lots 7335-7336 DP 1173326 Parish Wentworth County Wentworth	Extinguished NCD2017 IDs: Lots 1-5 Section 3 DP 759074 NCD20017 IDs: 3155, 2958, 2960, 2962, 3157. Lots 1-10 Section 4 DP 759074 NCD20017 IDs: 3156, 3399, 3401, 3161, 2964, 3403, 3163, 3164, 3166, 2957. Lots 1-8 Section 4A DP 759074 NCD20017 IDs: 2955, 3158, 3150, 3162, 2965, 3404, 2967, 2968. Lots 7335-7336 DP 1173326 NCD20017 IDs: 6831, 6830.
89757	Apex Park	Children's Playground Urban Services	Lot 105 DP1232727 Lot 10 DP 756994 Parish Wentworth County Wentworth	Lot 106 DP 1232727 extinguished by recent Council acquisition for sewer pump station Lot 105 came from Lot 9 DP 756994

Reserve Number	Reserve Name	Reserve Purpose(s)	Lots/DPs Parish, County	Native Title Extinguishment
91386	Carramar Drive Sporting Complex	Public Recreation Urban Services	Lots 472, 473 DP 1268325	Lots 470, 471 DP 1268325 extinguished by recent Council acquisition for road
97997	Perry Sandhills	Public Recreation	Lots 3-4 DP 610639 Lot 5204 DP 725295 Lots 16, 51, 58-60, 63-64. Lot 5201 DP 725295 Parish Wentworth County Wentworth	Extinguished Lots 3-4 DP 610639 Lot 5204 DP 725295 NCD2017 IDs: 6112, 2748, 1905. Lots 16, 51, 58-60, 63-64. NCD2015 IDs: 2544, 2681, 2682, 2746, 2879, 2555, 2880. Lot 5201 DP 725295 NCD201 ID: 1826
150040	Sturt Park	Public Recreation Water	Lots 7300-7301 DP 1121297 Parish Mourquong County Wentworth	Extinguished Listed in NCD2017 - Schedule 5 consent Determination Dareton Raw Water Reservoir in Lot 7301. Also future water tower acquisition
230044	Pooncarie Public Reserve	Public Recreation	Lot 2 DP 725311 Lot 7006 DP 1113537 Parish Pooncaira County Perry	Extinguished Lot 2 DP 725311 NCD2015 ID 3695
1003148	Coomealla Memorial Gardens	Cemetery and Crematorium	Lots 1-2 DP 1121904 Parish Mourquong County Wentworth	Extinguished Part Lot 1 DP 1121904 Funeral Home crematorium lease

Source: Draft PoM, Native Title Tribunal Register and Council records

iii. Register of Indigenous Land Use Agreements

The Native Title Tribunal Register of Indigenous Land Use Agreements (ILUAs) includes three ILUAs that have land within the Council LGA within an Agreement.

No Crown land included in the draft PoM is included in the three ILUAs with the exception of the Barkandji Interim Licences ILUA that is an interim five year agreement to provide for the use of land previously subject to a licence granted by the Crown Lands Minister, where the licence has been terminated and has not yet been reissued.

Table 4: Indigenous Land Use Agreements

ILUA name	ILUA type	Subject matter(s)	Tribunal file no	Date registered
Buronga HealthOne ILUA	Body Corporate	Government, Development	NI2019/006	04/03/2020
Barkandji RNTBC Keltren ILUA	Body Corporate	Extinguishment, Not specified	NI2019/002	30/07/2019
Barkandji Interim Licences ILUA	Body Corporate	Interim use of land	NI2018/007	20/11/2018

Source: Draft PoM, Native Title Tribunal Register

iv. Native Title Future Act Applications and Determinations

There are no Future Act Applications and Determinations listed in the Native Title Tribunal Register that include land in the Council LGA.

v. Native Title Certificate

Section 8.4 of the CLM Act provides for the Minister to issue native title certificates.

Council and this native title manager are unaware of any Native Title Certificate requested or issued for reserved or dedicated Crown land in the Council LGA.

Native Title Manager advice 2.

21 Crown reserves, either in total or in part area(s) have Crown land within the reserve that is 'excluded land' under the CLM Act Section 8.1.

The balance of the reserves (52) or parts of the 21 reserves where it has not been determined that native title is extinguished, are not 'excluded land' under the provisions of the CLM Act Section 8.1.

3. VALID CREATION OF THE RESERVED AND DEDICATED CROWN LAND

As set out in this advice (Section 2.1) and in Table 1, the Crown land included in the draft PoM has been the subject (with other Crown land) of Native Title Determination by the Federal Court of Australia in *Barkandji Traditional Owners #8* (NC1997/032) with determinations Part A (2015) and Part B (2017).

The Crown land included in the draft PoM has therefore been subject to significant and detailed evaluation with extensive supporting documentation as to the land status, history of use and ownership. This advice relies upon the Native Title Tribunal Register (NTTR) records, supplemented by Council's legal advice and records.

It is understood that as part of the claim evaluation and determination, the reserved and dedicated Crown land included in the draft PoM has been individually subject to a methodical and systemic process of research, review and evaluation involving databases, mapping, title searching for each land

lot parcel, and a historical land status, use and ownership searching that included, as required, Parish and Charting Maps, and Crown Plans.

Based on Federal Court evaluation, State Government and Council records, all of the reserves (with the exception of three reserves) are therefore regarded as having been validly created and are accurately identified.

There are three reserves that have gazettal dates that are after past act validity date of 23 December 1996:

- Coomealla Memorial Gardens (1003148) - 12/04/2002;
- Dareton Lions Park (1011728) - 30/06/2006; and
- Wentworth Town Hall (1036648) - 16/11/2012.

These three reserves require further native title manager historical land status and tenure history research and subsequent advice. Given the Federal Court determination that native title is non-exclusive over these reserves, and the acts (addition of, changes to or new reserve purposes) was by The State of NSW, it assumed that these acts were valid due to the validity of past acts.

The commencement of the CLM Act on 1 July 2018 automatically amended Crown Reserve Trust managers to Council Managers (Crown Land Managers), with the residual reserve trust being abolished 1 July 2019. At this point, Council became the Council Manager.

Native Title Manager advice 3.

The reserved and dedicated Crown land in the draft plan of management, including the three reserves with gazettal dates after 23 December 1996 where validity is assumed, are regarded as having been validly created (a 'valid act') by the State of NSW (the Crown) and Council is regarded as validly appointed as Crown land manager for the reserved and dedicated Crown land.

4. PREVIOUS ACTS INCONSISTENT WITH CONTINUED PRESENCE OF NATIVE TITLE - PREVIOUS EXCLUSIVE POSSESSION ACTS

The NT Act (Cwlth) Division 2B provides for the confirmation of past extinguishment of native title by certain valid or validated acts. The NT Act (NSW) mirrors the provisions of the NT Act (Cwlth) as to the extinguishing effect of a previous exclusionary possession act (PEPA) where the act was done by the State of NSW.

The NT Act (Cwlth), Division 2B, Section 23A (2) states:

*If the acts were **previous exclusive possession acts** (involving the grant or vesting of things such as freehold estates or leases that conferred exclusive possession, or the construction or establishment of public works), the acts will have completely extinguished native title.*

To be a previous exclusive possession act, the act:

- must be valid (including because it is a past act or intermediate act);
- have taken place on or before 23 December 1996; and
- must consist of the grant or vesting of acts listed in s. 23B(2)(c); set out in the table below entitled 'Extinguishing effect of categories of previous acts – Div. 2B'.

The following table sets out the extinguishing effect of PEPAs.

Table 5: Extinguishing effect of previous exclusive possession acts (PEPAs)

Category	Acts in the category	Extinguishing effect
PEPAs	<ul style="list-style-type: none"> • Freehold estates • Construction or establishment of public works • Acts set out in Schedule 1 of the NT Act (Cwlth) • Commercial leases (not being an agricultural or pastoral lease) • Exclusive agricultural leases • Residential leases • Community purposes leases • Separate leases • Any lease (other than a mining lease) that confers a right of exclusive possession 	The act extinguishes any native title in relation to the land or waters

Source: NSW Government: 'Native Title Managers Handbook' 2nd Edition 2019

The relevant Federal Court Determinations that native title has been extinguished over parts of or the total area of the excluded land (Section 2.2) and Council's acquisition of land for public works and infrastructure, leaves those parcels of the 21 where non-exclusive native title remains, and the balance of the 52 reserves covered by the draft PoM.

Council may act in confidence that in these instances of excluded land that native title has been determined extinguished.

Where Council undertakes any acts in this report's Table 3 over any of those parcels of the 21 where non-exclusive native title remains, and the balance of the 52 reserves covered by the draft PoM, Council will be potentially liable for compensation to native title holders.

Native Title Manager advice 4.

Council may act in confidence that in the instances of excluded land that native title has been determined extinguished.

Where Council undertakes any acts the cause exclusive possession over any of those parcels of the 21 where non-exclusive native title remains, and the balance of the 52 reserves covered by the draft PoM, Council may be potentially liable for compensation to native title holders.

5. THE DRAFT PLAN OF MANAGEMENT

The NT Acts and the CLM Act are clear: unless the land is defined as excluded land, then native title rights should be considered to be in existence.

Reserves where native title is not extinguished (as a result of being excluded land) will generally require examination against the NT Act (Cwlth) 'future acts regime' to determine if dealings or developments on the land affect presumed native title rights or may be 'valid acts'.

The acts of Crown land reservation and dedication are valid legislative past acts by the NSW Government, validated by Section 8 of the *Native Title Act 1994* (NT Act NSW). Section 8 provides for the validation of past acts performed by the State of NSW, meaning: where the NSW State has done a 'past act' it is deemed to be valid in so far as it affects native title.

The adoption of this draft PoM will affect the presumed native title rights that are considered to be in existence.

5.1 Future Acts Regime

The NT Act NSW does not validate future acts. The only way that future acts may be validated is through the future acts regime in Div. 3 of Pt. 2 of the NT Act (Cwlth).

A future act is defined in s. 233 of the NT Act (Cwlth):

Section 233

- 1) *Subject to this section, an act is a future act in relation to land or waters if:*
 - a) *either:*
 - i. *it consists of the making, amendment or repeal of legislation and takes place on or after 1 July 1993; or*
 - ii. *it is any other act that takes place on or after 1 January 1994; and*
 - b) *it is not a past act; and*
 - c) *apart from this Act, either:*
 - i. *it validly affects native title in relation to the land or waters to any extent; or*
 - ii. *the following apply:*
 - A. *it is to any extent invalid; and*
 - B. *it would be valid to that extent if any native title in relation to the land or waters did not exist; and*
 - C. *if it were valid to that extent, it would affect the native title.*

To be a future act, the act must:

- 'affect' native title;
- be valid (or be valid if it were not for native title);
- have occurred on or after 1 January 1994 when the NT Act (Cwlth) commenced; and
- not be a past act.

5.2 Extinguishment Effect

Where native title has been extinguished by the Crown's grant of a certain interest that is inconsistent with native title, any subsequent act will not be a future act, as the act cannot 'affect' native title or compliance with the native title legislation - a future acts regime is not required.

Section 23E of the NT Act (Cwlth) enables states and territories to enact laws which confirm the extinguishment of native title by previous exclusive possession act attributable to them. Accordingly, the NT Act (NSW) in Part 2, Division 2 provides similar provisions of the NT Act (Cwlth) as to the extinguishing effect of a previous exclusive possession act where the act was done by the State of NSW.

If Subdivision J of the NT Act (Cwlth) applies to the act, the act will be valid and the non-extinguishment principle will apply unless the act is the construction or establishment of a public work, in which case native title will be extinguished.

5.3 Validity of 'future acts' and the draft plan of management

There are parts of land in 21 reserves and a further 52 Crown reserves where native title is determined to exist. The existing native title has been determined to be non-exclusive native title.

The adoption of the plan of management and its proposed uses, development and authorised tenures are regarded as 'future acts' as these acts:

- 'affect' native title;
- would be valid (or be valid if it were not for native title);
- have occurred on or after 1 January 1994 when the NT Act (Cwlth) commenced; and
- are *not* a past act.

The NT Act NSW does not validate future acts. Future acts may only be validated through the future acts regime in Div. 3 of Pt. 2 of the NT Act (Cwlth). **Table 6** sets out a summary of the cascading future acts regime in the NT Act (Cwlth).

Table 6: Overview of future acts regime subdivisions (stopping at Subdivision J)

Subdivision	Summary of subdivision
B-E	Subdivisions B-E cover ILUAs. ILUAs can be negotiated when the other subdivisions of the future acts regime do not apply (subject to the agreement of the native title holders and/or native title claimants).
F	Subdivision F covers future acts where there is an absence of native title. A government body may obtain s. 24FA protection for future acts by making a non-claimant application in the Federal Court. A requirement is that there be no relevant native title claims over the whole or part of the area: see ss. 24FC(c) and 24FC(d).
G	Subdivision G deals with certain acts relating to primary production on areas subject to non-exclusive agricultural and pastoral leases that were granted on or before 23 December 1996.
H	Subdivision H relates to management or regulation of surface and subterranean water, living aquatic resources and airspace.
I	Subdivision I applies to acts which are pre-existing rights-based acts or acts that are permissible e.g. lease renewals.
JA	Subdivision JA deals with public housing for the benefit of Aboriginal peoples or Torres Strait Islanders.
J	Subdivision J deals with future acts done in good faith under or in accordance with a reservation, dedication, condition, permission or authority made on or before 23 December 1996 which required the land to be used for a particular purpose, or the future act otherwise had no greater an impact on native title than any act that could have been done that was under or in accordance with the reservation.

Source: NSW Government: 'Native Title Managers Handbook' 2nd Edition 2019

The Native Title Act (1994) allows for a range of future acts to occur on Crown land and specifies the level of consultation that must be conducted before the act can occur. Rather than attempt to prove that Native Title has been extinguished, the role of the native title manager is to assume native title has NOT been extinguished and to proceed with the assessment of impact on native title of the act which is proposed.

See below for specific advice on a range of acts which may apply to the reserves covered in this draft Plan of Management.

- Construction of recreational facilities on the reserves (such as recreation and leisure facilities, sporting facilities and infrastructure, sheds, ablution blocks and the like) on the reserve which is consistent with the reserve purpose.

The construction of buildings such as recreation and leisure facilities, sporting facilities and infrastructure, sheds, ablution blocks, and the like may be validated under Subdivision J if the construction and operation of such facilities may affect native title and as such may be a future act. Assuming the construction is consistent with the reserve purpose (public recreation) then the good faith requirement under Section 24JA(1)(e)(i) is met.

b) Construction of facilities on the reserve (such as roadways, footpaths, and gardens)

Construction of these various structures may affect native title and as such may be a future act. Assuming the construction is consistent with the reserve purpose (public recreation) then the good faith requirement under Section 24JA(1)(e)(i) is met.

c) Issue of Leases or Licences

The issue of a lease or licence may affect native title and as such may be a future act. Assuming the issuing of the lease or licence is consistent with the reserve purpose then the good faith requirement under Section 24JA(1)(e)(i) is satisfied. If the issue of the lease or licence is in the area covered by the reservation, so long as the act's impact on native title is no greater than the impact that any act that could have been done under or in accordance with the reservation would have had, then the good faith requirement under Section 24JA(1)(e)(ii) is met.

Subdivision J deals with future acts done in good faith under or in accordance with a reservation, dedication, condition, permission or authority made on or before 23 December 1996. It requires the land to be used for a particular purpose, as otherwise the future act has no greater an impact on native title than any act that could have been done that was under or in accordance with the reservation.

Table 7: Requirements for validity of future acts under Subdivision J - areas subject to a reservation

Requirement	Section 24JA	Compliance
There is a valid earlier act that took place before the later act and on or before 23 December 1996	(1)(a)	Yes
The earlier act was valid (including because of Div. 2 or 2A)	(1)(b)	Yes
The earlier act was done by the Crown (the Commonwealth or State), or consisted of the making, amendment or repeal of legislation	(1)(c)	Yes
The earlier act contained, made or conferred a reservation, proclamation, dedication, condition, permission or authority (the reservation) under which the whole or part of any land or waters was to be used for a particular purpose	(1)(d)	Yes
The later act is done in good faith under: (i) under or in accordance with the reservation, or (ii) in the area covered by the reservation, so long as the act's impact on native title is no greater than the impact that any act that could have been done under or in accordance with the reservation would have had	(1)(e)	Yes

Source: NSW Government: 'Native Title Managers Handbook' 2nd Edition 2019

The adoption of the plan of management is to be done by Council as a Council Manager in good faith. The plan of management proposed uses, development and authorised tenures are consistent with the Crown reserve purposes (in accordance with the reservation or dedication).

The adoption of the plan of management with proposed uses, developments and tenures that are in accordance with the reservation (or dedication) and the purposes of the Crown land is a future act that meets the requirements of validation under the NT Act (Cwlth) Subdivision J, Section 24JA, Section (1) (a-e).

5.4 Consequences of Subdivision J

If Subdivision J applies to the act, the act will be valid and the non-extinguishment principle will apply unless the act is the construction or establishment of a public work, in which case native title will be extinguished.

The procedural rights under Subdivision J, if applicable, are to notify any representative body, registered native title body corporate and registered native title claimant and provide them with an opportunity to comment.

However, the notice is only required if the act consists of the construction or establishment of a public work, or the creation of a plan for the management of a National or State park intended to preserve the natural environment of an area.

Procedural rights under the NT Act (Cwlth) for potential native title claimants, such as notification or opportunity to comment, do not apply, as the adoption of a Crown land community land plan of management, which is a future act validated under Subdivision J, and which is not a public work does not require notification and do not confer other procedural rights.

The draft plan of management proposes a range of future acts that are public works, such as construction of a Men's' Shed at the Dareton Swimming Pool reserve or redevelopment of the Willow Bend Caravan Park, which are consistent with the reserve purpose and validated under Section 24JA of the NT Act (Cwlth).

Any act of construction or establishment of a 'public work', as defined by the NT Act (Cwlth), on Crown land where native title is deemed to exist and the non-extinguishment principle does not apply, will be deemed to extinguish native title and will require notification to any representative body, registered native title body corporate and registered native title claimant to provide them with an opportunity to comment prior to commencement of the public work. See **Appendix C: Native Title Act 1993 (Cwlth) S.253 Other definitions.**

The draft PoM authorises leases, licences, permits or other estates. Further native title manager advice will be required prior to issuing approval for future acts of granting draft PoM authorised leases, licences, permits or other estates consistent with the reserves' purposes. In addressing the *Native Title Act 1993*, Council and or the proponent may need to utilise subdivision 24FA (protection) following any non-claimant application, or negotiate an ILUA at that stage.

The draft PoM authorises easements to be approved subject to the provisions of the *Native Title Act 1993* and further native title manager advice. In addressing the *Native Title Act 1993*, Council may need to utilise subdivision FA (protection) following any non-claimant application, or negotiate an ILUA at that stage.

Council Crown land managers may be liable to pay compensation for acts that impact on native title rights and interests whether or not the act was valid and otherwise in accordance with the future acts regime in the NT Act (Cwlth).

The CLM Act has made a Council Crown land manager liable for any compensation that would previously have been payable by The State of NSW where an act has an impact on native title rights and interests.

The Council Crown land manager will be directly responsible to native title holders for any compensation liability in relation to their conduct which affects native title and is valid under the NT Act (Cwlth) Ss. 24JAA (public housing), 24KA (facilities for services to the public), s. 24MD (acts passing the freehold test) and s. 24NA (acts affecting offshore places) of the NT Act (Cwlth).

Native Title Manager Advice 5

The adoption of the plan of management by Council in good faith and with proposed uses, developments and tenures that are in accordance with the reservation (or dedication) and the purposes of the Crown land is a future act that meets the requirements of validation under the *Native Title Act 1993* (Cwlth) Subdivision J, Section 24JA, Section (1) (a-e).

6. CONCLUSION

6.1 Native title and excluded land

There is one active Native Title Claim by The Barkandji Malyangapa People which is a claim to determine compensation.

21 Crown reserves, either in total or in part area(s) have Crown land within the reserve that is 'excluded land' under the CLM Act Section 8.1.

The balance of the reserves (52) or parts of the 21 reserves where it has not been determined that native title is extinguished, are not 'excluded land' under the provisions of the CLM Act Section 8.1.

Native title rights must be assumed to remain in existence as the land is not 'excluded land' under the CLM Act.

6.2 Valid creation of the reserved and dedicated Crown land

The reserved and dedicated Crown land is regarded due to reliance on Federal Court investigations and evaluation and supplemented by State Government and Council records as having been validly created by the State of NSW (the Crown).

The reserved and dedicated Crown land in the draft plan of management, including the exception of three reserves with gazettal dates after 23 December 1996 where validity is assumed, are regarded as having been validly created (a 'valid act') by the State of NSW (the Crown) and Council is regarded as validly appointed as Crown land manager for the reserved and dedicated Crown land.

6.3 Previous exclusionary possession acts

Land in 21 Crown reserves have been subject to valid acts that are *previous exclusive possession acts* (PEPAs), either over the whole of the reserved and dedicated Crown land or parts of the land in reserves. Where that residue of the land in the reserves has not been subject to PEPAs, it is assumed that native title is still in existence.

The PEPAs, subject to the Commonwealth and NSW State native title legislation, have the effect to extinguish any native title in relation to the land or waters affected by the PEPA.

6.4 Validity of Future Acts

The adoption of the draft PoM by Council in good faith and with proposed uses, developments and tenures that are in accordance with the reservation (or dedication) and the purposes of the Crown reserves is a future act that meets the requirements of validation under the *Native Title Act 1993* (Cwlth) Subdivision J, Section 24JA, Section (1) (a-e).

6.5 The plan of management

The adoption of the plan of management will not have an effect on native title rights over the land in the 21 Crown reserves that have been subject to acts that are *previous exclusive possession acts* (PEPAs), either over the whole of the reserved and dedicated Crown land or parts of the land in reserves.

The adoption of the plan of management over the parts of the 21 reserves where there is remaining non-exclusive native title, and the 52 other reserves with non-exclusive native title has been subjected to the NT Act (Cwlth) 'future acts regime' to determine if the plan of management adoption is a 'valid act'.

The adoption of the plan of management with proposed uses, developments and tenures that are in accordance with the reservation (or dedication) and the purposes of the Crown reserves is a valid future act.

6.6 Outcome of advice

Council may endorse the draft PoM as a draft for referral to, and submission for adoption from, the landowner: The Minister administering the *Crown Land Management Act 2016* as a landowner representative of the State of NSW.

APPENDICES

Appendix A: List of Crown reserves covered by draft PoM

Appendix B: Council Maps 1 – 40 (note – No Map 5)

Appendix C: Native Title Act 1993 (Cwlth) Public Works and Facilities for Services to the Public

Appendix D: Native Title Manager letter of accreditation

Appendix A — List of Crown reserves covered by draft PoM

Excluded land is land that has been the subject of a Determination

Res #	Name	Gazette	Purpose	Use	Lots	Extinguished NT	Non-Exclusive NT (Co-existing)
6	Pooncarie Sporting Reserves	8/9/1862	From Sale Generally Public Recreation	Racetrack and Gun Club - extracted from Pooncarie Common	Lot 7311 DP 755396 Lots 72, 74-76 DP 820498 Lot 7304 DP 1182431 Parish Pooncaira County Perry	Lot 73 DP 820498 NCD20015 ID 3824	Yes – all other See Map 19
32017	Willow Bend Caravan Park	18/01/1901	Public Recreation	Commercial Lease	Lots 1-2 DP 112194 Parish Wentworth County Wentworth		Yes. Note part of R32017 is used as Council depot but not extinguished. Public works on land. See Map 1
35698	Pooncarie Cemetery	25/04/1903	Cemetery	Cemetery	Lot 7300 DP 1156360 Parish Pooncaira County Perry		Yes No Map
55602	The Great Murray Darling Junction Reserve	11/08/1922	Public Recreation	Park	Lot 2 DP 817572 Lots 7011-7012 DP 1125398 Parish Wentworth County Wentworth		Yes. See Map 2
61503	George Gordon Oval	1/11/1929	Public Recreation	User Group in place - permanent use of grounds pavilions and change rooms.	Lot 7011 DP 1101609 Lot 7012 DP 1101611 Lot 1 DP 1158152 Parish Mourquong County Wentworth	Extinguished Lot 1 DP 607424 pump station not in reserve NCD2015 ID 9558	Yes Lot 7011 DP 1101609 sportsground and grandstand buildings, cricket nets and basketball courts See Map 26
63988	Buronga Caravan Park - The Caravan Park Component	16/06/1933	Public Recreation Urban Services	Lot 3 has a nature playground & pump bike track Lot 2 leased for mooring boat business Commercial Caravan Park is Lot 101 DP1232718	Lot 1159 DP 725383 Lot 980 DP 756961 Lot 2-4 DP 1032974 Lot 101 DP 1232718 Parish Mourquong County Wentworth	Extinguished Lot 4 DP 1032974 NCD2015 ID 6357 Lot 102 DP 1232718 Recent Council acquisition for sewer pump station	Yes Lots 1-3 DP 1032974 Lot 101 DP 1232718 Lot 1159 DP 725383 Lot 980 DP 756961 See Map 31

Res #	Name	Gazette	Purpose	Use	Lots	Extinguished NT	Non-Exclusive NT (Co-existing)
64544	Part Buronga Caravan Park	11/05/1934	Public Recreation Access	Vacant scrub land adjacent to Caravan Park Reserve.	Lots 429-431 DP 756961 Parish Mourquong County Wentworth		Yes. See Map 31
65654	Dareton Basketball Courts	29/11/1935	Public Recreation	Bitumised area for basketball casual users	Lot 701 DP 1126803 Parish Mourquong County Wentworth		Yes See Map 27
67891	Wentworth Showground	16/09/1938	Addition Showground	User Group in place - multiple permanent users	Lot 2618 DP 764646 Parish Wentworth County Wentworth		Yes. No Map
72718	Pooncarie Oval	4/06/1948	Public Recreation	Cricket club appears to have folded - community oval with no regular users.	Lot 1430 DP 763147 Lot 7302 DP 1182431 Parish Pooncarie County Perry	Lot 1430 DP 763147 Extinguished NCD2015 ID 3755	Yes co-existing See Map 20
73211	Curlwaa Oval	10/06/1949	Public Recreation Rural Services	Cricket club including clubrooms. New Hall constructed to replace condemned hall on Reserve 630011- multiple permanent users	Lot 19 DP 725678 Parish Wentworth County Wentworth		Yes. Sports oval See Map 24
73260	James King Park	19/08/1949	Public Recreation	Park with no regular users	Lot 7003 DP 756946 Lots 7300-7301 DP 1176238 Parish Gol Gol County Wentworth		Yes See Map 35
73351	Wentworth Showground	14/10/1949	Addition Showground	User Group in place - multiple permanent users	Lot 121 DP 756994 Parish Wentworth County Wentworth		Yes. No Map
74478	Evans Flat Reserve	14/09/1951	Public Recreation	Riverfront scrub - no regular users	Lot 686 DP 756961 Lot 1174 DP 820132 Parish Mourquong County Wentworth		Yes See Map 32
74593	Alcheringa Tennis Courts	16/11/1951	Public Recreation	Public tennis courts - Alcheringa Tennis Club	Lot 7007 DP 1125869 Lot 7302 DP 1176238 Parish Gol Gol County Wentworth		Yes See Map 35

Res #	Name	Gazette	Purpose	Use	Lots	Extinguished NT	Non-Exclusive NT (Co-existing)
75014	Wentworth Showground	30/05/1952	Addition Showground	User Group in place - multiple permanent users	Lot 7352 DP 1177510 Parish Wentworth County Wentworth		Yes. No Map
76144	Wentworth Tennis Courts	7/08/1953	Public Recreation Urban Services	Former tennis courts - bitumen surface - identified as car parking for adjoining kindergarten child care centre, Library and Aged Care Home opposite	Lot 13 Section 9 DP 759074 Parish Wentworth County Wentworth		Yes. No map.
76798	Part Buronga Caravan Park Reserve	4/06/1954	Public Recreation	Vacant scrub land adjacent to Caravan Park Reserve.	Lots 427-428 DP 756961 Parish Mourquong County Wentworth	Extinguished Lot 427 DP 756961 NCD2015 ID 3917	Yes. Yes Lot 428 DP 756961 See Map 31
77215	Dareton Children's Playground	29/10/1954	Children's Playground	Park	Lot 1 Section 15 DP 758338 Parish Mourquong County Wentworth		Yes. See Map 27
77413	Pioneer Memorial Park	28/01/1955	Children's Playground	Children's Playground	Lot 7013 DP 1124723 Lot 7307 DP 1180919 Parish Pooncaira County Perry Note: Lot 7307 DP 1180919 is also part of R98109		Yes No map
77930	Wentworth Rowing Club Reserve	2/09/1955	Public Recreation	Rowing Club building and river access Nature playground. Mooring poles and boardwalk	Lot 1464 DP 763434 Parish Wentworth County Wentworth		Yes. Public works - extension to building
78438	Ramon Deed Retreat	29/03/1956	Public Recreation Community Purposes	Lot 3 – licenced to Vietnam Veterans Retreat	Lot 713 DP 756961 Lot 1 DP 803205 Lots 2-3 DP 853243 Parish Mourquong County Wentworth	Lot 1 DP 803205 – R78438 - Water Tower Namatjira - future acquisition area was surveyed in previous years when it was listed to be acquired.	Yes. See Map 23 Minor public works (building) South/middle Lot 3 DP 853243

Res #	Name	Gazette	Purpose	Use	Lots	Extinguished NT	Non-Exclusive NT (Co-existing)
						Council is creating a new Lot & DP Listed in Schedule 5 consent Determination – incorrect location should be Water Tower R78438	
78698	McLeod Oval	6/07/1956	Public Recreation Urban Services	Golf Course - User Group in place - multiple permanent users	Lot 1272 DP 762867 Lot 190 DP 820470 Lot 7017 DP 1126020 Parish Wentworth County Wentworth		Yes. See Map 3
78909	Thegoa Lagoon	21/09/1956	Plantation Public Recreation	Natural scrub	Lot 7323 DP 1174216 Parish Wentworth County Wentworth	Lot 117 DP 756994 (was resumed WLL) NCD2015 ID 1951 See Map 4	Lot 7323 DP 1174216 Listed in NCD2015, Schedule 4 as non-exclusive. Council legal advice infers no determination despite listing due to other NT Claim at time.
81010	O'Donnell Park	22/08/1958	Public Recreation	Park	Lots 1-2 DP 117894 Parish Wentworth County Wentworth	Extinguished Lot 1 DP 117894 NCD2015 ID 1253 Public toilets See Map 25	Yes. Lot 2 DP 117894 See Map 25
81398	McLeod Oval	20/02/1959	Public Recreation Urban Services Accommodation	Grandstand part of oval - public swimming pool - User Group in place - multiple permanent users	Lot 7322 DP 1158106 Parish Wentworth County Wentworth		Yes. Major public works – pool, grandstand Minor public works - grounds See Map 7
81861	Rotary Playground	14/08/1959	Public Recreation	Park	Lot 5 Section 34 DP 759074 Parish Wentworth County Wentworth		Yes No Map
82971	Buronga Children's Playground	13/01/1961	Children's Playground	Park	Lot 7010 DP 1124614 Parish Mourquong County Wentworth		Yes See Map 33

Res #	Name	Gazette	Purpose	Use	Lots	Extinguished NT	Non-Exclusive NT (Co-existing)
83026	U Can Do It Boxing Gym	27/01/1961	Public Recreation	Building and car park	Lot 444 DP 756961 Parish Mourquong County Wentworth		Yes See Map 33
83919	McLeod Oval	20/07/1962	Public Recreation Urban Services Accommodation	Other part of oval - cricket clubrooms bowling greens - tennis courts buildings for golf, tennis and bowling clubs - User Group in place - multiple permanent users	Lot 7320 DP 1158106 Parish Wentworth County Wentworth		Yes. Major public works – buildings, roads, etc Minor public works – grounds See Map 7
84700	Wentworth Wharf	10/01/1964	Public Recreation Urban Services	Public Wharf and temporary moorings - park	Lot 101 DP 1232727 Parish Wentworth County Wentworth		Yes Lot 102 DP 1232718 extinguished by recent Council acquisition for sewer pump station See Map 12
84989	Anabranh Hall and Tennis Courts	28/08/1964	Public Recreation	Community hall playground BBQ and tennis courts - very dry area not much grass - meeting place for surrounding Western Lands Lease holder's families – Regular permanent users	Lot 5 DP 756191 Lot 2591 DP 764619 Parish Wilton County Tara		Yes See Map 39
85320	Pt Wentworth Golf Course	7/05/1965	Public Recreation Urban Services	Corner parcel golf course access	Lot 7313 DP 1127027 Parish Wentworth County Wentworth		Yes Lot 100 DP 1252699 acquired for Pump station See Map 11
85419	Wilkinson Park	13/08/1965	Children's Playground	Park/Children's Playground	Lot 9 Section 13 DP 758456 Parish Gol Gol County Wentworth		Yes See Map 36
85470	Gol Gol Public Recreation Reserve	12/11/1965	Public Recreation	Landlocked scrub land	Lot 187 DP 756946	Extinguished Lot 187 DP 756946	

Res #	Name	Gazette	Purpose	Use	Lots	Extinguished NT	Non-Exclusive NT (Co-existing)
					Parish Gol Gol County Wentworth	NCD2015 ID 2640 See Map 32	
85572	Old Wentworth Gaol Reserve	10/12/1965	Preservation of Historical Sites and Buildings	Historic Gaol - 10 year existing lease with 10 year option expires 2026	Lot 90 DP 756994 Parish Wentworth County Wentworth		Yes Major public works – goal building See Map 13
85636	Dareton Pre School	25/02/1966	Day Nursery	General Community Use – Multiple users	Lots 3-4 Section 8 DP 758338 Parish Mourquong County Wentworth		Yes Major public works buildings See Map 30
85733	Strother Park	7/04/1966	Public Recreation	Park/Children's Playground	Lot 7351 DP 1178836 Parish Wentworth County Wentworth		Yes Minor public works – building See Map 14
85836	Dareton Swimming Pool	1/07/1966	Public Baths Public Recreation Urban Services	Public Swimming Pool Future Men's Shed under construction with proposed licence	Lot 101 DP 1232722 Parish Mourquong County Wentworth		Yes Minor works – pool See Map 29
87037	Pooncarie Public Reserve	10/01/1969	Public Recreation	Park - no improvements	Lots 1-4 Section 15 DP 758851 Parish Pooncaira County Perry		Yes No Map
87250	Buronga Riverfront old Pound Reserve	27/06/1969	Public Recreation	Vacant block	Lot 7007 DP 1124947 Parish Mourquong County Wentworth		Yes See Map 34
87379	Fotherby Park	12/09/1969	Public Recreation	Park and slipway for historic paddle steamer / McClymont House / Possum statue / old bridge infrastructure	Lot 103 DP 1232727 Parish Wentworth County Wentworth		Yes. Note Lot 104 DP 1232727 extinguished by sewer pump station acquisition See Map 15
88251	Coomella Golf Course	2/07/1971	Public Recreation	Golf Course held under lease	Lot 14 DP1253515 Parish Mourquong County Wentworth		Yes. 2/3 golf course See Map 22

Res #	Name	Gazette	Purpose	Use	Lots	Extinguished NT	Non-Exclusive NT (Co-existing)
89255	Buronga Community Arts	2/08/1974	Boy Scouts Community Purposes	Old Scout Hall housing theatre props - youth theatre – permanent users	Lot 594 DP 756961 Parish Mourquong County Wentworth	Extinguished Lot 594 DP 756961 NCD2017 NO ID See Map 33	
89637	Alcheringa Pre-School	7/11/1975	Kindergarten	Preschool – Exclusive permanent users	Lot 211 DP 756946 Lot 7305 DP 1141029 Parish Gol Gol County Wentworth		Yes Moderate 1/3+ works See Map 36
89749	Junction Park	19/03/1976	Public Recreation	Riverside Park – weddings, private parties, rallies, various casual users	Lots 1-5 Section 3 DP 759074 Lots 1-10 Section 4 DP 759074 Lots 1-8 Section 4A DP 759074 Lots 7335-7336 DP 1173326 Parish Wentworth County Wentworth	Extinguished See Map 8 NCD2017 IDs: Lots 1-5 Section 3 DP 759074 NCD20017 IDs: 3155, 2958, 2960, 2962, 3157. Lots 1-10 Section 4 DP 759074 NCD20017 IDs: 3156, 3399, 3401, 3161, 2964, 3403, 3163, 3164, 3166, 2957. Lots 1-8 Section 4A DP 759074 NCD20017 IDs: 2955, 3158, 3150, 3162, 2965, 3404, 2967, 2968. Lots 7335-7336 DP 1173326 NCD20017 IDs: 6831, 6830.	
89757	Apex Park	26/03/1976	Children's Playground Urban Services	Park	Lot 10 DP 756994 Lot 105 DP1232727 Parish Wentworth County Wentworth		Yes See Map 16

Res #	Name	Gazette	Purpose	Use	Lots	Extinguished NT	Non-Exclusive NT (Co-existing)
89864	Dareton Community Activity Centre	30/07/1976	Girl Guides Community Purposes	Refurbished Scout Hall housing community art group	Lot 16 Section 5 DP 758338 Parish Mourquong County Wentworth		Yes Major works 85% building See Map 27
91386	Carramar Drive Sporting Complex	9/02/1979	Public Recreation Urban Services	Ovals netball courts cricket nets playground - pavilion suitable for hire - User Group in place - multiple permanent users	Lots 472,473 DP 1268325 Parish Gol Gol County Wentworth	New Lot 470 and 471 DP 1268325 acquired for road See Map 37	Yes See Map 37
96592	Tuckers Creek Reserve	11/02/1983	Flood Mitigation Public Recreation	Riverfront park - issues with access - easement over Lot 30 for Town Levee	Lot 30 DP 45055 Lot 7340 DP 1176401 Parish Wentworth County Wentworth		Yes. See Map 6
97997	Perry Sandhills	22/11/1985	Public Recreation	Natural inland sandhills and riverfront scrub	Lots 3-4 DP 610639 Lot 5204 DP 725295 NCD2017 IDs: 6112, 2748, 1905. Lots 16, 51, 58-60, 63-64. NCD2015 IDs: 2544, 2681, 2682, 2746, 2879, 2555, 2880. Lot 5201 DP 725295 NCD201 ID: 1826 Parish Wentworth County Wentworth	Extinguished See Map 17	Yes, Lagoon and NCD2017 ID: 7446 Lot 7309 DP 1183405 Parish Neilpo County Wentworth See Map 17
98030	Ellerslie Golf Course	20/12/1985	Public Recreation	Community building - tennis courts - oval - tree plantation - dam - golf course in adjoining WLL	Lot 5132 DP 720112 Parish Palinyewah County Wentworth		Yes See Map 40
98109	Darling Street Reserve	7/03/1986	Public Recreation	Park	Lot 399 DP 761064 Lots 7307-7309 DP 1180919 Parish Pooncaira County Perry Note: Lot 7307 DP 1180919 is also part of R77413		Yes. No map
150038	Coomealla Pioneer Park	2/11/1990	Community Purposes	Library and Senior Citizens	Lot 701 DP 1126798		Yes

Res #	Name	Gazette	Purpose	Use	Lots	Extinguished NT	Non-Exclusive NT (Co-existing)
150040	Sturt Park	10/05/1991	Public Recreation Water	Park and Water Tower – casually hired	Parish Mourquong County Wentworth Lots 7300-7301 DP 1121297 Parish Mourquong County Wentworth	Listed in Schedule 5 consent Determination Dareton Raw Water Reservoir in Lot 7301. Also future water tower acquisition	Major works – public building See Map 28B Yes See Map 30 Minor works water tower
150041	Tapio Park	10/05/1991	Public Recreation Heritage Purposes	Park - old war memorial newly erected – casually hired	Lot 702 DP 1126798 Parish Mourquong County Wentworth		Yes See Map 28B
230004	Part Thegoa Lagoon	8/07/1988	Public Recreation	North of Golf Course + scrub	Lot 7328 DP 1174216 Parish Wentworth County Wentworth		Yes See Map 9
230005	Wentworth Ambulance Station Reserve - site in Part Thegoa Lagoon	25/11/1988	Ambulance Station Crown Lands investigating to incorporate into R230004	Vacant block	Lot 7301 DP 1126251 Parish Wentworth County Wentworth		Yes See Map 10
230030	Wentworth Pre School	28/08/1987	Kindergarten Community Purposes	Preschool / out of hours day care centre – Exclusive permanent users	Lot 14 Section 9 DP 759074 Parish Wentworth County Wentworth		Yes No Map
230044	Pooncarie Public Reserve	10/06/1988	Public Recreation	Riverfront scrub - no regular users	Lot 2 DP 725311 Lot 7006 DP 1113537 Parish Pooncaira County Perry	Lot 2 DP 725311 NCD2015 ID 3695 Extinguished	Yes Lot 7006 1113537 No Map, based on Council records
230081	Pooncarie Multi-Purpose Park and Golf Course	13/11/1992	Public Recreation	Golf Course Scrub - Fee for use camping grounds with some powered sites, boat ramp, primitive camping, undercover camp kitchen	Lot 6588 DP 769379 Parish Pooncaira County Perry		Yes See Map 21

Res #	Name	Gazette	Purpose	Use	Lots	Extinguished NT	Non-Exclusive NT (Co-existing)
230096	Pooncarie Outback and Beyond	29/03/1996	Community Purposes	Community Hub - Post Office - Library	Lots 7-9 Section 8A DP 758851 Parish Pooncaira County Perry		Yes ½ major works - buildings No Map
630001	Wentworth Showground	7/01/1899	Showground	User Group in place - multiple permanent users	Lot 84 DP 756994 Parish Wentworth County Wentworth		Yes. No Map
630005	Pomona Hall	18/01/1952	Public Hall Public Recreation Rural Services	General Community Use	Lot 8 DP 432081 Lot 1 DP 434771 Lot 7300 DP 1141042 Parish Neilpo County Wentworth		Yes. Building on Lot 7300 DP 1141042 No Map
630006	Dareton Town Square	21/12/1928	Public Hall Urban Services	General Community Use	Lots 1-2 Section 3 DP 758338 Parish Mourquong County Wentworth		Yes Minor works building See Map 28
630011	Curlwaa Memorial Hall	10/06/1949	Public Hall	General Community Use	Lot 18 DP 725678 Parish Wentworth County Wentworth		Yes Minor works – hall building See Map 24
1002827	Pooncarie Hall	17/01/1947	Public Hall	Hall	Lot 10 Section 21 DP 758851 Parish Pooncaira County Perry		Yes, Public works - hall building No Map
1003148	Comealla Memorial Gardens	12/04/2002	Cemetery and Crematorium	Leased Cemetery and Crematorium	Lots 1-2 DP 1121904 Parish Mourquong County Wentworth	Extinguished Part Lot 1 DP 1121904 Funeral Home crematorium lease	Yes. See Map 23A
1005288	Gol Gol Cemetery	15/08/1879	General Cemetery	Cemetery	Lot 225 DP 705014 Lots 4, 6 Section 37 DP 758456 Parish Gol Gol County Wentworth		Yes, Note cemetery See Map 38
1011728	Dareton Lions Park	30/06/2006	Public Recreation	Park/Children's Playground	Lot 21 Section 19 DP 758338 Parish Mourquong County Wentworth		Yes See Map 28A
1036648	Wentworth Town Hall	16/11/2012	Community Purposes Government Purposes Town Hall Urban Services	Town Hall	Lot 1 DP 630527 Parish Wentworth County Wentworth		Yes Major Public works but 2012 Gazetted ? See Map 18

APPENDIX B: COUNCIL MAPS 1-40

MAP 1 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)

Willow Bend Caravan Park Reserve 32017
Lot 1 DP112194
Caravan park Community

Council Depot Reserve 85921
Lots 2A-6 Section 38 DP 759074
Depot is Operational



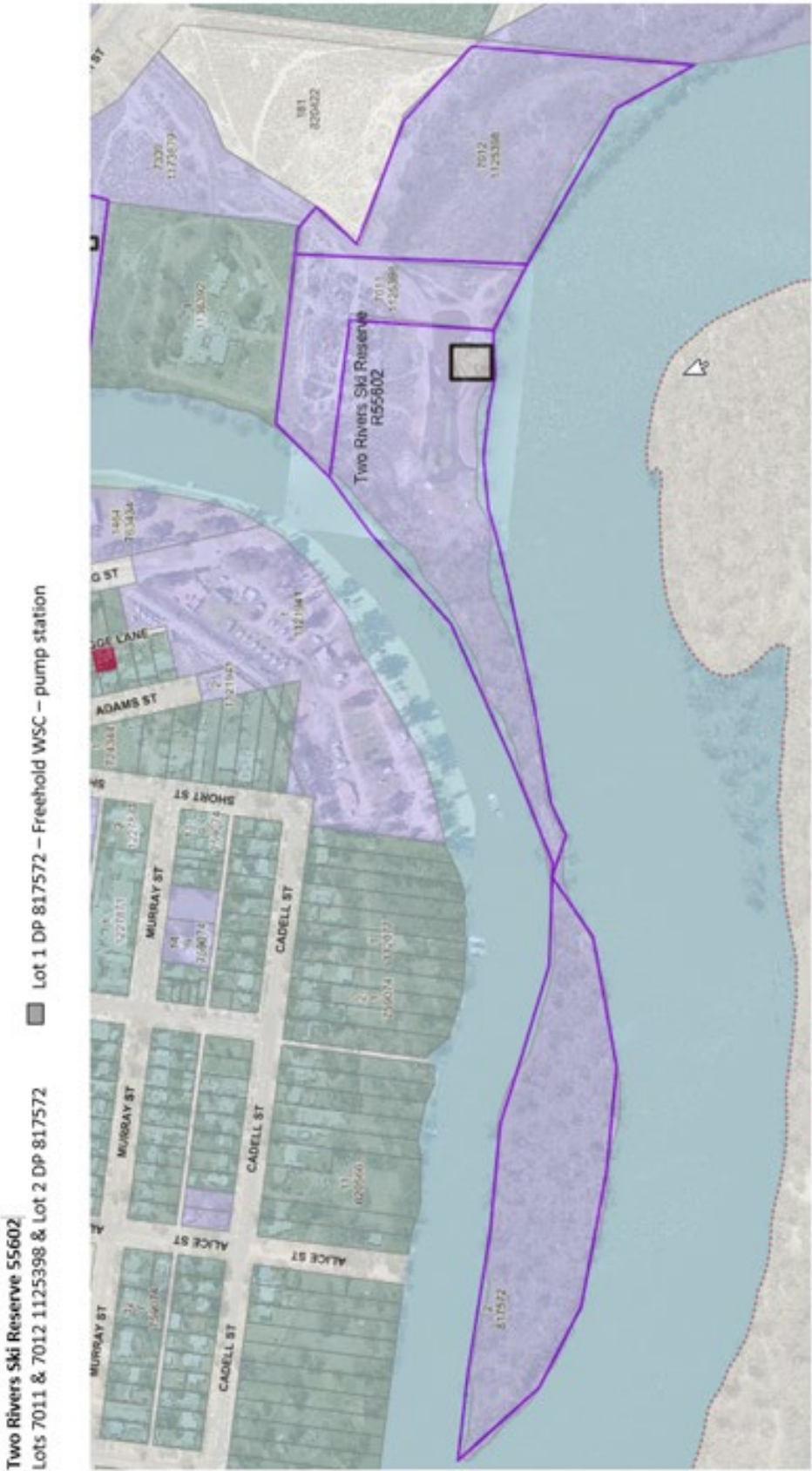
Purple has co-existing Native Title – Grey extinguished

Issue

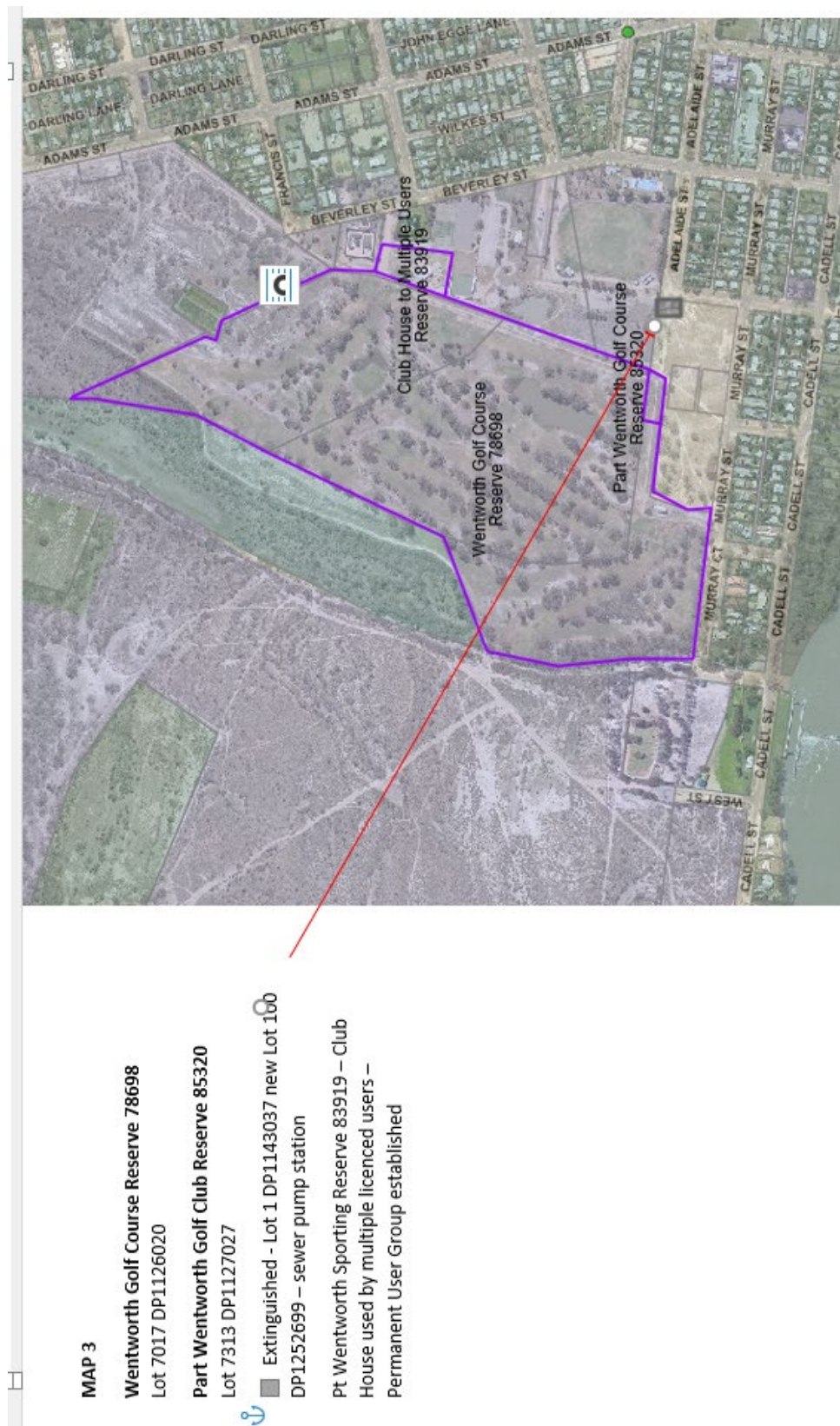


Yellow	Crown Land parcels with NT – used as part of Council depot but part of Willow Bend Caravan Park
Green	Currently part of Depot alignment - Crown Land - NT extinguished within Willow Bend Caravan Park

MAP 2 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)

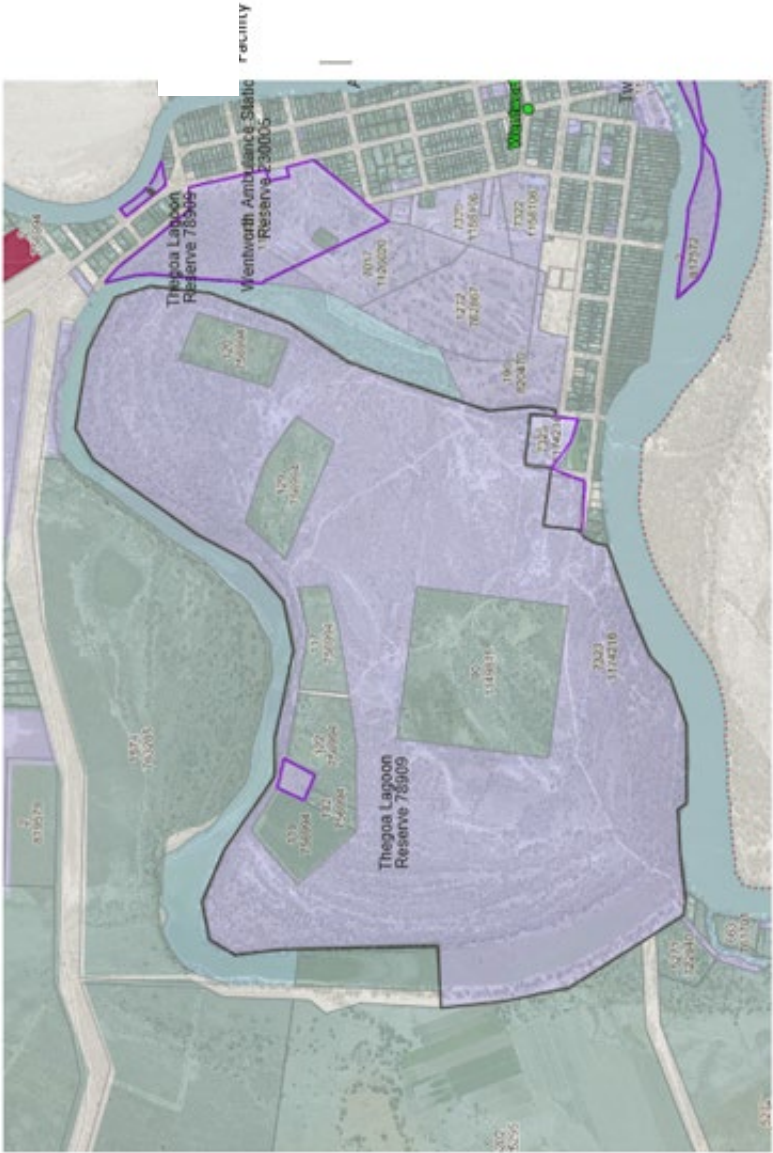


MAP 3 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)



MAP 4 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)

- Thagoa Lagoon Reserve 78909 – comprises of:
 - Lot 7323 DP 1174216 – Extinguished see notes on next page
 - Lot 7328 DP 1174216 – Native Title
 - Lot 117 DP 756994** – was a WLL resumed and joined into reserve – **extinguished**
 - Lots 7324 & 7325 DP1174216 – Native Title
 - Lot 123 & 142 DP 756994 – old Night Soil Depot owned by Crown (Lot 123 is above 142) – other areas in the Reserve are Western Lands Leases
 - Lot 90 DP 1149815 – WSC freehold Wentworth Sewer Treatment Plant



MAP 6 – PURPLE OUTLINE AND SHADING (Co-existing Native Title)



Tuckers Creek Reserve 96592
Lot 7340 DP1176401
Levee Lot 30 DP45055
Red area a crown reserve not part of Tuckers
Creek Reserve 96592

1

MAP 7 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)



MAP 8 –BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)

Junction Park Reserve 89749 – NT Extinguished

Lots 1- 8 Section 4A DP 759074

Lots 7335 & 7336 DP 1173326 / lot 7336

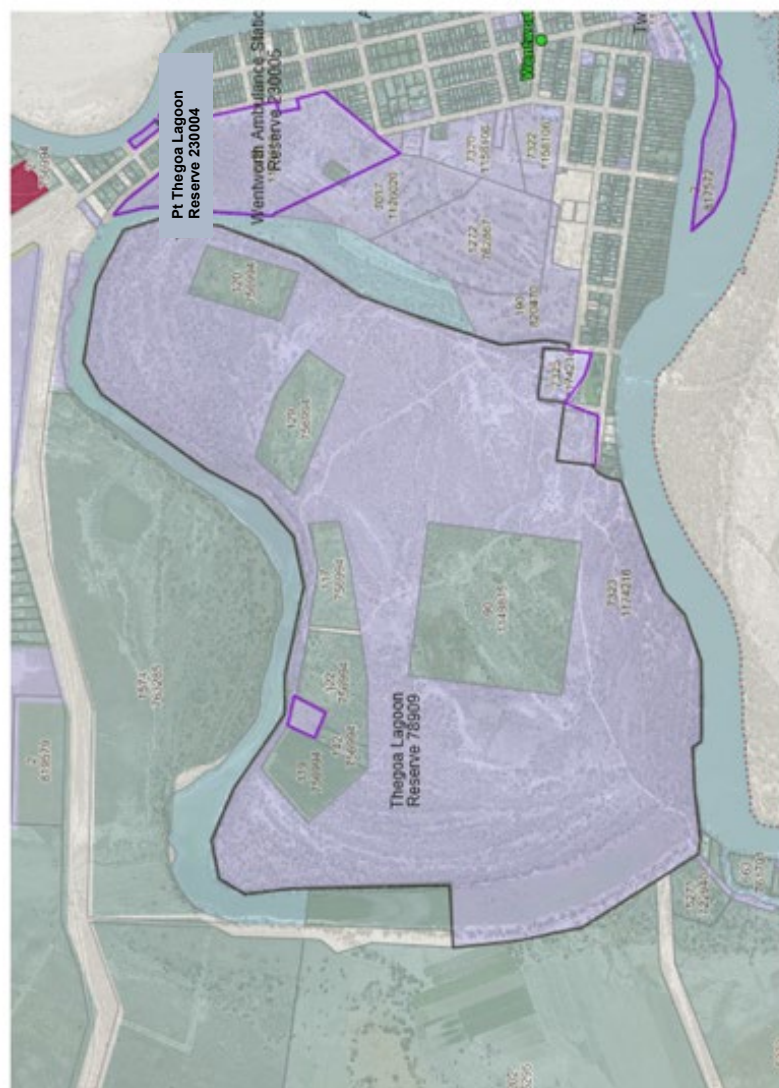
Lots 1-10 Section 4 DP 759074

Lots 1 -5 Section 3 DP 759074

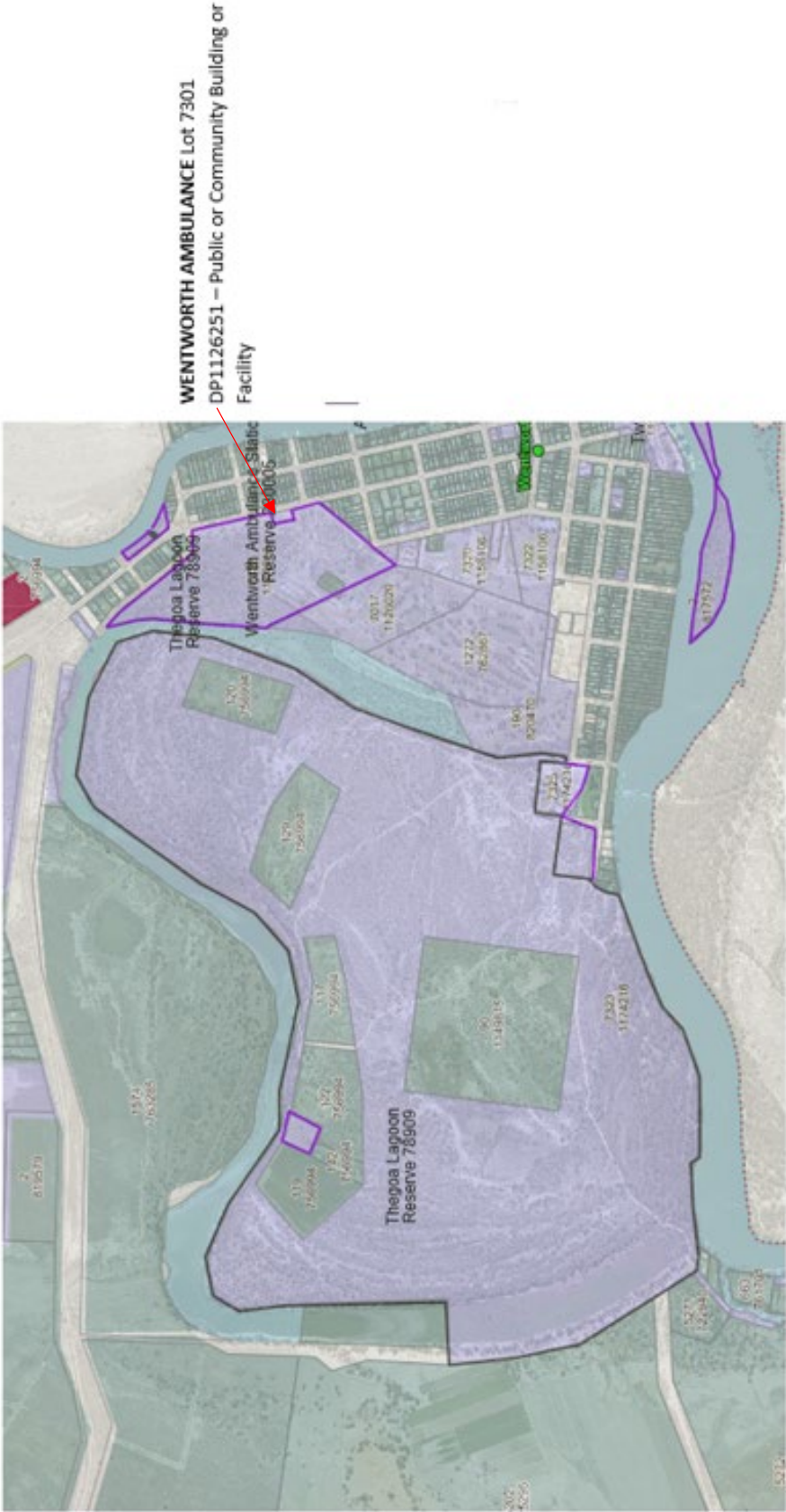


MAP 9 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)

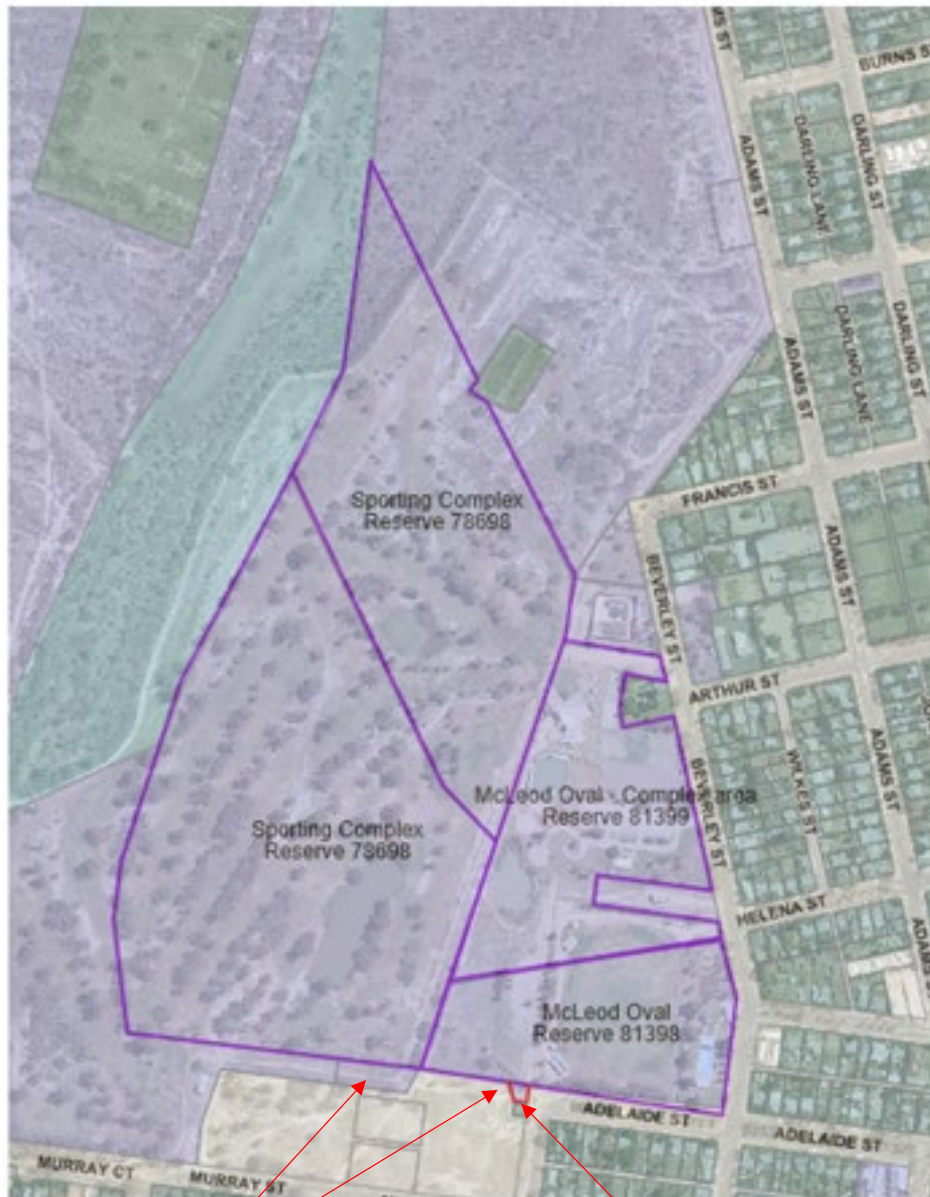
Part Thegoa Lagoon Reserve 240004 – comprises:
Lot 7328 DP 1174216 Parish Wentworth County Wentworth



MAP 10 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)



MAP 11 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)



R85320 Pt Wentworth Golf Course (Lot 7313 DP 1127027

Lot 1 DP 1143037)

Lot 1 DP 1143037 now Lot 100 DP 125699 about to be acquired Pump station to be acquired

MAP 12 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)

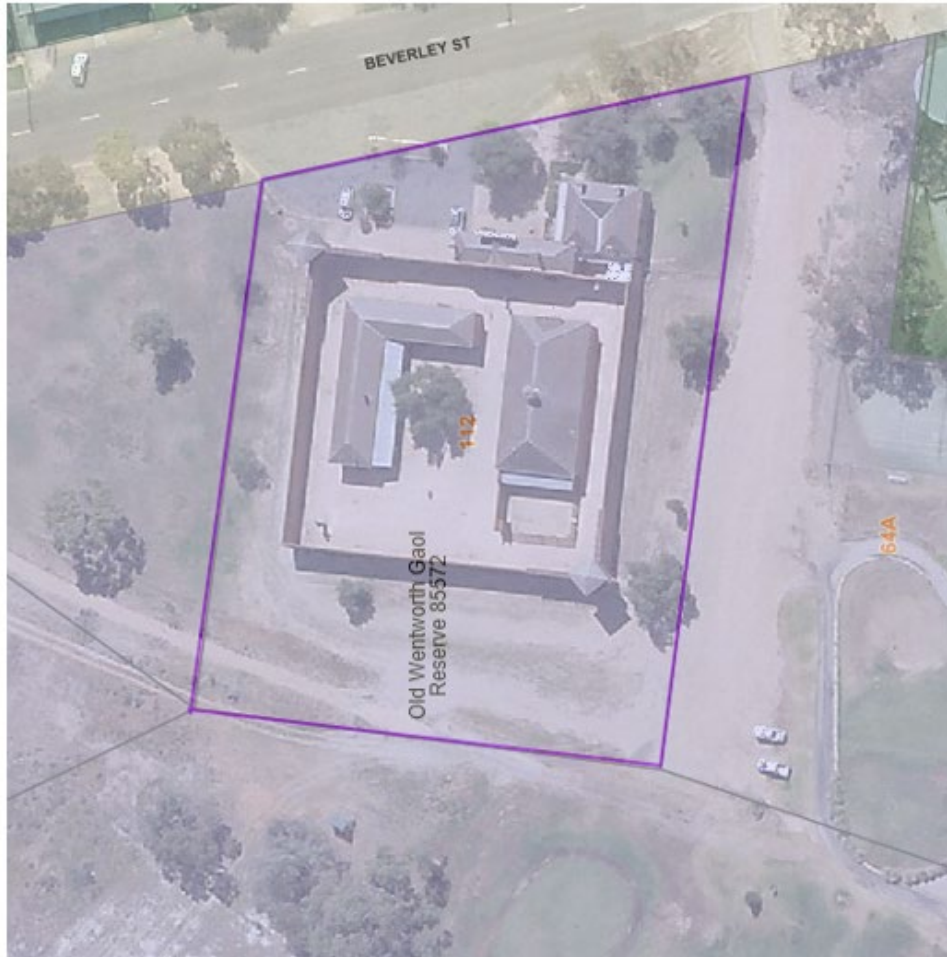
|



Wharf Reserve 84700
Lot 101 DP1232727 (Old Lot 7034 DP1126248)
■ Extinguished Lot 102 DP1232727 - sewer pump station

MAP 13 – PURPLE OUTLINE AND SHADING (Co-existing Native Title)

Old Wentworth Gaol Reserve 85572
Lot 90 DP756994



MAP 14 – PURPLE OUTLINE AND SHADING (Co-existing Native Title)

Strother Park Reserve 85733
Lot 7351 DP1178836



MAP 15 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)



Fotherby Park Reserve 87379
 Lot 103 DP1232727 (Old Lot 7337
 DP1173879)
 ■ Extinguished Lot 104 DP1232727 –
 Sewer Pump Station

MAP 16 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)



- Apex Park Reserve 89757
- Lot 105 DP1232727 (Old Lot 9 DP756994)
- Lot 10 DP756994
- Extinguished Lot 106 DP1232727 – Sewer Pump Station
- Listed in Schedule 5 Consent Determination – (Q) Sewer Pump Station PS4 at East Wentworth Park, Wentworth

MAP 17 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)



Perry Sandhills Reserve 97997
Lots 3 & 4 DP610639
Lots 5201 & 5204 DP725295
Lots 51, 58, 59, 60, 63, 64DP756964

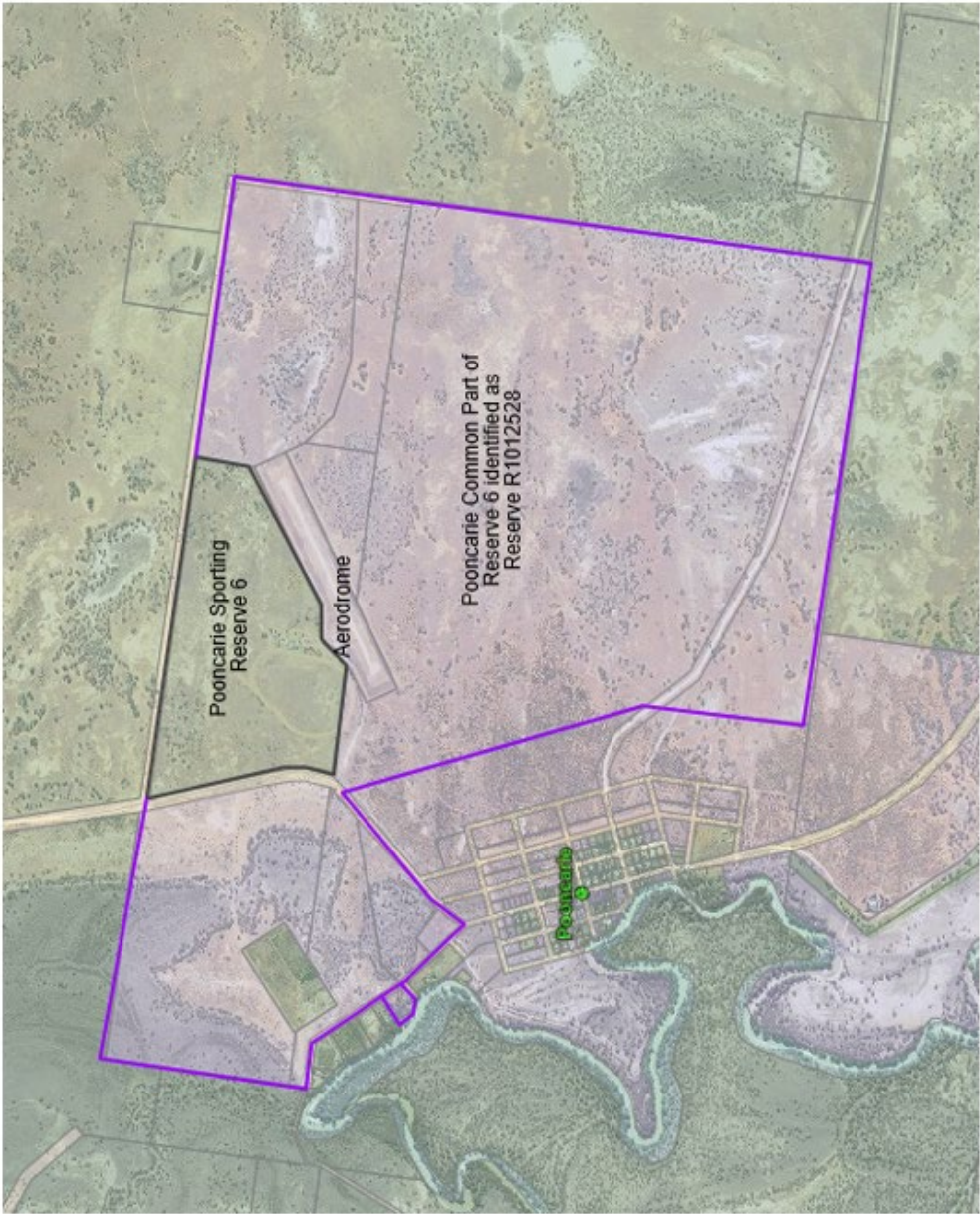
NT extinguished

MAP 18 – PURPLE OUTLINE AND SHADING (Co-existing Native Title)

WENTWORTH (Town Hall) COMMUNITY & COUNCIL FACILITIES RESERVE 1036648
Lot 1 DP 630527



MAP 19 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)



- Pooncarie Sporting Reserve 6
- Co-Existing Native Title
- Lot 7311 DP755396
- Lots 72, 74, 75 & 76 DP820498
- Lot 7304 DP1182431
- Extinguished Lot 73 DP820498

MAP 20 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)



Pooncarie Public Recreation reserve 72718
 Lot 7302 DP 1182431
 Lot 1430 DP 763147 – Public Toilets extinguished

MAP 21 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)

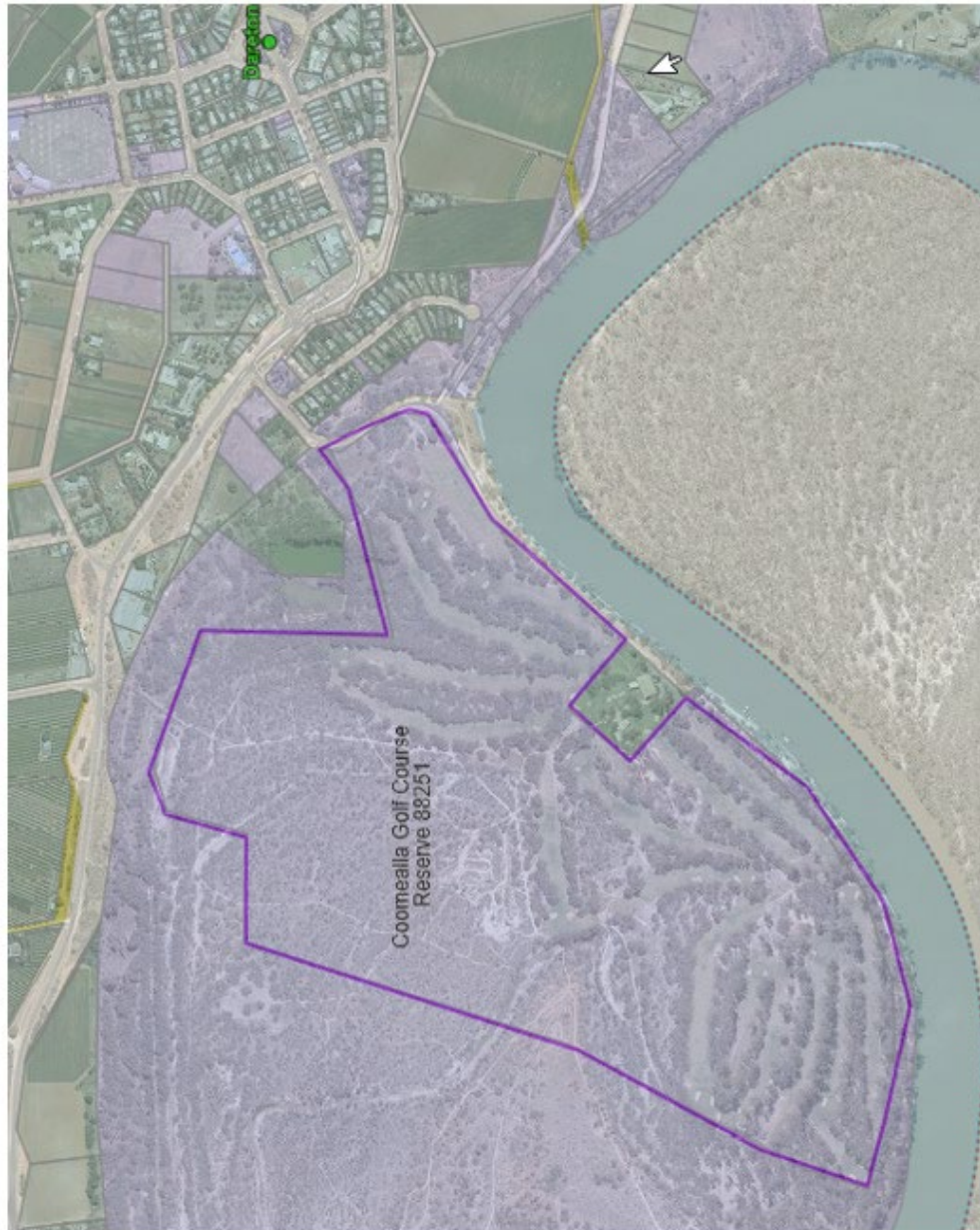


PARK AND GOLF COURSE - RESERVE 230081
 Lot 6588 DP 769379
 Golf Course & camping ground

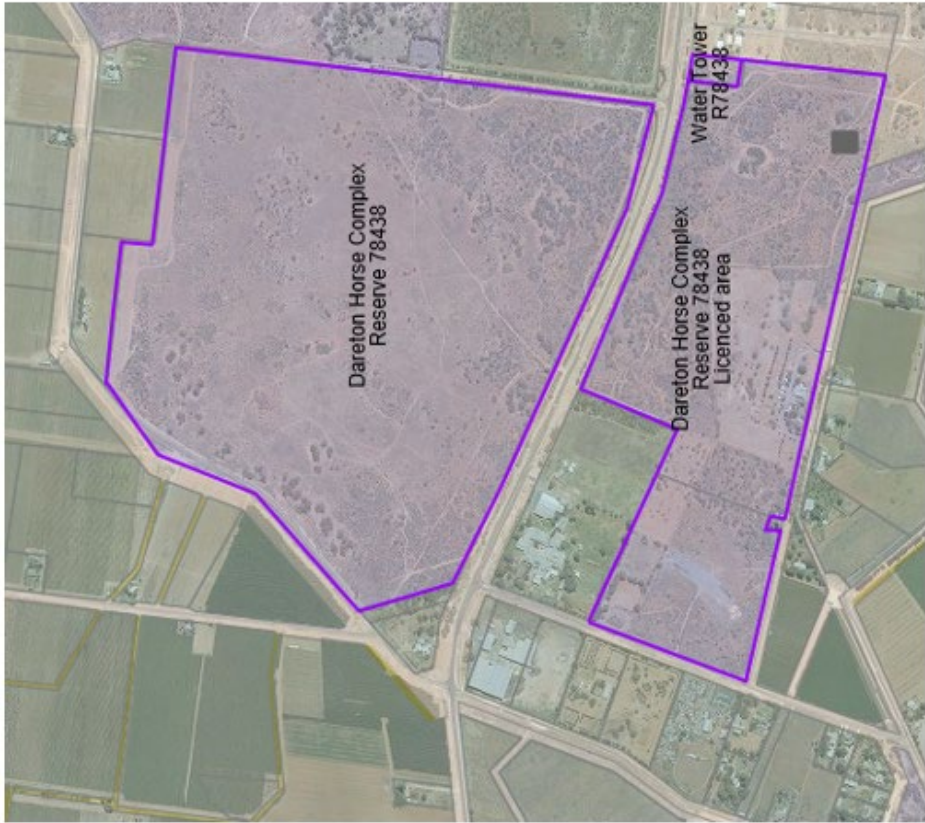
MAP 22 – PURPLE OUTLINE AND SHADING (Co-existing Native Title)

Coomealla Golf Course
Reserve 88251
Lot 1136 DP725640

1



MAP 23 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)



- Dareton Horse Complex Reserve 88251**
Lot 713 DP756961
Lots 2 & 3 DP853243
- Lot 3 DP853243 Licenced to Ramon Deed Veterans Retreat - Wentworth & Coomealla Districts Sub Branch; including the Ramon Deed Veterans Retreat of the Vietnam Veterans, Peacekeepers and Peacemakers Association of Australia NSW Branch Inc.
- Water Tower included in Reserve 78438**
Lot 1 DP803205
- Future acquisition – area was surveyed off years ago when it was listed to be acquired creating a new Lot & Deposited Plan
- Listed in Schedule 5 Consent Determination (G) incorrect location should be Water Tower for Namatjira Housing

MAP 23A – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)

Coomeealla Memorial Gardens Reserve 1003148

Lot 713 DP756961

Lot 1 DP1121904



MAP 24 – PURPLE OUTLINE AND SHADING (Co-existing Native Title)

Curlwaa Public Hall Reserve 630011
Lot 18 DP725678

Curlwaa Oval Reserve 73211
Lot 19 DP 725678



MAP 25 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)

O'Donnell Park Reserve 81010
Lot 2 DP 117894 & Lot 32 DP 729494

Purple has co-existing Native Title – Grey extinguished



Lot 32 DP 729494 - Co-existing NT
Lot 1 DP 117894 Extinguished Public Toilet
Lot 2 DP 117894 Co-existing NT
Lot 5 DP 729494 small parcel of land below lot 32 owned by WAMC (WAMC are currently proposing on disposing of unwanted land & giving it to CL to incorporate into reserve)

NB: Cadastral out of line – purple is the reserve marked but not actually covering the infrastructure

MAP 26 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)

George Gordon Sporting Complex Reserve 61503
Lot 7011 DP1101609, Lot 1 DP1158152 &
Lot 7012 DP1101611

■ Extinguished Parcels

Lot 2 DP1239025 - 2nd Oval WSC freehold land
Lot 1 DP607424 – Sewer Pump Station



MAP 27 – PURPLE OUTLINE AND SHADING (Co-existing Native Title)



Daretton Basketball Courts Reserve 65654

Lot 701 DP1126803

Daretton Children's Playground Reserve 77215

Lot 1 Section 15 DP758338

Daretton Community Activity Centre Reserve 89864

Lot 16 Section 5 DP758338

MAP 28 – PURPLE OUTLINE AND SHADING (Co-existing Native Title)



Dareton Town Square
Reserve 630006
Lot 1 Section 3 DP758338

Sturt Park Reserve 150040
Lot 7300 DP1121297

Dareton Pre School
Reserve 85636
Lots 3-4 Section 8 DP758338

MAP 28A – PURPLE OUTLINE AND SHADING (Co-existing Native Title)

Dareton Lions Park Reserve 1011728
 Lot 21 Section 19 DP758338



MAP 28B – PURPLE OUTLINE AND SHADING (Co-existing Native Title)



Tapio Park Reserve 150041
 Lot 702 DP1126798
 Coomealla Pioneer Park Reserve 150038 (Dareton Library)
 Lot 701 DP1126798

MAP 29 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)



Dareton Swimming Pool Reserve 61503

Lot 101 DP1232722

■ Extinguished Lot 102 DP1232722 – Sewer Pump Station

Lot 101 DP1232722 – Area determined for future development of a Men in a Shed

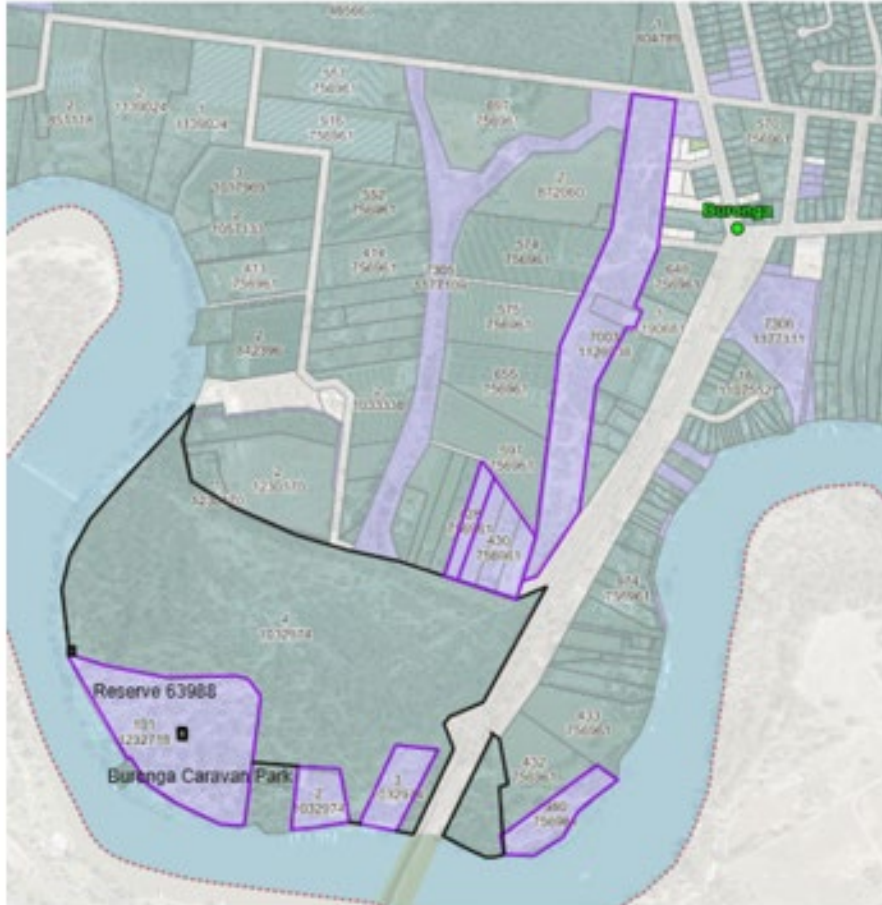
Letter from the Minister received for consent to construct Men in a Shed building, no more land will be extinguished

MAP 30 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)



MAP 31 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)

Buronga Caravan Park – Reserve 63988 – multiple parcels within reserve



Actual Caravan Park - Lot 101 DP1232718 – Reserve 63988 - Lease with Discovery Parks

■ Lot 102 DP 1232718 - Square within reserve has been extinguished for sewer pump station (recent acquisition)

Lot 4 DP1032974 – Reserve 63988 extinguished

Lots 2 DP 1032974 – Reserve 63988 - leased to Tim Knight Buronga Boatman

Lot 3 DP 1032974 & Lot 101 DP1232718 & Lot 980 DP 756961 - Reserve 63988

Lots 429 - 430 DP 756961 – Reserve 64544

Lot 428 DP 756961 – Reserve 76798

Lot 7003 DP 1126938 - Reserve 85950 – **Current acquisition** - acquiring for road actually does not have Native Title – Geospatial search & notification from NTSCorp although listed in Consent Determination!

MAP 32 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)



MAP 33 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)



- MAP 33
- U Can Do it Gym Reserve 83026
Lot 444 DP756961
- Buronga Children's Playground Reserve 82971
Lot PT7010 DP1124614
Lot PT7009 DP1124517
Lot 734 DP756961
- Extinguished Buronga Community Arts Reserve 82971
Lot 594 DP756961
- Pitman Avenue Recreation Reserve 85020
Lots 891, 898-900 DP756961 – Council relinquishing management of whole reserve

MAP 34 – PURPLE OUTLINE AND SHADING (Co-existing Native Title)

Buronga Riverfront old Pound
Reserve 88250
Lot 7007 DP1124947



MAP 35 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)

James King Park Reserve 73620
Lots 7300 & 7301 DP 1176238

Lot 7302 DP 1176238 – Alcheringa Tennis Club / Courts – individual licenced area with the Crown – expiry 30/06/2034 - Actual courts are not completely within this parcel outline as below



Lot 224 DP 705002 – Gool Gool Sewer Pump Station SPS - Extinguished



Aerial showing actual tennis courts bottom courts are not there - parkland

MAP 36 – PURPLE OUTLINE AND SHADING (Co-existing Native Title)

Wilkinson Park Reserve 85419
Lot 9 Section 13 DP758456

Alcheringa Pre School Reserve
Lot 211 D756946
Lot 7305 DP1141029

Gol Gol Fire Station Reserve 1010468
Lot 209 & 210 DP756946



MAP 37 – PURPLE OUTLINE AND SHADING (Co-existing Native Title), BLACK OUTLINE AND GREY SHADING (Native Title Extinguished)

- Carramar Drive Sporting Reserve 91386
Lots 472 & 473 DP1268325

Previously Lot 7001 DP1118958 & Lot 7011
DP1045202

■ Extinguished Lots 470 & 471 DP1268325 for
service road extension

Lots 471 & 473 derived from Lot 7011 DP1045202
Lots 470 & 472 derived from Lot 7001 DP1118958



MAP 38 – PURPLE OUTLINE AND SHADING (Co-existing Native Title)

Gol Gol Cemetery Reserve 1005288
 Lots 4 & 6 section 37 DP 758456
 Lot 225 DP 705014



MAP 39 – PURPLE OUTLINE AND SHADING (Co-existing Native Title)

Anabranah Hall and Tennis Court Reserve 84989

Lot 2591 DP764619

Lot 5 DP756191

Cadastral out of line



—

MAP 40 – PURPLE OUTLINE AND SHADING (Co-existing Native Title)

Ellerslie Sporting Complex Reserve 98030
Lot 5132 DP720112



APPENDIX C: NATIVE TITLE ACT 1993 (CWLTH)**PUBLIC WORKS AND FACILITIES FOR SERVICES TO THE PUBLIC****Section 253 Other definitions**

public work means:

- (a) any of the following that is constructed or established by or on behalf of the Crown, or a local government body or other statutory authority of the Crown, in any of its capacities:
 - (i) a building, or other structure (including a memorial), that is a fixture; or
 - (ii) a road, railway or bridge; or
 - (iia) where the expression is used in or for the purposes of Division 2 or 2A of Part 2—a stock-route; or
 - (iii) a well, or bore, for obtaining water; or
 - (iv) any major earthworks; or
- (b) a building that is constructed with the authority of the Crown, other than on a lease.

Note: In addition, section 251D deals with land or waters relating to public works.

Section 24KA Facilities for services to the public

- (1) This Subdivision applies to a future act if:
 - (a) it relates, to any extent, to an onshore place; and
 - (b) it either:
 - (i) permits or requires the construction, operation, use, maintenance or repair, by or on behalf of any person, of any of the things listed in subsection (2) that is to be operated, or is operated, for the general public; or
 - (ii) consists of the construction, operation, use, maintenance or repair, by or on behalf of the Crown, or a local government body or other statutory authority of the Crown, in any of its capacities, of any of the things listed in subsection (2) that is to be operated, or is operated, for the general public; and
 - (c) it does not prevent native title holders in relation to land or waters on which the thing is located or to be located from having reasonable access to such land or waters in the vicinity of the thing, except:
 - (i) while the thing is being constructed; or
 - (ii) for reasons of health and safety; and
 - (d) a law of the Commonwealth, a State or a Territory makes provision in relation to the preservation or protection of areas, or sites, that may be:
 - (i) in the area in which the act is done; and
 - (ii) of particular significance to Aboriginal peoples or Torres Strait Islanders in accordance with their traditions.

Compulsory acquisitions not covered

- (1A) To avoid doubt, this Subdivision does not apply to a future act that is the compulsory acquisition of the whole or part of any native title rights and interests.

Facilities etc.

- (2) For the purposes of paragraph (1)(b), the things are as follows:
- (a) a road, railway, bridge or other transport facility (other than an airport or port);
 - (b) a jetty or wharf;
 - (c) a navigation marker or other navigational facility;
 - (d) an electricity transmission or distribution facility;
 - (e) lighting of streets or other public places;
 - (f) a gas transmission or distribution facility;
 - (g) a well, or a bore, for obtaining water;
 - (h) a pipeline or other water supply or reticulation facility;
 - (i) a drainage facility, or a levee or other device for management of water flows;
 - (j) an irrigation channel or other irrigation facility;
 - (k) a sewerage facility, other than a treatment facility;
 - (l) a cable, antenna, tower or other communication facility;
 - (la) an automatic weather station;
 - (m) any other thing that is similar to any one or more of the things mentioned in the paragraphs above.

APPENDIX D: NATIVE TITLE MANAGER LETTER OF ACCREDITATION



Reference: LBN20/38

Mr Carl Malmberg
Council Crown Land Management
GPO Box 5477
Sydney NSW 2000

Dear Mr Malmberg,

**Subject: Confirmation of approved training as Native Title Manager
Crown Land Management Act 2016**

This letter provides confirmation that Carl Malmberg, having completed the approved training below, is qualified to act as a Native Title Manager for the purposes of Part 8 of the *Crown Land Management Act 2016* which commenced on 1 July 2018.

**Introductory Native Title Training
Delivered by the NSW Department of Planning, Industry and Environment,
Sydney, NSW on 3 December 2019**

For further information about the qualified training, please contact Mr Todd Craig, Native Title Operations, Crown Lands in the NSW Department of Planning, Industry and Environment: via email: todd.craig@crowland.nsw.gov.au

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Rodney Hodder'.

Rodney Hodder
A/Executive Director Strategy and Policy
Crown Lands

6/2/2020

9.10 REVOKE MANAGMENT 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.

Detailed Report

Purpose

The purpose of this report is to update Council on the status of two Crown Reserves Pitman Avenue Recreation Reserve 85020, Lots 891, 898 - 900 DP 756961 and the Pooncarie Sporting Reserve 6, Lot 73 DP 820498, which includes the Pooncarie Common Lots 72, 74, 75 & 76 DP 820498, Lot 7304 DP 1182431 & Lot 7311 DP 755396

Background

Council is the Land Manager of the majority of Crown reserves within the Wentworth Shire Council. Two reserves in particular no longer require Councils Management, being the Pooncarie Common (identified as 1012528) include as part of the Pooncarie Sporting Reserve 6 & the Pitman Recreation Reserve 85020 in Buronga.

Pooncarie Common

After an extensive status search conducted by Crown Lands, it was noted that part of Reserve 6 (R1012528) overlaps with part of Pooncarie Common D630058 managed by the Pooncarie Common Trust under the *Commons Management Act 1989* and the Wentworth Shire Council.

The Pooncarie Common Trust has active members who are entrusted with the control and care of the land. Before it was determined that Council had co-management of the reserve,

any events conversing the Common area, Council would consult with the Trustees to provide comment & approval before an event could proceed.

Pitman Avenue Recreation Reserve 85020

This reserve originally consisted of six lots of land being Lots 890 & 891, Lots 898 – 900 and Lot 914 DP 756961

Following the granting of an aboriginal land claim over the Reserve, Lot 890 DP 756961 was granted to the Dareton Local Aboriginal Land Council, removing this lot from the reserve.

Council in support for the development of the Health Infrastructure's relinquished management of Lot 914 DP756961 for Public Recreation in favour of Barkandji Native Title holders for the establishment of a HealthOne facility

With the development of the Buronga HealthOne facility, Far West Local Health negotiated the use of part of the reserve being Lots 891 & 900 DP 756961 to construct a 'Yarning Circle' specially landscaped and designed to be a meeting place for the wellbeing of community.

Technically Council is still the land manager of the land in which the yarning circle has been built along with management of the two remaining parcels being Lots 898 & 899 DP 756961. The yarning circle was not developed in consultation with Council and Council do not have the capacity to maintain the Crown reserve, therefore decided it not viable for Council to continue with the management of this section nor the remaining lots of the Reserve.

Matters under consideration

Identification of the land in which Council would like to continue to manage and which parcels are to be removed from management.

Pooncarie Sporting Reserve

Reserve 6 (Lot 73 DP 820498) has a long-established history and used as a multi-purpose arena, by various community groups and is promoted and facilitated to encourage the reserves use by the local community for public recreational activities fitting to the reserves purpose of public recreation. The entrance track to the racecourse & aerodrome has been created on part Lot 7304 DP 1182431.

Considering there is an existing Land Manger entrusted with the care of the Pooncarie Common there is no need for Council to co-manage this reserve.

With consideration to the needs of Council and the community, Council will request to obtain management of:

- Lot 73 DP 820498 Racecourse – main area in which community events are held

And request management of additional land being:

- Part Lot 7304 DP 1182431 entrance to racecourse & aerodrome
- Lot 76 DP 820498 – area adjacent to aerodrome

Reason for the inclusion of additional land is to service the Pooncarie Aerodrome on Lot 77 DP 820498 (classified as operational land) and provide a curtilage around the existing aerodrome boundary.

Options

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

- Stay as the land manager of both reserves and do nothing

- Request consent for Council to be removed as the land manager of:
 1. Pooncarie Common land consisting of Lot 7311 DP 755396, Lots 72, 74, 75, DP 820498 and part of Lot 7304 DP 1182431
 2. All the parcels of land within the Pitman Avenue Recreation Reserve 85836.

Conclusion

After considering the content of this report, it is recommended that Council revokes management of all parcels in the Pitman Avenue Recreation Reserve 85020 and revokes Lots 72, 74, 75 DP 820498, Lot 7311 DP 755396 and part Lot 7304 DP 1182431, known as the Pooncarie Common and keeps management of Lot 73 & 76 DP 820498 and part of Lot 7304 DP 1182431 Pooncarie Sporting Reserve.

Attachments

1. Location Maps [↓](#) 

Pitman Avenue Reserve 85836
 Lots 891, 898-900 DP756961



Architecture Plans of the precinct





Requesting Management of:
 Lot 73 DP 820498 Racecourse
 part of Lot 7304 DP 1182431 entrance to
 racecourse & aerodrome & added curtilage
 for aerodrome
 Lot 76 DP 820498 to provide added curtilage
 around the aerodrome
 Lot 77 DP 820498 is the Aerodrome
 (operational land)

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).

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 June 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 \$2,078,195.00 for the month of June 2022. The average determination time was 27 days.

Attachments

1. Delegate Authority Approvals June 2022  

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF JUNE 2022

FILE NUMBER	OWNER	LOCATION	DESCRIPTION	VALUE (EX GST)	DETERMINATION DATE	ACTIVE DAYS
DA2022/042 PAN 215478	Paul & Cindy Heley	5712E Sturt Highway Lot 4 DP 827371 Monak	Storage shed	\$83,209.00	03/06/2022	32
DA2022/043 PAN 215779	Geoffrey & Susan Watson	1 / 58 Hendy Road Lot 2 DP 286830 Buronga	Carport	\$5,000.00	03/06/2022	32
DA2022/048 PAN 217509	Joanne Burgess	56 - 58 Cadell Street Lot 11 DP 620566 Wentworth	Storage shed	\$19,981.00	07/06/2022	28
DA2022/040 PAN 216073	Guiseppa Simonetta	39 Gol Gol North Road Lot 83 DP 756946 Gol Gol	Extension to existing packing shed	\$70,000.00	08/06/2022	28
S4-55/2022/015 PAN 223498	Giuseppe Scopelliti	65 - 77 Hendy Road Lot 2 DP 1222570 Buronga	Modify DA2018/109 Amend commercial buildings distance from Melaleuca Street	\$0.00	16/06/2022	31
DA2022/049 PAN 225540	Misham Investments Pty Ltd	23 Mitchell Court Lot 24 DP 1229757 Gol Gol	Dwelling with garage & storage shed	\$594,000.00	16/06/2022	29
DA2022/050 PAN 215509	Shaun Castleman & Glenn Bottrell	13 Lee Court Lot 58 DP 1259103 Gol Gol	Dwelling with garage & storage shed	\$550,000.00	16/06/2022	29
S4-55/2022/023 PAN 231911	Crown Land NSW - Lower Murray Urban & Rural Water Corporation	Rufus River Road Adjacent to Lot 775 DP 1184283 Rufus	Redevelopment of existing Millewa Pump station	\$0.00	23/06/2022	1

DETERMINATION OF DEVELOPMENT APPLICATIONS FOR THE MONTH OF JUNE 2022

DA2022/052 PAN 226251	Malcolm Maynard	4891B Sturt Highway Lot 1 DP 756971 Paringi	Telecommunications & communications facility	\$350,000.00	27/06/2022	33
S4-55/2022/019 PAN 227087	Matthew & Larissa Forbes - Wilson	26 Thomas Street Lot 25 DP 1259103 Gol Gol	Modify DA2021/163 Dwelling with garage & storage shed - storage shed increased in size	\$0.00	27/06/2022	33
DA2022/055 PAN 228142	Tristan & Rachel Hill	97 Cadell Street Lot 3 DP 759074 Section 6 Wentworth	Storage shed	\$47,470.00	27/06/2022	32
DA2022/041 PAN 210379	Infinity Farms Pty Ltd	295 Mulga Road Lot 1183 DP 820170 Coomealla	Artificial windbreak structures	\$358,535.00	28/06/2022	62
S4-55/2022/020 PAN 227687	Glen Walker	47B Darling Street Lot 1 DP 975023 Wentworth	Modify DA2019/066 Demolition and converting existing shed into dwelling with carport - amend dwelling and carport plans	\$0.00	28/06/2022	28
S4-55/2022/022 PAN 233005	Emma Allford	15A Modica Crescent Lot 2 DP 1276351 Buronga	Modify 2022/003 Amend shed setback from boundary	\$0.00	28/06/2022	14
S4-55/2022/027 PAN 238696	Bradley & Cheryl Smythe	68 Manly Road Lot 10 DP 807828 Curlwaa	Modify DA2021/166 Dwelling with garage - increase floor height from 2m to 2.5m	\$0.00	30/06/2022	1

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

Detailed Report

Refer below for updates of the works completed in June and the planned activities scheduled for July 2022.

Projects and Works Update for June 2022

Roads

- Construction works on 8.5 km of Old Wentworth Road is continuing with the final layer of road base added to main section of unsealed road. Road is currently scheduled for bitumen sealing in late October 2022.
- Punt Road Gol Gol reconstruction has commenced with the excavation of material and kerb being laid by the contractor.

Pooncarie – Menindee Road Reconstruction

- Council received the Review of Environmental Factors for the gravel pits and water points. Council have machinery in the Kinross Station gravel pit stripping and pushing up gravel ready for contractor to put through the crusher and pug mill prior to carting on to the road.

Maintenance Grading

- Planned maintenance grading was undertaken on the following roads throughout June; Springwood Road, Belvedere Road, Wamberra Road, Petro Mail Road and Old Broken Hill Road.

**Road Safety
Officer
Projects**

Local Traffic Projects

- Gyndarna Pedestrian and Bus access project complete

Local Government Road Safety Project Proposals

Nine project proposals submitted to TfNSW for 2022-23 contract year

- Free Cuppa for the Driver – Fatigue Campaign
- Mobile phone distraction
- National Road Safety Week
- Senior Road Safety
- Helping Learner Drivers Become Safer Drivers
- Child Restraint Safety
- Caravan Safety
- Heavy Vehicle Road Safety Forum
- Drink Driving Plan B Win a Swag

Projects

Dareton Travellers Rest

Stage 1 – completion end of June 2022

- Remaining acrylic panels have been installed.

Stage 2

- Quotes have been received and are being reviewed.

Gol Gol Heights Culvert Headwalls

- Headwalls for all driveways have been fitted and backfilled.
- Minor swale reshaping works are underway.

Gol Gol East Raw Water System

- Hydraulic analysis and design works completed, with design option and specification to be provided by Public Works in mid-July.

Gol Gol Cemetery Shed

- Shed construction delayed. Contractor citing staff shortages.

Integrated Water Cycle Management Strategy

- Final package of additional data for Gol Gol Water Treatment Plant provided to Public works last week of June.

James King Park beach retaining wall & footpath to highway

- Preparing concept designs.

Junction Island Bridge

- Ramp and abutment plans are being updated.
- Draft REF and Aboriginal cultural heritage due diligence documents have been completed and are being reviewed.

Junction Island Footpath

- Draft REF and Aboriginal cultural heritage due diligence documents have been completed and are being reviewed.

Pink Lake

- Council currently developing the final report details into a detailed design package for tender within the new financial year.

Sewerage Rationalisation Scheme – Wentworth

- Cleaning of the Wentworth West sewer plant with specialist cleaning & asbestos removal contractors completed.

Wentworth Astronomy Park – completion 2023

- HAZCON asbestos assessment received, Council scoping detail on the clean-up works and estimate for submission to Crown Land Landscape Services for funding approval.

Wentworth EDS

- Work progressing on the alternative pontoon arrangement and pile locations for the Wentworth EDS.
- User Group feedback on alternative Willow Bend Caravan Park site EDS facility cross section of the Caravan Park site completed

Wentworth Long Day Care Centre

- Windows installed throughout
- Plasterboard installed

Wentworth Showgrounds Sewer Upgrade – completion September

2022

- Pump station switchboard production continuing.
- All subsidence, manholes and maintenance shafts rectified.

Wentworth Showgrounds – Female Jockey Change Rooms – June

2023

- Aspire Architects commenced work on design plans.

Wentworth Showgrounds Tower & Shade Structures

- Electrical works are underway.

Wentworth Rowing Club Extension

- Council has awarded the contract to LP & J Wilkie contractors

Wentworth Showgrounds Community Pavillion – External Verandah Flashing

- External flashing Completed 30th June 2022.
- Concrete concourse under verandah will be pressure washed to remove bird faeces at the completion of flashing works.

Projects and Works scheduled for July 2022

Roads

- Construction works on 8.5 km of Old Wentworth Road continuing with delivery of road base throughout July. Project scheduled for completion late October.
- Continuation of construction works on Little Manly Road – Straightening and re-alignment of pavement past end of seal for 400 metres. Culverts to be installed later in July
- Punt Road Reconstruction to have pavement stabilization completed 1st week of July and final layer of class 4 material brought in to bring up to kerb height. Sealing is to be completed late October. Road will be left unsealed till then and WSC will monitor the road condition.

Pooncarie – Menindee Road Reconstruction

- Establishment & initial earthworks planned to commence 20th July.
- Water pipeline and access points will be installed in August if Darling River levels allow access to property.
- Production of crushed road base material by Mallee Earthmoving on Kinross Station to commence from 18 July 2022.

Maintenance Grading

- Planned maintenance grading will be undertaken on the following roads throughout July; Gol Gol Road, Garnpang Road and Ivanhoe Road.

Road Safety Officer Projects

Special Event Road Occupancy

Applications due in 1 August for all events Aug-Nov inclusive for Local Traffic Committee review

- Wentworth Winter Arts Festival 31 July (overdue – no application yet - will be assessed by special meeting via MS Teams)
- Wentworth Show 27-28 August
- Mildura Wentworth Country Music Festival 23 September - 1 October Darling Riverfront
- Rothbury Run Sunday 16 October (Formerly Chase the Steam) a fun run from the Mildura Wharf over the Chaffey Bridge to the Gol Gol Hotel

Projects

Dareton Pool Changeroom Repairs

- Repair works to commence mid-July.

Gol Gol Heights Culvert Headwalls

- Project completion.

Gol Gol Cemetery Shed

- Shed construction to commence and be completed by end July.

Gol Gol East Raw Water System

- Final scope for the project design & specification from Public Works NSW to be provided by 15th July.

Integrated Water Cycle Management Strategy (IWMS)

- WSC staff provided part of gap analysis measure for collecting data, this work requires partial shutdown of pump stations or plants to gather details, this work will continue throughout July due to current staff shortages.

James King Park beach retaining wall & footpath to highway

- Commence procurement.

Junction Island Bridge

- Commence procurement.

Junction Island Footpath

- Commence procurement for installation.

Wentworth Long Day Care Centre

- Brickwork near complete in preparation for render.
- Existing classroom being revamped during the School Holidays.

Wentworth EDS

- Continuation with final design for approval.

Wentworth Rowing Club Extension

- Contract documentation being prepared for signing between parties.

Wentworth Showgrounds Tower & Shade Structure

- Electrical works to continue

Sewerage Rationalisation Scheme – Wentworth

- Final demolition works to commence start of July.

Wentworth Showgrounds Sewer Upgrade

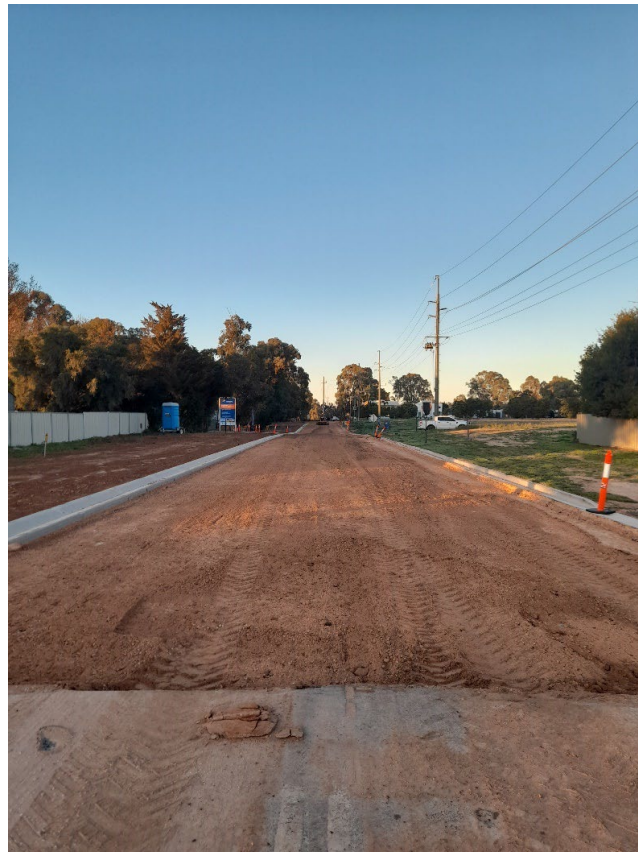
- Pump station and switchboards build in production.

Attachments

1. Project & Works Report Photos  

Projects and Works – project photos

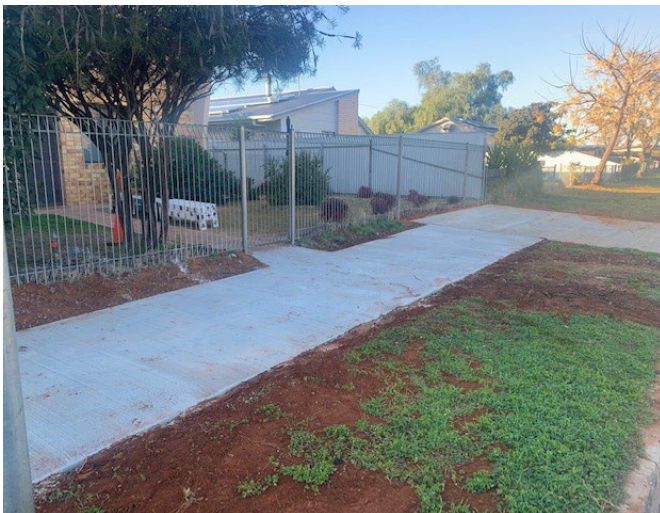
Punt Road



Projects and Works – project photos

Gyndarna Preschool access project

2 new driveways for their buses, footpath connecting to highway paths, ramp to new entry gate and connections to bus zone



Projects and Works – project photos

Wentworth Long Day Care Centre



10 NOTICES OF MOTIONS / QUESTIONS WITH NOTICE

Nil

11 CONFIDENTIAL BUSINESS – ADJOURNMENT INTO CLOSED SESSION

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

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

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

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

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

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

Recommendation

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

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

12.1 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 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.

13 CONCLUSION OF THE MEETING

NEXT MEETING

17 August 2022