

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, DARLING STREET, WENTWORTH**, commencing at **5:00 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
14 MAY 2025

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1 OPENING OF MEETING

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

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

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

3 APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE

4 DISCLOSURES OF INTERESTS

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 16 April 2025 be confirmed as circulated.



ORDINARY MEETING MINUTES

16 APRIL 2025

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1 OPENING OF MEETING

The Mayor opened the meeting with a prayer at 5:03pm.

2 PRAYER OR ACKNOWLEDGEMENT OF COUNTRY

PRESENT:

COUNCILLORS: Councillor Daniel Linklater

Councillor Jon Armstrong Councillor Peter Crisp

Councillor Tim Elstone (Via Video Conference) Councillor Greg Evans (Via Video Conference)

Councillor Susan Nichols Councillor Jo Rodda Councillor Jody Starick Councillor Michael Weeding

STAFF: Ken Ross (General Manager)

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

Gayle Marsden (Executive Assistant to General Manager)

Ebony Carter (Business Support Officer)

3 APOLOGIES AND LEAVE OF ABSENCE

Council Resolution

That Council grants the Leave of Absence Request from Cr Linklater from 23 June 2025 to 28 July 2025 with Cr Crisp to be Acting Mayor in his absence and receive the Mayoral allowance due for that period.

Moved Cr. Linklater, Seconded Cr. Armstrong

CARRIED UNANIMOUSLY

4 DISCLOSURES OF INTERESTS

Councillor Rodda advised that she had non-pecuniary interest in Item 9.15 as she is the Council representative on Wentworth Regional Tourism Inc.

Councillor Nichols advised that she had a significant non-pecuniary/interest in Items 9.16, 9.17 and 9.18 as her grandson is an NDIS client and family has been advised he will be eligible for group home accommodation will be offered at age 18.

Councillor Elstone advised that he had a pecuniary interest in Items 9.16, 9.17 and 9.18 as he is Director of Wentworth & District Real Estate Pty Ltd who sold land to one of the applicants.

Councillor Crisp advised that he had a non-pecuniary interest in Item 12.1 as he is a Director of Sunraysia Early Settlers Museum.

5 CONFIRMATION OF MINUTES

Recommendation

That the Minutes of the Ordinary Meeting held 19 March 2025 be confirmed as circulated.

Council Resolution

That the Minutes of the Ordinary Meeting held 19 March 2025 be confirmed as circulated.

Moved Cr. Starick, Seconded Cr. Weeding

CARRIED

Cr Elstone was an apology at the 19 March 2025 meeting

Council Resolution

That Council admits for consideration a supplementary late reports from the General Managers Office as the information contained in the report is deemed to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of council.

Moved Cr. Crisp, Seconded Cr. Rodda

CARRIED UNANIMOUSLY

Council Resolution

That the Ordinary Council meeting be adjourned for the purpose of conducting a Public Forum.

The meeting was adjourned at 5:10pm

Moved Cr. Armstrong, Seconded Cr. Crisp

CARRIED UNANIMOUSLY

Brain Beaumont spoke in favour of Item 9.15

Council Resolution

That Council reconvenes into open session.

Moved Cr. Armstrong, Seconded Cr. Weeding

CARRIED UNANIMOUSLY

6 OUTSTANDING MATTERS FROM PREVIOUS MEETINGS

Nil

7 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/25/179

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. Crisp

8 REPORTS FROM COMMITTEES

Nil

9 REPORTS TO COUNCIL

9.1 GENERAL MANAGERS REPORT

File Number: RPT/25/178

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

Reporting Officer: Ebony Carter - Business Support Officer

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

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

Summary

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

- 1. OLG Circulars
- 2. Meetings

As listed.

3. Upcoming meetings or events

As listed.

4. Other items of note

Recommendation

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

Council Resolution

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

Moved Cr. Rodda, Seconded Cr. Armstrong

9.2 MURRAY DARLING ASSOCIATION CONFERENCE

File Number: RPT/25/173

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

Reporting Officer: Ebony Carter - Business Support Officer

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

protect its physical and natural environment

Strategy: 3.3 Minimise the impact on the natural environment

Summary

The Annual Murray Darling Association's National Conference and Annual General Meeting is being held from the 29 September to the 02 October 2025 in Griffith NSW. The focus of this year's national conference is 'Collaboration in Our Basin, Our Communities, and Our Environment'. Traditionally Council nominates representatives to attend the Murray Darling Association Conference.

Recommendation

That Council nominates representatives to attend the Murray Darling Association National Conference and Annual General Meeting from 29 September to 02 October 2025 in Griffith NSW.

Council Resolution

That Council nominates Cr Linklater and Cr Evans to attend the Murray Darling Association National Conference and Annual General Meeting from 29 September to 02 October 2025 in Griffith NSW.

Moved Cr. Elstone, Seconded Cr. Crisp

9.3 2025 AUSTRALIAN LOCAL GOVERNMENT WOMEN'S ASSOCIATION CONFERENCE

File Number: RPT/25/175

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

Reporting Officer: Ebony Carter - Business Support Officer

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

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

Summary

The 2025 Australian Local Government Women's Association (ALGWA) Conference is being held from Thursday to Saturday the 1-3 May 2025 in Griffith. The Annual Women's Conference is an opportunity to come together and engage in learning and networking that will foster personal and professional development.

Recommendation

That Council receive and note the content of the report and consider nominating representatives to attend the ALGWA conference from Thursday to Saturday the 1-3 May 2025.

Council Resolution

That Council receive and note the content of the report and nominate Cr Rodda and Cr Nichols to attend the ALGWA conference from Thursday to Saturday the 4-6 September 2025.

Moved Cr. Rodda, Seconded Cr. Weeding

9.4 DRAFT EVENT FUNDING POLICY 2025

File Number: RPT/25/186

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

Reporting Officer: Lexi Stockman - Manager Tourism and Promotion

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

tourism destination

Summary

The draft Event Funding Policy was developed after it was identified that there is currently no formal structure as to how event sponsorship money is distributed. The Event Funding Policy was developed in line with the *Wentworth Region Tourism & Events Strategy 2024-2029*. This strategy outlined the need to continue to leverage on the success of existing events, as well as creating the capacity and space for new events to be welcomed and encouraged within the region.

The Event Funding Policy was developed to ensure that Wentworth Shire Council establishes a structure which provides a fair and equitable approval to community groups and organisations who wish to access and utilise funding to support local events, both existing and new.

The Event Funding Policy should be considered alongside the newly developed Event Planning Guide and Event Funding Program Guidelines. The Event Planning Guide assists event organisers by outlining the importance of several factors when running an event. It assists them in making important decisions in relation to the overall success of the event, including important factors such as budget and event space. The Event Funding Program Guidelines should be read before an application is submitted. The purpose of the Event Funding Program Guidelines is to outline the application process and what is required to successfully apply for the funding, as well as the acquittal process.

The host of documents that are outlined above create a new process in which event organisers will be required to follow, in order to access event funding from Council. It creates a fair and equitable process which allows Council to understand how the funding is being utilised, how the local community is being included, what economic impact the event may have within the region and if the event was deemed successful.

The draft Event Funding Policy was endorsed by Council for community consultation for 28 days at the Council meeting held on 12 February 2025. Feedback was received by one community member which has been taken into consideration and addressed within this report.

Recommendation

That Council adopts the Event Funding Policy including the Event Planning Guide and Event Funding Program Guidelines.

Council Resolution

That Council adopts the Event Funding Policy including the Event Planning Guide and Event Funding Program Guidelines.

Moved Cr. Armstrong, Seconded Cr. Starick

9.5 REQUEST FOR SPONSORSHIP WENTWORTH DISTRICT RACING CLUB

File Number: RPT/25/180

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

Reporting Officer: Ebony Carter - Business Support Officer

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

tourism destination

Summary

Council is in receipt of a request for financial sponsorship in the amount of \$15,000.00 for the Wentworth District Racing Club who will be hosting their annual Wentworth Cup Race Day on Tuesday 4 November 2025 at the Wentworth Showgrounds.

Recommendation

That Council provides \$15,000 incl GST in sponsorship to the Wentworth District Racing Club in support of the 2025 Wentworth Cup Race Day.

Council Resolution

That Council provides \$15,000 incl GST in sponsorship to the Wentworth District Racing Club in support of the 2025 Wentworth Cup Race Day.

Moved Cr. Rodda, Seconded Cr. Crisp

9.6 REQUEST FOR SPONSORSHIP JAPAN CRICKET TRIP

File Number: RPT/25/183

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

Reporting Officer: Ebony Carter - Business Support Officer

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

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

Summary

Council is in receipt of a request for financial sponsorship for Abby Collihole who has been given the opportunity to travel to Japan in May to play cricket.

Recommendation

That Council considers financial sponsorship for Abby Collihole towards her upcoming Japan trip in an amount to be determined.

Council Resolution

That Council provide sponsorship to Abby Collihole to the value of \$1000 towards her upcoming Japan Cricket trip as she is Council's Young Sportsperson of the Year and is also representing Australia and Captaining the team.

Moved Cr. Armstrong, Seconded Cr. Crisp

9.7 REQUEST FOR SPONSORSHIP NORTHERN MALLEE LEADERS

File Number: RPT/25/177

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

Reporting Officer: Ebony Carter - Business Support Officer

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

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

Summary

Council is in receipt of a request to provide financial sponsorship to Northern Mallee Leaders to support them in their vision to rebuild the Northern Mallee Leaders program including their website, whilst also simultaneously building an online learning platform which will be designed as a central hub for leadership, volunteering, events and regional connections.

Recommendation

That Council considers providing an appropriate sum of financial sponsorship to Northern Mallee Leaders

Council Resolution

That Council provides financial sponsorship to Northern Mallee Leaders to the value of \$5000 incl GST for the Video and Photography for the website.

Moved Cr. Crisp, Seconded Cr. Rodda

9.8 MONTHLY FINANCE REPORT - MARCH 2025

File Number: RPT/25/182

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Reporting Officer: Vanessa Lock - Finance Officer

Objective: 4.0 Wentworth is a caring, supportive and inclusive community

that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership,

planning, decision-making and service delivery

Summary

Rates and Charges collections for the month of March 2025 were \$492,941.84. After allowing for pensioner subsidies, the total levies collected are now 74.27%. For comparison purposes 77.41% of the levy had been collected at the end of March 2024. Council currently has \$49,576,594.45 in cash and investments.

Recommendation

That Council receives and notes the Monthly Finance Report for March 2025.

Council Resolution

That Council receives and notes the Monthly Finance Report for March 2025.

Moved Cr. Rodda, Seconded Cr. Starick

9.9 MONTHLY INVESTMENT REPORT - MARCH 2025

File Number: RPT/25/199

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Reporting Officer: Bryce Watson - Accountant

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

leadership with all activities conducted in an open, transparent

and inclusive manner

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

resource management across Council to ensure long-term

sustainability and efficiency

Summary

As of 31 March 2025, Council had \$46 million invested in term deposits and \$3,576,594.45 in other cash investments. Council received \$173,001.59 from its investments for the month of March 2025.

In March 2025 Council investments averaged a rate of return of 4.74% and it currently has \$7,263,983.15 of internal restrictions and \$41,593,942.34 of external restrictions.

Recommendation

That Council receives and notes the monthly investment report.

Council Resolution

That Council receives and notes the monthly investment report.

Moved Cr. Nichols, Seconded Cr. Armstrong

9.10 PAYMENT OF EXPENSES AND PROVISION OF FACILITIES POLICY FOR ADOPTION

File Number: RPT/25/164

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Finance and Policy

Reporting Officer: Mardi Cleggett - Governance Officer

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

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

Summary

In accordance with section 252(1) of the *Local Government Act* (1993) (the Act), within the first 12 months of each term of a council, the council must adopt a policy concerning the payment of expenses incurred or to be incurred by, and the provision of facilities to Councillors in relation to discharging the functions of civic office.

At the 12 February 2025 Council meeting, the updated draft of the Policy was endorsed by Council for public exhibition for 28 days. No feedback or comments were received from the public during this time and no changes have been made to the Policy following the exhibition period.

Recommendation

That Council adopts the Payment of Expenses and Provision of Facilities Policy.

Council Resolution

That Council adopts the Payment of Expenses and Provision of Facilities Policy.

Moved Cr. Armstrong, Seconded Cr. Weeding

9.11 ARTIFICIAL INTELLIGENCE (AI) POLICY

File Number: RPT/25/166

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Finance and Policy

Reporting Officer: Deborah Zorzi - Governance Officer

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

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

Summary

Artificial intelligence (AI) is rapidly transforming the way organisations operate. AI-powered systems are being used to generate content, automate tasks, make decisions, drive robotics and improve efficiency in a wide range of industries.

Council can best manage the risks associated with the use of AI by developing an AI policy (and associated procedures as required) that establishes principles and controls to ensure Council uses AI in a responsible and ethical manner. Council has considered Australia's AI Ethics Principles in the development of this policy and will apply those principles in our use of AI enabled systems.

The implementation of an AI policy does not mean that Council will be prioritising the development of AI initiatives or solutions merely for the sake of having AI technology. An AI policy will position Council to identify and mitigate the risks posed by the adoption and use of AI technology and also educate its staff, particularly given the proliferation of AI Generative tools such as ChatGPT and CoPilot, and the fact that AI is becoming increasingly a 'built-in feature' of software systems/programs used by Council.

Recommendation

That Council endorses the draft *Artificial Intelligence (AI) Policy* in draft form to be placed on public exhibition for a period of 28 days.

Council Resolution

That Council endorses the draft *Artificial Intelligence (AI) Policy* in draft form to be placed on public exhibition for a period of 28 days.

Moved Cr. Starick, Seconded Cr. Armstrong

9.12 DRAFT COMMUNITY STRATEGIC PLAN

File Number: RPT/25/167

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Finance and Policy

Reporting Officer: Simon Rule - Director Corporate Services

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

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

Summary

In accordance with statutory requirements Council is required to have a Community Strategic Plan that has been developed and endorsed by Council.

The Community Strategic Plan is a document that identifies the main priorities and aspirations for the future of the Wentworth Shire region and covers a period of at least 10 years from when the plan is endorsed.

The draft Community Strategic Plan must be placed on public exhibition for a period of at least 28 days and submissions received by the public must be considered by the Council prior to adopting the final version of the plan.

Recommendation

That Council endorses the draft Community Strategic Plan to be placed on public exhibition period for a period of 28 Days

Council Resolution

That Council endorses the draft Community Strategic Plan to be placed on public exhibition period for a period of 28 Days

Moved Cr. Nichols, Seconded Cr. Rodda

9.13 ROAD SAFETY QUARTERLY REPORT

File Number: RPT/25/215

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Barnaby Bates - Council Community Officer Road Safety

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

tourism destination

Summary

This report is to provide Council with an update of the Road Safety Officer's activities from January 2025 to March 2025.

Recommendation

That Council receives and notes the Road Safety Quarterly Report for January 2025 to March 2025.

Council Resolution

That Council receives and notes the Road Safety Quarterly Report for January 2025 to March 2025.

Moved Cr. Weeding, Seconded Cr. Rodda

9.14 PROJECT & WORKS UPDATE - APRIL 2025

File Number: RPT/25/187

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Megan Jackson - Roads & Engineering Administration Officer

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

protect its physical and natural environment

Strategy: 3.2 Ensure that community assets and public infrastructure are

well maintained

Summary

This report provides a summary of the projects and major works undertaken by the Roads and Engineering Department which have been completed during the months of March 2025 and the planned activities for April 2025.

Recommendation

That Council receives and notes the major works undertaken in March 2025 and the scheduled works for the following month.

Council Resolution

That Council receives and notes the major works undertaken in March 2025 and the scheduled works for the following month.

Moved Cr. Armstrong, Seconded Cr. Nichols

9.15 REQUEST FOR FINANCIAL ASSISTANCE WENTWORTH REGIONAL TOURISM INC

File Number: RPT/25/220

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

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

tourism destination

Summary

Council is in receipt of a request for financial assistance from Wentworth Regional Tourism Inc for their "Why Not Winter in Wentworth" promotional campaign which will run from 1 July 2025 to 31 August 2025.

At 05:53 pm Councillor Jo Rodda left the Council Chambers.

Recommendation

That Council give consideration to the sponsorship request from Wentworth Regional Tourism by choosing an option from the report and if sponsorship is granted Councils logo will be included in all advertising material and a report including data be presented to Council after the event.

Council Resolution

That Council consideration to the sponsorship request from Wentworth Regional Tourism Inc for \$8000 and that Councils logo will be included in all advertising material and a report including data be presented to Council after the event.

Moved Cr. Armstrong, Seconded Cr. Weeding

CARRIED UNANIMOUSLY

At 05:54 pm Councillor Jo Rodda returned to Council Chambers.

9.16 DA2024/156 PERMANENT GROUP HOME 20 WENDY COURT LOT 17 DP 1288183 BURONGA

File Number: RPT/25/226

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

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

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

At 05:54 pm Councillor Susan Nichols left the Council Chambers.

At 05:54 pm Councillor Tim Elstone left the Video Conference link of the meeting.

Summary

This item is a planning matter that was the subject of deliberation at the 19 March 2025 Meeting of Council. At that time the minutes recorded the following:

Council Resolution

That Council:

- 1. Approve subject to conditions DA2024/156 for a permanent group home to be located at 20 Wendy Court Lot 17, DP 1288183, Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Reason - Assessment of demand for a group home has been investigated by Councillors. Councillors assessment indicates that there is no further demand for Group Homes in Wentworth Shire Council other than for the Group Homes that have already been approved.

Moved Cr. Crisp, Seconded Cr. Armstrong

LOST BY UNANIMOUS VOTE AGAINST THE RECOMMENDATION

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

For the Motion: Nil.

Against the Motion: Clr.s Armstrong, Crisp, Evans, Linklater, Rodda, Starick

and Weeding.

Resolutions provide direction to the council's staff or other entities on how to implement a particular course of action.

Analysis of the minutes suggests that a recommendation from the officer was lost but there was not a further resolution of Council to provide a guide for an action. In this case being a planning matter the Environmental Planning and Assessment Act provides for determination by way of approval or refusal subject to conditions. The minutes accurately recorded did not provide that option. This effectively does not provide the General Manager with a lawful decision to be implemented.

For these reasons this report is represented to Council to enable a resolution which provides a clear guide of action to staff to enable an appropriate determination to be issued to the applicant.

A development application (DA2024/156) was received by Council on 21 November 2024, for a permanent group home to be situated upon 20 Wendy Court – Lot 17, DP 1288183.

Under the Wentworth Local Environmental Plan (WLEP) 2011 and the State Environmental Planning Policy (Housing) 2021, this development is permitted with consent within the RU5 – Village zoning.

The application seeks development approval for the construction of a permanent group home which will be used for the accommodation of people with a disability under the NDIS Scheme. The building will consist of three bedrooms for people with disability and one bedroom for overnight assistance, with each bedroom having an ensuite. Other features of the permanent group home include an open plan kitchen, dining and living area, and an alfresco area. A single disabled car park has been provided within the garage.

The application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification six (6) submissions (five (5) unique submissions) were received by Council objecting to the proposed development.

The State Environmental Planning Policy (Housing) 2021 states that a consent authority must not refuse consent to the development for the purposes of a group home unless the consent authority has made an assessment of the community need for the group home.

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

The development application was initially presented to Council at the 12 February 2025 ordinary Council meeting, where the matter was deferred for presentation to the March 2025 Council meeting.

Recommendation

That Council:

- 1. Approve subject to conditions DA2024/156 for a permanent group home to be located at 20 Wendy Court Lot 17, DP 1288183, Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Council Resolution

That Council:

- 1. Refuse DA2024/156 for a permanent group home to be located at 20 Wendy Court Lot 17, DP 1288183, Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Reason for Refusal - Assessment of demand for a group home has been investigated by Councillors. Councillors assessment indicates that there is no further demand for Group Homes in Wentworth Shire Council other than for the Group Homes that have already been approved.

Moved Cr. Crisp, 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 Armstrong, Crisp, Evans, Linklater, Rodda, Starick

and Weeding.

Against the Motion: Nil.

9.17 DA2024/158 PERMANENT GROUP HOME 42 MIDWAY DRIVE LOT 3 DP 12288183 BURONGA

File Number: RPT/25/227

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

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

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

Summary

This item is a planning matter that was the subject of deliberation at the March Meeting of Council. At that time the minutes recorded the following:

Council Resolution

That Council:

- 1. Approve subject to conditions DA2024/158 for a permanent group home to be located at 42 Midway Drive Lot 3, DP 1288183, Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Reason - Assessment of demand for a group home has been investigated by Councillors. Councillors assessment indicates that there is no further demand for Group Homes in Wentworth Shire Council other than for the Group Homes that have already been approved.

Moved Cr. Rodda, Seconded Cr. Crisp

LOST BY UNANIMOUS VOTE AGAINST THE RECOMMENDATION

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

For the Motion: Nil.

Against the Motion: Clr.s Armstrong, Crisp, Evans, Linklater, Rodda, Starick

and Weeding.

Resolutions provide direction to the council's staff or other entities on how to implement a particular course of action.

Analysis of the minutes suggests that a recommendation from the officer was lost but there was not a further resolution of Council to provide a guide for an action. In this case being a planning matter the Environmental Planning and Assessment Act provides for determination by way of approval or refusal subject to conditions. The minutes accurately recorded did not provide that option. This effectively does not provide the General Manager with a lawful decision to be implemented.

For these reasons this report is represented to Council to enable a resolution which provides a clear guide of action to staff to enable an appropriate determination to be issued to the applicant.

A development application (DA2024/158) was received by Council on 29 November 2024, for a permanent group home to be situated upon 42 Midway Drive – Lot 3, DP 1288183.

Under the Wentworth Local Environmental Plan (WLEP) 2011 and the State Environmental Planning Policy (Housing) 2021, this development is permitted with consent within the RU5 – Village zoning.

The application seeks development approval for the construction of a permanent group home which will be used for the accommodation of people with a disability under the NDIS Scheme. The building will consist of three bedrooms for people with disability and one bedroom for an overnight assistance, with each bedroom having an ensuite. Other features of the permanent group home include an open plan kitchen, dining and living area, and an alfresco area. A single disabled car park has been provided within the garage.

The application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification thirteen submissions were received by Council objecting to the proposed development.

The State Environmental Planning Policy (Housing) 2021 states that a consent authority must not refuse consent to the development for the purposes of a group home unless the consent authority has made an assessment of the community need for the group home.

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

Recommendation

That Council:

- 1. Approve subject to conditions DA2024/158 for a permanent group home to be located at 42 Midway Drive Lot 3, DP 1288183, Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Council Resolution

That Council:

- 1. Refuse DA2024/158 for a permanent group home to be located at 42 Midway Drive Lot 3, DP 1288183, Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Reason for Refusal - Assessment of demand for a group home has been investigated by Councillors. Councillors assessment indicates that there is no further demand for Group Homes in Wentworth Shire Council other than for the Group Homes that have already been approved.

Moved Cr. Crisp, 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 Armstrong, Crisp, Evans, Linklater, Rodda, Starick

and Weeding.

Against the Motion: Nil.

9.18 DA2024/159 PERMANENT GROUP HOME 40 MIDWAY DRIVE LOT 4 DP 1288183 BURONGA

File Number: RPT/25/228

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

Reporting Officer: Ken Ross -

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

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

Summary

This item is a planning matter that was the subject of deliberation at the March Meeting of Council. At that time the minutes recorded the following:

Council Resolution

That Council:

- 1. Approve subject to conditions DA2024/159 for a permanent group home to be located at 40 Midway Drive Lot 4, DP 1288183, Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Reason for Refusal - Assessment of demand for a group home has been investigated by Councillors. Councillors assessment indicates that there is no further demand for Group Homes in Wentworth Shire Council other than for the Group Homes that have already been approved.

Moved Cr. Weeding, Seconded Cr. Armstrong

LOST BY UNANIMOUS VOTE AGAINST THE RECOMMENDATION

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

For the Motion: Nil.

Against the Motion: Clr.s Armstrong, Crisp, Evans, Linklater, Rodda, Starick

and Weeding.

Resolutions provide direction to the council's staff or other entities on how to implement a particular course of action.

Analysis of the minutes suggests that a recommendation from the officer was lost but there was not a further resolution of Council to provide a guide for an action. In this case being a planning matter the Environmental Planning and Assessment Act provides for determination by way of approval or refusal subject to conditions. The minutes accurately recorded did not provide that option. This effectively does not provide the General Manager with a lawful decision to be implemented.

For these reasons this report is represented to Council to enable a resolution which provides a clear guide of action to staff to enable an appropriate determination to be issued to the applicant.

A development application (DA2024/159) was received by Council on 29 November 2024, for a permanent group home to be situated upon 40 Midway Drive – Lot 4, DP 1288183.

Under the Wentworth Local Environmental Plan (WLEP) 2011 and the State Environmental Planning Policy (Housing) 2021, this development is permitted with consent within the RU5 – Village zoning.

The application seeks development approval for the construction of a permanent group home which will be used for the accommodation of people with a disability under the NDIS Scheme. The building will consist of three bedrooms for people with disability and one bedroom for an overnight assistance, with each bedroom having an ensuite. Other features of the permanent group home include an open plan kitchen, dining and living area, and an alfresco area. A single disabled car park has been provided within the garage.

The application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification thirteen submissions were received by Council objecting to the proposed development.

The State Environmental Planning Policy (Housing) 2021 states that a consent authority must not refuse consent to the development for the purposes of a group home unless the consent authority has made an assessment of the community need for the group home.

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

Recommendation

That Council:

- 1. Approve subject to conditions DA2024/159 for a permanent group home to be located at 40 Midway Drive Lot 4, DP 1288183, Buronga.
- Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Council Resolution

That Council:

- Refuse DA2024/159 for a permanent group home to be located at 40 Midway Drive Lot 4, DP 1288183, Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Reason - Assessment of demand for a group home has been investigated by Councillors. Councillors assessment indicates that there is no further demand for Group Homes in Wentworth Shire Council other than for the Group Homes that have already been approved.

Moved Cr. Crisp, 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 Armstrong, Crisp, Evans, Linklater, Rodda, Starick

and Weeding.

Against the Motion: Nil.

At 05:58 pm Councillor Susan Nichols returned to Council Chamber

At 05:58 pm Councillor Tim Elstone returned to the Video Conference of the meeting.

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 Plant Purchase - Approval of Tenders for purchase of a Landfill Compactor. (RPT/25/165)

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 Sunraysia Early Settlers Museum Inc. (RPT/25/223)

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. Crisp, Seconded Cr. Weeding

12 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

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

File Number: RPT/25/165

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Samantha Wall - Projects Administration

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

protect its physical and natural assets

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

REASON FOR CONFIDENTIALITY

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

The General Manager advised that Council accepted the tender from Tutt Bryant for the supply of one Bomag BC773 RB-5 for the sum of \$1,195,573.00 inc GST as specified.

12.2 SUNRAYSIA EARLY SETTLERS MUSEUM INC

File Number: RPT/25/223

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

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

tourism destination

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (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 provided a contribution of \$14,000 (fourteen thousand dollars) excluding GST to Sunraysia Early Settlers Museum Inc for the engagement of a suitably qualified fire engineering consultant to prepare a report on the essential service requirements for the Old Coomealla Packers Building.

13 CONCLUSION OF THE MEETING

The meeting concluded at 6:11pm.

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14 May 2025

CHAIR

6 MAYORAL AND COUNCILLOR REPORTS

7.1 MAYORAL REPORT

File Number: RPT/25/245

Summary

The purpose of this report is to advise Council of meetings, conferences and appointments undertaken by Mayor Linklater for the period of 17 April 2025 – 14 May 2025.

Recommendation

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

Report

The following table lists the meetings attended by Mayor Linklater for the period of 17 April 2025 – 14 May 2025.

Date	Meeting	Location
17 April 2025	Official Opening Magenta Art Prize	Buronga
25 April 2025	Anzac Day Service	Wentworth
28 April 2025	Mayoral Meeting	Wentworth
28 April 2025	Dinner & Trail of Lights – Cross Border Commissioners – MRCC & WSC	Mildura
06 May 2025	Sturt Highway Taskforce Meeting	Online
10 May 2025	Rubys Cargo 25th Birthday	Wentworth
12 May 2025	Mayoral Meeting	Wentworth
13 May 2025	MDA Region 4	Online
14 May 2025	Pre Meeting Briefing	Wentworth
14 May 2025	Ordinary Council Meeting	Wentworth

Attachments

Nil

7 REPORTS FROM COMMITTEES

Nil

8 REPORTS TO COUNCIL

9.1 GENERAL MANAGERS REPORT

File Number: RPT/25/231

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

Reporting Officer: Ebony Carter - Business Support Officer

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

leadership with all activities conducted in an open,

transparent and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

Summary

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

- 1. OLG Circulars
- 2. Meetings

As listed.

3. Upcoming meetings or events

As listed.

4. Other items of note

Recommendation

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

Detailed Report

1. Circulars

Council Circular 25-09 PSUP Evaluation 2025 Key Points

- The PSUP laws commenced on 1 November 2022 to help keep our public places safe, accessible, and enjoyable for communities in NSW, now and into the future.
- The laws place the responsibility on property owners to collect items such as bikes, trolleys, vehicles, and animals left in public spaces.
- Councils and other authorities have the power to take a risk-based approach to move or remove unattended property from public spaces, direct owners to collect their property, and issue fines.
- After 2 years of implementing the laws, it's important to ensure that unattended property can be appropriately dealt with to keep public spaces safe and enjoyable.

- OLG is seeking feedback from community, operators, councils and other public land management authorities to evaluate the effectiveness of the PSUP laws since they commenced.
- The evaluation will carefully consider where the laws are working well, any key concerns with the laws, and what measures may be taken to support effective implementation into the future.
- Key issues such as timeframes and definitions in the laws, powers available to authorities and their use, and the nature and impact of offences and penalties, will be addressed.
- Outcomes of the evaluation will include identification of short-term or longerterm improvements or additions to tools, activities, or regulation needed to improve operation of the PSUP laws.

2. Meetings

Following is a list of meetings or events attended by the General Manager for the period of 17 April 2025 – 14 May 2025

Date	Meeting	Location
28 April 2025	Mayoral Meeting	Wentworth
28 April 2025	Dinner – Cross Border Commissioners & Trail of Lights – MRCC & WSC	Mildura
01 May 2025	Official Unveiling of Pooncarie's Yabbie sculpture Kathunya	Pooncarie
05 May 2025	Mayoral Meeting	Wentworth
09 May 2025	ARIC Meeting	Wentworth
12 May 2025	Mayoral Meeting	Wentworth
13 May 2025	MDA Region 4	Online
14 May 2025	LEMC Meeting	Wentworth
14 May 2025	Pre-Meeting Debrief	Wentworth
14 May 2025	Ordinary Council Meeting	Wentworth

3. Events

Following is a list of events, conferences, or committee meetings, including out of region meetings where the Shire has been requested to attend in an official capacity from 15 May 2025 – 25 June 2025.

Date	Meeting	Proposed Attendees	Location
15 May 2025	Wentworth Shire Interagency Group	Cr Armstrong & Rodda	Buronga
16 May 2025	RAMJO Board Meeting	Mayor & General Manager	Online

16 May 2025	Mildura Field Days Opening	General Manager & Councillors	Mildura
20 May 2025	Regional Emergency Management Committee	General Manager	Online
29 May 2025	Staff Consultative/WHS Committee Meeting	General Manager	Wentworth
02 June 2025	Wentworth Regional Tourism INC	Cr Rodda	Wentworth
10 June 2025	Australian Inland Botanic Gardens Meeting	Cr Rodda	Buronga
12 June 2025	ClubGrants Cat 1 Meeting	Mayor & General Manager	Coomealla

4. Other Items of Note

Attachments

1. Council Circular 25-09 PSUP Evaluation 2025

Department of Planning, Housing and Infrastructure Office of Local Government





Circular to Councils

Subject/title	PSUP Evaluation 2025
Circular Details	Circular No 25-09 / 16 April 2025 / A955489
Previous Circular	23-14 Public Spaces (Unattended Property) Act 2021 – Commencement of Special arrangements for stock animals in emergencies 22-31 Commencement of the Public Spaces (Unattended Property) Act 2021.
Who should read this	Councillors / General Managers / Regulatory and Public Space management staff
Contact	Sector Policy and Frameworks Team / 02 4428 4100 / olg@olg.nsw.gov.au
Action required	Response to OLG

What's new or changing?

- The Office of Local Government (OLG) is evaluating the *Public Spaces (Unattended Property) Act 2021* and the Public Spaces (Unattended Property) Regulation 2022 (PSUP laws) to assess:
 - o the effectiveness of the laws in meeting their objectives
 - o the effectiveness of the implementation of the new laws.

What will this mean for council?

- Councils, other public land managers, industry stakeholders and members of the public are invited to provide feedback on the questions posed in the evaluation survey by Friday, 13 June 2025.
- Feedback received will be considered by OLG to inform the identification of short-term or longer-term improvements or additions to tools, activities, or regulation needed to improve operation of the PSUP laws.

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



Key points

- The PSUP laws commenced on 1 November 2022 to help keep our public places safe, accessible, and enjoyable for communities in NSW, now and into the future.
- The laws place the responsibility on property owners to collect items such as bikes, trolleys, vehicles, and animals left in public spaces.
- Councils and other authorities have the power to take a risk-based approach to move or remove unattended property from public spaces, direct owners to collect their property, and issue fines.
- After 2 years of implementing the laws, it's important to ensure that unattended property can be appropriately dealt with to keep public spaces safe and enjoyable.
- OLG is seeking feedback from community, operators, councils and other public land management authorities to evaluate the effectiveness of the PSUP laws since they commenced.
- The evaluation will carefully consider where the laws are working well, any key concerns with the laws, and what measures may be taken to support effective implementation into the future.
- Key issues such as timeframes and definitions in the laws, powers available to authorities and their use, and the nature and impact of offences and penalties, will be addressed.
- Outcomes of the evaluation will include identification of short-term or longer-term improvements or additions to tools, activities, or regulation needed to improve operation of the PSUP laws.

Where to go for further information

Further information on the evaluation, including access to the online survey and an editable submission form, is available on OLG's website –
 https://www.olg.nsw.gov.au/public/about-councils/laws-and-regulations/public-spaces-unattended-property-act-2021/, or by contacting the Sector Policy and Frameworks team on 02 4428 4100 or via email at unattendedproperty@olg.nsw.gov.au.

Erica van den Honert Executive Director, Sector Delivery Office of Local Government

Circular to Councils 2

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

File Number: RPT/25/236

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

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

tourism destination

Summary

Council has received a request from the Wentworth District Rowing Club Inc to lift the alcohol- free zone for the Wentworth District Rowing Club Lawns area for one event in Wentworth. The Wentworth District Rowing Club has sought approval for the suspension of the alcohol-free zone in past years for community events in the same area. There have been no incidents or problems in past events that would warrant Council refusing the temporary lifting of the alcohol-free zone as requested.

Recommendation

That Council:

- a) In accordance with Section 645 of the *Local Government Act 1993*, suspends the operation of the alcohol-free zone in the area of the Wentworth District Rowing Club Lawns area as shown on the map attached to this report, on Friday 12 September 2025 and Saturday 13 September 2025 from 12:00 noon to 22:00pm
- b) Advertises the suspension of the alcohol-free zone in a locally circulated newspaper and, Councils website and other social media
- c) Advise the NSW Police of the details of the suspensions of the alcohol-free zone

Detailed Report

Purpose

The purpose of this report is for Council to consider the suspension of the operation of the alcohol-free zone at the Wentworth District Rowing Club Lawns area for the RFDS Rowathon from 12 noon to 10pm on Friday 12 September 2025 and Saturday 13 September 2025

The RFDS Rowathon event is expected to attract a number of visitors to Wentworth. The people attending are expected to be a responsible crowd, given the nature of the event.

Attachment 1: Map of Alcohol-Free Zone – Wentworth Rowing Club and Lawns

Background

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

The area identified in the attached map, being the area known as the Wentworth District Rowing Club Lawns, is the area, for which the alcohol-free zone is requested to be lifted from 12 noon to 10pm on the Friday 12 September 2025 and Saturday 13 September 2025.

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

Attachment 2: Alcohol free zone suspension request letter

Matters under consideration

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

Options

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

a) Grant the request for lifting of the alcohol-free zone

Or

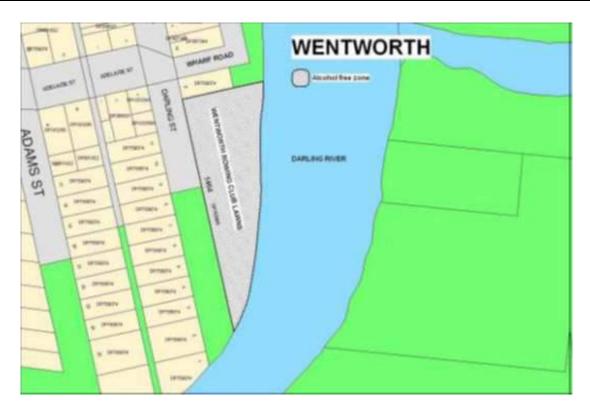
b) Refuse the request to lift the alcohol-free zone.

Conclusion

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

Attachments

- 1. Map of Alcohol Free Zone Wentworth Rowing Club and Lawns
- 2. Request Lifting of Alcohol Free Zone J.



President: Sam Cross Secretary: Roz Ford

ABN 45 253 607 490



Wentworth District Rowing Club Inc PO Box 95 Wentworth NSW 2648 secretarywentworthrc@gmail.com

General Manager Wentworth Shire Council Darling Street Wentworth

16/04/2025

Dear Sir,

RE: Alcohol Exemption

The Wentworth District Rowing Club would like to seek an alcohol exemption for the Rowing Club and immediate lawn area for the Royal Flying Doctor Service Rowathon, a long distance rowing event attracting rowers from around Australia. The event will take place on Saturday 13th September, commencing 16km upstream from Mildura and proceeding downstream to Wentworth. The Wentworth District Rowing Club has hosted this event annually for many years, hosting dinner for the participants on the Friday and Saturday evenings. In order to facilitate this event, an exemption is requested to be in effect between the hours of 12:00 noon and 22:00 on Friday 12th September 2025 and 12:00 noon and 22:00 on Saturday 13th September 2025.

Yours sincerely,

Roz Ford Secretary.

9.3 MONTHLY FINANCE REPORT - APRIL 2025

File Number: RPT/25/251

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

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 April 2025 were \$817,350.51. After allowing for pensioner subsidies, the total levies collected are now 80.03%. For comparison purposes 81.49% of the levy had been collected at the end of April 2024. Council currently has \$47,352,291.53 in cash and investments.

Recommendation

That Council receives and notes the Monthly Finance Report for April 2025.

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 April 2025

The reconciliation has been carried out between the Cash Book of each fund and the Bank Pass Sheet as at 30 April 2025.

	Combi	ned Bank Account
Cash Balance as at 1 April 2025	\$	1,857,951.30
Add: Receipts for the Period Ending 30 April 2025	\$	5,252,601.18
Rates, Debtors, Miscellaneous		
Less: Payments for the Period Ending 30 April 2025 Cash Book entries for this Month	\$	4,476,904.10
Cash Balance of Operating A/C as at 30 April 2025	\$	2,633,648.38
Trust Fund Balance	\$	1,718,643.15
Total Investments as at 30 April 2025	\$	43,000,000.00
TOTAL FUNDS AVAILABLE	\$	47,352,291.53

Collection of Rates and Charges

Rates and Charges collections for the month of April 2025 were \$ 817,350.51. After allowing for pensioner subsidies, the total levies collected are now 80.03%. A summary of the Rates and Charges situation as at 30 April 2025 is as follows:

Note: For comparison purposes 81.49% of the levy had been collected at the end of April 2024.

LEVIES	RATES & CHARGES	
Balance Outstanding at 30 June 2024 - Rates / Water	673,790.42	
Rates and Charges Levied 22 July 2024	11,066,559.48	\$ 11,740,349.90
+ Additional Water Charges	1,615,830.38	
+ Supplementary Rates and Charges	114,155.41	
+ Additional Charges	99,336.14	
- Credit Adjustments	11,284.88	
- Abandonments	334.75	\$ 13,558,052.20
DEDUCTIONS		
- Payments	10,696,245.56	
- Less Refunds of Payments	19,473.42	\$ 10,676,772.14
		\$ 2,881,280.06
- Pensioner Subsidy		
Government Subsidy	95,249.64	
Council Subsidy	77,931.52	\$ 173,181.16
RATES/WATER CHARGES OUTSTANDING 30 APRIL 2025		\$ 2,708,098.90

Rates/Water write offs and adjustments

The following rates or charges have been written off or adjusted under the delegated authority of the General Manager for the month of April 2025.

Account	Date	Amount	Comment
Rates			
976	9/04/2025	35.9	Write off interest - Land transfer was not received by Council
Water			
947	7/04/2025	677.28	Credit raw water charge. Previous reading was estimated higher than what the acutal reading was creating an incorrect charge.
514	7,-4		
Debtors			
NSW Fisheries	4/04/2025	\$ 44.00	Credit Landfill charge - Paid by credit card at landfill and transaction was also enetered into data for an account to be issued
Monogan Logistics	9/04/2025	\$ 3,319.00	Use of standpipe is not required

Council Loans Report

Name	Institution	Purpose	Interest Rate	i	Loan Amount		Amount Outstanding	Due Date
Loan 201	National Australia Bank	Buronga Landfill	4.55% Fixed	\$	920,000.00	\$	70	30/01/2025
Loan 202	ANZ Bank	Civic Centre	3.47% Fixed	5	850,000.00	\$	483,954.16	21/10/2026
Loan 203	National Australia Bank	Midway Centre	3.586% Fixed	5	1,900,000.00	5	1,189,721.09	1/06/2033
Loan 204	Bendigo Bank	Buronga Landfill	5.29% Fixed	\$	1,500,000.00	\$	1,084,210.12	12/05/2037
CFWC310604	T-Corp	Trentham Cliffs Sewer	1.82% Fixed	5	750,000.00	\$	502,609.37	4/06/2031
CFWC310624	T-Corp	Burong/Gol Gol Stormwater	1.79% Fixed	5	1,250,000.00	5	837,840.61	24/06/2031
Loan 205	National Australia Bank	Willowbend Caravan Park	2.2% Fixed	\$	1,500,000.00	5	1,045,554.09	25/01/2027
Loan 206	Bendigo Bank	Buronga Landfill #3	1.85% Fixed	\$	900,000.00	\$	475,158.92	25/09/2028
Loan 207	National Australia Bank	Willowbend Caravan Park	1.933% Fixed	5	1,500,000.00	"5	1,078,305.81	31/03/2028
Loan 207	National Australia Bank	Civic Centre	1.933% Fixed	5	1,500,000.00	5	1,500,000.00	31/03/2028
CFWC440209	T -Corp	Civic Centre	5.45% Fixed	5	4,000,000.00	\$	3,885,579.01	9/02/2044
CFWC440523	T-Corp	Stormwater	5.73% Fixed	5	2,000,000.00	\$	1,972,346.80	23/05/2044
CFWC440822	T-Corp	Buronga Landfill	5.48% Fixed	\$	12,000,000.00	\$	11,831,243.83	22/08/2044
					TOTAL	\$	25,886,523.81	

Overtime and Travelling

Month	April	Pay Periods	21 & 22									
Overtime from 29 March 2029	to 25 April 20	125										
Overtime	100										Ŷ.	
	6 00000	and a Half	Do	uble	e Time	Dou	ble T	ime 1/2		Total		2024/25
Control Marian Control Control Marian Control	8.1	lalf Time			27.000.200.000						A	cumulative
Department	Hours	Amount	Hours		Amount	Hours		Amount				Total
Animal Services	28.50	1,575.76	17.50	\$	1,237.02	6.75	\$	695.60	\$	3,508.38	5	24,134.81
Accountant	3.00	234.78							\$	234.78	5	1,963.03
Assets									\$		\$	2,478.23
Building Maintenance									\$		5	1,292.83
BioSecurity Officer									\$	- 25	\$	*
Civil	5.50	269.70	13.50	\$	875.02				\$	1,144.72	\$	10,373.92
Customer Service Office									5		5	- 6
Depot Store									\$	- 83	5	8
Finance									\$	73	\$	3,874.02
GM's Office	12.50	915.01	6.00	\$	639.08				\$	1,554.09	5	5,614.32
Health & Planning	1000000	50,500							\$	-	5	
Indoor Engineers	2.50	210.70							\$	210.70	\$	3,739.78
rT Support	2.00	156.52	0.50	5	52.17				5	208.69	5	8,605.58
Landfill Transfer Stations	31.50	1,517.47	13.00	\$	951.74				\$	2,469.21	5	23,606.63
Library	6.00	379.11	7.00	\$	562.94				\$	942.05	\$	10,055.06
Parks & Gardens	7.00	355.81	12.50	5	853.04	6.00	5	479.17	5	1,688.02	5	15,879.33
Private Works	0.000	0775664							\$		5	5,971.00
Roads - Council	192.50	9,605.11	175.00	\$	11,502.13				\$	21,107.24	5	315,916.91
Roads - RMS	192.00	9,403.52	347.00	\$	22,758.86				5	32,162.38	5	50,783.62
Subdivision Officer	550.000	4000000			300000000				\$		5	486.31
Tourism & Promotion	45.00	2,361.41				6.00	\$	481.49	5	2,842.90	5	13,622.10
Water & Waste Water	51.50	2,831.17	26.50	5	1,774.09	17.00	5	1,592.23	5	6,197.49	5	100,814.03
Workshop	7.50	464.25	2.50	Ś	206.33		177		\$	670.58	5	5,502.82
Workshop/Mechanics	1.50	80.41							5	80.41	5	1,099.27
Total	588.50	30,360.73	621.00		41,412.42	35.75		3,248.49	5	75,021.64	5	605,813.60
Travel Allowance					- 10				100			
Department	Kms	Amount										
Total	0	0										
Grand Total		\$ 75,021.64										

Conclusion

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

Attachments

Nil

9.4 MONTHLY INVESTMENT REPORT - APRIL 2025

File Number: RPT/25/249

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Reporting Officer: Bryce Watson - Accountant

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

leadership with all activities conducted in an open, transparent

and inclusive manner

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

resource management across Council to ensure long-term

sustainability and efficiency

Summary

As of 30 April 2025, Council had \$43 million invested in term deposits and \$4,352,291.53 in other cash investments. Council received \$173,001.59 from its investments for the month of April 2025.

In April 2025 Council investments averaged a rate of return of 4.77% and it currently has \$4,535,490.24 of internal restrictions and \$40,623,235.35 of external restrictions.

Recommendation

That Council receives and notes the monthly investment report.

That Council approves the temporary use of up to \$2.5 million from internally restricted.

Detailed Report

Purpose

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

Matters under consideration.

As of April 2025, Council had \$47,352,291.53 invested with Nine (9) financial institutions and One (1) Treasury Corporation. This is a decrease of \$2,224,302.91 from the previous month.

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

Interest Received from Cash Investments in April 2025

Eight (8) deposits matured or provided interest in April earning Council \$195,810.14 in interest. The budget for April was \$166,667. Year to date Council has received \$1,989,559.17 in interest based on cash accounting compared to the budget to April of \$1,666,667. Expired investments are now shown in the attached report along with a summary of accrued interest. The budget for the financial year was set at \$2,000,000.

Restrictions

Internal Restrictions		
- Employee Entitlements	\$2,300,921.00	
- Doubtful Debts	\$24,669.00	
- Future Development Reserve	\$576,217.20	
- Trust Account	\$1,879,444.04	
- Capital Projects	\$0.00	
- Plant Replacement Reserve	\$0.00	\$4,535,490.24
External Restrictions		
- Water Fund	\$11,691,488.35	
- Sewer Fund	\$6,393,653.60	
- T-Corp Loan Balance	\$2,259,944.00	
- Developer Contributions Reserve	\$1,085,000.00	
- Landfill Expansion Loan	\$8,184,635.35	
- Unexpended Grants	\$10,211,396.64	
- Crown Reserves Reserve	\$208,296.22	
- Prepayments Cemeteries	\$588,821.19	\$40,623,235.35
Day to Day Liquidity	 	\$2,193,565.94
Total Funds Available		\$47,352,291.53

Short term liquidity

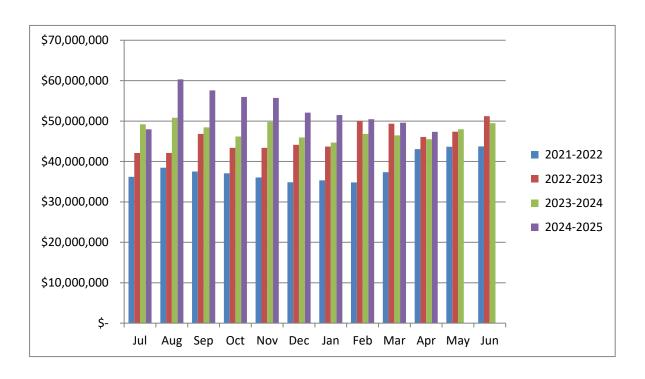
Council has undertaken a series of capital and operational works either on behalf of external agencies or funded under agreements that require acquittal before payment is made. As of the date of this report, Council is owed approximately \$4.2 million across various projects.

Due to the timing mismatch between expenditure and income, Council is currently experiencing a short-term cash liquidity constraint. While Council remains financially sustainable over the long term the current situation requires temporary intervention.

Council's unrestricted cash balance is currently insufficient to cover the operational cash buffer traditionally maintained. To bridge the cash flow gap, it is proposed that Council temporarily utilise up to \$2.5 from internally restricted reserves while awaiting reimbursement.

While Council's financial position remains sound, the timing of project-related payments has created a short term cash liquidity issue which will need to be monitored closely over the next couple of months until all funds have been paid.

Total Funds Invested



Summary - Unexpended Grants as at 30 April 2025

Grant	Amount	Expiry
Supporting Volunteers Grant	\$62,620.83	31/07/2025
Resources for Regions Round 9	\$1,959,716.15	30/06/2025
OLG Flood Recovery Grants	\$578,329.49	30/06/2026
Planning Cadet Grant	\$15,880.00	No Set Date
RFS M & R Grant	\$44,347.35	30/06/2025
Shade Sail & Fitness Grant	\$6143.49	31/12/2024
Crown Reserve Improvement Fund Astronomy Park	\$656,000.21	30/06/2026
Roads to Recovery	\$110,894.38	30/06/2025
Main Roads Block Grant	\$471,358.11	30/06/2025
Regional Emergency Road Repair Program	\$6,729,716.64	31/10/2027
Drought Resiliance Funding	\$86,540.00	30/11/2025
Total	\$10,802,408.31	

Conclusion

The Director Corporate Services has certified that all investments have been made in accordance with the *Local Government Act 1993* (NSW), Local Government (General) Regulations 2021 and Council's Investment Policy. Council is investing its funds prudently to optimise returns and reduce exposure to risk in accordance with legislation and its own investment policy.

Attachments

1. Portfolio Performance Summary April 2025 U

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The YieldHub platform is powered by Curve Securities Ltd.

ABN 94 143 558 598 | AFS Licence 405751

Phone: (02) 9690 2188 | Curve: 1300 128 783 | Email: yield@curve.com.au

Suite 1801, Level 18, 1 Bligh St, Sydney, NSW, 2000

COMMENTS																				
NEXT PAYMENT DATE	06/05/2025	21/11/2025	03/06/2025	03/09/2025	03/09/2025	28/08/2025	27/08/2025	27/08/2025	26/05/2025	26/05/2025	28/07/2025	28/07/2025	14/05/2025	25/06/2025	26/06/2025	27/05/2025	23/05/2025	05/01/2026	04/12/2025	16/06/2025
TOTAL DEPOSIT INTEREST	\$21,391.23	\$51,500	\$37,260.27	\$49,500	\$49,500	\$49,700	\$49,100	\$49,100	\$36,887.67	\$36,887.67	\$43,818.08	\$43,818.08	\$93,276.16	\$106,814.79	\$54,550.14	\$52,700	\$53,153.97	\$103,081.64	\$157,500	\$70,865.75
TOTAL ACCRUED	\$20,696.71	\$22,716.44	\$32,739.73	\$32,547.95	\$32,547.95	\$33,496.44	\$33,226.58	\$33,226.58	\$33,497.26	\$33,497.26	\$32,341.92	\$32,341.92	\$89,450.96	\$90,450.41	\$46,157.81	\$48,946.03	\$49,941.37	\$16,194.52	\$21,287.67	\$1,664.38
MONTHLY ACCRUED	\$4,167.12	\$4,232.88	\$4,109.59	\$4,068.49	\$4,068.49	\$4,084.93	\$4,035.62	\$4,035.62	\$4,068.49	\$4,068.49	\$3,912.33	\$3,912.33	\$8,827.4	\$8,926.03	\$4,495.89	\$4,331.51	\$4,380.82	\$4,224.66	\$4,315.07	\$1,109.59
INTEREST FREQUENCY	At maturity	N/A	Annually	Annually	Quarterly															
YIELD	5.0700%	5.1500%	5.0000%	4.9500%	4.9500%	4.9700%	4.9100%	4.9100%	4.9500%	4.9500%	4.7600%	4.7600%	5.3700%	5.4300%	5.4700%	5.2700%	5.3300%	5.1400%	5.2500%	1.3500%
MATURITY DATE	06/05/2025	21/11/2025	03/06/2025	03/09/2025	03/09/2025	28/08/2025	27/08/2025	27/08/2025	26/05/2025	26/05/2025	28/07/2025	28/07/2025	14/05/2025	25/06/2025	26/06/2025	27/05/2025	23/05/2025	05/01/2026	03/12/2026	15/12/2026
TERM (DAYS)	154	365	272	365	365	365	365	365	272	272	336	336	317	359	364	365	364	732	1095	1916
SETTLEMENT DATE	03/12/2024	21/11/2024	04/09/2024	03/09/2024	03/09/2024	28/08/2024	27/08/2024	27/08/2024	27/08/2024	27/08/2024	26/08/2024	26/08/2024	01/07/2024	01/07/2024	27/06/2024	27/05/2024	24/05/2024	04/01/2024	04/12/2023	16/09/2021
CONSIDERATION	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$2,000,000	\$2,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
S&P EQUIV. RATING	A-1+ / AA-	A-1 / A	A-1 / A	A-1+ / AA-	A-1+ / AA-	A-1+ / AA-	A-1 / A	A-1 / A	A-1 / A	A-1 / A	A-1+ / AA-	A-1+ / AA-	A-1+ / AA-	A-1 / A	A-1+ / AA-	A-1 / A	A-1/A	A-1/A	A-2 / A-	NR / AA-
INSTITUTION	NAB	ING Bank (Australia)	Rabobank Australia	NAB	NAB	NAB	ING Bank (Australia)	ING Bank (Australia)	Rabobank Australia	Rabobank Australia	Westpac	Westpac	NAB	Rabobank Australia	NAB	ING Bank (Australia)	Rabobank Australia	ING Bank (Australia)	Bank of Queensland.	Northern Territory Treasury Corporation (Territory Bonds)
PORTFOLIO	Wentworth Shire Council																			
CONTRACT	080623	080427	078999	078971	078970	078871	078851	078850	078849	078848	078835	078834	075899	075898	075831	071898	071875	069374	068928	054172

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Portfolio Performance Summary As at 30/04/2025

Time Period	Term Deposits	Total Avg Yield	RBA Cash	1m BBSW	3m BBSW	AusBond Bank Bill	AusBond Annualised	vs RBA	vs 1m BBSW	vs 3m BBSW	vs AusBon d
As At 30/4/2025	4.80%	4.80%	4.10%	3.96%	3.87%	10056.479	:	+0.70%	+0.84%	+0.93%	!
	4.86%	4.86%	4.10%	4.10%	4.13%	0.35%	4.31%	+0.76%	+0.76%	+0.73%	+0.54%
	4.99%	4.99%	4.35%	4.27%	4.25%	1.04%	4.23%	+0.64%	+0.72%	+0.74%	+0.75%
	5.03%	5.03%	4.35%	4.31%	4.42%	2.18%	4.40%	+0.68%	+0.72%	+0.61%	+0.63%
	2.05%	2.05%	4.35%	4.31%	4.41%	4.46%	4.46%	+0.70%	+0.74%	+0.64%	+0.59%

9.5 MARCH QUARTERLY BUDGET REVIEW 2024-2025 3RD QUARTER

File Number: RPT/25/250

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Reporting Officer: Simon Rule - Director Corporate Services

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

leadership with all activities conducted in an open, transparent

and inclusive manner

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

resource management across Council to ensure long-term

sustainability and efficiency

Summary

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

In the March Quarter the result of net variances if approved are an unfavourable operational variance of \$9,483 and a favorable capital variance of \$427,163 resulting in a total net variance of \$417,680. Note all March figures are prepared prior to accruals posting and prepared on a cash basis for budget purposes only.

Recommendation

That Council:

- a) Note the 2024/2025 Third Quarter Budget Review
- b) Approve the proposed revised 2024/2025 changes to operational & capital Budgets.

Detailed Report

Introduction

The purpose of this report is to provide Council with information on the 2024/2025 Budget position, proposing amendments where required and providing an overview of Council's current year financial performance in relation to the adopted budget and key indicators.

This report is prepared in accordance with S407 (1) of the *Local Government Act* 1993, Clause 203(1) of the *Local Government (General) Regulation* 2021 and Council's 2024/2025 Operational Plan. This report complies with the format required by the Office of Local Government.

Report Detail

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

- 1. Consolidated Income Statement (containing operating income and expenses)
- 2. Consolidated Capital Budget
- 3. Cash and Investments Position and Reserve Balance

- 4. Loan & Borrowings Summary
- Register of Material Contracts
- 6. Consultancy and Legal Expense Report

1. Consolidated Income Statement

Wentworth Shire Council Quarterly Budget Review Statement for the period 01/01/25 to 31/03/25 Income & expenses budget review statement Budget review for the quarter ended 31 March 2025 Income & expenses - Council Consolidated Original Approved Changes Revised Variations Projected Actual Carry Other tha Dec Mar (\$000's) budget budget for this year end YTD QBRS OBRS 2024/25 forwards by QBRS OBRS 2024/25 Mar Otr result figures Income Rates and annual charges 10.938 10.938 10.938 User charges and fees 1,382 1,382 1,382 1,192 Other revenues Grants and contributions - operating 11.969 11.969 11.969 4.606 Grants and contributions - capital 12 293 905 404 330 13 932 29 13 961 2 894 Interest and investment revenue 2.220 2,220 2,220 1.030 Net gain from disposal of assets 100 48,686 48,715 26,923 Total income from continuing operations 47,047 905 404 330 29 Expenses Employee benefits and on-costs 11,277 11,277 11,277 1.401 757 Borrowing costs 1,401 1,401 6.817 Materials and services 10 184 38 100 10.322 10 322 Depreciation and amortisation 9,308 9,308 9,308 6.981 Other expenses 33,269 Total expenses from continuing operations 33,131 38 100 33.269 22,552 Net operating result from continuing operation 13,916 905 366 230 15,417 29 15,446 4,371 Discontinued operations - surplus/(deficit) Net operating result from all operations 13,916 905 366 15,417 29 15,446 4,371 230

The net result of operations as of 31 March was a surplus of \$4,371 million before capital income. There sum of proposed operational variations to income and operational expenditure is an unfavourable variance of \$9,483.

(38)

(100)

Note: capital grant income in the operational income statement does not reflect grant amounts paid in advance and those held in external restrictions it only reflects cash amounts received to date this financial year. A reconciliation will be performed as of 30 June 2025 to recognise these amounts as income.

For the quarter to 31 March there was \$26,923 million of operational income. Some of the notable income for the 3rd quarter is listed below.

- Buronga Landfill Tipping Fees - \$1,525,707

1,623

- Main Roads Block Grant \$844,000
- State Highways Fees for Service \$778,331
- Investment Interest \$566,857

Net Operating Result before Capital Items

- Natural Disaster funding 425,068
- General Assistance Grant \$301,690

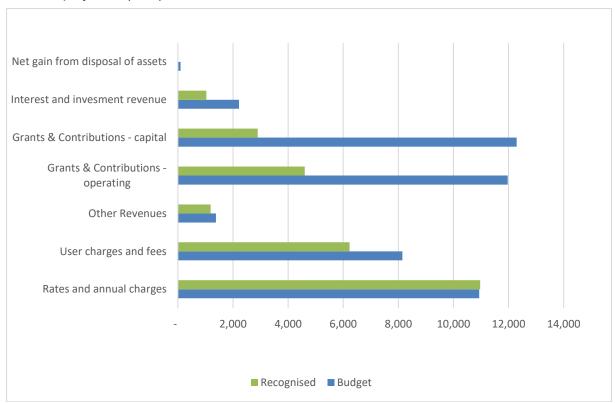
For the quarter to 31 March there was \$22,552 million of operational expenditure. Some of the notable expenditure for the 3rd quarter is listed below.

- Water Fund Operating Expenses \$979,959
- Buronga Landfill Operating Expenses \$756,170
- Local Roads Maintenance \$461,013
- Parks & Gardens Maintenance \$341,155

- State Highways Maintenance \$313,390

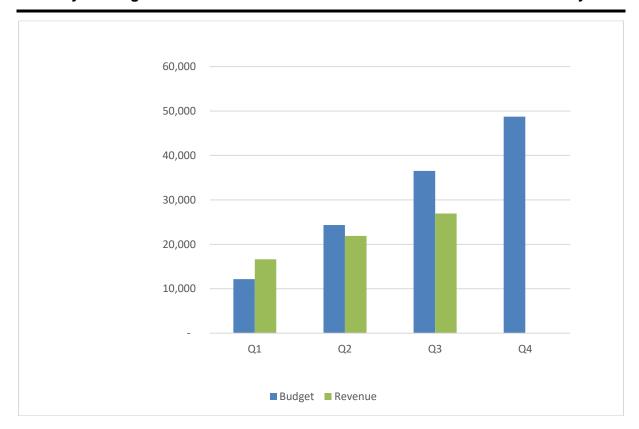
<u>Income Recognised vs Budgeted Income – 31 March 2025</u>

Units displayed in ('000)

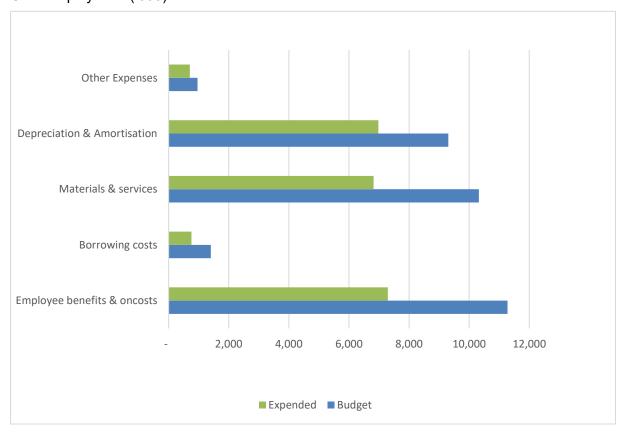


Consolidated Income Recognised vs Budgeted - 31 March 2025

Units displayed in ('000)

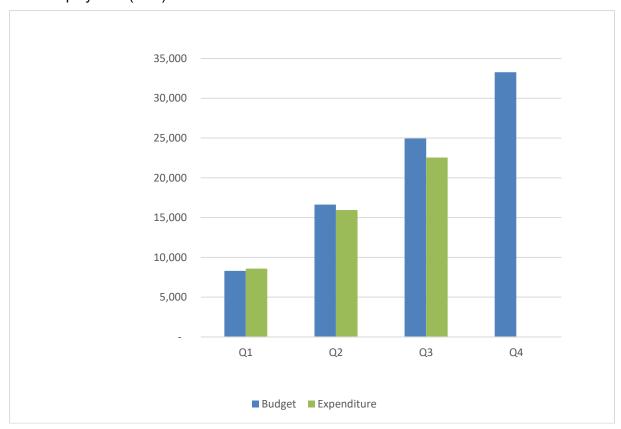


Expenditure to date vs Budgeted Expenditure – 31 March 2025 Units displayed in ('000)



<u>Consolidated Expenditure vs Budgeted Expenditure – 31 March 2025</u>

Units displayed in ('000)



2. Consolidated Capital Budget

Wentworth Shire Council							Qu	A POLICE OF THE PARTY OF THE PA	7 TO 10	Review S d 01/01/25 t	
Capital budget review statement								TOT THE	penio	9.01/01/251	0.31/03/2
Budget review for the guarter ended 31	March 2025										
Capital budget - make a choice >>>											
	Original		Appro	oved chan	nes		Revised	Variations		Projected	Actual
(\$000's)	budget	Carry	Other than	Sep	Dec	Mar	budget	for this	Notes	year end	YTD
			by QBRS	QBRS	QBRS	QBRS	2024/25	Mar Otr		result	figures
Capital expenditure	835555	1800180990			-	11000011000	50000000	10001		100000	314
New assets											
Land & Buildings	350		104	1.350	40		1.844			1.844	1.378
Land Improvements	14,747			70	1123		14,817	(493)	0.	14,324	3.343
Other Structures	950						950		- 2	950	39
Plant & Equipment	189						189		a.	189	39
Roads, Bridges, Footpaths	100	180		25			205			205	254
Renewal assets (replacement)							7.5				
Land & Buildings	1,819		(38)	900			2,681			2.681	1,412
Land Improvements	765		100	745			1,610		40	1,610	1.161
Other Structures	1.044	130	50				1,224		70	1,224	522
Plant & Equipment	2.914						2.914			2.914	1,757
Roads, Bridges, Footpaths	12.147	725		340	920		14, 132		- 1	14 132	7.539
Loan repayments (principal)	1,479						1.479		- 20	1,479	1.019
Water	1,385	30	354				1.769			1.769	621
Sewer	1,652	30	760				2.442		m	2.442	754
Total capital expenditure	39,441	1,095	1,330	3,430	960	=	46,256	(493)		45,763	19,838
Capital funding										o come	
Rates & other untied funding	6,036	- 60	166	2,640	190		9.092	68	8	9,160	5,286
Capital grants & contributions	12,392	1,035	404	790			14,621	29		14,650	6,259
Reserves:			20 00VIII							(//= 500)	
- External restrictions/reserves - Internal restrictions/reserves	9,763		760		770		11,293	(590)	1	10,703	5,004
New loans	11,250						11,250		- 7	11,250	3,289
Receipts from sale of assets	0.0000000									119356	2000
- Plant & equipment							- 30				
- Land & buildings											
Total capital funding	39,441	1,095	1,330	3,430	960		46,256	(493)		45,763	19,838
Net capital funding - surplus/(deficit)	-	- 23	\$	- 3	- 12		5.	-		- 1	1

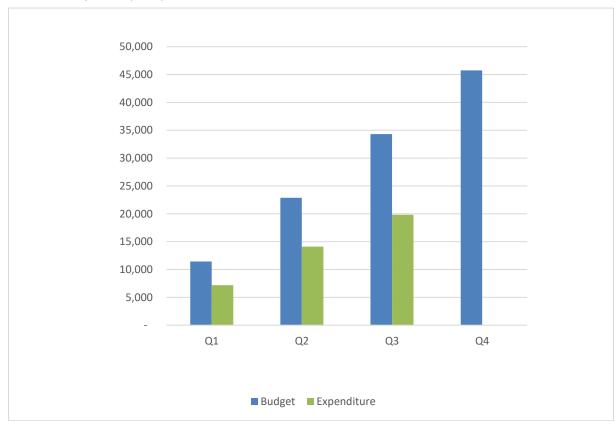
The net result of capital activities as of 31 March is total expenditure of \$19,838 Million. The sum of proposed capital variations if approved is a favorable variance of \$427,163.

Some of the notable expenditure for the March quarter is listed below.

- Arumpo Road 24.5km Upgrade \$1,510,482
- Buronga Landfill Expansion \$1,111,351
- Plant Replacement \$640,561
- Water Infrastructure \$309,101
- Regional Emergency Repair Fund \$224,098
- George Gordon Oval Lighting \$200,000
- Dareton to Namatjira Sharedway \$154,206
- FLR #3 Log Bridge Road \$147,195
- Dareton SPS #2 Refurbishment \$114,297

Consolidated Capital Works Expenditure vs Budgeted – 31 March 2025

Units displayed in ('000)



3. <u>Cash and Investments Position and Reserve Balance</u>

Reserve Balance at 31 March 2025

Internal Restrictions	Balance	Restriction
- Employee Entitlements	\$2,300,921.00	
- Doubtful Debts	\$24,669.00	
- Future Development Reserve	\$576,217.20	
- Trust Account	\$1,862,175.95	
- Capital Projects	\$1,000,000.00	
- Plant Replacement Reserve	\$1,500,000.00	\$7,263,983.15

External Restrictions		
- Water Fund	\$11,441,835.20	
- Sewer Fund	\$6,457,369.00	
- T-Corp Loan Balance	\$2,260,172.00	
- Developer Contributions Reserve	\$1,085,000.00	
 Unexpended Grants 	\$10,802,408.31	
- Crown Reserves Reserve	\$208,296.22	
- Landfill Loan Reserve	\$8,745,750.51	
 Prepayments Cemeteries 	\$593,111.10	\$41,593.942.34
Day to Day Liquidity		\$718,668.96
Total Funds Available		\$49,576,594.45

Investments by Timeframe as of 31 March 2025

Currently Council has less holdings for the long term than its existing strategy recommends however, this is due to current needs for cash flow for the large amounts of budgeted capital expenditure.

Term	Am	ount	% of Portfo	Strategy	Difference
Long Term 12mths+	\$	2,000,000.00	4.03%	20.00%	15.97%
Short Term 1 - 12mths	\$	44,000,000.00	88.75%	70.00%	-18.75%
At-Call 0 - 1mth	\$	3,576,594.45	7.21%	10.00%	2.79%
	\$	49,576,594.45	100.00%		

4. Loan & Borrowings Summary

As requested at the August ARIC meeting an overview of the loans currently held by Council is attached below. Council currently has \$25,914,062.78 in drawn down repayment facilities. Council is currently meeting all repayment obligations and have not varied any existing facilities or entered negotiations for any further loan facilities at this time.

Name	Institution	Purpose	Interest Rate	Loan Amount		Amount Outstanding	Due Date
Loan 202	ANZ Bank	Civic Centre	3.47% Fixed	\$ 850,000.00	5	496,311.15	21/10/2026
Loan 203	National Australia Bank	Midway Centre	3.586% Fixed	\$ 1,900,000.00	5	1,189,721.09	1/05/2033
Loan 204	Bendigo Bank	Buronga Landfill	5.29% Fixed	\$ 1,500,000.00	\$	1,089,149.68	12/05/2037
CFWC310604	T-Corp	Trentham Cliffs Sewer	1.82% Fixed	\$ 750,000.00	\$	502,609.37	4/05/2031
CFWC310624	T-Corp	Burong/Gol Gol Stormwater	1.79% Fixed	\$1,250,000.00	5	837,840.61	24/06/2031
Loan 205	National Australia Bank	Willowbend Caravan Park	2.2% Fixed	\$1,500,000.00	\$	1,045,554.09	25/01/2027
Loan 206	Bendigo Bank	Buronga Landfill #3	1.85% Fixed	\$ 900,000.00	\$	485,401.34	25/09/2028
Loan 207	National Australia Bank	Willowbend Caravan Park	1.033% Fixed	\$1,500,000.00	\$	1,078,305.81	31/03/2028
Loan 207	National Australia Bank	Civic Centre	1.933% Fixed	\$ 1,500,000.00	5	1,500,000.00	31/03/2028
CFWC440200	T -Corp	Civic Centre	5.45% Fixed	\$ 4,000,000.00	\$	3,885,579.01	9/02/2044
CFWC440523	T-Corp	Stormwater	5.73% Fixed	\$ 2,000,000.00	5	1,972,346.80	23/05/2044
CFWC440822	T-Corp	Buronga Landfill	5.48% Fixed	\$12,000,000.00	5	11,831,243.83	22/08/2044
				TOTAL	\$	25,914,062.78	

5. Register of Material Contracts

Contracts over \$50k are disclosed in the report below. As of 31 March 2025, Council had not materially varied any of the contracts included in the register or ceased any of the agreements.

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

6. Consultancy and Legal Expense Report

Consultancies paid YTD – 31 March 2025

Consultant	Q!	Ė.	Q2	2	Q:	C	04		Tot	als	
Allexander & Symonds	\$	825,00	5		5	6,411.60	5		\$	7,236.60	Surveyors
Airport Surveys Pty Ltd	\$	14,300.00	\$	-	5		\$. :	\$	14,300.00	Aerodrome Surveys
Cadell Consulting Services	5		5	7,700.00	\$	5,742.00	\$		\$	13,442.00	Planning Consultant
Civil Test	\$	4,298.80	\$	2,007.00	5	-	\$		5	6,905,80	Soil & Compaction Testing
Darren Fleming Pty Ltd	\$	14	5		5	18,000.00	5		\$	18,000,00	Health & Wellbeing
Electrical Design Solutions Pty Ltd	\$		\$		\$	5,930.00	\$. :	\$	6,930.00	FOSO Electrical Upgrade design
Exact Survey Group	\$	4,482.50	\$	-	\$	35,638.90	\$		\$	40,121,40	Pooncarie Road Survey
lames Golsworthy Consulting	\$		\$		5	825,00	\$		\$	825.00	Landfill Consulting
GreenEdge Environmental	5	26,337,10	5	39,855,20	\$	38,747,50	5		\$	104,939,80	Environmental Impact Assessments
GSD Archetects	\$	44,462.00	\$	64,979.75	5	88,000.00	\$. :	\$	197,441.75	Project Management
Herron Todd White	\$	Service De	5		\$	3,900.00	\$		\$	3,900.00	Pink Lake Surveying
Lands Advisory Services	5	((\$	331.06	5		\$		5	331.06	Native Title Advice
Lyall & Associates	\$	5,830,00	5	22,000.00	5	11,550.00	5		\$	39,380,00	Flood Study
Mal Giddings - OH&5 Consulting	\$		\$	3,600.00	5		\$		5	3,600,00	OH&S Consulting
McMahon Consultancy			5		\$	2,928.20	\$		\$	2,928.20	Workplace Investigations
MH2 Engineering	\$	6,242.50	\$		5	7,084.00	\$		\$	13,326.50	Engineering & Archetectural Service
Morrison Low Consultants	\$		5	1,097.25	5		5		\$	1,097.25	Internal Reviews
Networked Urban Solutions	\$	4,070.00	\$	24,310.00	5	5,600.00	\$		\$	34,980.00	Grant Consultancy
New Paradigms	\$		\$		\$	2,000.00	\$		\$	2,000/00	Managing Info in an emergency
Northern Land Solutions	5		\$	1,875.50	5	41,470.00	\$		5	43,345.50	Water Surveying
Outerspace Landscape Architects	\$		5	1,980.00	\$	i	5		\$	1,980.00	Architectural Design
Public Works Advisory	\$	129,283.55	\$	26,158.11	5	30,973,43	\$		5	186,415.09	Engineering & Project Management
RSD Audit	\$	5,150.00	5	6,380.00	5	11,962.50	5		\$	24,502.50	Internal Audit
Simon Leisure Consulting	5	-	\$	17,638.50	5	4,972.00	\$		\$	22,610.50	Buronga Sporting Strategy
Specialist Airport Solutions	5	San Ele	5		\$	3,025.00	5		\$	3,025,00	Airport inspections
Sunraysia Engineering Consultants	\$	9,856.00	\$	4,257.00	\$	phint(g)	\$. :	\$	14,113.00	Engineering & Project Management
Tonkin Consulting	\$	46,337.50	\$	122,019.63	\$	151,619.92	\$		\$	319,977,05	Landfill Expansion & Various Designs
Waste & Management Services	5		\$	63,517.69	5	42,275,43	\$		\$	105,793.12	Landfill Consulting
	5	302,484.95	5	410,300.69	5	520,655.48	5		51	,233,447,12	

Notes to Consultancies

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

Legal Expenses paid YTD – 31 March 2025

Legal Service	Q1		Q2	Q3		Q4		Total	
Bartier Perry Pty Ltd	\$ 3,	939.03	\$ 9,573.82	\$	-	\$	-	\$ 13,512.85	Sundry Legal Services
Vanessa Field	\$	-	\$ 51,579.00	\$	-	\$	-	\$ 51,579.00	Native Title Advice
Kells the Lawyers	\$	-	\$ 3,606.01	\$	-	\$	-	\$ 3,606.01	Property Easements
Maloney Anderson Legal	\$ 4,	516.15	\$ -	\$	-	\$	-	\$ 4,516.15	Property Easements
Marsdens Law Group	\$ 3,	987.63	\$ 2,519.31	\$	-	\$	-	\$ 6,506.94	Legal Representation
NV Lawyers	\$	702.24	\$ -	\$	-	\$	-	\$ 702.24	Debt Collection
	\$ 13,	145.05	\$ 67,278.14	\$	-	\$	-	\$ 80,423.19	

Notes to Legal Expenses

No major changes to note.

Conclusion

In the March Quarter the result of net variances if approved are an unfavourable operational variance of \$9,483 and a favorable capital variance of \$427,163 resulting in a total net variance of \$417,680. Note all March figures are prepared prior to accruals posting and prepared on a cash basis for budget purposes only.

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

Attachments

1. 3rd Qtr QBRS U

Item 9.5 - Attachment 1 3rd Qtr QBRS

Wentworth Shire Council

Quarterly Budget Review Statement

for the period 01/01/25 to 31/03/25

Report by responsible accounting officer

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

31 March 2025

It is my opinion that the Quarterly Budget Review Statement for Wentworth Shire Council for the quarter ended 31/03/25 indicates that Council's projected financial position at 30/6/25 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed:

date: 28/04/2025

Simon Rule

Responsible accounting officer

Summa lal

Quarterly Budget Review Statement for the period 01/01/25 to 31/03/25

Wentworth Shire Council

Income & expenses budget review statement

	.11
March 2025	idated
31	Isol
ndec	ပ္ပိ
0	픙
Inarter	Coun
0	
ew for the	xpenses
5	85
Budget re	Income

Income & expenses - Council Consolidated	Original		Appro	Approved Changes	es		Revised	Variations		Projected	Actual
(\$,000\$)	budget 2024/25	Carry forwards	Other than by OBRS	Sep	Dec	Mar	budget 2024/25	for this Mar Qtr	Motor	year end result	figures
Income	00000						40 038			10.938	10,969
Rates and annual charges	10,938						8 145		- 44	8,145	6,232
User charges and fees	1 382						1,382			1,382	1,192
Other revenues	11 959						11,969		#	11,969	4,606
Crants and contributions - operating	12 293	908	404	330			13,932	29		13,961	2,894
orants and contributions - capital	2,220						2,220		- 0	2,220	1,030
Net gain from disposal of assets Total income from continuing operations	47,047	902	404	330	53		48,686	29		48,715	26,923
Expenses	44 977						11.277			11,277	7,294
Employee benefits and on-costs	1 404						1,401			1,401	757
Borrowing costs	10 184		98	100			10,322			10,322	6,817
Materials and services	0.300		3				9,308		-	9,308	6,981
Depreciation and amortisation	9,300						196		70	961	703
Total expenses from continuing operations	33,131	25	38	100			33,269			33,269	22,552
Net operating result from continuing operations	13,916	906	366	230		ľ	15,417	29	1	15,446	4,371
Discontinued operations - surplus/(deficit)							•			,	
Net operating result from all operations	13,916	902	366	230			15,417	29		15,446	4,371
Net Operating Result before Capital Itoms	1,623	23	(38)	(100)		- 12	1,485		1.0	1,485	1,477

This stammark forms part of Councid's Quarterly Budget Review Statement (OBRS) for the quarter ended 3 tribs(2025 and should be resid to conjuction with the total CRHS report

Item 9.5 - Attachment 1 3rd Qtr QBRS

Wentworth Shire Council

Quarterly Budget Review Statement

for the period 01/01/25 to 31/03/25

Income & expenses budget review statement Recommended changes to revised budget

Budget Variations being recommended include the following material items:

Details	
March Quarterly Budget Review - Operational Revenue	\$28,680
State Government Grant received to install 3 EV Charging Stations	\$20,000
Other than QBRS - Operational Expenditure	
Old Wentworth Goal, Coomealla Memorial Gardens, Alcheringa Pavilion & Midway Increase in building maintenance	\$38,163
Other than QBRS - Operational Funding	\$38,163
	March Quarterly Budget Review - Operational Revenue Grants & Contributions - Capital State Government Grant received to install 3 EV Charging Stations Other than QBRS - Operational Expenditure Materials & Contracts Old Wentworth Goal, Coomealla Memorial Gardens, Alcheringa Pavilion & Midway Increase in building maintenance

Quarterly Budget Review Statement for the period 01/01/25 to 31/03/25

Wentworth Shire Council

Capital budget review statement

Budget review for the quarter ended 31 March 2025

Capital budget - make a cirolog	Original		Appro	Approved changes	es			Variations	The same of	Projected	VTD
(\$000,s)	budget 2024/25	Carry	Other than by QBRS	Sep	OBRS	Mar	2024/25	Mar Otr		result	figures
Capital expenditure											. 444
New assets	900		404	1 350	40		1,844			1,844	1,378
Land & Buildings	320		5	70	É		14.817	(493)	-	14,324	3,343
Land Improvements	14,747			2			950	100000	i i	098	39
Other Structures	950						189		-	189	39
Plant & Equipment	188	400		36			205			205	254
Roads, Bridges, Footpaths		180		2							
Renewal assets (replacement)	100000000000000000000000000000000000000		1007	000			2.681		6	2,681	1,412
Land & Buildings	1,819		(38)	346			1,610			1,610	1,161
Land Improvements	765			D F			1 224		à	1,224	522
Other Structures	1,044	130	20				2 9 1 4			2.914	1,757
Plant & Equipment	2,914			070	000		14 132			14,132	7,539
Roads, Bridges, Footpaths	12,147	725		240	220		1 479			1,479	1,019
Loan repayments (principal)	1.479	ii ii					1 769			1,769	621
Water	1,385	30					2 442		ı	2,442	754
Same	1,652	30			000	ľ	40 266	(493)	ī.	45.763	19,838
Total capital expenditure	39,441	1,095	1,330	3,430	990)	2010				
										0.480	R 288
Capital funding	6.036	99	166	2,640	190		9,092	200		44.850	6.259
Capital grants & contributions	12,392	1,035	404	790			14,621	E.V		200	4
Reserves	0.000		780		770		11,293	(989)	0	10,703	5,004
 External resrtictions/reserves 	201,4		2				1		0		570,320
- Internal restrictions/reserves	11,250						11,250		-	11,250	3,289
New loans Receipts from sale of assets											
- Plant & equipment											
- Land & buildings Total capital funding	39,441	1,095	1,330	3,430	960		46,256	(493)	-	45,763	19,838
	No. of the Control of							1	1.		4
Mas against funding auroliss//deficit	*				•				ī		

Net capital funding - surplus/(deficit)

This statement forms part of Council's Quarterly Rudget Review Statement (OBRS) for the quarter emilied 51/03/2025 and should be rest in conjustion with the total GBRS report

Item 9.5 - Attachment 1 3rd Qtr QBRS

Wentworth Shire Council

Quarterly Budget Review Statement

for the period 01/01/25 to 31/03/25

Capital budget review statement Recommended changes to revised budget

Budget variations being recommended include the following material items:

lotes	Other Than By QBRS - Capital Expenditure	
3	New Assets - Land and Buildings	
-	Dareton Men in Sheds	\$104,000
	Additional Council contribution to grant funded works as approved by Council	
	at the February 2025 Council meeting.	
	of the Legitory sales assured to	
f	Renewal Assets - Land and Buildings	-\$38,163
	Old Wentworth Goal, Coomealia Memorial Gardens, Alcheringa	
	Pavillion & Midway	
	Internal budget transfer from capital to fund additional building maintenance	
	requirements	
	regulerione	
	Other Than By QBRS - Capital Funding	
n:	Rates & Other Untied Funding	EXD4 000
	Dareton Men in Sheds	\$104,000
	The additional approved expenditure is to be funded from general revenue.	-\$38,163
	Building Upgrades Internal transfer to operational expenditure	-950,100
	March Quarterly Budget Review - Capital Expenditure	
b	New Assets - Land Improvements	-\$350,000
	Crane Drive Stormwater	*4000,000
	Project has been reprogrammed to 2025/2026	-\$90,000
	Rose Street Stormwater Stage 1 works have been completed. Stage 2 has been budgeted to commence	230,000
	in 2025/2026	
	3 Sisters Stormwater	-\$150,000
	Stage 1 works will be completed this year. Stage 2 has been budgeted to	
	commence in 2025/2026	
	EV Charging Stations	\$97,000
	State Government grant to install EV charging Stations	
	March Quarterly Budget Review - Capital Funding	
n	Rates & Other Untied Funding	\$68,320
	EV Charging Stations	200,320
	Council contribution to grant funded project	
0	Capital Grants & Contributions	\$28,680
	EV Charging Stations	460,000
	Grant received from State Government	
p	External Resrtictions/Reserves	
	Stormwater Loan Reserve	-5590,000
	Crane Drive, Rose Street & 3 Sisters stormwater projects are being funded	
	via a previously approved Council Ioan	

Item 9.5 - Attachment 1 3rd Qtr QBRS

Wentworth Shire Council

Quarterly Budget Review Statement

for the period 01/01/25 to 31/03/25

Cash & investments budget review statement

The YTD cash & investment figure reconciles to the actual	balances held as follows:	\$ 000's
Cash at bank (as per bank statements) Investments on hand		3,565 46,000
less unpresented cheques	(Timing Difference) (Timing Difference)	12
less: identified deposits (not yet accounted in ledger) add: identified outflows (not yet accounted in ledger)	(Require Actioning) (Require Actioning)	
Reconciled cash at bank & investments		49,577
Balance as per QBRS review statement:	-	49,577
Difference		5:6

2024/25 2024/25 (P)

2023/26

2022/23

2003/22

ş

2

60

6.1%

12.2

1. Operating performance

20.0 % 150 %

10.0 % 5.0 % 0.0

(%) og#8

Quarterly Budget Review Stateme for the period 01/01/25 to 31/03/

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

Wentworth Shire Council

Budget review for the quarter ended 31 March 2025

Actuals 23/24 budget Original 24/25 Current projection Amounts Indicator 24/25 (\$,000\$)

107% prior periods 1.5% 122% 6.1 % 24029 NSW local government industry key performance indicators (OLG) Operating revenue (excl. capital) - operating expenses Operating revenue (excl. capital grants & contributions) 1. Operating performance

Benchmark is > 0.00%

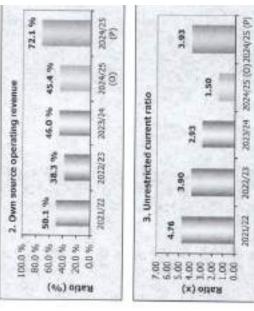
This ratio measures Councif's achievement of containing operating expenditure within operating revenue

38.3 46.0.96 45.4 % 72.1 % 19423 Operating revenue (excl. ALL grants & contributions) Fotal Operating revenue (incl. capital grants & cont) 2. Own source operating revenue

This ratio measures fiscal flexibility. It is the degree of reliance on external funding sources such as operating Benchmark is > 60.00% grants & contributions.

3.90 2.93 1.50 3.93 15488 3940 Current liabilities less specific purpose liabilities Current assets less all external restrictions 3. Unrestricted current ratio

To assess the adequacy of working capital and its ability to satisfy obligations in the short term for the unrestricted activities of Council. Benchmark is > 1.5x



25.7 %

10.0 %

12.3 % 2022/23

12.9 %

(%) oney

2004/25

2024/25

\$2,6202 9.7 %

2021/22

8

2024/25 (D)3034/25 (P)

2023/24

2022/23

2021/22

8.78

7.16

Katio (x)

4, Debt service cover ratio

Rates, annual charges, interest & extra charges

Wentworth Shire Council

Quarterly Budget Review Statemen for the period 01/01/25 to 31/03/2

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

Budget review for the quarter ended 31 March 2025

Actuals 23/24 Original 24/25 Current projection Amounts Indicator 24/25 (5,000\$)

11.85 prior periods 7.16 3.7 6.78 12109 1785 NSW local government industry key performance indicators (OLG) Operating result before interest & dep. exp (EBITDA) Principal repayments + borrowing interest costs 4. Debt service cover ratio



12.3 % 8 9.7 10.0 % 25.7 % 5. Rates, annual charges, interest & extra charges outstanding 3477

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

Benchmark is < 10.00%

22.30 21.27 3.00 17.93 49577 Current year's cash & cash equivalents incliem reports) Operating & financing activities cash flow payments 6. Cash expense cover ratio

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

Benchmark is > 3 Months

2004/25 (C):3024/25 (P) 17.93 3,00 6. Cash expense cover ratio 2023/24 1022/23 2021/22 20.95 -2.50 37.50 27.50 7.50 17.50 Ratio (x)

Wentworth Shire Council

Quarterly Budget Review Statemer

for the period 01/01/25 to 31/03/2

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

Budget review for the quarter ended 31 March 2025

22/23 prior periods Actuals 23/24 budget Original 24/25 Current projection Amounts Indicator 24/25 24/25 (\$,000\$)

161.9 % 330.3 % 100.0 % 177.5% VSW Local Government Infrastructure Asset Performance Indicators (OLG): 12391 Asset renewals (building, infrastructure & other structures) 7. Building and infrastructure renewals ratio Depreciation, amortisation & impairment

Senchmark is > 100.00%

To assess the rate at which these assets are being renewed relative to the rate at which they are depreciating

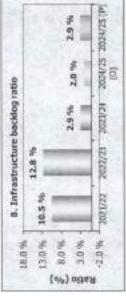
29% 20% 29% 16429 Estimated cost to bring assets to a satisfactory condition fotal value of infrastructure, building, other structures & depreciable land improvement assets 8. Infrastructure backlog ratio

This ratio shows what proportion the backlog is against the total value of a Council's infrastructure Benchmark is < 2.00%

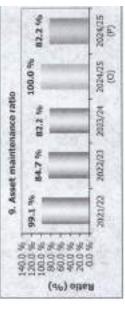


Compares actual vs. required annual asset maintenance. A ratio above 1.0 indicates Council is investing enough funds to stop the Infrastructure Backlog growing Benchmark is > 100.00%





12.8 %



Quarterly Budget Review Statemen

for the period 01/01/25 to 31/03/2!

Contracts budget review statement

Wentworth Shire Council

Part A - Contracts listing - contracts entered into during the quarter Sudget review for the quarter ended 31 March 2025

				100			
Contractor	Construction of the state of th	~	Contract	Start	Duration	Budgeted	Notes
commercial	Contract detail & purpose		value	date	of contract	(A/N)	
NSW Biodiversity Conversation Trust	Biodiversity Offset Credits - Buronga Landfill	1/7	85,521	01/01/25	1 month	>	
Bott Earthmoving Pty Ltd	PT2425/05 Anabranch Mail Road Resheebing Works	69	277,800	19/03/25	3 months	۲	
Bott Earthmoving Pty Ltd	PT2425/11 Wamberra Road Resheeting Works	6/9	265,854	19/03/25	3 months	>	
Carter Group National	Roadside Vegetation Clearing	69	77,759	21/01/25	2 months	>	
Data#3 Limited	Back Up Recovery Subscription Renewal	60	59,452	26/03/25	12 months	٨	
Davison Motor Group	VR2425/662 Replacement of Plant 662	60	73,305	19/03/25	3 months	>	
Davison Motor Group	VR2425/665 Replacement of Plant 865	60	66,526	19/03/25	3 months	>	
Davison Motor Group	VR2425/673 Replacement of Plant 573	69	74,158	19/03/25	3 months	>	
Davison Motor Group	VR2425/674 Replacement of Plant 674	6/3	74,158	19/03/25	3 months	٨	
Jornhsons Trucks & Coach Services	VR2425/326 Replacement of Plant 326	60	98,000	19/03/25	5 months	>	
KW Earthmoving Pty Ltd	PT2425f08 Supply of Base Material Various Road Projects	66	600,692	19/03/25	3 months	>	
Malee Sheds	Wentworth Riverfront Mooring Site	w	98,175	09/01/25	3 months	>	
Malee Sheds	Poorcarie Camp Kitchen	69	209,425	03/03/25	4 months	٨	
Malee Sheds	Wentworth Showgrounds Carrip Kitchen	400	146,486	06/03/25	3 months	>	
Mildura Toyota	VR2425/671 Replacement of Plant 671	49	78,339	12/02/25	3 months	*	
Oliver Concreting Pty Ltd	P12425/09 Darling Street Concrete Footpath Upgrade	679	399,232	19/03/25	4 months	>	
Pipeline Group Pty Ltd	Gol Gol WTP Settling Ponds	49	69,498	13/01/25	1 month	>	
Regional Power Services Pty Ltd	PT2425/03 Bridge Lifts & Maintenance	69	123,200	12/02/25	12 months	>	
Tonkin Consulting Pty Ltd	PT2425/10 WTP & Raw Water Pump Stations Options Assessments	400	326,022	12/02/25	5 months	>	
Xylem Water Solutions Australia	Buronga Sewer Pump Station repairs	60	62,835	13/01/25	1 month	>	

Notes

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

Item 9.5 - Attachment 1 3rd Qtr QBRS

Consultancy & legal expenses budget review statement

Consultancy & legal expenses overview

Expense	YTD expenditure (actual dollars)	Bugeted (Y/N)
Consultancies	1,233,447	Y
Legal Fees	142,977	Υ

Definition of a consultant:

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

9.6 QUARTERLY OPERATIONAL PLAN PROGRESS REPORT

File Number: RPT/25/244

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Reporting Officer: Simon Rule - Director Corporate Services

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

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

Summary

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

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

During the 3rd Quarter, the following has occurred:

- The following actions have been completed
 - o 2.2.6 Get Active NSW Silver City Highway Dareton Sharedway
 - o 2.5.4 Pooncarie Toilet Block
 - o 3.2.5 Fixing Local Roads Log Bridge Road
 - o 3.2.9 Pothole Repair Program
 - o 3.2.19 George Gordon Oval Lighting Upgrade
 - o 3.2.20 Wentworth Riverfront Mooring Sites
 - 3.4.7 Dareton Sewer Pump Station #2
 - o 3.5.6 Wentworth Aerodrome Facilities Upgrade

Recommendation

That Council receives and notes the report.

Detailed Report

Purpose

The purpose of this report is to detail Council's progress on implementing the 2024-2025 Operational Plan.

Background

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

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

Matters under consideration

Council's 2024-2025 Operational Plan commenced with 96 actions aligned with the four themes of:

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

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

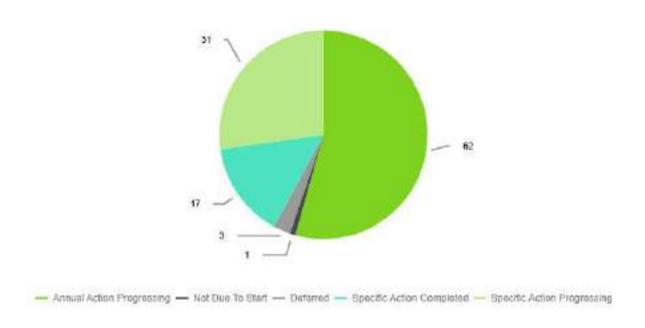
Status Option	Definition	Legend
Annual Action Completed	Annual Action completed for the year	
Specific Action Completed	Specific Action completed for the year	
Annual Action Progressing	Annual Action underway and is progressing as planned	
Specific Action Progressing	Specific Action underway and is progressing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

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

Status Option	Action Status – 1 st Quarter	Action Status – 2 nd Quarter	Action Status – 3 rd Quarter	Action Status – 4 th Quarter
Annual Action Completed	0	0	0	
Specific Action Completed	4	9	17	
Annual Action Progressing	62	62	62	
Specific Action Progressing	39	39	31	
Stalled	0	0	0	
Not due to Start	9	1	1	
Deferred	0	3	3	

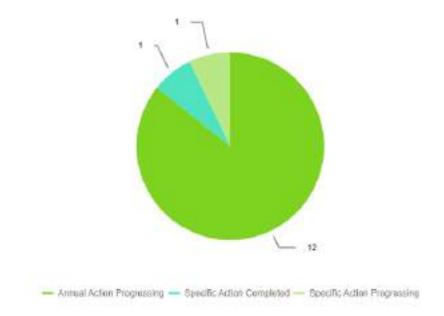
Actions added during the quarter: 0

All Actions

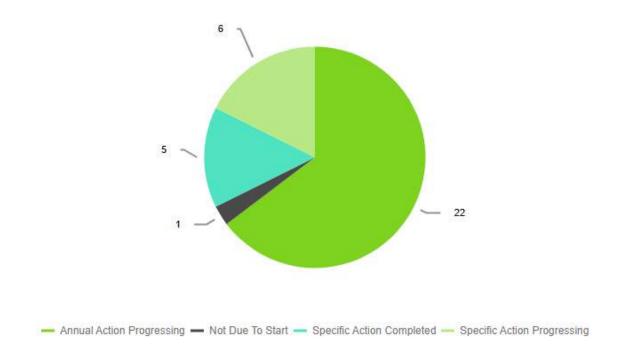


Strategic Direction

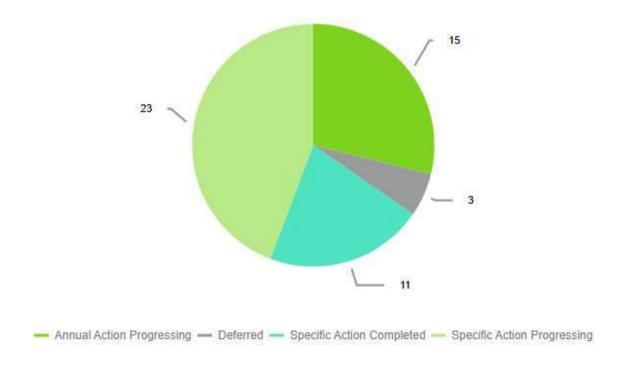
Our Economy



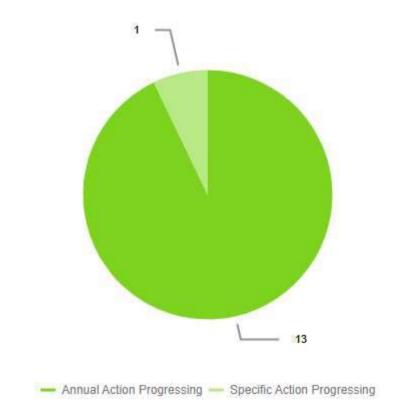
Our Community



Our Environment



Our Leadership



Department



Quarterly Highlights

- The following actions have been completed
 - o 2.2.6 Get Active NSW Silver City Highway Dareton Sharedway
 - o 2.5.4 Pooncarie Toilet Block
 - o 3.2.5 Fixing Local Roads Log Bridge Road
 - o 3.2.9 Pothole Repair Program
 - o 3.2.19 George Gordon Oval Lighting Upgrade

- o 3.2.20 Wentworth Riverfront Mooring Sites
- o 3.4.7 Dareton Sewer Pump Station #2
- o 3.5.6 Wentworth Aerodrome Facilities Upgrade

Legal, strategic, financial or policy implications

By tabling this report Council is complying with its legislative requirements

Conclusion

The Quarterly Operational Plan Progress report details Council's overall progress against all 114 Operational Plan actions for the period July 2024 - March 2025.

Attachments

1. Quarterly Operational Plan Progress Report.



Operational Plan Quarterly Progress Report March 2025



About this report

This progress report is for the three-month period 1 January 2025 to 31 March 2025 and has been prepared in accordance with the requirements of Section 404(5) of the Local Government Act 1993, (NSW) which states that the General Manager must ensure that regular progress reports are provided to the Council, reporting as to its progress with respect to the principal activities detailed in its delivery program. Progress reports must be provided at least every 6 months.

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

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



Strategic Direction: Our Economy

Wentworth Shire is a vibrant, growing and thriving Region.

Objective Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
T:1	Promote the Shire as an ideal location for investment and the establishment of innovative, sustainable and diversified industries.	1.1.1	Advocate for local businesses on issues which further business and career opportunities for all	Annual Action Progressing	General Manager	Draft Economic Development Strategy was tabled at the March Council meeting and endorsed to be placed on public exhibition.	
		1.1.2	Ensure that land is suitably zoned, sized and located to facilitate a variety of development that is supported by strategic and affordable infrastructure.	Annual Action Progressing	Acting Director Health & Planning	This is an ongoing annual action of Council.	
		1.1.3	Develop, review and update Strategic Planning documents as required.	Annual Action Progressing	Acting Director Health & Planning	Consultant has been appointed to update the Buronga Gol Gol Structure Plan. Works to commence in the third quarter and continue into 25-26 financial year.	



Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments Tr	Traffic Lights
2:	Promote the Wentworth Region as a desirable visitor and tourism destination.	1.2.1	Provide Visitor Information Centre Services	Annual Action Progressing	Team Leader Visitor Information Centre	This is an ongoing annual action of Council. The new Visitor Information Centre and Interpretive Space was officially opened by the Minister for Local Government in March.	
		1.2.2	PS Ruby	Annual Action Progressing	General Manager	The General Manager tabled a report on the PS Ruby to the Heritage & History Advisory Committee meeting held on 24 July. The Committee recommended that Council apply to Heritage NSW to have the PS Ruby registered as a State Heritage ltem and to investigate funding opportunities to support the future preservation of the PS Ruby.	



Objective Code	Objective Objective	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		1.2.3	Support the activities of Murray Regional Tourism, Destination NSW Riverina-Murray, and Wentworth Regional Tourism Inc.	Annual Action Progressing	Manager Tourism & Promotion	This is an ongoing annual action of Council.	
		1.2.4	Willowbend Caravan Park Redevelopment	Specific Action Completed	Manager Engineering Services	The site was handed over to the new tenants in October with business commencing in November.	

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THINE CORNCIL																																	
	Meeting, Council	endorsed a business	case for the creation	of an events space	to support the FOSO	Art Installation. A	grant application has	been submitted to	the Regional	Economic	Development &	Community	Infrastructure	Program to assist with	the funding of the	project. A	Development	Application for the	event space civic	works has been	submitted and is	currently being	assessed. The DA	assessment report will	be peer reviewed by	Broken Hill City	Council prior to it	being approved.	Presentation	provided to Council	and the Committee	in January and	February.
Conduction Manager																																	
Coecific A cificacy	Progressing																																
Situa Ontio	Symphonic	Orchestra - Bruce	Munro Art	Installation																													
105																																	



Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments T	Traffic Lights
1.3	High quality connectivity across the region.	1.3.1	Advocate for the ongoing provision of quality transport and freight links	Annual Action Progressing	General Manager	This is an ongoing annual action of Council.	
		1.3.2	Advocate for improved regionwide internet and mobile connectivity	Annual Action Progressing	General Manager	This is an ongoing annual action of Council	
4.	Encourage lifelong learning opportunities.	1.4.1	Undertake a program of activities and services that facilitate learning opportunities at Council's library services	Annual Action Progressing	Team Leader Library Services	The Wentworth Library officially reopened on 8 October in the New Wentworth Visitor Centre. Visitation number for the quarter - Buronga - 1386 - Dareton - 305 - Wentworth - 4701 Key Activities for the quarter: 50 programs and activities including 2 author talks, school holiday programs and Seniors Morning Tea.	



Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		1.4.2	Advocate for community access to a wide range of learning spaces, resources and activities for education and employment pathways that support local growth.	Annual Action Progressing	General Manager	This is an ongoing annual action of Council.	
1.5	Encourage and support initiatives that improve local employment opportunities.	1.5.1	Promote Wentworth Council as an employer of choice	Annual Action Progressing	Manager Human Resources	This is an ongoing annual action of Council.	
		1.5.2	Advocate for and promote initiatives that promote sustainable and resilient economic growth.	Annual Action Progressing	Director Corporate Services	Ongoing discussions with potential Renewable Energy and Critical Mineral projects.	



Strategic Direction: Our Community

Wentworth Shire is a great place to live.

Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
2.1	Continue to create opportunities for inclusion where all people feel welcome and participate in community life.	2.1.1	Acknowledge and celebrate the contribution that people from all backgrounds make to our community	Annual Action Progressing	Manager Tourism & Promotion	This is an ongoing action of Council.	
		2.1.2	Support opportunities to promote and celebrate Wentworth Shire as a welcome and inclusive community focusing on diversity, access, inclusion and capacity building.	Annual Action Progressing	Director Corporate Services	This is an ongoing annual action of Council.	



Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		2.1.3	Actively engage with and include the perspectives and knowledge of the local indigenous community	Annual Action Progressing	Director Corporate Services	The local Indigenous community were actively consulted as part of the development of the interpretative space at the Wentworth Visitor Centre. The local Thuukalu Dancers performed an indigenous celebration as part of the Official opening of the Wentworth Visitor Centre.	



Objective Objective Code	ojective	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		2.1.4	Support a broad program of Civic and Community events	Annual Action Progressing	General Manager	Councils has supported the following events: - Sunraysia Safari Rally - Wentworth Show - Remembrance Day - Wentworth Twilight Markets - Gol Gol Christmas Carols with a Twist - Wentworth Cup Race Day - Market in the Park - Sport Aircraft Association of Australia AusFly 2025 - Market in the Park - Dareton - Official opening of the Wentworth Visitor Centre	



8	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		2.1.5	Support cultural, recreational and community interaction opportunities through the Financial Assistance Program	Annual Action Progressing	Director Corporate Services	Council approved \$12,321.29 of financial assistance to the community for this quarter through the financial assistance program.	
		2.1.6	Implement actions outlined in the Disability Action Plan	Annual Action Progressing	Director Corporate Services	Upgrade of the Dareton to Namitjira Sharedway has been completed and has worked with Essential Energy to install additional lighting on the Sharedway between Buronga and Gol Gol.	
	Work together to solve a range of social and health issues that may impact community wellbeing and vulnerable people.	2.2.1	Deliver a program of activities and services that facilitate opportunities for vulnerable members of the community at Council's library services.	Annual Action Progressing	Team Leader Library Services	see 1.4.1	



ï×e	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		2.2.2	Collaborate with Government Agencies and other organisations to support the provision of health services across the Region	Annual Action Progressing	General Manager	This is an ongoing annual action of Council.	
		2.2.3	Advocate for the provision of social servces that meet the needs of all our community including familes, children, youth, people with disability and the aged	Annual Action Progressing	General Manager	This is an ongoing annual action of Council.	
		2.2.4	Our buildings and spaces are designed to be inclusive and accessible to all community members	Annual Action Progressing	Manager Engineering Services	This is an ongoing annual action of Council.	



Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		2.2.5	Work with the community to implement recommendations of the Wentworth & Balranald Brought Resilience Plan	Specific Action Progressing	Director Corporate Services	The Plan has been approved by both the Federal and NSW Governments. A Project Steering Committee Meeting was held in November to consider which projects can be delivered by 30 November 2025 with the available funds.	
		2.2.6	Implement recommendations of the Pedestrian Access Mobility Plan - Get Active NSW Projects - Silver City Highway Dareton Sharedway	Specific Action Completed	Manager Engineering Services	Project was completed this quarter.	
2.3	To have a safe community	2.3.1	Provide Public Health Function	Annual Action Progressing	Acting Director Health & Planning	This is an ongoing annual action of Council.	
		2.3.2	Companion Animals & Buronga Pound Operations	Annual Action Progressing	Acting Director Health & Planning	This is an ongoing annual action of Council	



Objective Code	Objective Objective Code	Action Code	Action Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		2.3.3	Provide Building Compliance Function	Annual Action Progressing	Acting Director Health & Planning	Councils Building Surveyor carried out the following inspections for the period: Plumbing - 49 Building - 35 Swimming Pool - 2 Infrastructure - 40 Total - 126	
		2.3.4	In partnership with the RFS undertake hazard reduction works	Annual Action Progressing	Manager Works	This is an ongoing annual action of Council.	
		2.3.5	Continue to engage with the Local Area Command on key community safety issues	Annual Action Progressing	General Manager	This is an ongoing annual action of Council.	



Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		2.3.6	Facilitate the Local Emergency Management Committee to ensure a coordinated approach by all agencies having responsibilities and functions in emergencies	Annual Action Progressing	General Manager	This is an ongoing annual action of Council.	



Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Comments T	Traffic Lights
		2.3.7	In partnership with Transport for NSW continue to identify and resolve road and pedestrian safety issues	Annual Action	Manager Works	Attended Local Traffic Committee and Liquor Accord Meetings. Participated in the Heavy Vehicles & Harvest Forum in January. Worked with CHAC to support planned Child Car Seat and Restraints workshop. On-going inspections in relation to pedestrian routes and road crossing around schools in Ellerslie, Buronga & Gol Gol. Submitted six projects to Transport for NSW for consideration for 2025-2026 addressing a wide variety if local road safety issues from speed to fatigue, young drivers, pedestrians, public and community transport, mobility scooters and	



Objective Objective Code	Objective	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		2.3.8	Implement strategies to embed NSW Child Safe Standards across the organisation.	Specific Action Progressing	Corporate Services	Training was provided to Parks and Gardens staff via a toolbox meeting in August. Procurement Manual has been updated to reference child safe obligations when procuring services from contractors engaged in Children's activities. Child Safe Council E-Learning from the Office of the Children's Guardian has been rolled out to Senior Staff.	
		2.3.9	RFS Boree Spring Hill Station	Specific Action Completed	Director Corporate Services	This is a carryover action from the previous financial year and has since been completed.	



live	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
	A well informed, supported and engaged community	2.4.1	Communicate the role of Council to the community	Annual Action Progressing	Media & Communications Officer	Council posted 174 times on its digital platforms during the quarter to connect with community and enhance public awareness. These posts included a variety of content types, each tailored to address key topics and issues relevant to community.	
		2.4.2	Communicate information to relevant communities and stakeholders about Council achievements, activities, services, policies and plans through media liaison and external and internal publications and platforms	Annual Action Progressing	General Manager	This is an ongoing annual action of Council.	



Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		2.4.3	Communicate funding opportunities available for the community	Annual Action Progressing	Director Corporate Services	This is an ongoing annual action of Council.	
		2.4.4	Work with communities to establish town plans	Annual Action Progressing	Director Corporate Services	Currently researching and developing a framework and its links to the Community Strategic Planning Process and the Community Engagement Strategy.	
2. 5.	To have a strong sense of place.	2.5.1	Maintain and update the amenity of the Shire to meet community expectations for clean and well-presented public spaces and townships that enhance healthy living and promote active lifestyles	Annual Action Progressing	Team Leader Parks & Garden	This is an ongoing annual action of Council.	

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Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		2.5.2	Undertake specific public spaces capital works projects - Reserves Upgrades	Specific Action Completed	Manager Engineering Services	This is a carryover action from the previous financial year and has since been completed.	
		2.5.3	Undertake specific public spaces capital works projects - Buronga Riverfront Toilet Block	Specific Action Progressing	Manager Engineering Services	Services have been installed and connected. Sewer pump station to be installed in late April. To be commissioned and operational by mid May.	
		2.5.4	Undertake specific public spaces capital works projects - Pooncarie Toilet Block	Specific Action Completed	Manager Engineering Services	This project has been completed this quarter.	
		2.5.5	Undertake specific public spaces capital works projects - Ski Reserve Rehabilitation project	Not Due To Start	Manager Engineering Services		



Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		2.5.6	Undertake specific public spaces capital works projects - Buronga Pump Track Stage	Specific Action Progressing	Manager Engineering Services	Construction works have commenced on track to be completed by end of the financial year.	
		2.5.7	Undertake specific public spaces capital works projects - Open Spaces Development	Specific Action Progressing	Manager Engineering Services	Landscaping design has been updated to reflect community consultation. Currently finalising drainage design with a plan to have a contracted awarded by June with construction works to commence in the next financial year. Finalising renewal of Crowns Lands licence over the drainage basin.	
		2.5.8	Undertake specific public spaces capital works projects - Greater Junction Viewing Platform	Specific Action Progressing	Manager Engineering Services	Fisheries permit has been received. Contract to be awarded in June, with a completion date by the end of August.	



Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		2.5.9	Undertake specific	take specific Specific Action	Manager Engineering	This is a carryover	
			public open spaces capital	Completed	Services	action tor the previous financial	
			works projects -			year and has since	
			James King Park Riverfront			been completed.	



Strategic Direction: Our Environment

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

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



Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		3.2.3	Maintain community facilities including halls, ovals, pools and other sporting facilities	Annual Action Progressing	Manager Works	This is an ongoing annual action of Council.	
		3.2.4	Wentworth Civic Centre Redevelopment	Specific Action Completed	General Manager	This is a carryover action from the previous financial year. Project has been completed with the building open for business on October 8th.	
		3.2.5	Prioritise and implement recommendations of Asset Management Plans - Fixing Local Roads - Log Bridge Road	Specific Action Completed	Team Leader Roads	Project has been completed this quarter.	



Objective Objective Code	clive	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		3.2.6	Prioritise and implement recommendations of Asset Management Plans - Flood Recovery Activities - Roads, Bridges, Footpaths	Specific Action Progressing	Team Leader Roads	The Roads team continue to work through the approved schedule of works.	
		3.2.7	Prioritise and implement recommendations of Asset Management Plans - Remote Roads Pilot Upgrade Program - Arumpo Road	Specific Action Progressing	Team Leader Roads	Final Seal to take place in early April with final line marking to be completed by Mid May	
		3.2.8	Prioritise and implement recommendations of Asset Management Plans - Regional Emergency Road Repair Program	Specific Action Progressing	Team Leader Roads	Works have commenced on projects nominated for this financial year.	



Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
	3.2.9	Prioritise and implement recommendations of Asset Management Plans - Pothole Repair Program	Specific Action Completed	Team Leader Roads	This action has been completed this quarter.	
	3.2.10	Prioritise and implement recommendations of Asset Management Plans - Darling Street Footpaths	Specific Action Progressing	Manager Works	Contractor was appointed at the March Council meeting. Works to commence after Easter.	
	3.2.11	Prioritise and implement recommendations of Asset Management Plans - Loop Road	Specific Action Progressing	Manager Works	Cultural Heritage requirements have been completed. Plans have been adjusted accordingly. Works to commence in June.	
	3.2.12	Prioritise and implement recommendations of Asset Management Plans - Wamberra Road	Specific Action Progressing	Manager Works	Contractor to undertake the work was approved at the March Council Meeting.	



Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		3.2.13	Prioritise and implement recommendations of Asset Management Plans - Alcheringa Drive	Specific Action Progressing	Manager Works	Tender to appoint contractor to undertake the works was approved at the March Council meeting.	
		3.2.14	Prioritise and implement recommendations of Asset Management Plans - Wentworth Rowing Club Extension	Specific Action Progressing	Manager Works	Internal works on the existing building have been completed. Funding body have given a 12 month extension to the project.	
		3.2.15	Prioritise and implement recommendations of Asset Management Plans - Showgrounds Kitchen Upgrade	Specific Action Progressing	Manager Works	Contract has been awarded, material have been ordered with construction on site to commence late April.	



:tive	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		3.2.16	Prioritise and implement recommendations of Asset Management Plans - Pooncarie Reserve Kitchen Upgrade	Specific Action Progressing	Manager Works	Contract has been awarded, materials have been ordered with works to commence in early June following completion of events at the reserve in late May.	
		3.2.17	Prioritise and implement recommendations of Asset Management Plans - Dareton Main Street	Specific Action Progressing	Manager Works	This is a carryover project from the previous financial year. Contract for the demolition of the Old Toilet Block in Kuhn square has awarded, works to commence after Easter. Remaining works to be completed in house.	
		3.2.18	Prioritise and implement recommendations of Asset Management Plans - Wentworth Depot Upgrade	Specific Action Progressing	Manager Works	Quotes to remove the fuel tank and installation of the electric gate has been received and purchase orders raised.	



Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		3.2.19	Prioritise and implement recommendations of Asset Management Plans - George Gordon Oval Lighting Upgrade	Specific Action Completed	Manager Engineering Services	This action has been completed this quarter	
		3.2.20	Prioritise and implement recommendations of Asset Management Plans - Wentworth Riverfront Mooring Sites	Specific Action Completed	Manager Engineering Services	This project has been completed this quarter.	
		3.2.21	Prioritise and implement recommendations of Asset Management Plans - Buronga to Gol Gol Shared Ways	Specific Action Progressing	Manager Engineering Services	Lighting has been installed. Procurement to commence in mid April with works to commence late May.	
		3.2.22	Dareton Men in a Shed Fire Services Upgrade (LRCIP)	Specific Action Completed	Manager Engineering Services	This is a carryover action for the previous financial year and has since been completed.	

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Objective		A CHION	Ome N a cite of	Charling	Possonial Officer		Traffic
	Objective	Code		Signos	Position	Collinellis	Lights
3.5	Infrastructure meets the needs of our growing Shire.	3.2.23	Finalise Civic Centre Project - Footpath Replacement (LRCIP)	Specific Action Completed	General Manager	This action is a carryover action from the previous financial year and has since been completed.	
e. E.	Minimise the impact on the natural environment	3.3.1	Undertake actions identified in the Western Weeds Action Plan	Annual Action Progressing	Manager Works	This is an ongoing annual action of Council.	
		3.3.2	Monitor and investigate Illegal Dumping Activities as required	Annual Action Progressing	Acting Director Health & Planning	This is an ongoing annual action of Council.	
		3.3.3	Support the activities of the Muray Darling Association	Annual Action Progressing	General Manager	This is an ongoing annual action of Council.	
		3.3.4	Advoacte for the sustainable management of the Darling-Barka River and the Menindee Lakes	Annual Action Progressing	General Manager	This is an ongoing annual action of Council.	

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Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		3.4.6	Prioritise and implement recommendations of the Integrated Water Cycle Management Plan - Fotherby Park SPS # 8	Deferred	Manager Engineering Services	This action has been deferred to 25/26 due to issues with a number of other sewer issues.	
		3.4.7	Prioritise and implement recommendations of the Integrated Water Cycle Management Plan - Dareton SPS # 2	Specific Action Completed	Manager Engineering Services	This project was completed this quarter.	
		3.4.8	Prioritise and implement recommendations of the Integrated Water Cycle Management Plan - Sewer Main Refurbishments	Specific Action Progressing	Manager Engineering Services	Contractor has been commenced on site. This is a 3 year contract. Currently focusing on Wentworth for this financial year.	



Objective Ol Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		3.4.9	Prioritise and implement recommendations of the Integrated Water Cycle Management Plan - Buronga Waste Water Treatment	Deferred	Manager Engineering Services	See 3.4.6	
		3.4.10	Prioritise and implement recommendations of the Integrated Water Cycle Management Plan - Wentworth Waste Water Treatment Plant	Deferred	Manager Engineering Services	see 3.4.9	
		3.4.11	Water Leakage & District Metering Program	Specific Action Progressing	Manager Engineering Services	Installation of bulk meters at the Buronga Booster Pump Station and the Wentworth Water Treatment Plan nearing completion. Have rescoped the remaining two sites and will go back out to the market in April.	

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Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		3.4.12	Wentworth Raw Water Pump Station	Specific Action Progressing	Manager Engineering Services	Options Assessment tender awarded at February Council meeting. Draft document of the Options Assessment report is due in early May.	
		3.4.13	Dareton Raw Water Pump Station	Specific Action Progressing	Manager Engineering Services	See 3.4.12	
		3.4.14	Gol Gol Water Treatment Plant	Specific Action Progressing	Manager Engineering Services	See 3.4.12	
		3.4.15	Wentworth Water Treatment Plant	Specific Action Progressing	Manager Engineering Services	See 3.4.12	
3.5	Infrastructure meets the needs of our growing Shire.	3.5.1	Advocate to the Federal and State governments for adequate funding for the delivery of key projects and the provision of essential infrastructure for the region.	Annual Action Progressing	General Manager	This is an ongoing annual action of Council. Council is currently applying for funding to update key flood mitigation assets (Gol Gol Regulator and Levee Banks)	

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Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
	3.5.2	Plan for appropriate infrastructure and services that support current and future needs	Annual Action Progressing	Director Roads & Engineering	This is an ongoing annual action of Council. Council has received funding from the Safe and Secure Water Fund to progress planning and designs for the upgrade of critical water infrastructure (see action 3.4.12).	
	3.5.3	Progress actions from the Buronga/Gol Gol Structure Plan - Rose Street Stormwater	Specific Action Completed	Manager Engineering Services	Stage 1 works have been completed. Public Works undertaking Stage 2 investigations for consideration as a project in a future financial year.	
	3.5.4	Progress actions from the Buronga/Gol Gol Structure Plan - 3 Sisters Stormwater	Specific Action Progressing	Manager Engineering Services	Survey work has been completed. Sourcing quotes to install irrigation at the Water Treatment Plant. In discussions with Public Works to review the current Murray River discharge set up.	



Action Code
3.5.5
3.5.6
3.5.7



Strategic Direction: Our Leadership

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

Objective Objective Code	Objective	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
4.1	Consistently engage and consult the whole community to ensure feedback is captured and considered as part of decision making and advocating processes.	4.1.1	Support local decision making through transparent communication and inclusive community engagement	Annual Action Progressing	General Manager	This is an ongoing annual action of Council. Community Consultation for reviewing the Community Strategic Plan continued during this quarter. Council has also commenced consultation to update its Disability Inclusion Action Plan.	
4.2	A strong, responsible and representative government.	4.2.1	Ensure that Council is accountable to the community, meets legislative requirements and supports the Councillors to undertake their civic	Annual Action Progressing	General Manager	This is an ongoing annual action of Council.	

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Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		4.2.2	Support Councillors to undertake ongoing professional development	Annual Action Progressing	General Manager	During this quarter Councillors undertook the following training/professional development sessions: - Thriving Regions Workshop for Local Government Elected Members - Understanding the Environmental Planning & Assessment Act - NSW ICAC - Identifying corruption risks for Councillors	
£.3	An effective and efficient organisation.	4.3.1	Engage the community on a regular basis to ensure that Council is providing services that deliver value for money and are relevant in meeting the changing needs of the community.	Annual Action Progressing	Director Corporate Services	Asset management service review commenced in November.	

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Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
4.3.2 Staff are supported to deliver high quality services to the community	Staff are supportedeliver hadeliver hadelity so to the commun	ed to igh ervices	Annual Action Progressing	General Manager	This is an ongoing annual action of Council.	
4.3.3 Ensure the organisation is well led and managed through the implementation of Good Governance, Risk Management and Compliance Frameworks	Ensure the organisation well led of manage through the implement of Good Governa Risk Manage and Con Framewo	e tion is and d d he ntation ntation nce, ment apliance	Annual Action Progressing	Director Corporate Services	The Payroll & HR Audit was be presented to the February Audit, Risk & Improvement Committee meeting. Internal Auditors commenced Asset Management Internal Audit which will be presented to the May meeting.	
4.3.4 Monitor compliance with NSW Modern Slavery obligations	Monitor compliar NSW Moo Slavery obligatio	ace with	Specific Action Progressing	Director Corporate Services	Council continues to implement various aspects into procurement and contract management practices.	
Provide strong leadership and work work in partnership to strategically plan for the future.	Support to the Wellnterage	he work entworth acy	Annual Action Progressing	General Manager	This is an ongoing annual action of Council.	



Objective Code	Objective Objective	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		4.4.2	Foster strong partnerships with all levels of government, peak bodies, agencies and the community	Annual Action Progressing	General Manager	This is an ongoing annual action of Council.	
4.5	Adopt practices of prudent asset, financial and human resource management across Council to ensure long-term sustainability and efficiency.	4.5.1	Maintain a strong financial position that supports the delivery of services and strategies and ensures long term financial sustainability	Annual Action Progressing	Director Corporate Services	This is an ongoing annual action of Council.	



Objective Code	Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		4.5.2	Provide accurate and timely financial reports, monthly, quarterly and annually	Annual Action Progressing	Director Corporate Services	1st & 2nd Quarter 24/25 Budget Review Statement presented to Council and the Audit, Risk and Improvement Committee in November & February. Draft 23/24 Annual Financial Statement were considered by the Committee in October with the audit completed and the statements lodged by the 31 October Statutory deadline. Audit Office of NSW has finalised its Annual Engagement Plan for the audit of the 2024/2025 Annual Financial Statements.	



Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		4.5.3	Be the best employer that we can be by attracting, developing and retaining skilled staff to ensure a capable and effective workforce	Annual Action Progressing	Manager Human Resources	This is an ongoing annual action of Council.	



Objective Objective Code	Action Code	Action Name	Status	Responsible Officer Position	Comments	Traffic Lights
		Implement actions outlined in the Workforce Management Plan	Annual Action Progressing	Manager Human Resources	HR and WHS activities for the March Qtr: -Career Development Program day with Mildura Senior College (attended with Director Roads & Engineering) - Implementation & transition from Damstra (Vault) to Donesafe safety management system - HR/WHS Inductions x 6 - staff consultative/WHS committee meetings (Jan/March) - Skin cancer check clinic (attended by 79 staff) - Traffic control training	
					- LGNSW Industrial Relations on site visit (salary system review)	



Objective Code	Objective Objective Code	Action Code	Action Action Name Code	Status	Responsible Officer Position	Comments	Traffic Lights
		4.5.5	Implement sound asset management practices to ensure adequate provision is made for the maintenance and long-term replacement of Council's infrastructure assets	Annual Action Progressing	Assets Co-ordinator	Service review of the asset management function commenced in November. Internal Audit commenced in March.	

9.7 ENDORSEMENT OF DELIVERY PROGRAM, OPERATIONAL PLAN, DISABILITY INCLUSION PLAN AND RESOURCE STRATEGY FOR PUBLIC EXHIBITION.

File Number: RPT/25/239

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Reporting Officer: Simon Rule - Director Corporate Services

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

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

Summary

In accordance with the Local Government Act, Council must review the following Integrated Planning and Reporting Framework that supports the Community Strategic Plan:

- Delivery Program;
- Operational Plan;
- Resource Strategy; and
- Disability Inclusion Plan

The revised Community Strategic Plan was endorsed by Council in draft format at the April 2025 Ordinary Council meeting and is currently on public exhibition.

Recommendation

That Council endorses for public exhibition the draft 2025 Resource Strategy, which includes the following documents:

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

That Council endorses for public exhibition the draft 2026-2030 Delivery Program, which incorporates the 2026 Operational Plan and budget including:

- 2025-2026 Annual Statement of Revenue
- 2025-2026 Annual Fees & Charges Schedule

That Council endorses for public exhibition the draft 2026-2030 Disability Inclusion Action Plan.

That Council gives notice of its intention to adopt the following rates and annual charges, which are contained within the draft 2025-2026 Operational Plan:

• 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;

- To increase the Ordinary Rate by the maximum 4.50% rate pegged amount determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART);
- To increase waste water access charges by 4.50%;
- To increase raw and filtered water access charges by 4.50%;
- To increase domestic waste charges by 4.50%;
- To increase water consumption charges by 4.50%
- To levy the fees and charges established in Part B of the Annual Statement of Revenue; and
- To charge the maximum interest of 10.50% on overdue rates and charges as determined by the Minister for Local Government.

Detailed Report

Purpose

The purpose of this report is to seek Council's endorsement, for public exhibition a number of draft integrated planning and reporting documentation.

Background

The Integrated Planning and Reporting framework requires Council by 30 June following an ordinary election of Councillors to review the following documents:

- Community Strategic Plan;
- Delivery Program;
- Operational Plan;
- Resource Strategy; and
- Disability Inclusion Plan

The revised Community Strategic Plan was adopted by Council in draft format at the April 2025 Ordinary Council meeting and is currently on public exhibition.

Matters under consideration

Delivery Program incorporating the Operational Plan

The Delivery Program is a statement of Council's commitment to the community and is the single point of reference for all principal activities undertaken by the elected Council during its term of office.

The Operational Plan is Council's action plan for achieving the community priorities outlined in the Community Strategic Plan and Delivery Program. The Operational Plan is prepared each year and identifies the projects, program and activities that Council will conduct to achieve the commitments outlined in the Delivery Program.

Resource Strategy

The Resourcing Strategy outlines Council's resourcing commitment over the next 10 years to implementing the objectives and strategies of the Community Strategic Plan. The Strategy is vital to ensure that Council and the community understand the major requirements in delivering all of Council's services and maintaining its assets. The Strategy consists of 3 key components:

- Long Term Financial Plan
- Asset Management Strategy

Workforce Management Plan.

Disability Inclusion Action Plan

The Disability Inclusion Action Plan outlines Council's commitment to the requirements of the *Disability Inclusion Act (NSW)* 2014. The Plan explains the actions that Council will take improve the lives of people with disability in our community. It has been designed to change perceptions about people with disability and to create a more inclusive community for everyone.

The draft documents are required to be placed on public exhibition for a period of 28 days. The final version of all documents, together with any feedback received, will be presented to Council on 25 June 2025 for final endorsement.

Legal, strategic, financial or policy implications

The Integrated Planning and Reporting framework requires Council by 30 June following an ordinary election of Councillors to review the following documents:

- Delivery Program;
- Operational Plan;
- · Resource Strategy; and
- Disability Inclusion Plan

Conclusion

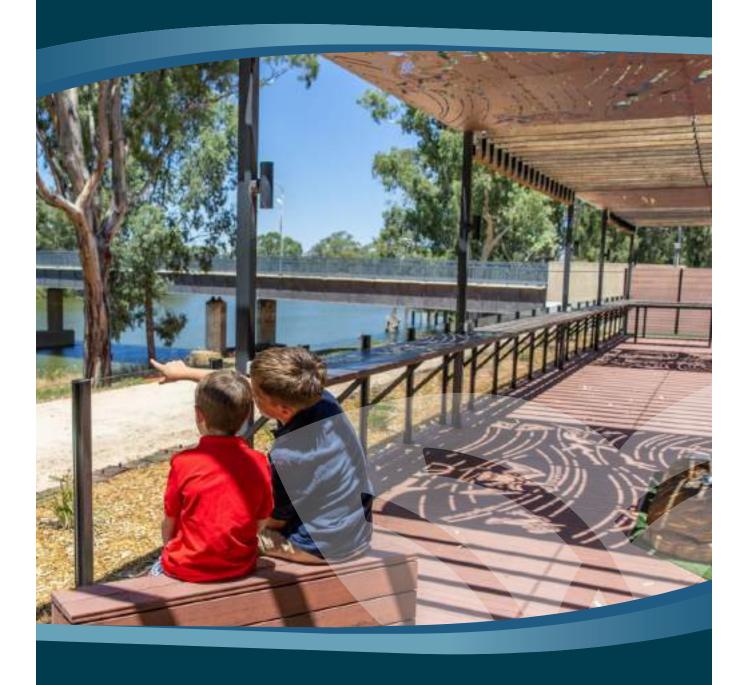
The preparation of the supporting Integrated Planning and Reporting documentation has been undertaken in accordance with the Local Government Act. Council is being asked to endorse the draft documents for public exhibition.

The version of all documents, together with any feedback received, will be presented to Council on 25 June 2025 for final endorsement.

Attachments

- 1. Draft Delivery Program 2026-2030 U
- 2. Draft Operational Plan 2025-2026
- 3. Draft Disability Inclusion Action Plan 4
- Draft Resourcing Strategy

Delivery Program 2026-2030





INTERPRETER SERVICES





MAHALAGA | FILIPINO

Kung kailangan mo ng tulong sa pagbabasa at pag-unawa sa dokumentong ito, ang mga kawani ng customer service ng Wentworth Shire Council ay masaya na tumulong sa pag-aayos ng isang libreng serbisyo ng interpretasyon. Upang ayusin ang isang interpreter, mangyaring makipagugnayan sa Council sa 03 5027 5027, o bisitahin ang isang Council Office na nakalista sa ibaba.



IMPORTANT | FRANÇAIS

Si vous avez besoin d'aide pour lire et comprendre ce document, le personnel du service client du Wentworth Shire Council se fera un plaisir de vous aider à organiser un service d'interprétation gratuit. Pour organiser un interprète, veuillez contacter le Conseil au 03 5027 5027 ou visitez un bureau du Conseil indiqué ci-dessous.



ΣΗΜΑΝΤΙΚΟ | ΕΛΛΗΝΙΚΟ

Εάν χρειάζεστε βοήθεια για την ανάγνωση και την κατανόηση αυτού του εγγράφου, το προσωπικό εξυπηρέτησης πελατών του Wentworth Shire Council είναι πρόθυμο να σας βοηθήσει στη διευθέτηση μιας δωρεάν υπηρεσίας διερμηνείας. Για να κανονίσετε έναν διερμηνέα, επικοινωνήστε με το Δήμο στο 03 5027 5027 ή επισκεφθείτε ένα Γραφείο του Συμβουλίου που αναφέρεται παρακάτω.



IMPORTANTE | ITALIANO

Se hai bisogno di assistenza per leggere e comprendere questo documento, il personale del servizio clienti del Wentworth Shire Council sarà lieto di assisterti nell'organizzazione di un servizio interpretativo gratuito. Per organizzare un interprete, contattare il Comune allo 03 5027 5027 o visitare uno degli uffici del Comune elencati di seguito.



PENTING | MELAYU

Jika anda memerlukan bantuan membaca dan memahami dokumen ini, kakitangan perkhidmatan pelanggan Wentworth Shire Council berbesar hati untuk membantu dalam pengaturan perkhidmatan tafsiran percuma. Untuk mengatur jurubahasa, sila hubungi Majlis di 03 5027 5027, atau lawati Pejabat Majlis yang disenaraikan di bawah.



重要 | 普通话(简体中文)

如果您在阅读和理解本文件时需要帮助,温特沃思郡议会的客户服务人员很乐意协助安排免费口译服务。如需安排口译员,请致电0350275027联系议会,或前往下列议会办公室。



ਮਹੱਤਵਪੂਰਨ | ਅੰਗਰੇਜ਼ੀ

ਜੇਕਰ ਤੁਹਾਨੂੰ ਇਸ ਦਸਤਾਵੇਜ਼ ਨੂੰ ਪੜ੍ਹਨ ਅਤੇ ਸਮਝਣ ਵੀੱਚ ਸਹਾਇਤਾ ਦੀ ਲੋੜ ਹੈ, ਤਾਂ ਵੈਨਟਵਰਥ ਸ਼ਾਇਰ ਕਾਉਸਲਿ ਦੇ ਗਾਹਕ ਸੇਵਾ ਸਟਾਫ ਇੱਕ ਮੁਫ਼ਤ ਵਿਆਖਿਆ ਸੇਵਾ ਦੇ ਪ੍ਰਬੰਧ ਵੀੱਚ ਸਹਾਇਤਾ ਕਰਨ ਲਈ ਖੁਸ਼ ਹਨ। ਦੁਭਾਸ਼ੀਏ ਦਾ ਇੰਤਜ਼ਾਮ ਕਰਨ ਲਈ, ਕਰਿਪਾ ਕਰਕੇ 03 5027 5027 'ਤੇ ਕਾਉਸਲਿ ਨਾਲ ਸੰਪਰਕ ਕਰੋ, ਜਾਂ ਹੇਠਾਂ ਸੁਚੀਬੱਧ ਕਸਿ ਕਾਉਸਲਿ ਦਫ਼ਤਰ 'ਤੇ ਜਾਓ।



สำคัญ | แบบไทย

หากคุณ เต้องการความช่วยเหลือในการอ่านและทำความ เข้าใจเอกสารนี้ เจ้าหน้าที่บริการลูกค้าของ Wentworth Shire Council ยินดีให้ความช่วยเหลือในการจัดการบริการ ล่ามฟรี หากต้องการจัดเตรียมล่าม โปรดติดต่อสภาที่ 03 5027 5027 หรือไปที่สำนักงานสภาตามรายการด้านล่าง



ÖNEMLİ | TÜRKÇE

Bu belgeyi okuma ve anlama konusunda yardıma ihtiyacınız varsa, Wentworth Shire Belediyesi'nin müşteri hizmetleri personeli, ücretsiz tercümanlık hizmetinin ayarlanmasında yardımcı olmaktan mutluluk duyacaktır. Bir tercüman ayarlamak için lütfen 03 5027 5027 numaralı telefondan Belediye ile iletişime geçin veya aşağıda listelenen bir Belediye Ofisini ziyaret edin.



QUAN TRONG | TIẾNG VIỆT

Nếu bạn cần trợ giúp để đọc và hiểu tài liệu này, nhân viên dịch vụ khách hàng của Hội đồng Wentworth Shire sẵn lòng hỗ trợ sắp xếp dịch vụ thông dịch miễn phí. Để sắp xếp một thông dịch viên, vui lòng liên hệ với Hội đồng theo số 03 5027 5027 hoặc đến Văn phòng Hội đồng được liệt kê bên dưới.

IMPORTANT | ENGLISH

If you require assistance reading and understanding this document, customer service staff of Wentworth Shire Council are happy to assist in the arrangement of a free interpretive service.

To arrange an interpreter, please contact Council on 03 5027 5027, or visit a Council Office listed below.





Midway Community Centre



Wentworth Visitor Centre (Main Administration Office)



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



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Images in this document were sourced from Council's Image Library unless otherwise stated. Cover image: Young children overlooking the Darling River from the Wentworth Visitor Centre library space.

This document was compiled by Wentworth Shire Council. Copies of this program can be viewed online at wentworth.nsw.gov.au

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Our Values: Honest & Integrity | Accountability & Transparency | Respect | Quality & Commitment

Wentworth Shire Council | Delivery Program 2026-2030

Mayor's foreword

Wentworth Shire is evolving, and Council is committed to ensuring the region grows in a way that benefits the entire community. The 2026–2030 Delivery Program and Operational Plan set out the priorities, projects, and services that will guide Council's work over the coming years. This is the first Delivery Program for this term of Council, following the local government elections in September 2024, marking a fresh opportunity to build on past achievements and drive new initiatives.

This document is more than a plan—it is a commitment to action. It provides a clear direction for Council's work, ensuring that resources are allocated effectively to deliver essential services and key infrastructure projects. Council remains focused on maintaining and improving roads, footpaths, parks, and drainage while also strengthening waste management and water security to meet the needs of a growing population.

Wentworth Shire is experiencing significant growth, and with that comes the responsibility to provide infrastructure and services that enhance both liveability and sustainability. Over the next four years, major projects such as the Buronga Landfill Expansion and Fibre Optic Symphonic Orchestra will take shape. These, along with water, sewerage, and stormwater system upgrades, reflect Council's proactive approach to ensuring the Shire is well-equipped for the future.

Strong partnerships are essential to achieving these goals. Council will continue to work closely with Federal and State governments, local businesses, and the wider community to secure funding and deliver meaningful outcomes. By fostering these relationships, we can ensure Wentworth Shire continues to thrive while preserving the character and natural beauty that make it unique.

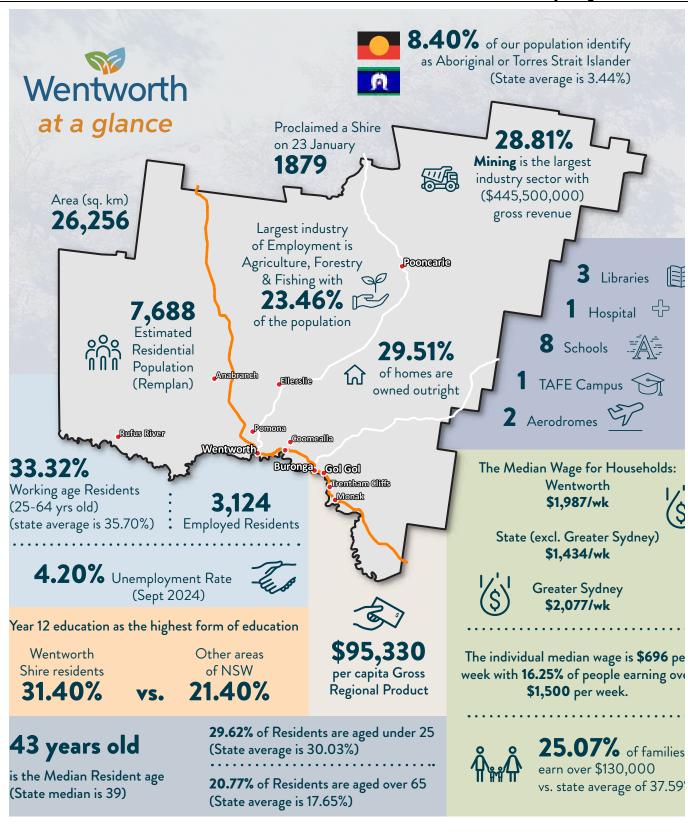
Council is guided by a commitment to Honesty & Integrity, Accountability & Transparency, Respect, and Quality & Commitment in everything it does. These values are the foundation of decision-making and service delivery, ensuring that the community can have confidence in Council's leadership and actions. By upholding these principles, Council remains focused on delivering high-quality outcomes that meet the expectations of residents and stakeholders alike.

At the heart of this Delivery Program is a commitment to openness and accountability. Council is in a strong financial position to implement these initiatives, and the community will be kept informed of progress through quarterly reports and the annual report. By maintaining transparency, we ensure that residents remain engaged and confident in the direction Council is taking.

This document is a living framework that will evolve to meet new opportunities and challenges. Council is proud to serve the Wentworth Shire community, and we look forward to working together to create a vibrant, sustainable, and connected future for all.



Daniel LinklaterMayor of Wentworth Shire Council













662km of sealed road

1,360km of unsealed road

Wentworth Shire Council | Delivery Program 2026-2030

EXECUTIVE LEADERSHIP REPORTING STRUCTURE

Our Organisational Structure is designed to deliver on the Communty's Strategic Objectives as outlined in the Community Strategic Plan 2026-2036.



REPORTING STRUCTURE

As at 01 May 2024





• Work Health & Safety • Workplace & Industrial relations

TOURISM & PROMOTION

- Events
- Library
- Marketing & Communications
- Tourism
- · Visitor Information Centre



SIMON RULE

DIRECTOR

Appointed to role in May 2014

CORPORATE SERVICES

CUSTOMER SERVICES

- Bendigo Bank Agency (Midway Service Centre)
- Bridge lift bookings
- Cemetery reservations & burials
- Customer enquiries
- Receipting (rates, water accounts, applications)
- · Venue hire bookings

FINANCE & ACCOUNTING

- Accounts payable/receivable
- Accounting services
- Payroll
- Procurement
- Rates

ECONOMIC & COMMUNITY DEVELOPMENT

INFORMATION TECHNOLOGY

- · Business continuity
- Cyber security
- End-user support
- Geographic Information Systems (GIS)
- Hardware/software/ maintenance acquisition

RECORDS

• Record management

RISK & GOVERNANCE

- Audit, Risk & Improvement Committee
- Corporate Compliance
- Corporate Strategic Planning & Reporting
- Internal Audit
- Risk management

STORES



GEORGE KENENDE

ACTING DIRECTOR

Appointed to role in January 2024

HEALTH & PLANNING

BUILDING SURVEYING/ ENVIRONMENTAL HEALTH

- Bonds and Permits
- Building Certification
- Food Safety annual inspections & temporary permits
- Public Health/Skin Penetration/ Cooling Towers/UPSS

COMPANION ANIMALS

- Barking Dogs
- Nuisance/Aggressive Dogs
- Rehoming
- Shelter Management

DEVELOPMENT ASSESSMENT

- Development Determinations
- Planning Portal management & assistance
- Pre-lodgement advice

COMPLIANCE/REGULATORY SERVICES/LOCAL LAWS

- Alcohol Free Zones
- Development compliance
- Education & enforcement
- Noise
- Pollution & contaminated land

RESERVES & LAND TENURE

- Acquisition of land
- Crown land manager
- Native Title

STRATEGIC DEVELOPMENT

- Heritage Protection & Advice
- Planning Proposals& LEP Amendments
- Strategic Planning Projects
 & Strategies



GEOFF GUNN

DIRECTOR

Appointed to role in August 2019

ROADS & ENGINEERING

ENGINEERING TEAM

- Assets
- Engineering services
- Infrastructure
- Technical Services
- Water & Waste Water

WORKS TEAM

- Aerodrome operations
- Building maintenance
- Civil Works
- Fleet/Workshop
- Landfill/Waste
- Operations
- Parks & GardensRoads

Executive Team



Ken Ross | General Manager

With 37 years of experience in Management, Health and Planning and Building Surveying, Ken holds an Associated Diploma in Applied Science and a Diploma in Environmental Health and Building.

Ken commenced his journey with Council in November 2002 and was appointed the role of General Manager in May 2019.



Simon Rule | Director Corporate Services

With 26 years of experience in Senior Management roles in public operations, Simon holds a Bachelor Degree in Arts (Information Management) and Masters of Professional Accounting.

Simon commenced his journey with Council in November 2008 and was appointed the role of Director Finance and Policy in May 2014.



George Kenende | Acting Director Health and Planning



With 8 years of experience in Planning and Environment, George holds a Bachelor of Science (Ecology and Conservation Biology) and Masters of Urban and Environmental Planning.

George commenced his journey with Council in October 2017 and was appointed in the role of Acting Director of Health and Planning in January 2024.



Geoff Gunn | Director Roads and Engineering

With 32 years experience in Engineering and Management of municipal operation areas, Geoff holds a Bachelor Degree in Civil Engineering.

Geoff commenced his journey with Council in November 2016 and was appointed in the role of Director Roads and Engineering in August 2019.

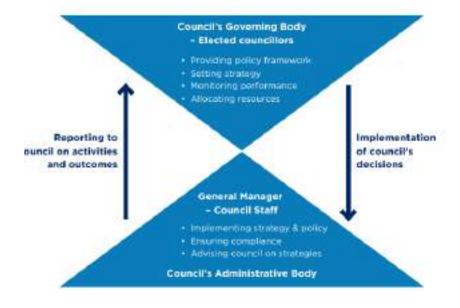
Councillors

Wentworth Shire is represented by nine Councillors who are elected every four years.

The Councillors elect the Mayor every two years.

As the community's representative the role of a Councillor is to:

- Be an active and contributing member of the governing body;
- Make considered and well-informed decisions as a member of the governing body;
- Participate in the development of the Integrated Planning & Reporting Framework;
- Represent the collective interests of residents, ratepayers and the local community;
- Facilitate communication between the local community and the governing body:
- Uphold and represent accurately the policies and decisions of the governing body;
- Make all reasonable efforts to acquire and maintain the skills necessary to perform the role of a Councillor





Cr Daniel Linklater Mayor



Cr Peter Crisp Deputy Mayor



Cr Jon ArmstrongCouncillor



Cr Tim ElstoneCouncillor



Cr Greg EvansCouncillor



Cr Susan Nichols Councillor



Cr Jo Rodda Councillor



Cr Jody Starick Councillor



Cr Michael WeedingCouncillor

Services

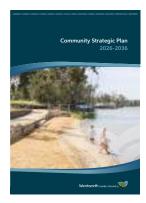
In order to deliver on its responsibilities in the Community Strategic Plan, the many separate activities that Council provides for residents, ratepayers, workers and visitors are broken into the following key services:





Our planning and reporting framework

Council's Delivery Program and Operational Plan are key components of our Integrated Planning and Reporting framework. The framework helps Council discuss funding priorities and service levels with our community, including how these shape our local identity and how we can work together to create a more sustainable future. Under NSW Government legislation, Council must prepare a number of plans detailing how they intend to deliver works and services in the short and long future. These plans are based on the community's priorities, identified in the Community Strategic Plan, and present a balanced approach to planning that considers how our resources can be used to deliver community outcomes.



Community Strategic Plan

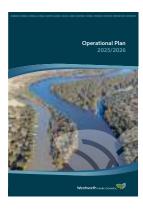
The Community Strategic Plan outlines the community's objectives for the next 10+ years and the strategies to achieve them. It sits at the top of Council's planning hierarchy, guiding all other Council strategies and plans.



Delivery Program

The Delivery Program translates the Community Strategic Plan's objectives into Council's area of responsibility, acting as a policy response to community aspirations. It is a fixed four-year plan aligning with Council's electoral cycle, with each newly elected Council preparing a new Delivery Program for their term. The current Delivery Program covers 2026-2030.

This Program is part of a larger corporate planning process. The Community Strategic Plan sets the community's future agenda, the Resourcing Strategy identifies necessary resources, and the Delivery Program and its sub-plan, the Operational Plan, detail Council's actions.



Operational Plan

The Operational Plan details the actions Council will take each financial year to achieve the Delivery Program and Community Strategic Plan commitments. It also specifies the annual budget and responsible service areas. Council tracks and reports progress every three months through the Quarterly Operational Plan Progress Report and annually through the Annual Report.

To effectively support the Community Strategic Plan, Council develops resourcing strategies to identify the money, assets, and personnel needed to fulfil the commitments of the Community Strategic Plan, Delivery Program, and Operational Plan.

Achieving the vision for 2036

The consultation and engagement activities undertaken to inform the Wentworth Shire: Our Future in Focus - Community Strategic Plan 2026-2036 resulted in the formation of the following concise and ambitious vision for the region:

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

Community strategies



Quadruple Bottom Line

The quadruple bottom line underpins the Community Strategic Plan, helping to categorise the priorities that have been identified by the community.

Our strategies link directly to the quadruple bottom line, which are as follows:



Wentworth Shire is a vibrant, growing and thriving region

ECONOMIC



Wentworth Shire is a great place to live

SOCIAL



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

ENVIRONMENTAL



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

CIVIC LEADERSHIP

Council's guiding principles

The aim of the Integrated Planning and Reporting Framework is to improve the way the Council's planning meets community's needs.

The Framework recognises that most communities share similar aspirations; however, each Local Government Area has a uniqueness to their geographical location, demographics and culture.

The implementation of the framework is conducted differently by all councils across NSW.

The Local Government Act requires Council to carry out its functions in a way to support local communities to be strong, healthy and prosperous.

The following general principles apply to the core functions of Council to:

- Provide strong effective representation, leadership, planning and decisionmaking;
- Carry out functions that provide the best possible value for residents and ratepayers;
- Plan strategically, using the Integrated Planning and Reporting (IP&R)
 Framework, for the provision of effective and efficient services and regulation to meet the diverse needs of the local community;
- Apply the IP&R Framework in carrying out functions to achieve desired outcomes and continuous improvements;
- Work co-operatively with other councils and the State government to achieve desired outcomes for the local community;
- Manage lands and other assets so that current and future local community needs can be met in an affordable way;
- Work with others to secure appropriate service for local community needs;
- Act fairly, ethically and without bias in the interest of the local community; and
- Be responsible employers and provide a consultative and supportive working environment for staff.

The following principles apply to decision-making. Council will:

- Recognise diverse local community needs and interests;
- · Consider social justice principles;
- Consider the long-term and cumulative effects of actions on future generations;
- Consider the principles of ecologically sustainable development;
- Be transparent and accountable for decisions; and
- Promote community participation by actively engaging with the local community.

The following principles of sound financial management apply to Council:

- Spend in a responsible and sustainable manner, aligning general revenue and expenses.
- Invest in responsible and sustainable infrastructure for the benefit of the local community.
- Have effective financial and asset management, including sound policies and processes for the following:
 - Performance management and reporting;
 - Asset maintenance and enhancement:
 - · Funding decisions; and
 - Risk management practices.
- Have regard to achieving intergenerational equity, including ensuring policy decisions are made after considering their financial effects on future generation and that the current generation funds the cost of its services.

Council continuously advocates on behalf of our community and has on-going conversations with State and Federal Governments, as well as the private sector, to ensure we protect, enhance and improve:

- The services and facilities that our community require today and into the future;
- Our natural environment; and
- The promotion of business opportunities that can generate local jobs.



2026 - 2030 Delivery Program Objectives

1.1	Create a supportive Environment for business to invest and grow
1.2	Promote the Wentworth Region as a desirable visitor and tourism destination
1.3	High quality connectivity across the region
2.1	Continue to create opportunities for inclusion where all people feel welcome and participate in community life
2.2	The community has access to services and initiatives that contribute to well being across all stages of life.
2.3	To have a safe community
2.4	To have a strong sense of place
3.1	An urban environment that maintains and enhances our sense of identity and place.
3.2	Our public assets are well maintained and able to meet the growing population demands.
3.3	Minimise the impact on our natural environment.
3.4	Use and manage our resources wisely.
3.5	Infrastructure meets the needs of our growing Shire.
4.1	A well engaged and informed community.
4.2	We value our civic leadership whose stewardship and decision making benefits present and future generations.
4.3	Provide a governance framework that is transparent and builds trust in local leadership.
4.4	Manage public resources responsibly and efficiently for the benefit of the community

"The Delivery Program is a statement of Council's commitment to the community and is the single point of reference for all principal activities undertaken by the elected council during its term of office"

The four-year Delivery Program is reviewed annually to determine which objectives set out in the Community Strategic Plan can be achieved within Council's available resources, and an Operational Plan of actions for the coming financial year is created.

As part of the ongoing monitoring and review of the Delivery Program, Council considers key external issues and influences that may affect what is required to be delivered for the community over the next four years.

The issues and influences identified and any others that arise over the next four years will be required to be monitored and any impacts from there will be included in future Operational Plans.

This ensures Council's long-term planning is consistent with current and future needs of the community.

The Operational Plan 2025-2026 is the first year of the Delivery Program 2026-2030. It outlines the actions that will be undertaken for each objective and determines who has primary responsibility for each action.

Throughout the duration of our four-year Delivery Program, we will continue to report and update the community on the progress of these initiatives and more, through our quarterly progress reports and the annual report.

Our Capital Works investment will continue to be significant with more than \$39 million to be spent on building, renewing and maintaining our assets.

As an organisation we continue to be in a strong financial position to deliver the programs outlined in this plan and meet our ongoing commitment to our community.

Council continues to work hard to ensure that all of its services and infrastructure will contribute to achieving the aspirations and priorities of the community and, in doing so, this will contribute to the health and wellbeing of our community. We do this in collaboration with you and our major partners and stakeholders.

As well as Council's objectives and actions, this document contains a thorough breakdown of Council's operational and capital works budget, aligning to the Long-Term Financial Plan.

Sustainability and resilience are key themes underpinning Council's direction and have also been embedded in Council's planning and budgeting process.

This plan is another step towards a more effective, efficient and inclusive organisation that is committed to listening to key stakeholders, planning effectively and making the best decisions for the future of our Shire.

Community engagement is how we reach out and encourage our community to talk with us about the plans, projects and policies we develop on their behalf.

Community engagement helps us make decisions; it builds relationships and trust; builds a sense of belonging; and keeps the community informed.

The feedback we receive from the community is considered along with legislation, policies, technical assessments, financial, environmental and social impacts.

We are committed to providing opportunities for everyone in our community to help us make informed decisions.

We look forward to finding new ways to connect and work with you.

Council is mindful that the Community Strategic Plan is the community's document and not a Council document, with the Wentworth Shire community being the most important external stakeholder to be considered by Council in its planning for the future.

Three levels of government

Australia has three levels of government that work together to provide residents with the services that they need.

Each level of government is responsible for providing services and each level collect money through taxes, rates or charges to pay for those services.

Each level may be fully responsible for providing certain services, but often two or three levels of government share responsibility.

The three levels of government are demonstrated below.

FEDERAL

Has broad national powers.

- Defence
- Bankruptcy & Insolvency
- Trade & Commerce
- Census & Statistics
- Postal & Telecommunication Services
- Quarantine
- Foreign Policy
- Taxation
- Copyright
- Immigration

STATE

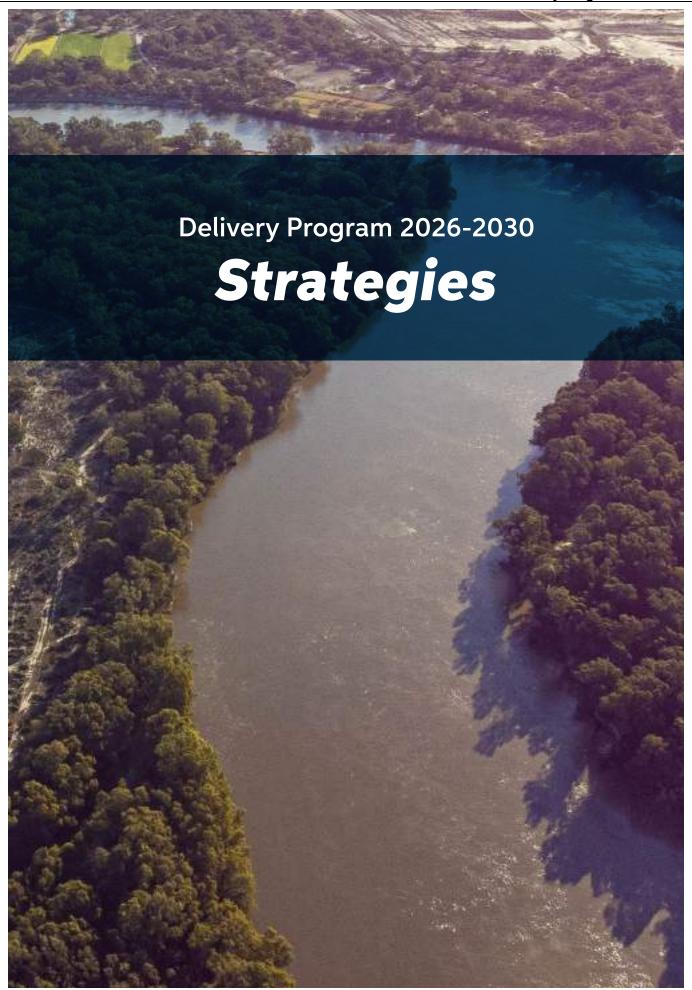
Has its own government and its own constitution, and has power to look after laws not covered by the federal government.

- Education
- Health
- Transport (Railways, Registrations,
- Highways & Public Transport)
- Emergency Services
- Public Housing
- Utilities
- Mining & Agriculture
- Consumer Affairs
- Prisons
- Forests
- Maritime

LOCAL

Is responsible for providing services and infrastructure within its local area. Council responds to federal and state legislation and makes decisions based on identified community needs.

- Regulatory Services
- Urban & Regional Planning
- Community Services & Facilities
- Transport (Local & Regional Roads,
- Footpaths, Car Parking)
- Recreation Facilities
- Environment & Waste Management
- Tourism (Promotion, Visitor Information Services)
- Economic Development
- Stormwater Drainage
- Water & Waste Water



Strategy 1

Our Economy

Wentworth Shire is a vibrant, growing and thriving region



Community Outcome

We are a growing region with an expanding sense of opportunity, and we want to capitalise on those possibilities for the benefit of all.

Economic opportunities and partnerships facilitate growth of our local and regional economy, attracting investment to the region and fostering local business and employment.

Council Services that will contribute to this Strategy

- Urban & Regional Planning
- Tourism & Economic Development
- Community

- Civic Governance
- Corporate Services



- Bigger and more developed with additional services.
- Major employment opportunities for businesses.
- Build other infrastructure and services to attract visitors to enhance the tourist experience.
- Larger population, more tourists.
- Continuing to grow the region
- We need money spent here and not in Victoria.

- Make our riverfront a feature.
- Support mining and renewable
- Promote the natural attractions within the Shire.
- Attracting young families to the area
- The vision must be for economic change to the community.
- Bring tourist dollars to the town and the local community and business.

Strategy 2

Our Community

Wentworth Shire is a great place to live



Community Outcome

We are committed to strengthening our diverse population by creating new opportunities for connection, creativity and inclusion by encouraging initiatives that strengthen our collective sense of self.

Social connectedness is a very strong indicator of perceived quality of life and happiness in a community. Council hopes, through the Delivery Program, to contribute to community connectedness in the Shire.

This will be reflected in the pride that residents have in telling people where they live, their good relationships with their neighbours, their participation in community life, how safe they feel, how much they volunteer, and of their sense of history and identity.

Council Services that will contribute to this Strategy

- Public Order
- Recreation
- Community

- Regulatory
- Corporate Services
- Civic Governance



- Animal control
- Better access to services and facilities.
- Stronger police presence.
- More facilities to accommodate our aging population.
- Childcare facilities for families.
- Another school in Buronga or Gol Gol to accommodate growth in the area.
- Access to housing
- Public signage
- · Public amenity
- An enhanced events calendar so residents have more to do.
- Increased traffic and pedestrian safety

Strategy 3

Our Environment

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



Community Outcome

Creating liveable communities means striking a balance between activities that support infrastructure development and others that enhance our quality of life.

As custodians of this land for future generations, we have an obligation to treat the natural environment with care and to minimise human impact on the surrounding environment to ensure a sustainable and healthy community.

Council Services that will contribute to this Strategy

- Water & Sewer
- Environment
- Public Order
- Urban & Regional Planning
- Transport

- Civic Governance
- Corporate Services
- Recreation
- Tourism/Economic Development



- Better planning for infrastructure to support growth
- Better water pressure and quality
- An environmentally sustainable Shire
- More green spaces included in new developments
- A better waste management system that incorporates recycling and green waste bins
- Better maintenance of Council assets and infrastructure
- Stronger effort to protect our natural environment and waterways

Strategy 4

Our Leadership



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

Community Outcome

We are a responsible Council, committed to building strong relationships.

We value transparent and meaningful communication and use community feedback to drive strategic decision-making.

In order to operate a large organisation with a diverse range of services, a large portfolio of assets and a multitude of statutory requirements, Council must have a robust and well-managed governance framework and administration functions.

Council is committed to creating a well-managed and operated organisation that is equipped with the resources required to deliver effective services.

Council Services that will contribute to this Strategy

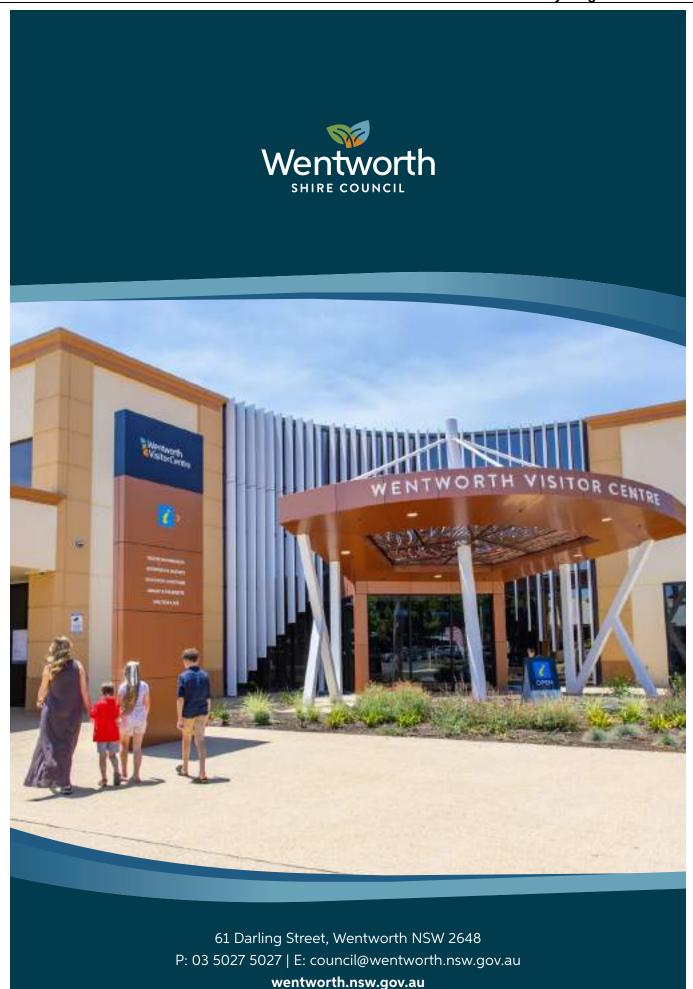
All Council Services



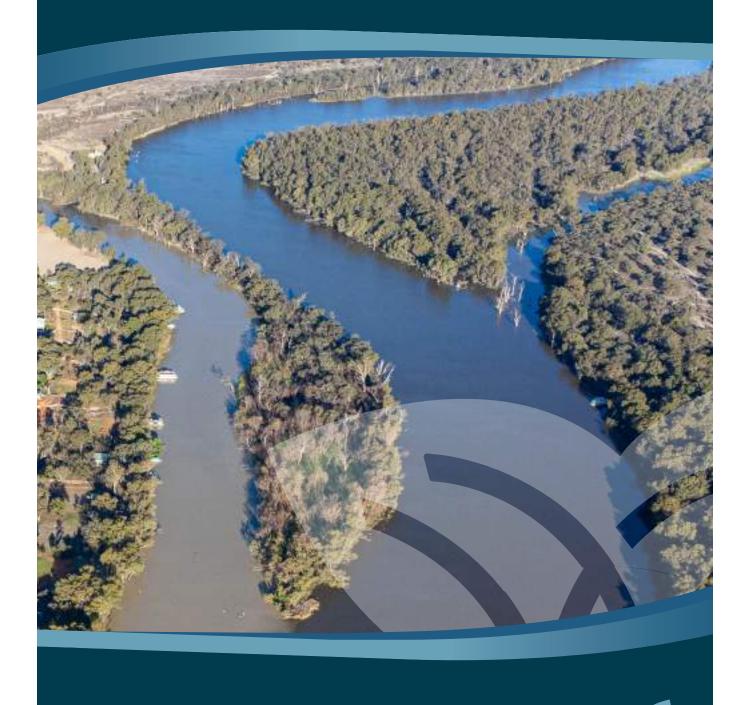
- A council that's in tune with the needs of the community
- Better communication and engagement with the community.
- A more diverse council to reflect the current Shire demographics
- Good decision-making by all who are in charge of our future
- Transparency, honesty, integrity in the Council and its staff
- Broader community consultation

- Proactive councillors, those who can make a vision reality, and be willing to influence change
- Inform the community and get community input
- A council that looks after all its constituents in a similar manner
- Advocate for the community
- Staff who are capable and passionate about the area

Item 9.7 - Attachment 1		Draft Delivery Program 2026-2030
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Operational Plan 2025/2026



Wentworth SHIRE COUNCIL

INTERPRETER SERVICES





MAHALAGA | FILIPINO

Kung kailangan mo ng tulong sa pagbabasa at pag-unawa sa dokumentong ito, ang mga kawani ng customer service ng Wentworth Shire Council ay masaya na tumulong sa pag-aayos ng isang libreng serbisyo ng interpretasyon. Upang ayusin ang isang interpreter, mangyaring makipagugnayan sa Council sa 03 5027 5027, o bisitahin ang isang Council Office na nakalista sa ibaba.



IMPORTANT | FRANÇAIS

Si vous avez besoin d'aide pour lire et comprendre ce document, le personnel du service client du Wentworth Shire Council se fera un plaisir de vous aider à organiser un service d'interprétation gratuit. Pour organiser un interprète, veuillez contacter le Conseil au 03 5027 5027 ou visitez un bureau du Conseil indiqué ci-dessous.



ΣΗΜΑΝΤΙΚΟ | ΕΛΛΗΝΙΚΟ

Εάν χρειάζεστε βοήθεια για την ανάγνωση και την κατανόηση αυτού του εγγράφου, το προσωπικό εξυπηρέτησης πελατών του Wentworth Shire Council είναι πρόθυμο να σας βοηθήσει στη διευθέτηση μιας δωρεάν υπηρεσίας διερμηνείας. Για να κανονίσετε έναν διερμηνέα, επικοινωνήστε με το Δήμο στο 03 5027 5027 ή επισκεφθείτε ένα Γραφείο του Συμβουλίου που αναφέρεται παρακάτω.



IMPORTANTE | ITALIANO

Se hai bisogno di assistenza per leggere e comprendere questo documento, il personale del servizio clienti del Wentworth Shire Council sarà lieto di assisterti nell'organizzazione di un servizio interpretativo gratuito. Per organizzare un interprete, contattare il Comune allo 03 5027 5027 o visitare uno degli uffici del Comune elencati di seguito.



PENTING | MELAYU

Jika anda memerlukan bantuan membaca dan memahami dokumen ini, kakitangan perkhidmatan pelanggan Wentworth Shire Council berbesar hati untuk membantu dalam pengaturan perkhidmatan tafsiran percuma. Untuk mengatur jurubahasa, sila hubungi Majlis di 03 5027 5027, atau lawati Pejabat Majlis yang disenaraikan di bawah.



重要 | 普通话(简体中文)

如果您在阅读和理解本文件时需要帮助,温特沃思郡议会的客户服务人员很乐意协助安排免费口译服务。如需安排口译员,请致电0350275027联系议会,或前往下列议会办公室。



ਮਹੱਤਵਪੂਰਨ | ਅੰਗਰੇਜ਼ੀ

ਜੇਕਰ ਤੁਹਾਨੂੰ ਇਸ ਦਸਤਾਵੇਜ਼ ਨੂੰ ਪੜ੍ਹਨ ਅਤੇ ਸਮਝਣ ਵੀੱਚ ਸਹਾਇਤਾ ਦੀ ਲੋੜ ਹੈ, ਤਾਂ ਵੈਨਟਵਰਥ ਸ਼ਾਇਰ ਕਾਉਸਲਿ ਦੇ ਗਾਹਕ ਸੇਵਾ ਸਟਾਫ ਇੱਕ ਮੁਫ਼ਤ ਵਿਆਖਿਆ ਸੇਵਾ ਦੇ ਪ੍ਰਬੰਧ ਵੀੱਚ ਸਹਾਇਤਾ ਕਰਨ ਲਈ ਖੁਸ਼ ਹਨ। ਦੁਭਾਸ਼ੀਏ ਦਾ ਇੰਤਜ਼ਾਮ ਕਰਨ ਲਈ, ਕਰਿਪਾ ਕਰਕੇ 03 5027 5027 'ਤੇ ਕਾਉਸਲਿ ਨਾਲ ਸੰਪਰਕ ਕਰੋ, ਜਾਂ ਹੇਠਾਂ ਸੁਚੀਬੱਧ ਕਸਿੇ ਕਾਉਸਲਿ ਦਫ਼ਤਰ 'ਤੇ ਜਾਓ।



สำคัญ | แบบไทย

หากคุณต้องการความช่วยเหลือในการอ่านและทำความ เข้าใจเอกสารนี้ เจ้าหน้าที่บริการลูกค้าของ Wentworth Shire Council ยินดีให้ความช่วยเหลือในการจัดการบริการ ล่ามฟรี หากต้องการจัดเตรียมล่าม โปรดติดต่อสภาที่ 03 5027 5027 หรือไปที่สำนักงานสภาตามรายการด้านล่าง



ÖNEMLİ | TÜRKÇE

Bu belgeyi okuma ve anlama konusunda yardıma ihtiyacınız varsa, Wentworth Shire Belediyesi'nin müşteri hizmetleri personeli, ücretsiz tercümanlık hizmetinin ayarlanmasında yardımcı olmaktan mutluluk duyacaktır. Bir tercüman ayarlamak için lütfen 03 5027 5027 numaralı telefondan Belediye ile iletişime geçin veya aşağıda listelenen bir Belediye Ofisini ziyaret edin.



QUAN TRONG | TIẾNG VIỆT

Nếu bạn cần trợ giúp để đọc và hiểu tài liệu này, nhân viên dịch vụ khách hàng của Hội đồng Wentworth Shire sẵn lòng hỗ trợ sắp xếp dịch vụ thông dịch miễn phí. Để sắp xếp một thông dịch viên, vui lòng liên hệ với Hội đồng theo số 03 5027 5027 hoặc đến Văn phòng Hội đồng được liệt kê bên dưới.

IMPORTANT | ENGLISH

If you require assistance reading and understanding this document, customer service staff of Wentworth Shire Council are happy to assist in the arrangement of a free interpretive service.

To arrange an interpreter, please contact Council on 03 5027 5027, or visit a Council Office listed below.





Midway Community Centre



Wentworth Visitor Centre (Main Administration Office)



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

Our Objectives



Wentworth Shire is a vibrant, growing and thriving region

ECONOMIC



Wentworth Shire is a great place to live

SOCIAL



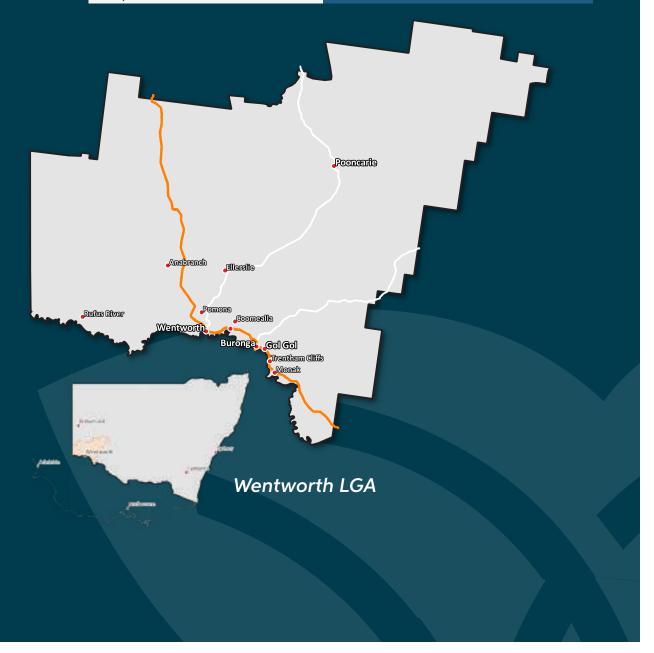
Wentworth Shire is a community that works to enhance and protect its physical and natural environment

ENVIRONMENTAL



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

CIVIC LEADERSHIP



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Images in this document were sourced from Council's Image Library unless otherwise stated. Cover image: Junction Island, Wentworth.

The Annual Statement of Revenue forms part of the 2025/2026 Operational Plan and includes the 2025/2026 Fees and Charges. These documents have been prepared in accordance with Section 403(2) of the *Local Government Act 1993*.

The Annual Fees and Charges forms part of the 2025/2026 Operational Plan. These documents have been prepared in accordance with Section 403(2) of the *Local Government Act 1993*.

This document was compiled by Wentworth Shire Council. Copies of this program can be viewed online at wentworth.nsw.gov.au

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Our Values: Honest & Integrity | Accountability & Transparency | Respect | Quality & Commitment

Wentworth Shire Council | Operational Plan 2025/2026

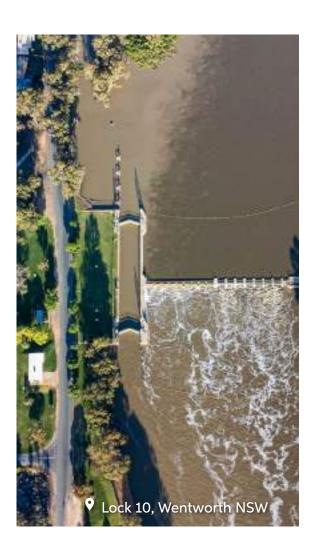
Overview

Council's Operational Plan is created each financial year as a sub-plan of Council's four-year Delivery Program. The Operational Plan 2025/2026 is year one of Council's Delivery Program.

It outlines the actions that Council will undertake in the financial year that contribute to achieving the commitments Council's Delivery Program and Community Strategic Plan.

It also identifies the annual budget required to deliver the actions and the responsible service area within Council who will oversee and report progress and performance results achieve.

The Plan is accompanied by Council's 2025-2026 Annual Statement of Revenue and Schedule of Annual Fees and Charges which includes the proposed rates and annual charges.



2025/2026 Council Snapshot



137.05

Full-time equivalent staff



\$33 million Operational budget



\$57 million

Budget forecast



\$24 million

Capital budget



61

Planned actions



4.50%

Rate increase

Achieving the vision for 2036



The consultation and engagement activities undertaken to inform the Wentworth Shire: Our Future in Focus - Community Strategic Plan 2026-2036 resulted in the formation of the following concise and ambitious vision for the region:

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

To ensure we, as a community, can work toward achieving this vision, four strategic objectives have been developed around the quadruple bottom line which aims to balance social, environmental, and economic and governance aspects of strategic plans.

Underpinning each objective is a range of supporting strategies that outline high-level approaches to achieving the objectives and delivering the vision.

Quadruple Bottom Line

The quadruple bottom line underpins the Community Strategic Plan, helping to categorise the priorities that have been identified by the community.

Our strategies link directly to the quadruple bottom line, which are as follows:



Wentworth Shire is a vibrant, growing and thriving region

ECONOMIC



Wentworth Shire is a great place to live

SOCIAL



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

ENVIRONMENTAL



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

CIVIC LEADERSHIP

Financial information

Budgeted Income Statement Summary	2025/2026 Budget	
Income from Continuing Operations		
Rates & Annual Charges	\$11,271,795	
User Charges & Fees	\$12,468,115	
Interest & Investment Revenue	\$2,286,858	
Other Revenues	\$1,958,378	
Grants - Operating	\$12,410,051	
Grants - Capital	\$8,133,998	
Net Gains from the disposal of assets	\$100,000	
Total Income	\$48,629,195	

Expenses from Continuing Operations		
Employee Benefits	\$10,190,320	
Borrowing Costs	\$1,282,304	
Materials & Contracts	\$10,858,390	
Depreciation & Amortization	\$10,083,286	
Other Expenses	\$667,697	
Total Expenses	\$33,081,997	
Operating Result from Continuing Operations	\$15,547,198	
Discontinued Operations	\$8,133,998	
Net Operating Result from Continuing Operations	\$7,413,200	

Funding Requirements	2025/2026 Budget
Expenditure	
Operating Expenditure	\$33,081,997
Capital Expenditure	\$24,190,133
Total Expenditure	\$57,272,130
less depreciation (incl. in expenditure)	\$10,083,286
2025/2026 Cash Requirements	\$47,188,844

Cash Requirements funded from:		
Operational Revenue	\$42,992,364	
Borrowings	\$1,050,000	
Retained Earnings	\$0	
Council Restricted Reserves	\$3,146,480	
2025/2026 Total Funding	\$47,188,844	

Projected Balances (Council Cash Reserves)		
Projected opening cash balance 01/07/2025	\$45,000,000	
Less projected Cash deficit	\$1,440,348	
Projected cash balance at 30/06/2026	\$46,440,348	
Represented as:		
- Cash on hand	\$1,440,348	
- Short Term Investments	\$5,000,000	
- Long Term Investments	\$40,000,000	

For Council to live within its means and achieve financial sustainability the annual budget must be balanced and in alignment to Council's long-term financial position. To ensure that Council lives within its means and that annual operations do not deplete financial reserves, Council's budget for 2025/2026 includes the following assumptions:

Rates and Annual Charges

- The Ordinary Rate will be increased by the maximum 4.50% (as determined by the Independent Pricing and Regulatory Tribunal of NSW (IPART).
- Waste water access charges will be increased by 4.50%.
- Raw and filtered water access charges will be increased by 4.50%.
- Domestic waste charges will be increased by 4.50%.
- Water consumption charges will be increased by 4.50%.
- Interest will be charged on overdue rates and annual charges as approved by the Minister for Local Government.

Borrowings

Borrowed funds enable the cost of acquiring assets to be spread over a longer period of time, thus easing the burden on current ratepayers.

In the 2025/26 financial year Council is proposing no new loan borrowings.

Restricted Reserves

Council will utilise the following restricted reserves to fund capital expenditure during the 2025/2026 financial year:

Loan Reserve

\$1,050,000 from previously approved loan to fund the Buronga landfill and stormwater infrastructure upgrades.

Unexpected Grants Reserve

\$3,146,480 of prepaid grants to fund capital projects.

Buronga Landfill Reserve

Council intends to transfer \$1,200,000 to this reserve to set aside cash to fund future works at the landfill.



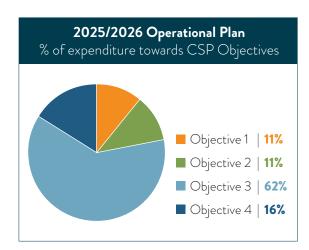
Wentworth Shire Council | Operational Plan 2025/2026

Contribution to CSP objectives

In line with the Integrated Planning and Reporting Framework Council's expenditure has been aligned with the Objectives established within the Community Strategic Plan.

The financial expenditure figures depicted in the following table provide an indication of how Council's expenditure in 2025/2026 is aligned to the Community Strategic Plan.

The following pages provide the details of each Operational Plan action, including the description, the strategy that it is aligned to, the responsible officer, the source of funding and the budget amount for the financial year.



Strategy 1



ECONOMIC

Wentworth Shire is a vibrant, growing and thriving region

Strategy 2



SOCIAL

Wentworth Shire is a great place to live

Strategy 3



ENVIRONMENTAL

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

Strategy 4



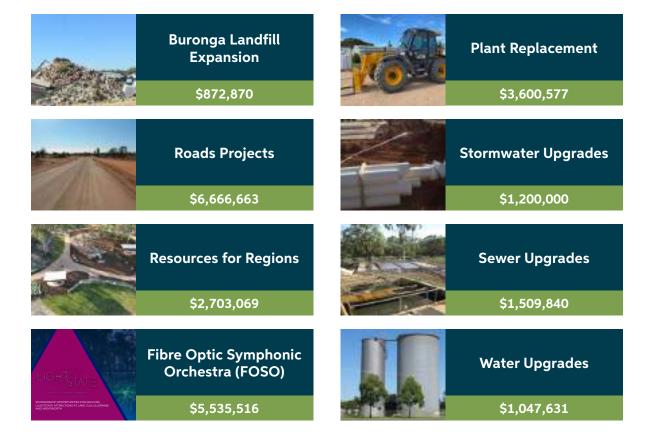
CIVIC LEADERSHIP

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



Capital Expenditure

The following major projects will be undertaken during 2025/2026:



Wentworth Shire Council | Operational Plan 2025/2026

How to read this plan

This diagram explains the key headings and terminology used in the following pages of this Plan.

STRATEGIES

These are the community's longterm priorities and aspirations for the Shire. They contribute to achieving the Shire's vision. Council has a custodial role in working towards realising these outcomes, however, is not wholly responsible for achieving them. Other partners, such as state agencies and community groups have an important role to play in achieving these strategies.



ECONOMIC

Wentworth Shire is a vibrant, growing and thriving region

OBJECTIVES

Provides specific focus points to achieve the community strategies.

ACTIONS

These are how we plan to achieve each objective. The Delivery Program & Operational Plan outline how the actions can be achieved.

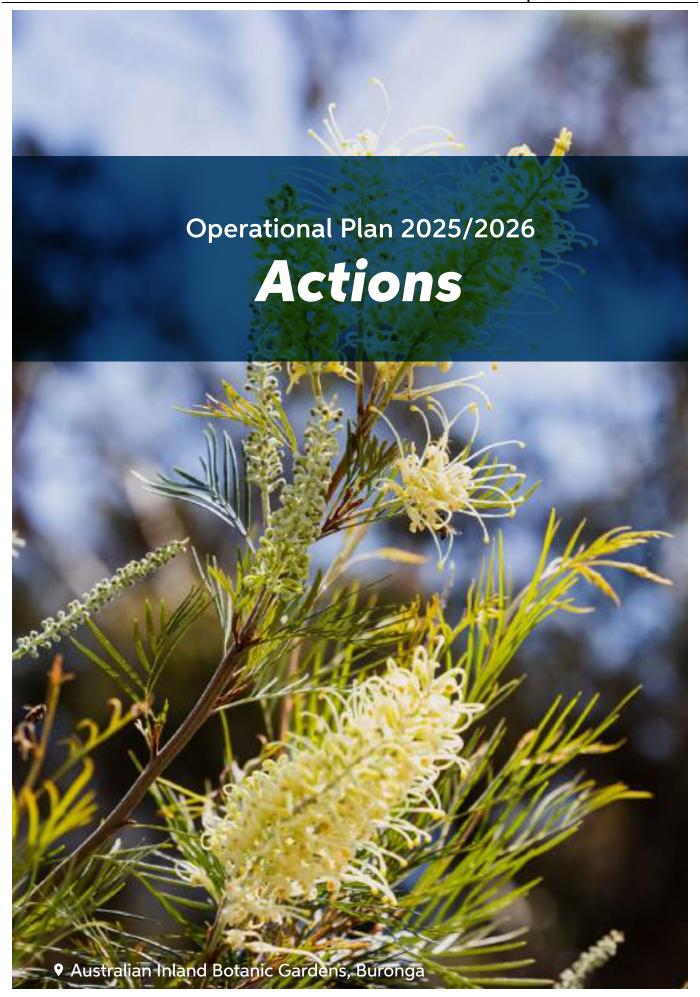
ANNUAL ACTIONS

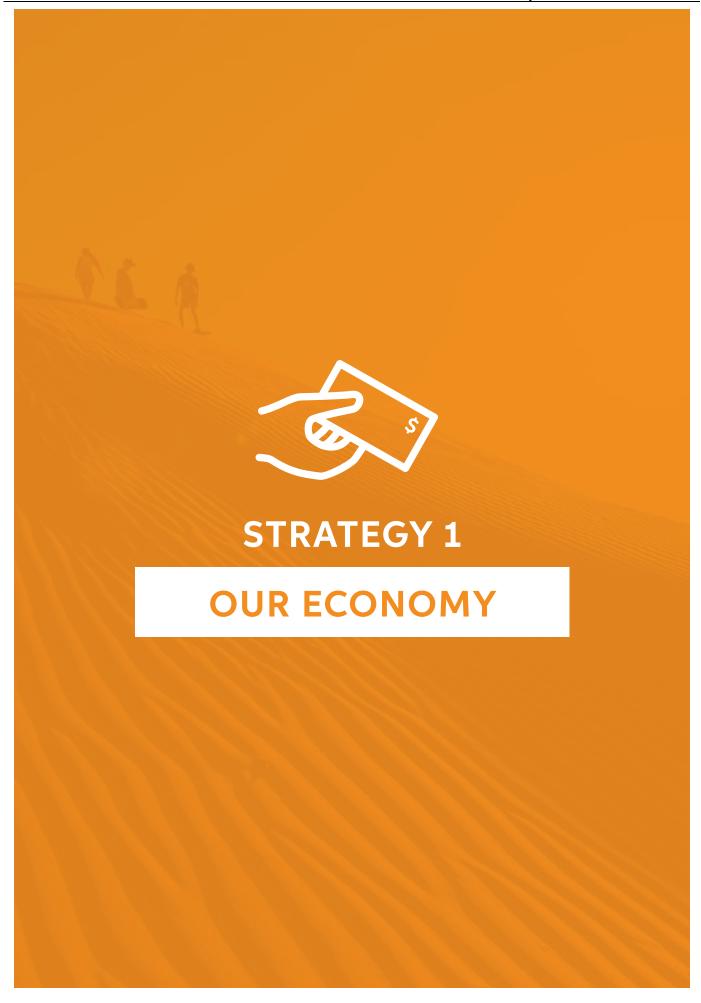
Actions that Council will undertake across each year of the Delivery Program that contribute to achieving the long-term objectives.

SPECIFIC ACTIONS

Actions that Council will undertake in a specific year(s) over the four (4) years of the Delivery Program. These are reviewed and updated annually.







Strategy 1

Our Economy





OBJECT	IVES & ACTIONS	RESPONSIBLE OFFICER	
1.1- Crea	ate a supportive Environment for business to invest and gro	w	
Annual Actions	Utilise the Economic Development Strategy to advocate for approaches that create economic diversification and provide broader employment opportunities.	- General Manager	
	Support educational and employment opportunities that retain young people and local talent, attract new workers and provide opportunities for the unemployed.		
Specific Actions	Not applicable.		
1.2- Pro	mote the Wentworth Region as a desirable visitor and touris	sm destination	
Annual	Visitor Information Centre Services.	Team Leader VIC	
Actions	Work in partnership to expand the branding, promotion, attraction and opportunities in support of the growth of the visitor economy	_ Manager Tourism & Promotion	
	Support the activities of Murray Regional Tourism, Destination NSW Riverina-Murray, and Wentworth Regional Tourism Inc.		
Specific Actions	Fibre Optic Symphonic Orchestra – Bruce Munro Art Installation	General Manager	
1.3 – Hig	h quality connectivity across the region		
Annual Actions	Advocate for high standard physical and digital connectivity	General Manager	
Specific Actions	Not applicable.		
Total Co	uncil Operational Budget committed to Strategy 1	\$1,027,406	
Total Co	uncil Capital Budget committed to Strategy 1	\$5,535,516	
Measurir	ng Progress		
1	Event sponsorship provided		
2	Review of promotional advertising reach across Social Med	dia platforms,	



Strategy 2

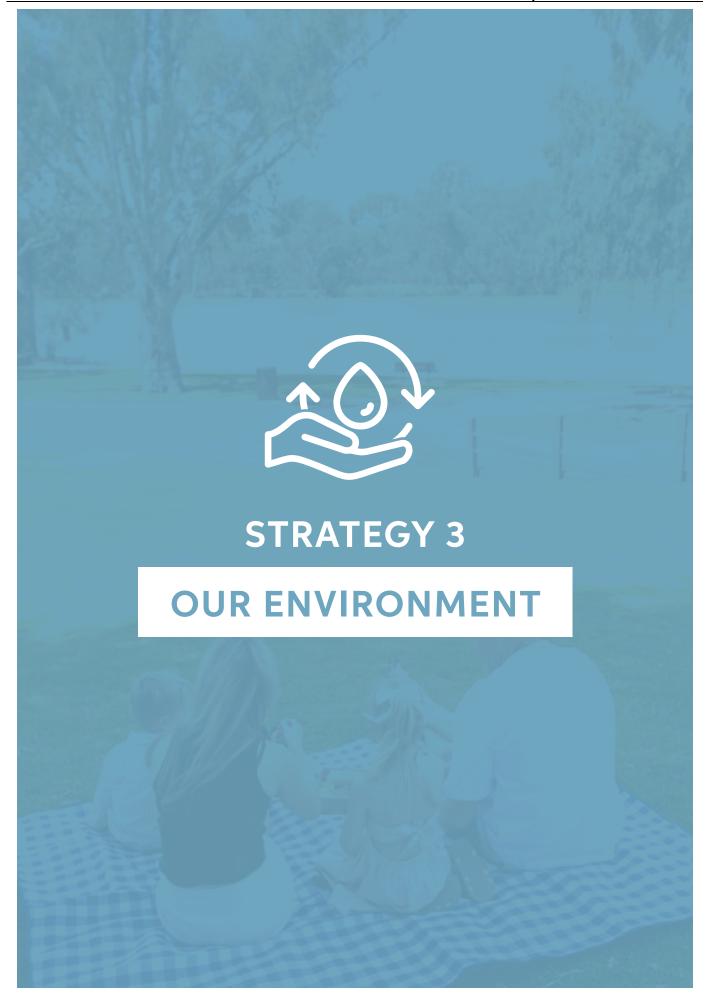
Our Community

Wentworth Shire is a great place to live



OBJECTI	VES & ACTIONS	RESPONSIBLE OFFICER
2.1 – Continue to create opportunities for inclusion where all people feel welcome and participate in community life		
Annual	We foster a sense of community belonging and diversity.	General Manager
Actions	Actively engage with and include the perspectives and knowledge of the local indigenous community.	
	Support the delivery and development of events that contribute to economic prosperity, liveability and social cohesion	
	Support cultural, recreational and community interaction opportunities through the Financial Assistance Program	Director Corporate Services
Specific Actions	Implement actions outlined in the Disability Action Plan	Director Corporate Services
2.2 – The community has access to services and initiatives that contribute to well being across all stages of life.		
Annual Actions	Provide libraries that support social interaction and encourage lifelong learning.	Team Leader Library Services
	Develop and maintain effective relationships to advocate for the needs of the community.	General Manager
	Support the work of the Wentworth Interagency Group.	
	Our buildings and spaces are designed to be inclusive and accessible to all community members.	Manager Engineering Services
Specific Actions	Not applicable.	

2.3 – To	nave a safe community	
Annual Actions	Regulatory Services are provided to support the health, safety and well being of the community.	Director Health & Planning
	Continue to engage with the Local Area Command on key community safety issues.	_
	Facilitate the Local Emergency Management Committee to ensure a co-ordinated approach by all agencies having responsibilities and functions in emergencies.	General Manager
	In partnership with Transport for NSW continue to identify and resolve road and pedestrian safety issues.	Manager Works
	Being a Child Safe Organisation	Director Corporate Services
Specific Actions	Not applicable.	
2.4 – To	have a strong sense of place	
Annual Actions	Community pride is encouraged through the beautification and maintenance of our towns	Manager Works
Specific Actions	Undertake specific public spaces capital works projects: • Ski Reserve Rehabilitation project • Open Spaces Development	Manager Engineering Services
	uncil Operational Budget committed to Strategy 2	\$4,876,360
Total Co	uncil Capital Budget committed to Strategy 2	\$1,235,500
Measurii	ng Progress	
1	Number of road safety initiatives implemented	
2	% of public health inspections completed within legislative timeframes	
3	Number of building inspections completed.	
4	Demographic profile of those attending library services	
5	Number of library programs completed	
6	Number of visitors to Council libraries	
7	Annual Financial Assistance Program completed	
8	Continue to provide support for Wentworth Interagency Group	



Wentworth Shire Council | Operational Plan 2025/2026

Strategy 3

Our Environment

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



ОВЈЕСТІ	VES & ACTIONS	RESPONSIBLE OFFICER				
3.1 – An	3.1 – An urban environment that maintains and enhances our sense of identity and place.					
Annual Actions	Manage development through a transparent and efficient assessment process.	Director Health &				
	Develop, review and update Strategic Planning documents as required.	Planning				
Specific Actions	Not applicable.					
3.2 – Our demands	public assets are well maintained and able to meet the growi	ng population				
Annual Actions	Land Tenure Program.	Director Health & Planning				
	Maintain transport network including Roads, Bridges and Footpaths.	- Managor Works				
	Maintain community facilities including halls, ovals, pools and other sporting facilities.	Manager Works				
Specific Actions	Prioritise and implement recommendations of Asset Management Plans Regional Emergency Road Repair Fund Loop Road Milpara Road	Manager Works				
3.3 – Min	imise the impact on the natural environment.					
Annual Actions	Effectively manage weeds to protect our biodiversity and natural environment.	Manager Works				
	Monitor and investigate Illegal Dumping Activities as required.	Director Health & Planning				
	Support the activities of the Murray Darling Association.					
	Advocate for the sustainable management of the Darling-Baaka River and the Menindee Lakes.	General Manager				
Specific Actions	Wentworth Flood Study	Director Health & Planning				

Annual	Provide best practice water, waste water and stormwater	Manager Engineering
Actions	management infrastructure.	Services
	Provide and Promote resource recovery and recycling initiatives	Director Roads & Engineering
	Encourage businesses and the community to be socially and environmentally responsible.	Manager Tourism & Promotion
Specific Actions	Buronga Landfill	Director Roads & Engineering
	Prioritise and implement recommendations of the Integrated Water Cycle Management Plan. • Water Treatment Plant Upgrades • Gol Gol East Raw Water Pump Station • Wilson SPS • Buronga SPS # 7 • Sewer Main Refurbishments • Buronga Waste Water Treatment Plant • Wentworth Waste Water Treatment Plant	Manager Engineering Services
3.5 – Infr	astructure meets the needs of our growing Shire	
Annual Actions	Infrastructure is planned for the long term and without imposing an unfair burden on future generations.	Director Roads & Engineering
	Encourage positive social and environmental contributions from developers.	General Manager
Specific Actions	Progress actions from the Buronga/Gol Gol Structure Plan: Rose Street Stormwater Sisters Stormwater Crane Drive Stormwater Melaleuca/Hendy Road Stormwater	Manager Engineering Services
Total Cou	uncil Operational Budget committed to Strategy 3	\$19,377,811
Total Cou	uncil Capital Budget committed to Strategy 3	\$16,264,783

Measurir	Measuring Progress				
1	% of Capital works projects completed on time and on budget				
2	Average development application approval time				



Strategy 4

Our Leadership





OBJECTIV	VES & ACTIONS	RESPONSIBLE OFFICER			
4.1 – A well engaged and informed community.					
Annual Actions	Provide timely, accessible and accurate information to the community.	Manager Tourism & Promotion			
	Engage and consult with the whole community to capture and consider all viewpoints.	General Manager			
Specific Actions	Not applicable.				
4.2 – We value our civic leadership whose stewardship and decision making benefits present and future generations.					
Annual Actions	Ensure that elected members are adequately resourced to enable effective representation.	Cananal Managan			
	Build and maintain active partnerships and advocate effectively on behalf of the community.	General Manager			
Specific Actions	Actions				
4.3 – Provide a governance framework that is transparent and builds trust in local leadership.					
Annual Actions	Council practices and processes are undertaken in an efficient manner that meets legislative requirements.	Director Corporate Services			
Specific Actions	Not applicable.				
4.4 – Mar	nage public resources responsibly and efficiently for the benef	it of the community			
Annual Actions	Council's finances are managed to ensure ongoing service delivery levels and appropriate asset management can be maintained.	Director Corporate Services			
	Retain, engage and develop staff.	Manager Human Services			
Specific Actions	Not applicable.				
Total Cou	ncil Operational Budget committed to Strategy 4	\$7,800,420			
	ncil Capital Budget committed to Strategy 4	\$1,154,334			

Wentworth Shire Council | Operational Plan 2025/2026

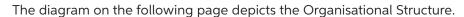
Measuring Progress			
1	Strong financial position maintained		
2	Financial reporting obligations met		
3	Number Service level reviews completed		
4	Quarterly Progress Reports completed on time		
5	Engagement activities undertaken as per Community Engagement Strategy		

Workforce requirements

On 20 March 2024 Council increased the organisational structure by 3.60 Full Time Equivalents (FTE) to 137.05 FTE's.

The adopted structure consists of the general manager and three (3) directors, with each of these positions the subject of a standard contract of employment for Senior Staff. All other staff are employed in accordance with the Local Government (State) Award.

For the 2025/2026 financial year total employment costs are forecast to be \$10,190,320.





EXECUTIVE LEADERSHIP REPORTING STRUCTURE

Our Organisational Structure is designed to deliver on the Communty's Strategic Objectives as outlined in the Community Strategic Plan 2026-2036.



REPORTING STRUCTURE

As at 01 May 2024





JENERAL MANAGER

BUSINESS SUPPORT

- Advocacy
- Executive Services
- Civic Service
- Mayor & Councillor support

HUMAN RESOURCES

- Human Resources recruitment
- Organisational training & development
- Work Health & Safety
- Workplace & Industrial relations

TOURISM & PROMOTION

- Events
- Library
- Marketing & Communications
- Tourism
- Visitor Information Centre



SIMON RULE

DIRECTOR

Appointed to role in May 2014

CORPORATE SERVICES

CUSTOMER SERVICES

- Bendigo Bank Agency (Midway Service Centre)
- Bridge lift bookings
- Cemetery reservations & burials
- Customer enquiries
- Receipting (rates, water accounts, applications)
- Venue hire bookings

FINANCE & ACCOUNTING

- Accounts payable/receivable
- Accounting services
- Payroll
- Procurement
- Rates

ECONOMIC & COMMUNITY DEVELOPMENT

INFORMATION TECHNOLOGY

- · Business continuity
- Cyber security
- End-user support
- Geographic Information Systems (GIS)
- Hardware/software/ maintenance acquisition

RECORDS

• Record management

RISK & GOVERNANCE

- Audit, Risk & Improvement Committee
- Corporate Compliance
- Corporate Strategic Planning & Reporting
- Internal Audit
- Risk management

STORES



GEORGE KENENDE

ACTING DIRECTOR

Appointed to role in January 2024

HEALTH & PLANNING

BUILDING SURVEYING/ ENVIRONMENTAL HEALTH

- Bonds and Permits
- Building Certification
- Food Safety annual inspections & temporary permits
- Public Health/Skin Penetration/ Cooling Towers/UPSS

COMPANION ANIMALS

- Barking Dogs
- Nuisance/Aggressive Dogs
- Rehoming
- Shelter Management

DEVELOPMENT ASSESSMENT

- Development Determinations
- Planning Portal management & assistance
- Pre-lodgement advice

COMPLIANCE/REGULATORY SERVICES/LOCAL LAWS

- Alcohol Free Zones
- Development compliance
- Education & enforcement
- Noise
- Pollution & contaminated land

RESERVES & LAND TENURE

- Acquisition of land
- Crown land manager
- Native Title

STRATEGIC DEVELOPMEN

- Heritage Protection & Advice
- Planning Proposals& LEP Amendments
- Strategic Planning Projects
 & Strategies



GEOFF GUNN

DIRECTOR

Appointed to role in August 2019

ROADS & ENGINEERING

ENGINEERING TEAM

- Assets
- Engineering services
- Infrastructure
- Technical Services
- Water & Waste Water

WORKS TEAM

- Aerodrome operations
- Building maintenance
- Civil Works
- Fleet/Workshop

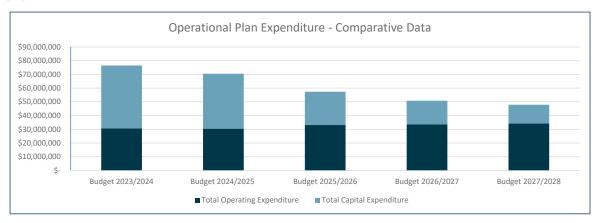
Parks & Gardens

- Landfill/Waste
- Operations
- Roads

Future year estimates

The following graph provides a comparison of previous budgeted amounts, compared with the budget for the upcoming financial year and the projected future budgets for 2025/2026.

Based on the current Delivery Program projects and forecasts from 2025/2026 onwards the level of capital expenditure reduces as the current four-year Delivery Program council comes to an end.



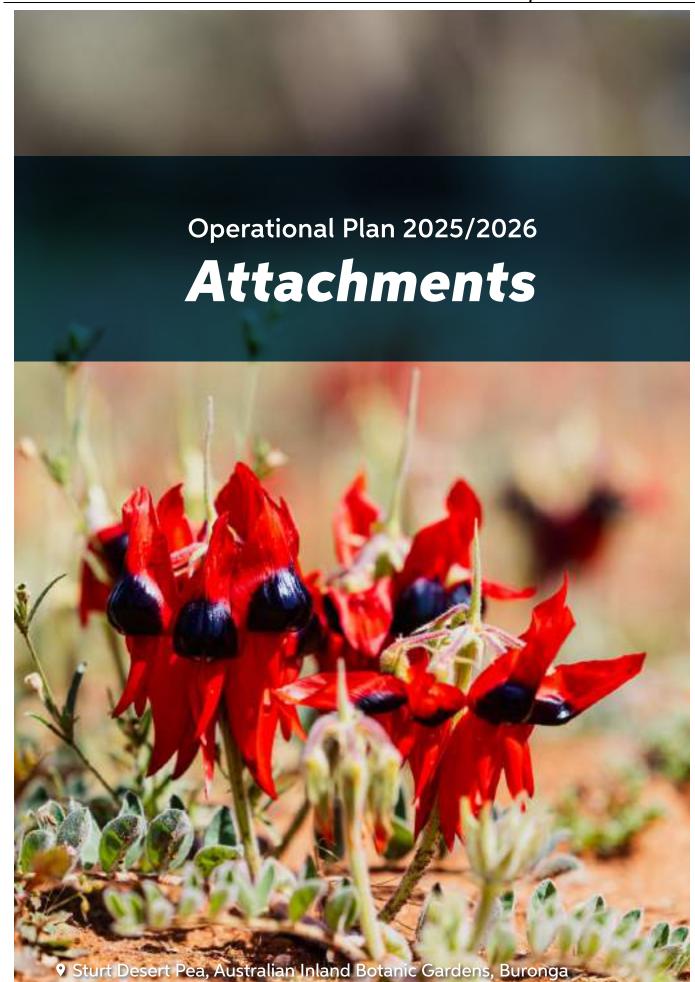
 Total Capital Expenditure
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Further information

The Annual Statement of Revenue provide a full breakdown of revenue and contains the following required statements;

- a statement of the types of fees proposed to be charged by Council,
- a statement of Council's proposed pricing methodology for determining the prices of goods and the approved fees under for services provided by Council,
- the amounts of any proposed borrowings,
- the sources from which they are proposed to be borrowed, and
- the means by which they are proposed to be secured.

The Annual fees and charges document provides details of annual fees and charges for the 2025/2026 financial year.





The Annual Statement of Revenue forms part of the 2025/2026 Operational Plan and includes the 2025/2026 Fees and Charges.

These documents have been prepared in accordance with Section 403(2) of the *Local Government Act 1993*.

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Statement of Revenue Policy

Introduction

The information pertained in this Statement of Revenue comes directly from Councils Long Term Financial Plan. The quality and quantity of services that Council provides to its citizens continue to grow despite an income that, in real terms, is decreasing. We are not alone in facing this predicament, but that does not lessen the size of the issue.

Despite these constraints, Council is determined to provide quality services at a level the community expects and at a price they are willing to pay. This will involve working closely with our community to provide services that best suit their needs.

In preparing the Long Term Financial Plan consideration was given to a range of economic and political factors that affect our finances and in turn our capability to maintain existing levels of service and long term financial sustainability.

Rating

Council rates are a form of taxation; they are not a fee-for-service. The Valuation of Land Act and the Local Government Act provide the legislative framework for valuing land and raising rates. All rateable land must be valued and rated. The Valuation of Land Act prescribes that the value of all properties be reassessed every 3 or 4 years to accommodate movements in land values. Council currently has its land revalued every 3 years. A revaluation establishes the value of a property relative to all other properties (ie: its market relativity).

Valuations in New South Wales are conducted by the NSW Valuer-General based on market movements and recent sales trends as required under the Valuation of Land Act. When a local government area has been revalued the property owner will be issued with a Notice of Valuation. Each Notice of Valuation contains both details of the property as they are recorded on the Valuer General's records and the land value at the common base date for all Valuer General valuations in the local government area.

The valuations are objective and impartial, and are based on the market for Land. The 'land value' represents the value that the 'fee simple' interest in the land, assumed to be vacant, would be if offered for sale. For 2025/2026, rates are based on property values as at 1 July 2025.

By virtue of section 494 of the Local Government Act, Council is required to make and levy an ordinary rate for each year on all rateable land in its area. This is a mandatory requirement.

A rate may, at Council's discretion, consist of:

- An ad valorem amount; which may be subject to a minimum amount of the rate; or
- A base amount to which an ad valorem amount is added.

The ad valorem amount of a rate

The ad valorem amount of a rate is to be levied on the land value of all land that is to be rateable to the rate and the rate in the dollar is to apply uniformly. The ad valorem amount of the ordinary rate may be the same for all classes or it may be different for different classes or sub classes.

Base charges and minimum amounts of rates payable

The Local Government Act allows the use of both different minimums and/or different base charges for different land use/localities. This provides additional flexibility in determining the distribution of the

rating burden. It potentially enables better accommodation of 'equity' considerations but at the expense of the criteria of "simplicity". Greater flexibility also leaves council more vulnerable to lobbying for favourable treatment by special interest groups.

A base charge is a fixed rate levied equally against all properties. Rates based on property value are then levied to provide the additional revenue required by Council. The effect is to reduce the influence that property values have in determining the relative amounts paid by different ratepayers. By contrast, a minimum rate applies only to those properties with a value below a set threshold. The amount of rates payable by all properties with a value above that threshold is therefore determined solely by relative property values.

The higher the amount of a base charge or a minimum rate the lower will be the ad valorem rate for any given revenue target. As a result higher valued properties may incur a greater or lesser share of the total rate burden depending on the level of the base charge or minimum rate. Applying a base rate charge will result in a different distribution between low, medium and high valued properties relative to the application of a minimum rate. The Local Government Act limits the amount of revenue that can be generated by a base charge or minimum rate. A base rate or minimum rate must not produce more than 50% of the total revenue derived for each class of property. Council has a base charge for each property class but currently does not levy a minimum charge.

Council must apply the ad valorem and base amount uniformly to every parcel of land within each property class but they can differ from property class to property class. Annual rate increases in NSW are capped or "rate pegged as determined by the Independent Pricing and Pricing Tribunal (IPART), is the maximum amount by which Council's total rate revenue can increase over the previous year without making application for a special rate variation.

Council's general rates income can grow when new properties are developed that require additional local government services. Property growth impacts on Council's financial performance by increasing rate revenue as a result of the increased number of rateable assessments. It is important to note however, that the increase in rate revenue resulting from property growth is generally not in direct proportion to the increase in the number of rateable assessments.

In October 2021, the Minister for Local Government announced that the State Government had accepted IPART's recommendation for the inclusion of a population factor into the rate peg. IPART has developed a methodology that enables council's to maintain per capita general income over time as their populations grow. Maintaining per capita general income will help councils to maintain existing service levels and provide the services their growing communities expect.

The approach developed by IPART amends the existing rate peg calculation to include a population factor in the rate peg that is calculated as the change in residential population, less any increase in general revenue from supplementary valuations. In development of a population growth factor for the rate peg, IPART undertook research which indicated councils currently only recover approximately 60% of the cost of population growth through supplementary rate income.

The methodology will apply to all councils experiencing population growth, even at low levels, but not impact councils with stable or declining populations. The methodology allows for rating income to increase to provide councils with a greater ability to manage the cost of population growth.

In October 2024 IPART announced a base rate increase of 3.60% for all councils. Council received an additional 0.90% increase to factor in the Emergency Services Levy and the cost of running the 2024 Council elections. Council received no population factor adjustment for 2025-2026 resulting in a core rate peg increase of 4.5%. Council is proposing to increase rates by the full amount of the rate peg.

Rate increases over the last six years are detailed in the following table.

	Table	Table of years and rate increases and % of total revenue	creases and % of tota	ıl revenue		
Rating Year	2020/2021	2021/2022	2022/2023	2023/2024	2024/2025	2025/2026
Rate Pegging % Increase	2.60	2.00	0.70	3.70	5.20	4.50
Rateable Value	862,040,158	879,598,432	885,520,951	1,555,890,730	1,583,196,330	1,664,529,812
Total General Rate Income \$	5,460,635	5,673,409	5,724,454	6,039,427	6,428,258	6,954,501
Increase \$	138,450	212,774	51,045	314,973	388,831	526,243

Budget analysis

This section provides comments on the main expenses and revenues, and capital expenditure for 2025/2026.

Operating Revenue

Council has forecasted to generate \$49,084,141 in revenue for 2025/2026.

Extract of Operating Statement				
Operating Revenue	2026	2027	2028	2029
Rates & Annual Charges	\$11,271,795	\$11,729,687	\$12,146,368	\$12,557,634
User Charges & Fees	\$12,923,061	\$13,525,745	\$14,040,197	\$14,524,401
Interest	\$2,286,858	\$2,378,332	\$2,461,574	\$2,547,729
Grants & Contributions (Op)	\$12,410,051	\$13,206,124	\$13,709,737	\$14,098,257
Grants & Contributions (Cap)	\$8,133,998	\$1,258,983	\$234,006	\$536,579
Other Operating Revenue	\$1,958,378	\$1,867,013	\$1,867,150	\$1,802,969
Net gain/loss Disposal of Assets	\$100,000	\$100,000	\$100,000	\$100,000
TOTAL	\$49,084,141	\$44,065,883	\$44,559,032	\$46,187,568

Rating and Annual Charges

The total income that can be raised from levying rates on property is capped by the State Government via the Independent Pricing and Regulatory Tribunal. The current rate structure for Wentworth Shire Council will be maintained; rate assessments will be based entirely upon property valuations (ad valorem) but with base rates applying where appropriate.

The continuing constraint of rate pegging imposed by the State Government limits Council's ability to provide additional services or borrow additional funds and has focused considerable attention to the need for and efficiency of each service provided. Council expects to raise \$11,271,795 from rates and annual charges for 2025/2026. This includes

a special variation for Tourism which was approved in 1998 for \$10 per assessment.

Pensioners who hold a Pensioner Concession card and own and occupy rateable property in Wentworth Shire receive a mandatory rebate on their rates and annual charges. The State Government funds 55% of the rebate.

This is expected to cost Council \$76,000 in 2025/2026.

Interest charges on unpaid rates and charges will accrue on a daily basis at the rate determined by the Minister for Local Government in accordance with Section 566 of the Local Government Act 1993.

Hardship and ability to pay rates

Hardship is the difficulty in paying debts when repayment is due. Any person who cannot pay their rates or charges due to hardship can apply to Council for assistance at any time. Ratepayers are encouraged to seek assistance from Council as soon as practical. Council will consider each hardship application on its merits.

There are several ways Council may help a ratepayer who is experiencing financial hardship including, but not limited to:

- A payment plan or agreement (s564 of the Local Government Act) so that rates and charges (whether overdue or not) are paid on a weekly, fortnightly or monthly basis.
- Interest may be waived or reduced for a set period of time.
- A pensioner rebate (additional to the legislated rebate) may be given.
- Interest, rates or charges may be written off, waived, reduced, or deferred for eligible applicants (s564, s 577, 601 Local Government Act)

Applications for a special variance to general income

The ability to introduce a special rate variation to General Income requires Ministerial Approval. The provision allows the raising of additional income over and above the rate cap for specific purposes and under strict guidelines.

Council can apply for additional income through these provisions, however at this stage this has been no thought given to doing so. In the future this option will be explored if deemed necessary.

User Charges and Fees

Many of the services provided by Council are offered on a user pays basis. Fees and Charges relate mainly to the recovery of service delivery costs through the charging of fees to users. All fees in this category are

annually reviewed and some of the general considerations for setting these fees include:

- Cost of the service or operation;
- Consumer Price Index;
- Other revenue sources which may fund the service;
- Laws and Regulations;
- Ability of the persons/groups using the service to pay;
- Benefit to the community (possible subsidy); or
- Benchmarking with others providing similar services

Council needs to be mindful of using fees and charges as an avenue to increase revenue to the extent that it can create issues around maintaining equitable access to services and facilities for residents. The Shire's relatively low population base does not provide a large market from which significant fees and charges can be obtained.

Statutory fees such as development assessment fees, planning certificates etc charged by Council are subject to direction through regulation and other state government controls. Council does not set these fees and does not have the power to vary the fee set. The majority of statutory charges do not provide for annual increase in line with CPI or the cost of providing the service and therefore excluding development related income, no growth in these fees has been included in the 2025/2026 budget.

The Roads and Maritime Services contract (RMCC) is classed as a fee for service and accounts for approx. \$1.9million of revenue annually. Council also operates the Buronga Landfill, it is expected that this operation will generate \$8,740,000 in revenue. Overall Council expects to raise \$12,923,061 from user fees and charges for 2025/2026.

Interest on Investments

Council has an investment portfolio that varies in size from year to year however it is projected to be between \$35m and \$40m for the majority 2025/2026. These funds are a mixture of unspent grants, reserve funds and general revenue. All investments are placed in accordance with the Minister's Order and Councils adopted investment policy.

Interest earnings form a significant part of Council's revenue each year and are subject to fluctuations in interest rates as they respond to economic conditions. Approximately \$51,000,000 of Councils cash reserves are currently either internally or externally restricted, this means that they have been set aside to fund specific expenditure. This gives Council the ability to strategically invest these funds in order to gain maximum returns whilst minimising risk. The remaining funds make up Council's available working capital which is required to fund day to day operations. Council also receives interest on outstanding rates and annual charges.

Council expects to receive \$2,286,858 from investment activities in 2025/2026.

Grants and Contributions

Council receives an annual Financial Assistance Grant from the Commonwealth as well as various grants from other State and Commonwealth Government departments. Council has assumed that it will continue to receive these grants, however, should these grants and subsidies be reduced Council's ability to provide the same level of service will be impacted.

Council also receives operating and capital grants from various funding bodies to help fund the following services:

- Roads maintenance and capital works
- Library services
- Weeds
- Youth week
- Rural Fire Services

Council will continue to seek grants and partnership funding for a range of well-aligned projects and programs, which will be reflected in the budgets as and when specific arrangements are confirmed.

Council collects monetary contributions from developers as a condition of consent on Development Applications to meet the demand for public amenities and public services created by new development. Authority to do this is provided by Sections 7.11 & 7.12 of the Environmental Planning and Assessment Act 1979 (NSW).

This form of revenue is difficult to predict and Council has adopted the prudent position of making no assumption that this source of funds can be relied upon for the purpose of forward forecasting of resources and financial sustainability. Successful increases in revenue through, grants, partnerships and developer contributions will be treated as windfalls.

The Local Government Financial Assistance Grants are paid to local councils to help them deliver services to their communities. The funds are paid annually by the Australian Government. Councils are free to use these funds at their discretion and are accountable to their ratepayers.

Following the 2013 independent review of local government in NSW the State Government has been refining the funding model for the Financial Assistance Grants in order to channel additional support to council's and communities with the greatest needs. Generally, council's and communities with the greatest need have the following characteristics:

- Rural and remote councils;
- With small and declining populations;
- Have limited capacity to raise revenue;
- Have financial responsibility for sizeable networks of local roads/infrastructure & diminishing financial resources; and
- Relative isolation.

Funds are allocated by the State Government on the basis of the national principles as outlined in the *Local Government (Financial Assistance) Act 1995* (Cth). The ongoing challenge facing the government has been how to allocate a fairer share of the grant to disadvantaged council's when a fixed 30% of the grant must be allocated based on population increases/decreases.

Council has forecasted to receive \$20,544,049 in operating and capital grants in 2025/2026.

Council will receive capital grants and contributions in 2025/2026 which will contribute to funding the following projects:

- Roads to Recovery Program
- Regional Roads Block Grant
- Local Roads & Community Infrastructure Projects
- Resources for Regions
 - Open Spaces Development
- · Crown Land Improvement Fund
 - Ski Reserve Rehabilitation
- · Regional Roads Emergency Repair Fund
- Regional Tourism Activation Fund
 - Fibre Optic Symphonic Orchestra (FOSO)
- Flood Plain Study
- Safer Local Roads and Infrastructure Program
 - Milpara Road Upgrade.

Council has an internally restricted fund of \$1,000,000 that can be used to contribute to funding applications as they become available.

Should the grant application process be unsuccessful, Council will have to use external borrowings to finance the works.

Other Revenue

Miscellaneous revenue is obtained from a variety of sources including insurance recoveries, property rentals, sale of assets etc. It is anticipated that other revenue will be maintained at current levels with an increase for CPI factored in. Council has budgeted to receive \$1,958,378 in 2025/2026.

Operating Expenditure

Council has forecasted \$33,081,997 in operating expenditure for 2025/2026.

Extract of Operating Statement				
Operating Expenses	2026	2027	2028	2029
Employee Costs	\$10,190,320	\$10,596,905	\$10,903,937	\$11,220,180
Materials & Contracts	\$10,858,390	\$10,566,095	\$10,697,833	\$11,128,212
Borrowings	\$1,282,304	\$1,235,785	\$1,146,851	\$1,060,502
Depreciaton & Amortisation	\$10,083,286	\$10,083,286	\$10,083,286	\$10,083,286
Other Operating Expenses	\$667,697	\$684,066	\$698,588	\$713,546
TOTAL	\$33,081,997	\$33,166,138	\$33,530,496	\$34,205,726

Employee Expenses

Employee expenses comprise approximately 40% of Council's operating costs with 137.05 Full Time Equivalent (FTE) Staff. The salaries and wages budget calculation include an assumption that staff will take four weeks annual leave. Throughout any year salary savings resulting from staff vacancies and efficiencies will occur naturally.

The superannuation Guarantee Levy is currently at 11.50% and will progressively increase to 12% starting in 2021-2022. Council has a number of staff in the defined benefit scheme and have been paying significantly increased contribution rates to fund this scheme.

Council Employee Leave Entitlements reserve is used to fund unanticipated changes in termination payments each year. The number of staff who might leave is difficult to predict and the budget has a provision added to represent the projected levels of retirements, to accommodate the challenges of an ageing workforce.

Council's policy is to fully fund the leave entitlements of staff in the Employee Leave Entitlements Reserve. In recent years the reserve has been used to assist in the funding of costs associated with the resignation/retirement of a number of long serving employees. Council has been fortunate in recent years that it has had enough surplus cash to fund 100% of this reserve. It is projected that the reserve will maintain a balance of 100% through 2025/2026. However, if surplus funds were to decrease Council may choose to review this policy.

Workers Compensation premiums increase and decrease significantly with claims history. Council continues to be proactive in order to minimise any potential for claims.

Organisational Structure

The 2025/2026 Operational Plan is based on the figure of 137.05 equivalent fulltime employees (EFT's). Councils total employee costs for 2025/2026 is expected to be \$10,190,320.

Borrowing Costs

Wentworth Shire Council in the past has been debt averse and viewed the achievement of a low level of debt or even a debt free status as a primary goal. However, Council appreciates that the use of loan funding can be a critical component of the funding mix to deliver much needed infrastructure to the community. The beneficiaries of these projects will assist in their funding as their rates will be applied in part to repaying the loans. This is in contrast to current ratepayers bearing the entire burden in one year, possibly at the expense of other worthwhile expenditure.

Debt is seen as a method of more fairly spreading capital costs to deliver intergenerational equity. Keeping this in mind there are limits to the amount the Council can borrow without impacting on its financial sustainability and Council is mindful of not wanting to impose excessive debt on current or future generations.

Council's borrowing strategy projected in the LTFP is to restrict the debt service ratio to less than the industry benchmark of 20%. Before embarking on any new debt Council will consider the following:

- Debt financing is only to be used for clearly identifiable major projects and the Capital Works Program;
- Debt finance will not be used to meet operational shortfalls; and
- The period of repayment of debt finance shall not exceed the period over which the benefits are received from a project, or the life of the asset whichever is lesser

The principles of intergenerational equity are supported in respect of the Council contribution to the funding of major projects, the benefits of which will be shared by future generations.

Loans shall only be raised after taking into consideration future known specific capital funding requirements and, when raised, shall only fund the specific project or purpose approved.

Borrowing costs on current and projected loans and financing arrangements will total \$1,282,304 in 2025/2026.

Materials and Contracts

Materials and Services represent the principal costs used to deliver services to the community and are forecast to increase by 4% in 2025/2026 in line with increases in the Consumer Price Index. Materials and contracts are subject to variations in the market and particularly to petroleum prices. Such fluctuations impact on the price of petroleum and petroleum-based products (such as asphalt) and makes forecasting difficult. Budgeted expenditure for 2025/2026 is \$10,858,390.

Depreciation

Depreciation reflects the fact that an asset's cost is proportionally expensed over the time during which it is used. Depreciation has been based on the estimated useful life of assets and will be reviewed every year. Council continues to thoroughly review its residual values and estimated useful lives. Budgeted depreciation for 2025/2026 is \$10,083,286.

Other Expenses

These expenses are those which are not part of the day to day operations of Council and generally relate to section 356 financial contributions and levies paid to other levels of government such as the Emergency Services Levy. Budgeted expenditure for 2025/2026 is \$667,697.

Expenditure Challenges

As part of the process of preparing the operational plan each year, Council critically reviews operating expenditure in order to identify areas where it could reduce spending without compromising service delivery.

Community needs must be understood and are a key input into the annual operational plan, for many years Council has recognised the challenge of meeting community needs in a financially sustainable manner. This challenge has been divided into two elements (1) assess the gap in financial sustainability assuming community needs correspond to the current scope of services and service levels and (2) assess the impact of additional or enhanced services in line with changing or revised community needs.

Capital Expenditure

The challenge over the medium to long term is to achieve financial sustainability whilst still assisting the community to achieve its vision as established in the 10 year Community Strategic Plan. The challenge is to also adequately maintain existing assets before adding to the asset base, bearing in mind that new assets add to ongoing operational costs.

Substantial capital programs are in place to continue the renewal of Council's infrastructure network. The programs will ensure that these key asset groups meet or exceed Council's determined 'minimum' service levels and continue to provide the expected amenity to the community.

The capital works program prioritises projects based on asset condition, risk, community need and other opportunities as they arise with other entities. Over shorter periods, some areas of the Shire may require more capital works than others to reflect short term needs and opportunities.

The need for new assets is constantly assessed and verified against current population and development projects, community feedback and alternative means of supplying services. A further consideration is the priority of refurbishing existing assets that provide community benefits or operational service that require regular refurbishment to enable the overall safety and quality of the facility to be maintained.

Apart from funding constraints, Council has capacity constraints which determine the capital works program delivery timeframe. The constraints in project delivery include community consultation, state government approvals, design, procurement processes and availability of labour resources to project manage and implement the projects.

In addition to the renewal and expansion of Council's asset base delivered through the capital works program, Council undertakes a replacement (and, where appropriate) upgrade/expansion program for its plant and equipment assets including motor vehicles, furniture, plant and IT hardware.

The budget for 2025/2026 has been developed through a process of consultation and review with Council and staff. As required by the Integrated Planning and Reporting framework, the Operational Plan and Budget are for a one year period. The Long Term Financial Plan details Council's financial forecast for a 10 year period and budget estimates for the next four years are provided in the Delivery Program.

Capital Expenditure	2026	2027	2028	2029
Existing Infrastructure Renewals	\$17,590,727	\$12,912,537	\$11,833,690	\$12,220,634
Projects Carried forward from previous years	\$2,670,000	\$0	\$0	\$0
New Capital Expenditure	\$2,372,870	\$2,800,000	\$324,274	\$6,700,000
Capital loan repayments	\$1,556,536	\$1,590,332	\$1,545,738	\$1,403,120
TOTAL	\$24,190,133	\$17,302,869	\$13,703,702	\$20,323,754

The Major Projects and Capital Expenditure Program for 2025/26 will be \$24,190,133.

Capital works are funded from the following sources:

Grants and Contributions	\$7,808,474
Council Operations	\$12,185,179
Retained Earnings	\$0
Restricted Funds	\$3,146,480
Loans/financing	\$1,050,000

Rate Levy 2025/2026

Council has received advice from the Minister for Local Government that the rate pegging limit for 2025/2026 is 4.50%. The maximum increase has been proposed.

The rating structure proposed is consistent with previous years and no changes have been forecast at this stage. Council has tried to spread its rate burden as evenly as possible across all ratepayers. While it is impossible to keep everyone satisfied, the proposed rating structure endeavours to make it as fair and equitable as possible.

The Tourism Special Rate will remain at \$10 per Assessment.

Statement with respect to each ordinary and each special rate proposed to be levied:

No special Rates are proposed for 2025/2026.

In accordance with Sections 534, 535 & 537 of the *Local Government Act 1993*, Council resolves to make and levy an ordinary rate to comprise of a base rate and an ad valorem rating structure for 2023/2024 financial year for every parcel of rateable land within the Wentworth Shire Council as follows:

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 0.00211839 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 2025/2026 rating period, subject to a base amount of (\$600.00) for each assessment. The base amount accounts for 30.63% of the estimated yield for this category. The estimated yield for this rate is \$1,369,222

Farmland - Dry Land Grazing

An ordinary rate of 0.00169009 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 2025/2026 rating period, subject to a base amount of (\$600.00) for each assessment. The base amount accounts for 18.00% of the estimated yield for this category. The estimated yield for this rate is \$886,648.

Farmland - Licence/Pump Site/Pipeline

An ordinary rate of 0.03927154 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 2025/2026 rating period, subject to a base amount of (\$95.00) for each assessment. The base amount accounts for 39.47% of the estimated yield for this category. The estimated yield for this rate is \$17,572.

Residential Category

Residential - Buronga

An ordinary rate of 0.00312831 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 2025/2026 rating period, subject to a base amount of (\$260.00) for each assessment. The base amount accounts for 25.88% of the estimated yield for this category. The estimated yield for this rate is \$572,677.

Residential - Dareton

An ordinary rate of 0.00874825 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 2025/2026 rating period, subject to a base amount of (\$210.00) for each assessment. The base amount accounts for 43.19% of the estimated yield for this category. The estimated yield for this rate is \$91,415.

Residential - Gol Gol

An ordinary rate of 0.00338880 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 2025/2026 rating period, subject to a base amount of (\$260.00) for each assessment. The base amount accounts for 23.05% of the estimated yield for this category. The estimated yield for this rate is \$831,419.

Residential - Gol Gol East

An ordinary rate of 0.00317597 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 2025/2026 rating period, subject to a base amount of (\$360.00) for each assessment. The base amount accounts for 20.25% of the estimated yield for this category. The estimated yield for this rate is \$483,455.

Residential - Pooncarie

An ordinary rate of 0.01781312 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 2025/2026 rating period, subject to a base amount of (\$210.00) for each assessment. The base amount accounts for 45.71% of the estimated yield for this category. The estimated yield for this rate is \$23,890.

Residential - Rural Residential

An ordinary rate of 0.00250794 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 2025/2026 rating period, subject to a base amount of (\$210.00) for each assessment. The base amount accounts for 23.47% of the estimated yield for this category. The estimated yield for this rate is \$600,463.

Residential - Wentworth

An ordinary rate of 0.00392735 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 2025/2026 rating period, subject to base amount of (\$240.00) for each assessment. The amount accounts for 37.46% of the estimated yield for this category. The estimated yield for this rate is \$390,849.

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 0.00398623 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 2025/2026 rating period, subject to a base amount of (\$270.00) for each assessment. The base amount accounts for 15.60% of the estimated yield for this category. The estimated yield for this rate is \$320,174.

Business - Arumpo

An ordinary rate of 0.06738358 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 2025/2026 rating period, subject to a base amount of (\$210.00) for each assessment. The base amount accounts for 1.29% of the estimated yield for this category. The estimated yield for this rate is \$113,529.

Business - Mourquong

An ordinary rate of 0.10176144 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 2025/2026 rating period, subject to a base amount of (\$100.00) for each assessment. The base amount accounts for 0.04% of the estimated yield for this category. The estimated yield for this rate is \$504,937.

Business - Pooncarie

An ordinary rate of 0.08906291 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 2025/2026 rating period, subject to a base amount of (\$100.00) for each assessment. The base amount accounts for 0.03% of the estimated yield for this category. The estimated yield for this rate is \$694,000.

Business - Trentham Cliffs

An ordinary rate of 0.0051875 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 2025/2026 rating period, subject to a base amount of (\$120.00) for each assessment. The base amount accounts for 3.57% of the estimated yield for this category. The estimated yield for this rate is \$13,440.

Business - Wentworth

An ordinary rate of 0.00880846 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 2025/2026 rating period, subject to a base amount of (\$270.00) for each assessment. The base amount accounts for 35.72% of the estimated yield for this category. The estimated yield for this rate is \$40,813.

WATER AND SEWER CHARGES

It is necessary to increase Water & Waste Water by 4.50% per property for 2025/2026 to cover the cost of operational and capital expenditure required to provide this service to the ratepayers.

- Water Access Charges will increase by 4.50% per rateable property in 2025/2026
- Sewer Access Charges will increase by 4.50% per rateable property in 2025/2026
- Water Consumption Charges will increase by 4.50% per rateable property in 2025/2026

In accordance with Section 501 of the *Local Government Act 1993*, Council resolves to make and levy the following Water and Sewer Charges for each rateable property within Wentworth Shire Council.

Water charges

Filtered Water	Charge	Unit		
Access Charge	\$349.00	per annum		
Water Cost - 0-300kl	\$1.44	per kl		
Water Cost - over 300kl	\$3.23	per kl		
Raw Water	Charge	Unit		
Access Charge	\$192.00	per annum		
Water Cost - 0-700kl	\$0.51	per kl		
Water Cost - over 700kl	\$1.27	per kl		
The above proposed charges are for a basic 20mm connection.				

Flats and Units

The access charge will apply to all connections and to Namatjira and resident complexes such as flats. Each flat or unit will be levied at 20mm access charge for raw and filtered water. The body corporate management committee will then be charged for actual water used. The body corporate will be responsible for the allocation of charges within the complex.

Access Charges are determined by the connection size as follows:					
Filtered Water	Size (mm)	Assessments	Filtered Water Access Charge	Filtered Water Allowance 1st Step	Notional Income
Residential	20	2,713	349	300 kl	\$946,837.00
or Non Residential	25	33	545	500 kl	\$17,985.00
Residential	32	7	893	750 kl	\$6,251.00
	40	19	1,396	1,000 kl	\$26,524.00
	50	17	2,181	1,750 kl	\$37,077.00
	80	2	5,584	4,000 kl	\$11,168.00
	100	1	8,725	6,250 kl	\$8,725.00
	150	1	19,631	14,000 kl	\$19,631.00
	200	0	30,750		\$0.00
					\$1,074,198.00
Raw Water	Size (mm)	Assessments	Raw Water Access Charge	Allowance 1st Step	\$1,074,198.00 Notional Income
Residential	Size (mm)	Assessments 2,515	Access		Notional
Residential or Non			Access Charge	1st Step	Notional Income
Residential	20	2,515	Access Charge 192	1st Step 700 kl	Notional Income \$482,880.00
Residential or Non	20 25	2,515 45	Access Charge 192 300	1st Step 700 kl 1,400 kl	Notional Income \$482,880.00 \$13,500.00
Residential or Non	20 25 32	2,515 45 12	Access Charge 192 300 492	700 kl 1,400 kl 2,100 kl	Notional Income \$482,880.00 \$13,500.00 \$5,904.00
Residential or Non	20 25 32 40	2,515 45 12 19	Access Charge 192 300 492 768	700 kl 1,400 kl 2,100 kl 2,800 kl	Notional Income \$482,880.00 \$13,500.00 \$5,904.00 \$14,592.00
Residential or Non	20 25 32 40 50	2,515 45 12 19 17	Access Charge 192 300 492 768 1,200	700 kl 1,400 kl 2,100 kl 2,800 kl 4,900 kl	\$482,880.00 \$13,500.00 \$5,904.00 \$14,592.00 \$20,400.00
Residential or Non	20 25 32 40 50 80	2,515 45 12 19 17 3	Access Charge 192 300 492 768 1,200 3,072	700 kl 1,400 kl 2,100 kl 2,800 kl 4,900 kl 11,200 kl	Notional Income \$482,880.00 \$13,500.00 \$5,904.00 \$14,592.00 \$20,400.00 \$9,216.00
Residential or Non	20 25 32 40 50 80	2,515 45 12 19 17 3 2	Access Charge 192 300 492 768 1,200 3,072 4,800	700 kl 1,400 kl 2,100 kl 2,800 kl 4,900 kl 11,200 kl 17,500 kl	\$482,880.00 \$13,500.00 \$5,904.00 \$14,592.00 \$20,400.00 \$9,216.00 \$9,600.00

Rural 1(c) Raw Water				
Size of Connection		Access Charge	First Step \$0.27	Second Step \$0.82
20mm	276	\$262.00	0-2,000kl	2,001+ kl
Rural Raw Water Only	23	\$262.00	0-2,000kl	2,001+ kl
				\$78,338.00
Industrial Water				
Filtered		Up to 4,000kl	\$1.21	per kl
		Next 4,000kl	\$1.99	per kl
		Next 4,000kl	\$1.89	per kl
		Over 12,000kl	\$1.78	per kl
		Total W	ater Access Charges	\$1,708,628.00

Pensioner Concessions

Water pensioner concessions

\$32,000

Sewerage Charges

Description	Assess	Charge	Notional Income	Pensioner Rebate
Sewerage Connected	1,939	956.00	\$1,853,684	\$29,500
Sewerage Unconnected	229	570.00	\$130,530	
Sewerage 1st Pedestal	32	956.00	\$30,592	
Sewerage Pedestal WC	747	133.00	\$99,351	
Sewerage Urinal	61	66.00	\$4,026	
Sewerage Church WC	38	71.00	\$2,698	
Sewerage 2 Flats	9	1,434.00	\$12,906	
Sewerage 3 Flats	3	1,912.00	\$5,736	
Sewerage 4 Flats	4	2,390.00	\$9,560	
Sewerage 5 Flats	4	2,868.00	\$11,472	
Sewerage 6 Flats	3	3,346.00	\$10,038	
Sewerage 7 Flats	3	3,824.00	\$11,472	
Sewerage 9 Flats	0	4,4780.00	\$0.00	
Sewerage 10 Flats	1	5,258.00	\$5,258	
Sewerage 12 Flats	1	6,214.00	\$6,214	
Sewerage 14 Flats	0	7,170.00	\$0.00	
			\$2,085,959	\$29,500

DOMESTIC WASTE

Domestic Waste collection charges will increase by 4.50% per annum in order to keep up with the increased cost of collection.

In accordance with Section 496 of the *Local Government Act 1993*, Council resolves to charge the following Domestic Waste Management Charge for each rateable residential property within Wentworth Shire Council.

Garbage Charges				
Description	Access	Charge	Notional Income	Pensioner Rebate
Domestic Waste - Urban	2,367	286	\$676,962	\$26,000
Domestic Waste - Rural	1047	349	\$365,403	\$6,000
			\$1,042,365	\$32,000

In accordance with Section 532 of the *Local Government Act 1993*, Council will adopt its rates and charges after public notice is given and after due consideration of submissions received.

Statement of the types of fees to be charged by Council and the amounts of each such fee:

Section 612 of the *Local Government Act 1993* prohibits Council from determining a fee until it has given public notice of its draft delivery and operational plans for the year in which the fee is to be made and has considered any submissions received. Council will adopt the 2025/2026 fees and charges schedule on 25 June 2025, after consideration of all written submissions by residents and ratepayers.

Refer to attached document for the fees and charges schedule.

Statement of Council's Pricing Policy with respect to the goods and services provided by it

Reference is made to Council's Pricing Policy in its Annual Fees and Charges 2025/2026. The Pricing Policy is related to the degree of cost recovery, having regard to the following factors:

- Equity objectives
- User pays principle
- Cross subsidisation objectives
- Financial objectives
- Customer objectives
- Resource use objectives
- GST

Council's broad policies on revenue are:

- Council will ensure all rates, fees and charges will be levied equitably;
- Council supports the user pays principle in assessing the levying of fees and charges and the
 amount to which they are set, while considering the needs of those in the community who
 are unable to meet their own needs; and
- Council will pursue all cost effective opportunities to maximise its revenue base.

The pricing policy referred to in the Annual Fees and Charges for 2025/2026 is based on a selection of one of the following choices:

- The pursuit of full cost recovery (100% of identified costs).
- The application of partial cost recovery (reflecting the impact of public good constraints and/ or community service obligations).
- The application of zero cost recovery (reflecting an inability to charge a fee).
- The application of a reference price (a fee or charge set by statute or regulation).
- The pursuit of a commercial rate of return on capital invested (to reflect the capital risks involved in the provision of a particular service).

Statement of the amounts or rates proposed to be charged for the carrying out by Council of work on private land

Council may by agreement with the owner or occupier of any private land, carry out on the land any kind of work that may lawfully be carried out on the land (Section 67(1) *Local Government Act 1993*).

Examples of private works are:

- · Paving and road making;
- · Kerbing and guttering;
- Fencing and ditching;
- Tree planting and maintenance;
- · Demolition and excavation;
- Land clearing and tree felling;
- · Water, sewerage and drainage connections; and
- Traffic Management Services.

This type of work is to be charged at cost with a percentage charge of 10% added for profit purposes. All profit is returned to Council's General Fund income.

Statement of proposed borrowings

The Wentworth Shire Council is proposing to utilise up to \$12,950,000 in 2025/2026 to help fund capital requirements for the redevelopment of the:

- Buronga Landfill Expansion \$12,000,000 (as approved by Council at the March 2024 Council meeting, \$11,250,000 to used in 2024/2025 & \$750,000 in 2025/2026)
- Stormwater Infrastructure Upgrades \$950,000 (previously approved by Council)



The Annual Fees and Charges forms part of the 2025/2026 Operational Plan. These documents have been prepared in accordance with Section 403(2) of the *Local Government Act 1993*.

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Wentworth Shire Council | Operational Plan 2025/2026: Part Three - Annual Fees & Charges

Planning and Development Applications

Development and Construction

Construction Certificates	Fee (Inc. GST)	GST
Class 1a Buildings (Dwellings)		
Up to \$5,000	\$529.00	0%
\$5,001 to \$20,000 of Building Value	\$648.00	0%
\$20,001 to \$100,000 of Building Value	\$1,292.00	0%
\$100,001 to \$250,000 of Building Value	\$2,060.00	0%
\$250,001 + of Building Value	\$2,461.00 plus \$2.17 per \$1,000 over \$250,000	0%
Class 10 Buildings (Sheds, Carports, Pools, Fences)		
Up to \$5,000	\$529.00	0%
\$5,001 to \$20,000 of Building Value	\$601.00	0%
\$20,001 to \$100,000 of Building Value	\$895.00	0%
\$100,001 to \$250,000 of Building Value	\$1,269.00	0%
\$250,001 + of Building Value	\$1,618.00 plus \$2.07 per \$1,000 over \$250,000	0%
Class 2 - 9 Buildings (Commercial, Industrial & Public Buildings)		
Up to \$5,000	\$648.00	0%
\$5,001 to \$20,000 of Building Value	\$1,292.00	0%
\$20,001 to \$100,000 of Building Value	\$2,060.00	0%
\$100,001 to \$250,000 of Building Value	\$2,568.00	0%
\$250,001 + of Building Value	\$3,138.00 plus \$2.32 per \$1,000 over \$250,000	0%
Contribution Plan (if applicable)		
Up to \$100,000	0%	0%
\$100,001 to \$200,000	0.50%	0%
\$200,001 and above	1%	0%

The Long Service Levy Corporation Fee is payable at 0.35% of the value of building and construction work where the cost of the building is \$25,000 or more (inclusive of GST). The levy calculator can be accessed at: longservice.my.site.com/bci/s/levy-calculator



Complying Development Certificates	Fee (Inc. GST)	GST
Class 1a Buildings (Dwellings)		
Up to \$5,000	\$529.00	0%
\$5,001 to \$20,000 of Building Value	\$648.00	0%
\$20,001 to \$100,000 of Building Value	\$1,292.00	0%
\$100,001 to \$250,000 of Building Value	\$2,060.00	0%
\$250,001 + of Building Value	\$2,461.00 plus \$2.17 per \$1,000 over \$250,000	0%
Class 10 Buildings (Sheds, Carports, Pools, Fences)		
Up to \$5,000	\$529.00	0%
\$5,001 to \$20,000 of Building Value	\$601.00	0%
\$20,001 to \$100,000 of Building Value	\$895.00	0%
\$100,001 to \$250,000 of Building Value	\$1,269.00	0%
\$250,001 + of Building Value	\$1,18 plus \$2.07 per \$1,000 over \$250,000	0%
Class 2 - 9 Buildings (Commercial, Industrial & Public Buildings)		
Up to \$5,000	\$648.00	0%
\$5,001 to \$20,000 of Building Value	\$1,292.00	0%
\$20,001 to \$100,000 of Building Value	\$2,060.00	0%
\$100,001 to \$250,000 of Building Value	\$2,586.00	0%
\$250,001 + of Building Value	\$3,138.00 plus \$2.32 per \$1,000 over \$250,000	0%
Contribution Plan (if applicable)		
Up to \$100,000	0%	0%
\$100,001 to \$200,000	0.50%	0%
\$200,001 and above	1%	0%

Wentworth Shire Council | Operational Plan 2025/2026: Part Three - Annual Fees & Charges

Civil Works	Fee (Inc. GST)	GST
Plan Checking Fee		
2 - 3 Lots	\$148.00	10%
4 - 20 Lots	\$442.00	10%
21 - 49 Lots	\$737.00	10%
50 Plus Lots	\$1,032.00	10%
Subdivision Construction Certificate	\$1,018.70 or 1.5% of total project cost whichever is greater	10%
Tapping Fee – to be determined on a case by case basis	Actual Cost	10%
Street Trees Contribution – per tree	\$100.00	
Contribution Plan (if applicable)		
Up to \$100,000	0%	0%
\$100,001 to \$200,000	0.50%	0%
\$200,001 and above	1%	0%
Headworks Charges (Servicing Plans 1 & 2)		
Filtered water fee (per Lot)	\$1,847.00	0%
Filtered water fee (per Lot) – Trentham	\$5,000.00	0%
Unfiltered water fee (per Lot)	\$2,000.00	0%
Sewerage Fee (per Lot)	\$9,655.00	0%
Sewerage Fee (per Lot) – Trentham	\$5,000.00	0%
Stormwater Fee	\$0.94 per sqm of original area to be subdivided	0%

Sundry Building Fees	Fee (Inc. GST)	GST
Certificate and progress reports on buildings under construction	\$207.00	10%
Minor amendments to Construction Certificates / Complying Development Certificates	\$207.00	0%
Amendment > 50% of plan – Construction / Complying Development Certificates	50% of fee for new application	0%
Re-inspection for a critical stage building inspection	\$122.00	10%
Subscriber fee for provision of ABS data – full year	\$264.00	0%
Search and copy of records (per search)	\$111.00	0%
Private Certifier lodgement fee (EP&A Regulation 2021 Schedule 4)	\$39.00	0%
Submitting application for construction certificate, subdivision works certificate, occupation certificate, subdivision certificate, building information certificate or modification of development consent on the NSW planning portal. (EP&A Regulation 2021 Schedule 4)	\$43.00	0%
Building Information Certificate – Class 1 & 10 where work involves no additional floor space (Fee determined under Part 10 of the <i>Local Government Act 1993</i>)	\$302.00	0%
Building Information Certificate – Class 2-9 Buildings where works not exceeding 200m² (cl 260 EP&A Reg 2000)	\$302.00	0%
Building Information Certificate – Class 2-9 Buildings where works between 200m²-2000m² (Fee determined under Part 10 of the <i>Local Government Act 1993</i>)	\$302 + \$0.50 per m ² over 200m ²	0%
Building Information Certificate – Class 2-9 Buildings where works exceed 2000m² (Fee determined under Part 10 of the Local Government Act 1993)	\$1,050 + \$0.50 per m² over 2000m²	0%
Inspection Fee where more than one inspection is required prior to issuing a Building Information Certificate (Fee determined under Part 10 of the Local Government Act 1993)	\$121.00	10%
Building Information Certificate where a DA, CDC or CC was required for the erection of the building (Fee determined under Part 10 of the <i>Local Government Act 1993</i>)	\$302.00 plus the maximum fee payable if the application was an application for Development Consent & Construction Certificate or Complying Development Certificate	0%
Infrastructure Protection Permit Fee (includes inspections)	\$244.00	0%
Infrastructure Bond (Refundable) – This bond applies to all construction works \$25,000 and above.	\$3,000.00	0%

Swimming Pool Fence Inspection Fee	Fee (Inc. GST)	GST
Audit inspection initiated by Council – 1st Inspection	\$0.00	0%
andatory inspection for a swimming pool \$150.00 I 19 Swimming Pool Reg 2018)		0%
Follow up inspection when 1st inspection not compliant (cl 19 Swimming Pool Reg 2018)	\$100.00	10%
Local Government Act Approvals	Fee (Inc. GST)	GST
Application to install on-site Sewerage Management System (Septic Tank/AWTS) - Fee includes up to four inspections	\$551.00	0%
Application to alter on-site Sewerage Management System (Septic Tank/AWTS) - Fee includes up to four inspections	\$551.00	0%
Application to amend existing approval to install an on-site sewerage management system	\$261.00	0%
Install Grey Water System	\$316.00	0%
Amend Grey Water System	\$180.00	0%
Raw Water Sign	\$7.35	10%
Trade Waste Discharge Application Fee	\$779.00	10%
Industrial Sewerage Management System (20 plus persons)	\$779.00	0%
Amendment to Industrial Sewerage Management System (20 plus persons)	\$779.00	0%
Application for approval to connect to sewer	\$551.00	0%
Application to alter existing sewer plan	\$551.00	0%
Re-inspectioNot applicable.dditional inspection for a mandatory plumbing inspection stage	\$122.00	0%
Section 68 Installation of a Relocatable Home, Moveable Dwelling	or Associated Structure	
Up to \$5,000 of Building Value	\$67 + 0.5%	10%
\$5,001 - \$100,000 of Building Value	\$100 + 0.3%	10%
\$100,001 - \$250,000 of Building Value	\$481 + 0.2%	10%
>\$250,001 of Building Value	\$764 + 0.1%	10%
Stormwater Legal Point of Discharge	\$92.00	0%
Caravan Parks – Inspection fee + (per site) 5 year fee	\$331 + \$5.25 (per site)	0%
Caravan Parks noncompliance re-inspection fee (per hour)	\$223.00	0%
Section 68 Local Government Approvals not otherwise listed – Refer Appendix B	\$296.00	0%

Development Applications	Fee (Inc. GST)	GST
Schedule 4 Part 2 EP&A Regulation 2021		
Up to \$5,000	\$143.60	0%
From \$5,001 to \$50,000	\$220.41 plus \$3 per \$1,000 (or part of \$1,000) of the estimated cost	
From \$50,001 to \$250,000	\$458.64 plus \$3.64 per \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$50,000	0%
From \$250,001 to \$500,000	\$1,509.50 plus \$2.34 per \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$250,000	0%
From \$500,001 to \$1,000,000	\$2,272.00 plus \$1.64 per \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$500,000	0%
From \$1,000,001 to \$10,000,000	\$3,404.17 plus \$1.44 per \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$1,000,000	0%
More than \$10,000,001	\$20,666.56 plus \$1.19 per \$1,000 (or part of \$1,000) by which the estimated cost exceeds \$10,000,000	0%
Development application for advertising signs where the lodgement fee based on the cost of work is more than the development application fee calculated as above	\$370.70 plus \$93.00 for each additional advertisment	0%
Development application for development not involving the erection of a building, the carrying out of a work, the subdivison of land or the demolition of a work or building	\$429.70	0%
Development application for development involving the erection of a dwelling house with an estimated development cost, including GST, of \$100,000 or less	\$592.22	0%
Additional fee for development application that is referred to design review panel for advice	\$3,905.11	0%

Fees for Application for Modification of Consent

Modification of Consent Fee (Inc. GST)		GST
Schedule 4 Part 4 EP&A Regulation 2021		
Modification under section 4.55 (1)	\$92.40	0%
Modification of DA under S4.55(1A) or & S4.56(1) minimal environmental impact	50% of original DA fee up to the maximum fee of \$839.34 – whichever is the lesser.	
Modification of DA under S4.55(2) or S4.56(1) that does not involve minimal environmental impact if the fee for the original application was less than 1 fee unit	50% of original fee	0%
Modification of DA under S4.55(2) or S4.56(1) that does not involve minimal environmental impact if the fee for the original application was 1 fee unit or more if the application did not involve erection of a building, carrying out of work or demolition of work or building	50% of original fee	0%
Modification of DA under S4.55(2) or S4.56(1) that does not involve minimal environmental impact if the fee for the original application was 1 fee unit or more and the original development application involved the erection of a dwelling house with an estimated development cost of \$100,000 or less	\$247.13	0%
Additional fee where Council is required to give notice under \$4.55(2) or \$4.56(1) of the Act.	\$866.07	
Additional fee for modification application that is referred to design review panel for advice	\$3,905.11	0%
Additional fee for modification application that is accompanied by statement of qualified designer	\$989.63	0%

Fees for Application for Modification of Consent

Fee (Inc. GST) GST

Modification for S4.55(2) or S4.56(1) that does not involve minimal environmental impact and the original application fee was 1 unit or more and application relates to an original development application.

Up to \$5,000	\$71.25	0%
\$5,001 to \$250,000	\$110.21 plus \$1.50 per \$1,000 by which estimated cost exceeds \$5,000.	0%
\$250,001 to \$500,000	\$651.11 plus \$0.85 per \$1,000 by which estimated cost exceeds \$250,000.	0%
\$500,001 to \$1,000,000	\$927.30 plus \$0.50 per \$1,000 by which estimated cost exceeds \$500,000.	0%
\$1,000,0001 to \$10,000,000	\$1,284.63 plus \$0.40 per \$1,000 by which estimated cost exceeds \$1,000,000.	0%
More than \$10,000,000	\$6,167.13 plus \$0.27 per \$1,000 by which estimated cost exceeds \$10,000,000.	0%
Request for LEP Amendment	\$8,694.00	0%
equest for s8.2(1) (C) review of decision to reject an applicatio chedule 4 Part 7 EP&A Reg 2021.	n	
Where the estimated cost of development is less than \$100,000	\$71.25	0%
Where the estimated cost of development is more than \$100,000 but is less than or equal to \$1,000,000	\$194.81	0%
Where the estimated cost of development is more than \$1,000,000	\$325.02	0%
equest for Review of Determination - Schedule 4 Part 7 EP&A	Reg 2021	
Review of development application not involve the erection of building, the carrying out of a work or the demolition of a	50% of the original lodgment fee	0%

Modification of Consent	Fee (Inc. GST)	GST
Review of development application involving the erection of a dwelling-house with an estimated cost of construction of \$100,000 or less	\$247.13	0%
n the case of any other development application		
Estimated development costs up to \$5,000	\$71.25	0%
Estimated development costs of between \$5,001 - \$250,000	\$111.32 plus an additional \$1.50 for each \$1,000 (or part of \$1,000) of the estimated cost exceeding \$5,000	0%
Estimated development costs of between \$250,001 - \$500,000	\$651.22 plus an additional \$0.85 for each \$1,000 (or part of \$1,000) of the estimated cost exceeding \$250,000	0%
Estimated development costs of between \$500,001 - \$1,000,000	\$927.30 plus an additional \$0.50 for each \$1,000 (or part of \$1,000) of the estimated cost exceeding \$500,000	0%
Estimated development costs of between \$1,000,001 - \$10,000,000	\$1,284.63 plus an additional \$0.40 for each \$1,000 (or part of \$1,000) of the estimated cost exceeding \$1,000,000	0%
Estimated development costs in excess of \$10,000,000	\$6,167.13 plus an additional \$0.27 for each \$1,000 (or part of \$1,000) of the estimated cost exceeding \$10,000,000	0%
Where Council is required to give notice under S8.3 of the Act	Up to \$770.70	0%

Subdivisions	Fee (Inc. GST)	GST
Schedule 4 Part 2 EP&A Reg 2021		
Development Application Lodgement without road opening	\$429.70 plus \$53 for every additional lot created by the subdivision	0%
Involving opening of a public road	\$864.96 plus \$65 for every additional lot created by the subdivision	0%
Strata Subdivision	\$429.70 plus \$65 for every additional lot created by the subdivision	0%
Subdivision Certificate Application Fee	\$260.40 plus \$5.25 per lot	10%
Section 10.7 Certificates		
Certificate under Section 10.7 (2) & (5) - Per Lot	\$173.64	0%
Certificate under Section 10.7 (2) - Per Lot	\$69.00	0%
Certificate under Section 10.7 Urgent Fee	\$166.00	0%
Sewer Diagram	\$25.00	0%
Provision of document map or plan	\$74.00	0%
Certificate under Section 735A of the <i>Local</i> Government Act 1993	\$100.00	10%
Designated Development Schedule 4 Part 3 EF	P&A Reg 2021	
In addition to any other fees payable for a development application an additional fee is payable for a designated development.	\$1,197.80	0%
Designated Development Advertising Fee	\$2,889.88	0%
Integrated Development Schedule 4 Part 3 – i	tem 3.1 EP&A Reg 2021	
In addition to any other fees payable for a development application an additional fee is payable for an integrated development (cl 253 EP&A Reg 2000)	\$182.57	0%
Giving notice for nominated integrated development, threatened species development or Class 1 aquaculture development.	\$1,438.25	0%
Note: Applicants are required to pay an addition	onal \$416.34 to each concurrence Authority.	

Subdivisions	Fee (Inc. GST)	GST
Any Development Requiring Concurrence not assumed by Council	Fee (Inc. GST)	GST
Fee to Council as consent authority	\$182.57	0%
Note: Applicants are required to pay an additional \$416.34 to each con	ncurrence Authority.	
Giving Notice of Prohibited Development	Fee (Inc. GST)	GST
Fee to give notice of Prohibited development	\$1,438.25	0%
Provision of Certified copy of Documents, maps or plans – Schedule 4 Part 9 – item 9.9	Fee (Inc. GST)	GST
Fee to give notice of Prohibited development	\$69.00	0%
Permissive Occupancy Licence Fees	Fee (Inc. GST)	GST
Application Fee (new or transfer)	\$257.00	0%
Annual Rent Payable	\$265.00	0%

Regulatory Functions

Public Health Program Inspection Fees

Section 68 Local Government Act and Local Government Regulation Fees (Related to Public Health and Food Related Items)

Fee (Inc. GST) GST

Part F(7) - Use a standing vehicle (mobile food vehicle) or any article for the purpose of selling any article (including food) in a public place (Public place - includes a public road, public reserve, public park or the like)

• •		
Approval to sell food at a single event / temporary event	\$76.00	0%
Approval to sell food at multiple events - annual approval	\$192.00	0%
Part F(10) - Carry out an activity prescribed by the regulations or an act description prescribed by the regulations	tivity of a class or	
Shared Accommodation Premises - inspection fee per inspection	\$172.00	0%
Hairdressers - Inspection fee per inspection	\$172.00	0%
Skin Penetration Premises - inspection fee per inspection	\$172.00	0%
Public Swimming Pool or Public Spa Pool - inspection fee per inspection	\$172.00	0%

NSW Food Regulation 2015	Fee (Inc. GST)	GST
Food Shop Administration Charge (yearly)		
Up to 5 FTE food handling staff	\$232.00	10%
6 - 50 FTE food handling staff	\$326.00	10%
>50 FTE food handling staff	\$431.00	10%
Mobile Food Vendor Administration Charge (on non-public place)	\$192.00	10%
Food shop / mobile food vendor inspection fee per hour (Note - minimum fee 1/2 hour and fees to be charged calculated in 1/2 hr increments)	\$185.00	0%
Maximum fee for issuing improvement notice under the Food Act 2003 or Food Regulations 2015.	\$347.00	0%
Note: A minimum of 1 inspection conducted annually, depending on ha Some premises may have up to 4 scheduled inspections per year.	zard rating.	

kin Penetration Premises		
Registration/Change of Details Fee	\$207.00	0%
Administration fee (yearly)	\$217.00	10%
Fee per inspection	\$172.00	0%
Notification of carrying out skin penetration procedure (new premises) Note - no fee is required for a change of details	\$110.00	0%
ccommodation Premises		
Registration/Change of Details Fee	\$134.00	0%
Fee per inspection	\$172.00	0%
cooling Water System/Cooling Towers		
Notification of installation of a cooling water system (cooling tower)	\$126.00	0%
Issue of improvement notice or prohibition order given to occupier of premises at which there is a regulated system	\$667.00	0%
Varm Water Systems		
Application for approval of a warm water system in a hospital	\$200.00	0%
Notification of installation of a warm water system	\$126.00	0%
Issue of improvement notice or prohibition order given to occupier of premises at which there is a regulated system	\$667.00	0%
wimming Pool and/or Spa Pool		
Registration/Change of Details Fee	\$134.00	0%
Administration fee (yearly)	\$217.00	10%
Fee per inspection	\$110.00	0%
Note: A minimum of 1 inspection conducted annually, depending on Some premises may have up to 4 scheduled inspection per year.	hazard rating.	
rsue of improvement notice or prohibition order given nder the <i>Public Health Act 2010</i> or <i>Public Health Pegulations 2022</i> to occupier of premises other than remises that have a regulated system.	\$310.00	0%
einspection of premises subject to a prohibition order iven under the <i>Public Health Act 2010</i> or <i>Public Health Pegulations 2022</i> - per hour.	\$268.00	0%
pplication for approval to exhume remains	\$399.00	0%
pplication for exemption for cremation documentation	\$110.00	0%
lotification of registration of mortuaries	\$110.00	0%

Companion Animal Fees

Lifetime	Doc	ictra	tion	Eags
Lifetime	Kec	jistra	uon	rees

as per Companion Animals Regulation 2021)	Fee (Inc. GST)	GST
Dog		
Registration Fee (by 12 weeks or when sold if earlier than 12wk)	\$78.00	0%
Registration Combined Fees (for not Desexing dog by 6 months)	\$262.00	0%
Registration fee (where desexing is not recommended from a vet)	\$78.00	0%
Registration fee – (where desexing is not recommended from a vet) – eligible pensioner	\$34.00	0%
Registration fee – not Desexed (not recommended) – eligible pensioner	\$34.00	0%
Registration (recognised breeder)	\$78.00	0%
Working Dog	Free	0%
Service of the State	Free	0%
Assistance Animal	Free	0%
Desexed (sold/ transferred from pound/shelter or rehoming Organisation)	Free	0%
Cat		
Registration fee (by 12 weeks or when sold if earlier than 12 wk)	\$68.00	0%
Registration fee (eligible pensioner)	\$34.00	0%
Desexed (sold/ transferred from pound/shelter or rehoming Organisation)	Free	0%
Registration fee (where desexing is not recommended from a vet)	\$68.00	0%
Registration fee (where desexing is not recommended from a vet - eligible pensioner)	\$34.00	0%
Registration fee (recognised breeder)	\$68.00	0%
Registration late fee	\$22.00	0%
Additional Fee (if the animal is not desexed by 6 months)	\$184.00	0%

Annual Permits	Fee (Inc. GST)	GST
Cats (under 4 months not desexed)	\$96.00	0%
Restricted Breed & Dangerous Dogs	\$230.00	0%
Permit late fee	\$22.00	0%

Note 1: The lifetime registration fees are set by the Office of Local Government and subject to change by the office of Local Government. The fees shown reflect amendments effective from 1 July 2025.

Note 2: The Annual Permit fees are set by the Office of Local Government and subject to change by the Office of Local Government and are payable in addition to the one-off lifetime registration fee. The fees shown reflect amendments effective 1 July 2025.

A list of registration categories, current fees and the new fees for 2025/26 is provided on the Office of Local Government's (OLG) website: www.olg.nsw.gov.au/public/dogs-cats/nsw-pet-registry/microchipping-and-registration

Other Regulatory Function ChargesFee (Inc. GST)GSTMicro-chipping Service\$71.0010%Surrender Fees\$122.000%

Surrender Fees	\$122.00	0%
Release Fee - Cats	\$122.00	0%
Release Fee - Dogs	\$122.00	0%
Release Fee - Livestock (per animal)	\$122.00	0%
Livestock Sustenance - per day	\$21.00	10%
Trap Hire - Refundable Deposit	\$30.00	0%
Impounded Vehicles	\$626.00	10%
Animal Services Officer - After hours attendance (in addition to any fines imposed)	\$336.00	10%

Waste Management Charges

Landfill Charges	Unit of Measure	Fee (Inc. GST)	GST
1 Bag of Rubbish		\$9.00	10%
1 Bag of Green Waste		\$2.00	10%
Station wagon / car boot		\$20.00	10%
240 ltr MGB		\$20.00	10%
Domestic (Home) Waste			
6 x 4 Trailer / Utility	Water Level	\$25.00	10%
	Heaped	\$46.00	10%
	Caged	\$68.00	10%
7 x 4 Tandem Trailer or larger	Water Level	\$50.00	10%
	Heaped	\$78.00	10%
	Caged	\$106.00	10%
Commercial/Industrial (Work) Waste	•		
6 x 4 Trailer / Utility	Water Level	\$40.00	10%
	Heaped	\$69.00	10%
	Caged	\$101.00	10%
7 x 4 Tandem Trailer or larger	Water Level	\$76.00	10%
	Heaped	\$117.00	10%
	Caged	\$160.00	10%
Green Waste (Domestic)			
6 x 4 Trailer / Utility	Water Level	\$7.00	10%
	Heaped	\$10.00	10%
	Caged	\$15.00	10%
7 x 4 Tandem Trailer or larger	Water Level	\$10.00	10%
	Heaped	\$15.00	10%
	Caged	\$19.00	10%
Green Waste (Commercial/Industria	l)		
6 x 4 Trailer / Utility	Heaped	\$15.00	10%
	Caged	\$21.00	10%

Landfill Charges	Unit of Measure	Fee (Inc. GST)	GST
7 x 4 Tandem Trailer or larger	Water Level	\$15.00	10%
	Heaped	\$21.00	10%
	Caged	\$27.00	10%
Commercial Green Waste > 2m³	Per tonne	\$158.00	10%
Commercial, Industrial, Construction & Demolition Waste > 2m³	Per tonne	\$200.00	10%
Concrete - excluding concrete pipes	Per tonne	\$139.00	10%
Asbestos	Per tonne	\$460.00	10%
Problematic Waste	Per tonne	\$300.00	10%
Clean Fill	Per tonne	\$12.00	10%
Contaminated Fill	Per tonne	\$200.00	10%
Disposal of car bodies		NIL	0%
Car and Motorbike Tyres	Per tyre	\$12.00	10%
Small Truck Tyres	Per tyre	\$27.00	10%
Large Truck Tyres	Per tyre	\$50.00	10%
Super Single Tyres	Per tyre	\$50.00	10%
Tractor Tyres	Per tyre	\$204.00	10%
Large Earthmoving Tyres	Per tyre	\$248.00	10%
Waste Oil - petroleum oils only (Buronga & Wentworth only)		NIL	0%
Scrap Metal - clean fill		NIL	0%
Chemical Drums (clean and dry)		NIL	0%
Recycling (paper, cans, plastic bottles, glass)		NIL	0%
Cardboard, batteries, gas cylinders		NIL	0%
Mattress - Single	Per item	\$23.00	10%
Mattress - Double or bigger	Per item	\$44.00	10%
Unspecified Waste	Per tonne	\$243.00	10%
Weighbridge Certification Fee	Per vehicle	\$25.00	10%
Commercial Recycling (cardboard & Comingle)	Per cubic metre	\$17 per cubic meter	10%
Contractor Discount – Application approval to be determined on a case by case basis on application to Council		Increased in line with the increase to the per tonne gate rate.	10%

Trade Waste Fees and Usage Charges	Fee (Inc. GST)	GST
Annual Trade Waste Fee		
Category 1 Discharger	\$152.00	10%
Category 2 Discharger	\$302.00	10%
Large Discharger	\$1,016.00	10%
Industrial Discharger	\$302.00	10%
Re-inspection Fee	\$142.00	10%
Trade Waste Usage Charges per kL		
Category 1 Discharge with appropriate equipment ¹	\$0.00	10%
Category 1 Discharge without appropriate pre-treatment	\$8.00	10%
Category 2 Discharge with appropriate equipment ¹	\$284.00	10%
Category 2 Discharge without appropriate pre-treatment	\$26.00	10%
Food Waste Disposal	\$48.00	10%
Non-compliance pH charge		
Value of coefficient K in equation 3 of Liquid Trade Waste Policy	\$7.00	10%
$^{ m 1}$ Only applies to liquid trade waste dischargers with appropriately and/o treatment facilities.	r maintained pre-	

Charges for Tankered Waste Fees ¹	Fee (Inc. GST)	GST
Chemical Toilet (per kL)	\$27.00	0%
Septic Tank Waste		
Per load (up to 5kL) - minimum charge	\$7.00	0%
Per kL thereafter	\$37.00	0%
¹ Only applies to liquid trade waste dischargers with appl treatment facilities.	opriately and/or maintained pre) -

Charges for use of Riverboat Pump-Out Stations (per each dump)

Stations (per each dump)	ree (Inc. GS1)	GST
Disposal of effluent from riverboats	\$36.00	10%
Use of key to access pump out facility (refundable deposit)	\$30.00	0%

Excess Mass Charges Substance price per kg	Fee (Inc. GST)	GST
Aluminium	\$7.00	10%
Ammonia (as N)	\$8.00	10%
Arsenic	\$128.00	10%
Barium	\$63.00	10%
Biochemical oxygen demand (BOD)	\$128.00	10%
Boron	\$128.00	10%
Bromide	\$26.00	10%
Cadmium	\$589.00	10%
Chloride	\$7.00	10%
Chlorinated hydrocarbons	\$63.00	10%
Chlorinated phenolics	\$2,549.00	10%
Chlorine	\$8.00	10%
Chromium	\$42.00	10%
Cobalt	\$26.00	10%
Copper	\$26.00	10%
Cyanide	\$128.00	10%
Fluoride	\$10.00	10%
Formaldehyde	\$8.00	10%
Oil and Grease (Total O&G)	\$7.00	10%
Herbicides/defoliants	\$1,275.00	10%
Iron	\$8.00	10%
Lead	\$63.00	10%
Lithium	\$16.00	10%
Manganese	\$16.00	10%
Mercaptans	\$128.00	10%
Mercury	\$4,249.00	10%
Methylene blue active substances (MBAS)	\$128.00	10%
Molybdenum	\$128.00	10%
Nickel	\$42.00	10%
Nitrogen (Total Kjeldahl Nitrogen - Ammonia) as N	\$30.00	10%

Excess Mass Charges Substance price per kg	Fee (Inc. GST)	GST
Organoarsenic compounds	\$1,275.00	10%
Pesticides general (excludes organochlorines and organophosphates)	\$1,275.00	10%
Petroleum hydrocarbons (non-flammable)	\$9.00	10%
Phenolic compounds (non-chlorinated)	\$18.00	10%
Phosphorous (Total PP)	\$8.00	10%
Polynuclear aromatic hydrocarbons	\$26.00	10%
Selenium	\$90.00	10%
Silver	\$7.00	10%
Sulphate (SO4)	\$7.00	10%
Sulphide	\$8.00	10%
Sulphite	\$8.00	10%
Suspended Solids (SS)	\$7.00	10%
Thiosulphate	\$7.00	10%
Tin	\$16.00	10%
Total dissolved solids (TDS)	\$6.00	10%
Uranium	\$16.00	10%
Zinc	\$26.00	10%

Finance and Customer Service Fees

GIPA Requests	Unit of Measure	Fee (Inc. GST)	GST
Government Information Public Acce	ss Request (GIPA)		
Formal Access Application Fee (as per	the Act)	\$30.00	0%
Formal Access Processing Charges (1st per each hour thereafter - as per the A		\$30.00	0%
Informal Request (1st hour included, cost per each hour	thereafter)	\$35.00	10%
Subpoenas			
Conduct money on initial lodgement of Produce (includes 1st 2 hours of process	·	\$126.00	10%
Provision of documents for a Subpoer (1st 2 hours no additional charge, cost thereafter		\$79.00	10%
Licenses and Permits	Unit of Measure	Fee (Inc. GST)	GST
Tent Erection Fees - outside licensed Caravan Parks		\$144.00	0%
Tent Erection / Clearing		\$825.00	0%
Deposits - Tents for Circus, travelling		\$600.00	0%

Tent Erection Fees - outside licensed Caravan Parks	\$144.00	0%
Tent Erection / Clearing	\$825.00	0%
Deposits - Tents for Circus, travelling shows and other commercial enterprises	\$600.00	0%
Valuer General's Insertion into Rates per hour Notices	\$90.00	0%

Sundry Charges	Unit of Measure	Fee (Inc. GST)	GST
Photocopying/laminating/scanning			
Photocopying	per A4	\$0.25	10%
	per A3	\$0.50	10%
Colour Photocopying	per A4	\$1.00	10%
	per A3	\$2.00	10%
Map Copy Charges - Full Colour	per A2	\$8.00	10%
	per A1	\$12.00	10%
	per A0	\$16.00	10%

Map Copy Charges - Line Art	per A2	\$4.00	10%
	per A1	\$7.00	10%
	per A0	\$8.00	10%
Map Copy Charges - Imagery	per A2	\$12.00	10%
	per A1	\$20.00	10%
	per A0	\$23.00	10%
Laminating	per A4	\$5.00	10%
	per A3	\$9.00	10%
Scanning - small black & white logos etc.		\$7.00	10%
Scanning - colour photos (standard size)		\$9.00	10%
Grants			
Grants – Preparation of funding applications on behalf of others	per hour	\$129.00	10%
Grants – Auspice of grant funds on beha (this covers preparation of reports for funcertificate)		\$1,886 plus 1% of funding amount	10%

Misc. Rates Charges	Unit of Measure	Fee (Inc. GST)	GST
603 Certificate		\$100.00	0%
603 Certificate Urgent Request		\$163.00	0%
Special Meter Reading - 603 Certificate		\$90.00	0%
Meter Check - Fault Report		\$153.00	0%
Copy of Rates Notice (per request)		\$10.00	0%
General Administration Fee		\$25.00	0%
Extraction from Valuation Book		\$27.00	0%
Rural Addressing - Provision of new address plate or replacement plate		\$57.00	10%
Account review administration fee		\$171.00	10%
Dishonour Fee (Bpay, Bill Pay & Direct Debit)		\$30.00	10%
Interest on overdue rates		10.50%	0%
Note: These fees are GST exempt if associ	ciated with the provision of	regulatory information	

Library Fees

Inter-library Loans, Late returns and Damages Inter-library Loans Lost or Damaged Items Book Covering Plastic / contact (small)	\$3.00 Original Cost + \$7.00	10%
Lost or Damaged Items Book Covering	· · · · · · · · · · · · · · · · · · ·	
Book Covering	Original Cost + \$7.00	10%
<u> </u>		10/0
Diastic / contact (small)		
Flastic / Contact (small)	\$4.00	10%
Plastic / contact (medium)	\$5.00	10%
Plastic / contact (large)	\$5.00	10%
Dust jacket (small)	\$5.00	10%
Dust jacket (medium)	\$5.00	10%
Dust jacket (large)	\$6.00	10%
Photocopying / Printing / Scanning		
A4 photocopy or print	\$0.25	10%
A4 photocopy - coloured print	\$1.00	10%
A3 photocopy or print	\$0.50	10%
A3 photocopy - coloured print	\$2.00	10%
Laminating		
Business card	\$5.00	10%
A4	\$5.00	10%
A3	\$9.00	10%
Replacement Library Card		
Adult	\$3.00	0%
Child	\$3.00	0%
Visitor Deposit (refundable)	\$20.00	0%

Roads and Engineering Support

Service	Fee (Inc. GST)	GST
Road Opening Permits		
Permit	\$197.00	0%
Refundable deposits ¹		
Road opening fee	\$525.00	0%
For works in a constructed nature strip with concrete footpath	\$370.00	0%
For works in an unpaved constructed nature strip	\$210.00	0%
New works which may affect Council assets such as footpaths, sewer, drainage & water supply	\$1,420.00	0%
Traffic Management Plans		
Plan Preparation Fee	\$197.00	10%
Plan Assessment Fee	\$180.00	0%
Hire Fee per day - Signs / Bollards / Traffic Cones	\$38.00	10%
Refundable Deposit ²		
Hire of Signs / Bollards / Traffic Cones	\$210.00	0%
Bins		
Bin Hire (per bin, per day - includes 1 emptying/cleaning)	\$28.00	10%
Each additional empty/clean (per bin)	\$28.00	10%
Replacement of Mobile Garbage Bin	\$131.00	10%
Miscellaneous Services		
Hire of barbeque - per day	\$236.00	10%
Access permits - Heavy Vehicle National Law	\$122.00	10%
Weeds Inspections		
Inspections within the built-up horticultural areas (i.e. Wentworth to Monak)	\$223.00	10%
Inspections in rural areas (travel is calculated to and from the property)	\$223 plus \$55/hr after the first 2 hours + .85c per km	10%
Grid Replacement (refer to Fencing and Grid Policy) added 18	/03/2020	
Co-contribution towards fencing when removal of a grid has been agreed to in writing.	Up to \$2,500 per km of fencing for a maximum amount of 5km per grid.	10%
Natas		

Notes:

- 1. On completion of the job, the deposit will be refunded, less the restoration charges and any additional costs which may be required to restore the trench.
- 2. The restoration charge covers sealing and relaying of concrete surfaces and the top surface for gravel and earth. Any additional works are an extra charge. If the costs are greater than the deposit, a charge will be made.

Hire of Plant Items

Plant Item

(refer notes) (Price per hou	r unless otherwise stat	ed)	Fee (Inc. GST)	GST
CAT 12M	533 & 534	per hour	\$416.00	10%
Tractors and Implements	34, 39 & 51	per hour	\$291.00	10%
CAT Backhoe	30	per hour	\$259.00	10%
CAT 910F FEL	31	per hour	\$266.00	10%
John Deere Tractor & Implements	41	per hour	\$332.00	10%
CAT D6 Dozer	36	per hour	\$416.00	10%
JCB Loadalls	44	per hour	\$300.00	10%
CAT 938F FEL	47	per hour	\$271.00	10%
Low Loader	75	per hour	\$416.00	10%
Bitelli MT Rollers	56 & 57	per hour	\$291.00	10%
CAT 613B scraper	55	per hour	\$332.00	10%
Bomag Vib Roller	58	per hour	\$259.00	10%
Mobile Street Sweeper	65	per hour	\$259.00	10%
Bobcat & Attachments	62	per hour	\$437.00	10%
CAT mini excavator	67	per hour	\$437.00	10%
Water Carts	513, 519 & 523	per hour	\$239.00	10%
Truck and Dogs	483 & 520	per hour	\$322.00	10%
Truck and Dogs	531 & 771	per hour	\$322.00	10%
Tip Truck	536	per hour	\$259.00	10%

Notes:

- 1. The above rates include the hire of the equipment and a qualified operator.
- 2. These rates are for weekday work only. Any works required to be done out of normal working hours or on weekend will incur additional penalty rates.
- 3. The above hire charges have been set so as to be similar to, or above the rate of, local contractors.

Cemeteries

	C
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Wentworth, Gol Gol, Pooncarie and Coomealla	Fee (Inc. GST)	GST
Basic Burial (includes purchase of burial plot, plus 1st interment)	\$3,214.00	10%
Purchase of burial plot	\$1,347.00	0%
1st interment	\$1,867.00	10%
2nd interment	\$1,867.00	10%
Placement of infant in existing grave site (shelved grave)	\$1,160.00	10%
Removal or exhumation of body (Court consent if necessary)	Actual Cost	10%
Removal of ashes - Consent required	Actual Cost	10%
Placement of ashes in a burial plot	\$517.00	10%
Affixing a plaque	\$326.00	10%

Monumental (Denominational)

Wentworth, Gol Gol, Pooncarie and Cal Lal	Fee (Inc. GST)	GST
Basic Burial (includes purchase of burial plot, plus 1st interment)	\$3,422.00	0%
Purchase of burial plot	\$1,347.00	0%
1st interment	\$2,075.00	10%
2nd interment	\$2,273.00	10%
Placement of infant in existing grave site (shelved grave)	\$1,160.00	10%
Removal or exhumation of body (Court consent if necessary)	Actual Cost	10%
Removal/replacement of monument for excavation (works to be undertaken by a Monumental Mason	Actual Cost	10%
Removal of ashes - Consent required	Actual Cost	10%
Placement of ashes in plot	\$517.00	10%
Affixing a plaque	\$326.00	10%
Cal Lal Cemetery – all purchases and interments quoted on a case by case basis	Actual Cost	10%

Niche Wall Coomealla Memorial Gardens	Fee (Inc. GST)	GST
Purchase Plot in Niche Wall - includes purchase of standard size black stone tile (maximum of 2 sets of ashes per plot)	\$842.00	10%
Placement of ashes in Niche Wall & fixing of stone tile (per set of ashes).	\$536.00	10%
NB Engraving of stone tile is not included. Must be a black tile – Halls Memorial to engrave.	\$563.00	10%
Re-open of existing Niche	\$517.00	10%
Location and consent to place Monument or Headstone	\$198.00	10%
Amendment to Headstone	\$51.00	10%
Ground Plots (placement of plaques or memorial items)	Fee (Inc. GST)	GST
Coomealla, Wentworth and Gol Gol – Basic Ashes Interment	\$1,139.00	10%
(includes ground ashes plot plus, placement of ashes)	\$1,139.00	10%
Purchase of a Ground Plot	\$622.00	0%
Placement of ashes in ground plots	\$517.00	10%
Re-open of existing Ground Plot	\$517.00	10%
Removal of ashes - Consent required	Actual Cost	10%
Ashes Columbarium	Fee (Inc. GST)	GST
Gol Gol and Wentworth (maximum of 2 sets of ashes per columbarium)	\$842.00	10%
Placement of ashes in Columbarium (per set of ashes) NB: engraving of stone tile is not included – contact Davis Monumental	\$563.00	10%
Re-open of existing ashes columbarium compartment	\$517.00	10%
Plot Selection	Fee (Inc. GST)	GST
On-site attendance by WSC Officer to assist in plot selection	\$102.00	10%
Cemetery Administration Fee	\$102.00	10%
Memorial seating – purchase & installation of approved memorial seat	Actual Cost	10%

Additional Notes

(all cemeteries and memorials)

Fee (Inc. GST) GST

Memorial seating – purchase & installation of approved memorial seat and supply of plaque for engraving by purchaser.

NB There is the option to halve the cost by installing two memorial plaques on one seat.

Additional fee – internments conducted on weekends and public holidays (only available between 9.00am and 1.00pm	\$486.00	10%
Placement of black granite remembrance plaque – (150 x 150mm) – Sextons Hut Wentworth Cemetery (includes inscription & installation)	\$583.00	10%

As from 01 July 2019 internments are charged at the applicable rate at the time of internment and are not able to be pre-paid. All pre-paid internments prior to this date will be honored.

Recreational Facilities

Casual Hire of Shire Owned Halls, Meeting Rooms and Sporting Pavilions/Stadiums

(NB Midway Centre fees are listed separately)

Fee (Inc. GST) GST

Pooncarie Hall, Curlwaa Hall, Anabranch Hall, Pomona Hall, Wentworth Memorial Room, Dareton Senior Citizens Room, Community Meeting Room, Wentworth Showgrounds Community Pavilion

Hire Type - Building only with access to any amenities

access to any amenities	ree (Inc. GS1)	G51
Community Use		
Community (not for profit) 4 hours or less ¹	\$59.00	10%
Community (not for profit) more than 4 hours ¹	\$129.00	10%
Bond Community Group ²	\$100.00	0%
Per day fee for use of Anabranch Hall amenities in relation to camping on the Anabranch. Please note a bond of \$500 will apply. Does not include use of the Hall.	\$59.00	10%

Business or Private Function use - Includes reunions or other private gatherings or business/ trade related functions where no entry fees are charged.

4 hours or less	\$149.00	10%
4 hours to 24 hour period	\$298.00	10%
Bond Business or Private Function	\$500.00	0%

Commercial Function per 24 hour period³ - Includes any event where there will be an entrance fee charged or any Trade Show, Fair, Field Day or other event at which goods will be sold.

4 hours or less	\$298.00	10%
4 hours to 24 hour period	\$492.00	10%
Bond Commercial Function (GST Free)	\$500.00	0%
Weekly Rate - Any Single Hirer		
Discount applied to Daily rate x 5 or 7 days	10% discount	10%

Additional Charges (all hirings)

Cleaning & Rubbish removal -

Cost 10%

NB: The cost for cleaning & rubbish removal will be deducted from the bond. An invoice will be raised for amounts in excess of the bond paid.

Hire of Council venues for School & Community Service Organisations from within WSC

Registered Schools (including pre-schools, kindergartens and School P&C if they are raising money for registered school) operating within the Wentworth Shire are granted automatic fee waivers for the hire of any Council venue (hall, meeting room).

Any preparation costs (such as line marking of ovals) will be charged at standard cost. Bookings must still be made.

Hire Type - Park, Oval and Reserve with access to any amenities

Including; Carramar Drive Sporting Complex, George Gordon Sporting Complex, Pooncarie Multi-Purpose, Golf Course & Public Reserve, McLeod Oval, Junction Park, Strother Park, Wentworth Rowing Club & Wharf Lawns, Fotherby Park, Sturt Park, James King Park, Perry Sandhills, Tapio Park, Buronga Wetlands, Coomealla Pioneer & Lions Parks, Dareton Boat Ramp Rotunda & Town Square, O'Donnell Park, Pooncarie Sporting Complex, Two Rivers Ski

Community Use Community (not for profit) Half Day Hire - hire cost is for each designated area per 0-4 hour period. Community (not for profit) Day Hire more than 4 hours - hire cost is for each designated area per each 24 hour period. Community (not for profit) Day Hire more than 4 hours - hire cost is for each designated area per each 24 hour period. Bond - Community Group. Sinon Day Hire area discount Sinon Day Hire more than 4 hours - hire cost is for each designated area per each 24 hour period Day Hire more than 4 hours - hire cost is for each designated area per each 24 hour period. Bond - Small civil ceremonies, no items to be erected and no catering. Multi-area discount Commercial Events, Circus or other performances NB - Includes any event for which there will be an entrance fee or ticket sold, or any Trade Shows, Fairs, Field Days or other event at which goods will be sold. 4 hours or less - hire cost is for each designated area per each 24 hour period. Commercial Events, Circus or other performances NB - Includes any event for which there will be an entrance fee or ticket sold, or any Trade Shows, Fairs, Field Days or other event at which goods will be sold. 4 hours or less - \$48.00 10% 10% 10% 10% 10% 10% 10% 10% 10% 1	Recreation Reserve, Curlwaa Oval.	Fee (Inc. GST)	GST
- hire cost is for each designated area per 0-4 hour period. Community (not for profit) Day Hire more than 4 hours - hire cost is for each designated area per each 24 hour period. Bond - Community Group. \$100.00 0% Multi area discount 25% 10% Business or Private Function per 24 hour period NB - Includes reunions or other private gatherings or business/trade related functions where no entry fees are charged. 4 hours or less \$149.00 10% - hire cost is for each designated area per 0-4 hour period Day Hire more than 4 hours \$298.00 10% - hore cost is for each designated area per each 24 hour period. Bond - Business or Private Hire. \$500.00 0% Bond - Small civil ceremonies, no items to be erected and no catering. Multi-area discount 25% 10% Commercial Events, Circus or other performances NB - Includes any event for which there will be an entrance fee or ticket sold, or any Trade Shows, Fairs, Field Days or other event at which goods will be sold. 4 hours or less \$248.00 10% - hire cost is for each designated area 0-4 hour period Day Hire more than 4 hours \$492.00 10% - hire cost is for each designated area per each 24 hour period	Community Use		
- hire cost is for each designated area per each 24 hour period. Bond - Community Group. \$100.00 0% Multi area discount 25% 10% Business or Private Function per 24 hour period NB - Includes reunions or other private gatherings or business/trade related functions where no entry fees are charged. 4 hours or less \$149.00 10% - hire cost is for each designated area per 0-4 hour period Day Hire more than 4 hours \$298.00 10% - hire cost is for each designated area per each 24 hour period. Bond - Business or Private Hire. \$500.00 0% Bond - Small civil ceremonies, no items to be erected and on catering. Multi-area discount 25% 10% Commercial Events, Circus or other performances NB - Includes any event for which there will be an entrance fee or ticket sold, or any Trade Shows, Fairs, Field Days or other event at which goods will be sold. 4 hours or less \$248.00 10% - hire cost is for each designated area 0-4 hour period Day Hire more than 4 hours \$492.00 10% - hire cost is for each designated area per each 24 hour period		\$59.00	10%
Multi area discount Business or Private Function per 24 hour period NB - Includes reunions or other private gatherings or business/trade related functions where no entry fees are charged. 4 hours or less - hire cost is for each designated area per 0-4 hour period Day Hire more than 4 hours - hire cost is for each designated area per each 24 hour period. Bond - Business or Private Hire. \$500.00 0% Bond - Small civil ceremonies, no items to be erected and no catering. Multi-area discount Commercial Events, Circus or other performances NB - Includes any event for which there will be an entrance fee or ticket sold, or any Trade Shows, Fairs, Field Days or other event at which goods will be sold. 4 hours or less - hire cost is for each designated area 0-4 hour period Day Hire more than 4 hours - hire cost is for each designated area per each 24 hour period	– hire cost is for each designated area per each 24 hour	\$129.00	10%
Business or Private Function per 24 hour period NB - Includes reunions or other private gatherings or business/trade related functions where no entry fees are charged. 4 hours or less	Bond - Community Group.	\$100.00	0%
NB - Includes reunions or other private gatherings or business/trade related functions where no entry fees are charged. 4 hours or less \$149.00 10% - hire cost is for each designated area per 0-4 hour period Day Hire more than 4 hours \$298.00 10% - hire cost is for each designated area per each 24 hour period. Bond - Business or Private Hire. \$500.00 0% Bond - Small civil ceremonies, no items to be erected and no catering. Multi-area discount \$25% 10% Commercial Events, Circus or other performances NB - Includes any event for which there will be an entrance fee or ticket sold, or any Trade Shows, Fairs, Field Days or other event at which goods will be sold. 4 hours or less \$248.00 10% - hire cost is for each designated area 0-4 hour period	Multi area discount	25%	10%
- hire cost is for each designated area per 0-4 hour period Day Hire more than 4 hours \$298.00 10% - hire cost is for each designated area per each 24 hour period. Bond - Business or Private Hire. \$500.00 0% Bond - Small civil ceremonies, no items to be erected and no catering. Multi-area discount 25% 10% Commercial Events, Circus or other performances NB - Includes any event for which there will be an entrance fee or ticket sold, or any Trade Shows, Fairs, Field Days or other event at which goods will be sold. 4 hours or less \$248.00 10% - hire cost is for each designated area 0-4 hour period Day Hire more than 4 hours \$492.00 10% - hire cost is for each designated area per each 24 hour period	NB - Includes reunions or other private gatherings or business/trade rel	ated functions whe	re no
 hire cost is for each designated area per each 24 hour period. Bond – Business or Private Hire. \$500.00 0% Bond - Small civil ceremonies, no items to be erected and no catering. Multi-area discount 25% 10% Commercial Events, Circus or other performances NB - Includes any event for which there will be an entrance fee or ticket sold, or any Trade Shows, Fairs, Field Days or other event at which goods will be sold. 4 hours or less		\$149.00	10%
Bond - Small civil ceremonies, no items to be erected and no catering. Multi-area discount Commercial Events, Circus or other performances NB - Includes any event for which there will be an entrance fee or ticket sold, or any Trade Shows, Fairs, Field Days or other event at which goods will be sold. 4 hours or less - hire cost is for each designated area 0-4 hour period Day Hire more than 4 hours - hire cost is for each designated area per each 24 hour period	– hire cost is for each designated area per each 24 hour	\$298.00	10%
Multi-area discount 25% 10% Commercial Events, Circus or other performances NB - Includes any event for which there will be an entrance fee or ticket sold, or any Trade Shows, Fairs, Field Days or other event at which goods will be sold. 4 hours or less \$248.00 10% - hire cost is for each designated area 0-4 hour period Day Hire more than 4 hours \$492.00 10% - hire cost is for each designated area per each 24 hour period	Bond – Business or Private Hire.	\$500.00	0%
Commercial Events, Circus or other performances NB - Includes any event for which there will be an entrance fee or ticket sold, or any Trade Shows, Fairs, Field Days or other event at which goods will be sold. 4 hours or less \$248.00 10% - hire cost is for each designated area 0-4 hour period Day Hire more than 4 hours \$492.00 10% - hire cost is for each designated area per each 24 hour period		\$100.00	0%
NB - Includes any event for which there will be an entrance fee or ticket sold, or any Trade Shows, Fairs, Field Days or other event at which goods will be sold. 4 hours or less \$248.00 10% - hire cost is for each designated area 0-4 hour period Day Hire more than 4 hours \$492.00 10% - hire cost is for each designated area per each 24 hour period	Multi-area discount	25%	10%
 hire cost is for each designated area 0-4 hour period Day Hire more than 4 hours hire cost is for each designated area per each 24 hour period 	NB - Includes any event for which there will be an entrance fee or ticket	t sold, or any Trade	
– hire cost is for each designated area per each 24 hour period		\$248.00	10%
Bond Commercial Events, Circus or Other Performance \$1,000.00 0%	– hire cost is for each designated area per each 24 hour	\$492.00	10%
	Bond Commercial Events, Circus or Other Performance	\$1,000.00	0%

Weekly Rate - Any Single Hirer		
Discount applied to Daily rate x 5 or 7 days	10% discount	10%
Multi-area discount	25%	10%
Cleaning & Rubbish removal (all hirings) NB - The cost for cleaning & rubbish removal will be deducted from the bond. An invoice will be raised for amounts in excess of the bond paid.	Cost	10%

Hire Type – Primitive Camping on any reserve (per 24 hour period)

NB: Camping is only permissible in conjunction with an event being staged at the site Fee (Inc. GST) **GST** Unpowered Site – per person x 2 people \$29.00 10% Extra Child \$7.00 10% Extra Adult \$13.00 10% \$43.00 10% Family \$42.00 Powered Site – per person x 2 people 10% Extra Child \$7.00 10% Extra Adult \$13.00 10%

Hire of Council venues for School & Community Service Organisations from within WSC

Registered Schools (including pre-schools, kindergartens and School P&C if they are raising money for Registered School) operating within the Wentworth Shire are granted automatic fee waivers for the hire of any Council venue (hall, meeting room). Any preparation costs (such as line marking of ovals) will be charged at standard cost. Bookings must still be made.

For Community/Private Use the above charge will only apply in the following instances:

- There are expected to be more than 50 people to attend.
- The use of the facility includes the use of inflatable/amusement devices etc.
- The use of the facility requires the use of onsite power or the supply of bins.
- The use of the facility requires road closures.

Cancellation or no show

Greater than 90 days prior to event

Full refund less deposit paid

50% refund

Less than 90 days prior to event Less than 1 week prior or no show

Full forfeiture

Fully refundable

Bond

Family

\$56.00

10%

N.B: No Primitive camping fees will be charged where a licensed User of the Reserve is holding an event.

Wentworth Showgrounds Hire

The following areas are available for hire:

- Horse Yards & Stalls
- Festival Parade
- Arena
- Dog Show Parkland

Camping is not permitted at the showgrounds unless it is in conjunction with an event.

Hire Type

Casual Hire of Showgrounds	Unit of Measure	Fee (Inc. GST)	GST
Hire of Designated Areas and amenities. Hire cost is for each designated area per each 24 hour period.		\$197.00	10%
Bond		\$500.00	0%
Cleaning & Rubbish removal (all hirings) Note: The cost for cleaning & rubbish removal will be deducted from the bond. An invoice will be raised for amounts in excess of the bond paid.		Cost	10%

Camping (per 24 hour period)

NB: Camping is only permissible in conjunction with an event being staged at

the site	Unit of Measure	Fee (Inc. GST)	GST
Unpowered Site		\$29.00	10%
Extra Child		\$7.00	10%
Extra Adult		\$13.00	10%
Powered Site		\$42.00	10%
Extra Child		\$7.00	10%
Extra Site		\$14.00	10%
A 11 1: C :11 1	1		

A cancellation fee will be charged as follows:

Cancellation or no show

• Greater than 90 days prior to event

Less than 90 days prior to event

Less than 1 week prior or no show Bond

Full refund less deposit paid 50% refund

Full forfeiture Fully refundable

Reserve Annual Use Fees			
and Charges	Unit of Measure	Fee (Inc. GST)	GST
Reserve Lease Application/Administration (Commercial Lease) Note: If legal advice is required, this is cha		\$298.00	10%
Reserve Licence Application/Administration (Commercial Licence) Note: If legal advice is required, this is cha		\$298.00	10%
Annual Licence to occupy the reserve Photography & Film Production		\$284.00	10%
Local Markets Stallholders and Food Vendors	Unit of Measure	Fee (Inc. GST)	GST
Stallholders – Public Liability Provided by Stallholder		·	
Single Site	Per Site	\$17.00	10%
Double Site	Per Site	\$22.00	10%
Stallholders – Public Liability Provided by Council			
Single Site	Per Site	\$22.00	10%
Double Site	Per Site	\$27.00	10%
Food Vendors			
Refundable Deposit	Per Event	\$100.00	0%
Sundry Fees and Charges	Unit of Measure	Fee (Inc. GST)	GST
Event Management Fee - for groups without public liability insurance	Per hire	\$59.00	10%
Power - access and any use within 24 hour period from time of access	Per day per unit accessed	\$38.00	10%
Key Replacement - lost key or not returned	Per key	\$38.00	10%
Event Advertising - relates to any road closure, fireworks display, or other event with the potential to cause disruption to traffic, noise or other public disturbance	Per event	\$298.00	10%
Hire of Pooncarie Depot Quarters	Per person, per	\$90.00	10%

night

Swimming Pools	Unit of Measure	Fee (Inc. GST)	GST
Admission Charges			
Children		\$5.00	10%
Adults		\$6.00	10%
Non-swimming adults		\$5.00	10%
Swimming Carnivals			
Admission charges for swimming carnive between Belgravia Leisure and group re		os are by arrangement	
Season Tickets			
Family		\$130.00	10%
Adults		\$87.00	10%
Children		\$65.00	10%
Aerodrome	Unit of Measure	Fee (Inc. GST)	GST
Airport Landing Charge (ALC)	Per tonne	\$19.00	10%
Aircraft Parking Charge (APC) – short term	Per day or part day	\$14.00	10%
Aircraft Parking Charge (APC) – long term	Per month	\$268.00	10%
Aircraft Parking Charge (APC) – Non Lease/Apron/Tie Down Areas	Per day or par day	\$6.00	10%
Training Aerodrome Circuits (TAC) – Day Rate	Per hour	\$44.00	10%
Training Aerodrome Circuits (TAC) – Night Rate	Per hour	\$66.00	10%
Airside Supervision Charge (ASC) – Business Hours	Per ARO	\$134.00	10%
Airside Supervision Charge (ASC) – After Hours	Per ARO	\$194.00	10%
Airside Environmental Charge (AEC) – Minimum Charge		\$257.00	10%
Aircraft Hanger Charge (AHC) – New	Per year	On application	10%
Aircraft Hanger Charge (AHC) – Kevin J Thomas Hanger	Per year	\$1,776.00	10%
Call Out Fee (COF) – minimum 2 hour charge	Per hour	\$134.00	10%
Vehicle Parking Charge (VPC)	Per day or part day	\$3.00	10%

Midway Community Centre

Midway Centre

Hire Fees	Unit of Measure	Fee (Inc. GST)	GST
Midway Function Centre & meeting rooms			
Stadium (includes stage area)	per hour	\$161.00	10%
Function Room and shared foyer	per hour	\$134.00	10%
Service kitchen (includes crockery, cutlery & glassware for 250 persons)	per use	\$202.00	10%
Meeting Room 1 with shared foyer and shared kitchenette	per hour	\$53.00	10%
Meeting Room 2 with shared foyer and shared kitchenette	per hour	\$53.00	10%
Foyer / Gallery Space (as a stand-alone space)	per hour	\$42.00	10%
Midway Serviced Offices			
Health Services Room with shared foyer & shared kitchenette	per hour	\$53.00	10%
Office 1 or 2 with shared foyer & shared kitchenette	per hour	\$42.00	10%
Service Centre Facilities			
NB these facilities are only available during	centre opening hours		
Service Centre Officer 1 or 2	per hour	\$53.00	10%
Craft Room	per hour	\$53.00	10%
Bond and cleaning charges	On room hire	25%	
Bond - groups of 30 people or more	no discount	\$750.00	0%
Bond - Not for Profit Groups/groups of less than 30 people	no discount	\$200.00	0%
One-off Cleaning Charge (if required). Minimum charge \$200.00 deducted from the bond. An invoice will be raised for amounts in excess of the bond paid.	per clean	Min. \$200.00	10%

Hire Packages & discounts	Unit of Measure	Fee (Inc. GST)	GST
Daily Rate			
Stadium, Function Room, Service kitchen, Meeting Rooms 1 & 2 and Foyer/Gallery Space.	24 hours	\$5,026.00	10%
Stadium, Function Room, Service kitchen and Foyer/Gallery Space.	24 hours	\$3,741.00	10%
Stadium	24 hours	\$1,930.00	10%
Function Room, Service kitchen and shared foyer/gallery space	24 hours	\$1,809.00	10%
Multi-day Discount			
Hire package for 2 full consecutive days. For events booked before 30 June 2024 to be held before 30 June 2025.	discount applied to daily rate	15%	10%
Hire package for 3 full consecutive days. For events booked before 30 June 2024 to be held before 30 June 2025.	discount applied to daily rate	20%	10%
Not for Profit Groups (Refer definitions) – 75% Discount for Not for Profit Community Groups based in WSC. 50% Discount for all other Not for Profit Groups. NB cannot be used in conjunction with any other discounts.	maximum discount	25%	10%
Regular User Discount (12 month user agreement as negotiated by Council)	from standard hourly rate	75%	10%
Equipment & labour hire	Unit of Measure	Fee (Inc. GST)	GST
Teleconference equipment	Each use	\$47.00	10%
Video Conferencing in Meeting Room 1 & 2. Data Projector & Audio System with wireless microphone in Function Room	Each use	\$26.00	10%
Urn (20 litre capacity)	Each Use	\$16.00	10%
	per person/per	\$42.00	10%
Labour hire (assistance with set up and pull down) – if required	hour		
	hour per hour	\$202.00	10%
pull down) – if required Event facilitation and coordination (if		\$202.00 \$202.00	10%

Midway Centre Hire Fees - Additional Notes

Midway Centre Stadium

- Stadium court with permanent line marking for basketball and netball
- Stage area, with maximum seating capacity of 700
- Full sound system

Function Room

- Carpet floor
- Audio Visual Equipment
- Tables & Chairs included in hire charge
- Maximum seating capacity of 250

Function Room Kitchen

 Service Kitchen with crockery & cutlery for 250 people

Meeting Rooms

- Carpet Floor
- Tables & Chairs included in hire charge
- Maximum seating capacity (each room) 40

Kitchenette (shared)

- Service or bar kitchen
- Limited quantity of crockery & cutlery

Offices

- Office with desk/ meeting table and 4 chairs
- Access to shared kitchen facilities

Not for profit discount

The discount can only be applied to Registered Not for Profit Organisations, Government and Semi-Government users, State and Federal Members of Parliament. The discount cannot be added to any other discounts.

Regular User discount

The discount can only be applied to users who have entered into a 12 month signed agreement approved by Council.

Additional cleaning charge

Failure to leave the venue clean and tidy, with floors mopped and or vacuumed, toilets cleaned, benches wiped and bins emptied will result in an additional cleaning charge being applied.

Bookings and cancellations

- A 20% non-refundable deposit must accompany all bookings, including bookings for community groups who are making application through Council for fee reductions or waivers.
- Unless otherwise agreed, an invoice will be raised and must be paid in full within 30 days. Any fee waiver or reduction granted by Council after payment of the invoice will be refunded to the hirer.
- Payment of the bond must be made before access permissions are issued for the facility.

A cancellation fee will be charged as follows:

Cancellation or no show	Amount
Greater than 90 days prior to the event	Full refund less deposit paid
Less than 90 days prior to the event	50% refund
Less than 1 week prior to the event or no show	Full forfeiture
Bond	Fully refundable

Wentworth Visitor Centre Conference Room

Business & Commercial Use	Unit of Measure	Fee (Inc. GST)	GST
Private/Government - Per hour	Per use	\$500.00	10%
Private/Government - Per day	Per use	\$1,500.00	10%
Bond		\$750.000	0%

Community Use	Unit of Measure	Fee (Inc. GST)	GST
Community – Per hour	Per use	\$250.00	10%
Community – Per day	Per use	\$750.00	10%
Bond		\$350.00	0%

One-off Cleaning Charge (if required). Minimum charge \$200.00 deducted from the bond. An invoice will be raised for amounts in excess of the bond paid.

Hire Packages & discounts

For events booked before 30 June 2026 to be held before 30 June 2027.

Multi-day discount – Hire package for 5 full consecutive days

Discount GST

Per use
25% 10%

Wentworth Visitor Centre Conference Room Hire Fees - Additional Notes

Conference Room

- Large area overlooking the Darling River
- Carpet floor
- Full sound system / Audio Visual Equipment
- Tables & Chairs included in hire charge
- Maximum seating capacity of 150

Audiorium Service Kitchen

 Service Kitchen with crockery & cutlery for 150 people

Additional cleaning charge

Failure to leave the venue clean and tidy, with floors mopped and or vacuumed, toilets cleaned, benches wiped and bins emptied will result in an additional cleaning charge being applied.

Bookings and cancellations

- A 20% non-refundable deposit must accompany all bookings, including bookings for community groups who are making application through Council for fee reductions or waivers.
- Unless otherwise agreed, an invoice will be raised and must be paid in full within 30 days. Any fee waiver or reduction granted by Council after payment of the invoice will be refunded to the hirer.
- Payment of the bond must be made before access permissions are issued for the facility.

A cancellation fee will be charged as follows:

Cancellation or no show	Amount
Greater than 90 days prior to the event	Full refund less deposit paid
Less than 90 days prior to the event	50% refund
Less than 1 week prior to the event or no show	Full forfeiture
Bond	Fully refundable

Water & Waste Water

Filtered and unfiltered water supply	Fee (Inc. GST)	GST
Tapping Fees		
20mm	\$557.00	0%
25mm	\$696.00	0%
32mm	\$890.00	0%
40mm	\$1,070.00	0%
50mm	\$1,338.00	0%
80mm	\$2,140.00	0%
100mm	\$2,674.00	0%
150mm	\$4,012.00	0%
Meter Charges - Filtered		
20mm	\$372.00	0%
25mm	\$464.00	0%
32mm	\$594.00	0%
40mm	\$712.00	0%
50mm	\$890.00	0%
80mm	\$1,426.00	0%
100mm	\$1,782.00	0%
150mm	\$2,672.00	0%
Meter Charges - Unfiltered		
20mm	\$397.00	0%
25mm	\$497.00	0%
32mm	\$635.00	0%
40mm	\$762.00	0%
50mm	\$952.00	0%
80mm	\$1,524.00	0%
100mm	\$1,905.00	0%
150mm	\$2,858.00	0%

Wentworth Shire Council | Operational Plan 2025/2026: Part Three - Annual Fees & Charges

Misc. Water and Sewer Charges	Fee (Inc. GST)	GST
Standpipe fee	\$3,750.00	0%
Flow control valve - for unfiltered water to subdivisions - East of Gol Gol creek and at Wentworth Aerodrome	\$74.00	0%
Cut in new sewer junction (supervision fee only - applicant to supply all fittings)	\$234.00	0%
Notes: • Meter Charge is from the meter to inside of building/property • Meter Charge includes inspection fee • Unfiltered water includes "Y" strainer		

Appendix A - Bodies Granted Exemptions

The following list represents the known value of pre-approved Financial Assistance that have been granted to Organisations for the 2025/2026 financial year

Organisation	Purpose	Qty	\$ Waived
Australian Inland Botanic Gardens	Contribution to operational costs	1	\$53,940.00
Buronga Go Gol Senior Citizens Club	Contribution towards photocopying done at the Buronga Library	1	\$195.00
Buronga Gol Gol Senior Citizens Club	Regular hiring of Midway Meeting Rooms, Kitchen and Foyer @ 3 hours per week	N/a	\$4,992.00
Coomealla Senior Citizens Club	Regular hiring of Dareton Senior Citizens Rooms (bond waived)	N/a	\$12,318.00
Coomealla Senior Citizens Club	Refund of public liability insurance premium up to maximum of \$702.00	1	\$702.00
Dareton Community Action Team	Waiver of Annual Licence Fee for meetings at Dareton Senior Citizens Rooms	1	\$298.00
Dareton Community Creative Centre Inc.	Waiver of hire costs for the use of the Dareton Activity Centre	1	\$4,887.00
Gol Gol Hawks Football Netball Club	Use of James King Park for annual Easter fundraising activities	1	\$469.00
Gol Gol Primary School	Hiring of wheelie bins for annual country fair	10	\$560.00
Koori Kids	Donation	1	\$250.00
Murray House Aged Care	Subsidy against annual water rates	1	\$5,000.00
Rotary Wentworth Op Shop	Exclusive use of Council controlled building	N/a	\$13,229.00
St John's Anglican Ladies Guild	2 Annual Hire Fees for War Memorial Rooms	2	\$106.00
Wentworth District R.S.L Sub Branch	Hiring of Wentworth Wharf Lawns (bond waived) for annual ANZAC day lunch	1	\$123.00

Wentworth Shire Council | Operational Plan 2025/2026: Part Three - Annual Fees & Charges

Wentworth District R.S.L Sub Branch	Hiring of wheelie bins for annual ANZAC day lunch	4	\$112.00
Wentworth District R.S.L Sub Branch Women's Auxiliary	Annual licence fee for meetings held in Memorial Rooms	1	\$284.00
Wentworth Regional Community Project Association.	Hire of Rubbish Bins for Christmas Eve Street Party	8	\$216.00
Wentworth Senior Citizens Club	Regular hiring of Wentworth Memorial Rooms (bond waived) 12 uses @ \$117 per day and 24 uses @ \$53 (1/2 day)	N/a	\$2,820.00
Wentworth Senior Citizens Club	Refund of public liability insurance premium up to maximum of \$1,124	1	\$1,124.00
Wentworth Shire Interagency Group	Hire of Room at Midway	10	\$265.00
Total amount of funds granted f Grants Program	from Donations, Contributions and		\$103,010.00

Notes:

- (1) Registered Schools (including pre-schools, kindergartens and School P&C raising money for registered School) operating within the Wentworth Shire are granted automatic fee waivers for the hire of any Council venue (hall, meeting room). Any preparation costs (such as line marking of ovals) will be charged at standard cost. Bookings must still be made.
- (2) Public Schools operating within the Wentworth Shire end of year presentation day, up to a maximum of \$300.00 per school

Appendix B – Section 68 Local Government Act Approvals Not Otherwise Listed Health & Planning Division

Public Roads

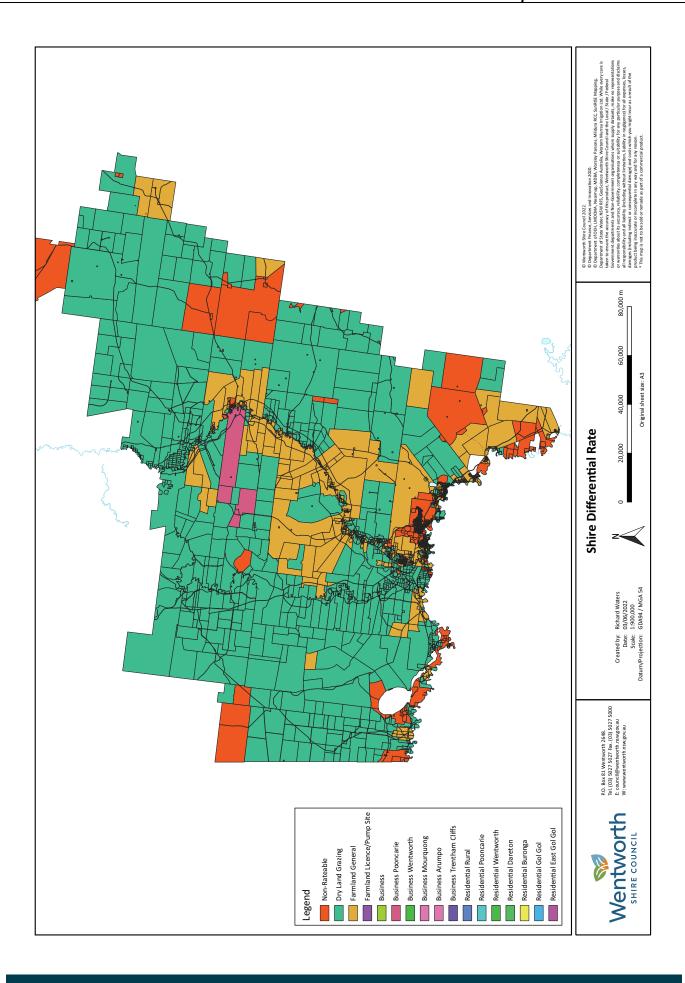
- 1. Swing or hoist goods across or over any part of a public road by means of a lift, hoist or tackle projecting over the footway.
- 2. Expose or allow to be exposed (whether for sale or otherwise) any article in or on or so as to overhang any part of the road or outside a shop window or doorway abutting the road, or hang an article beneath an awning over the road.

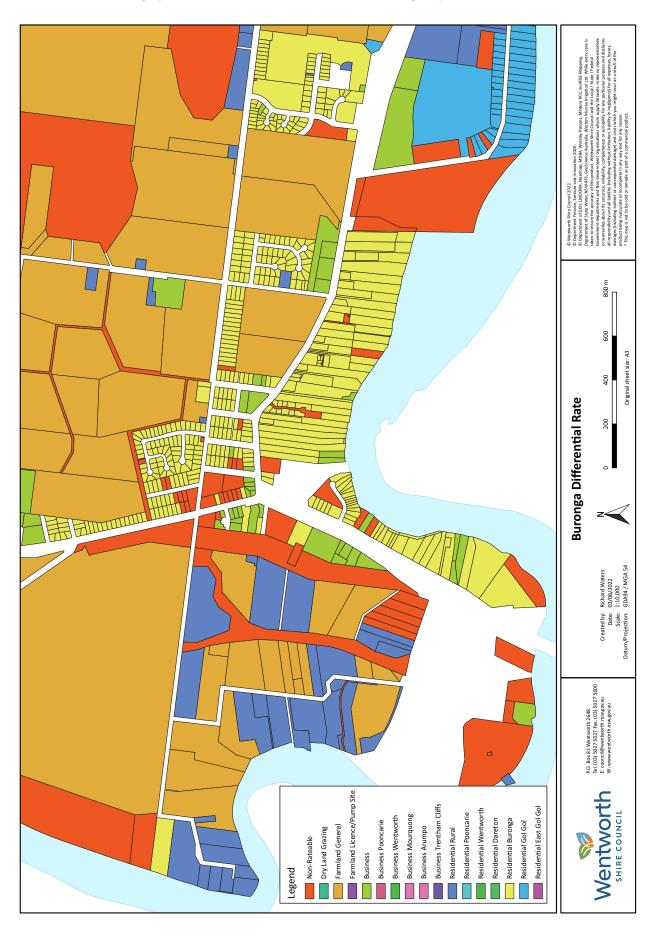
Other Activities

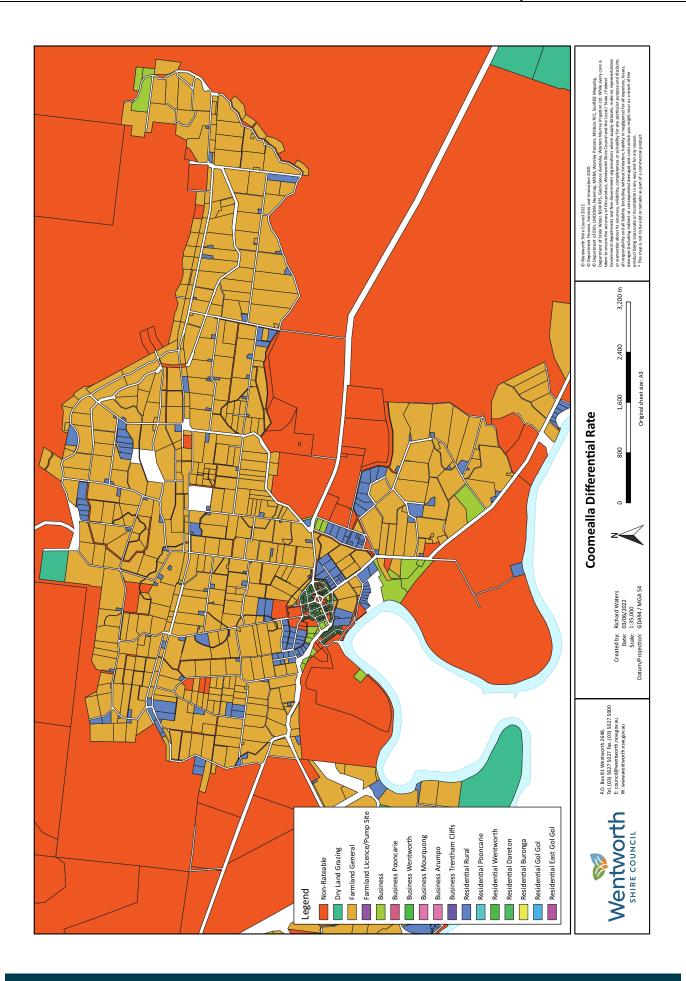
- 1. Operate a public car park.
- 2. Operate a manufactured home estate.
- 3. Install a domestic oil or solid fuel heating appliance, other than a portable appliance.
- 4. Install or operate amusement devices.
- 5. Use a standing vehicle or any article for the purpose of selling any article in a public place.
- 6. Carry out an activity prescribed by the regulations or an activity of a class or description prescribed by the regulations.

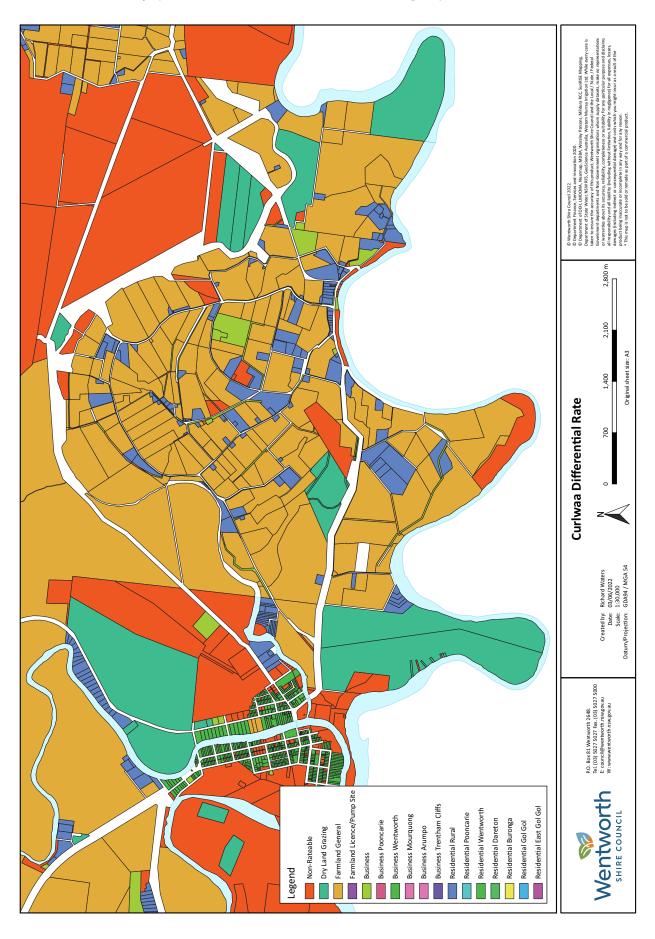


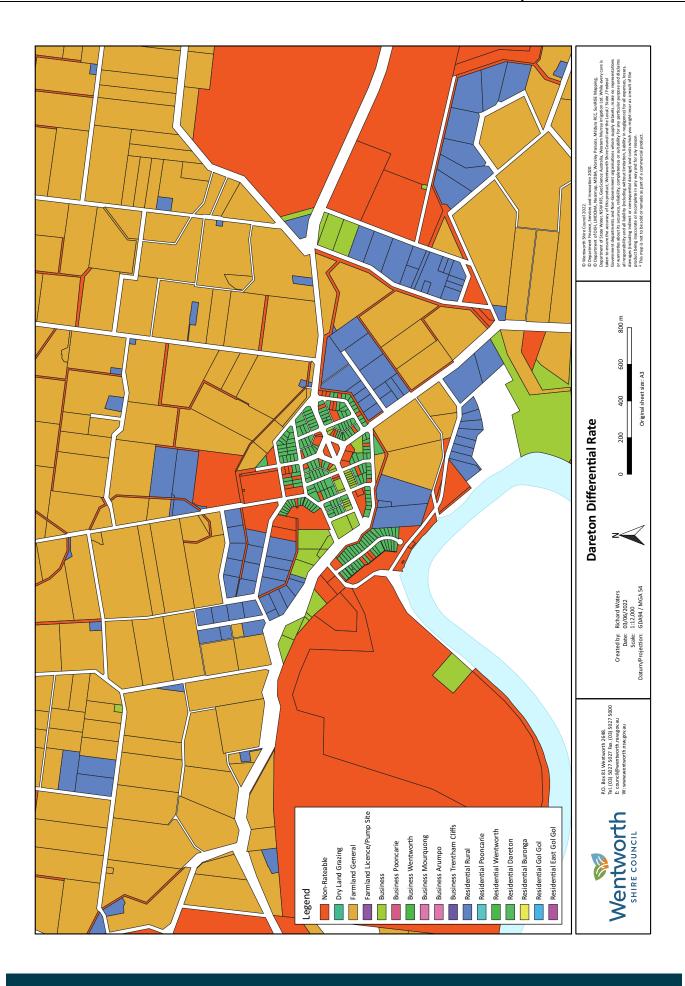
Shire Differential Rate	93
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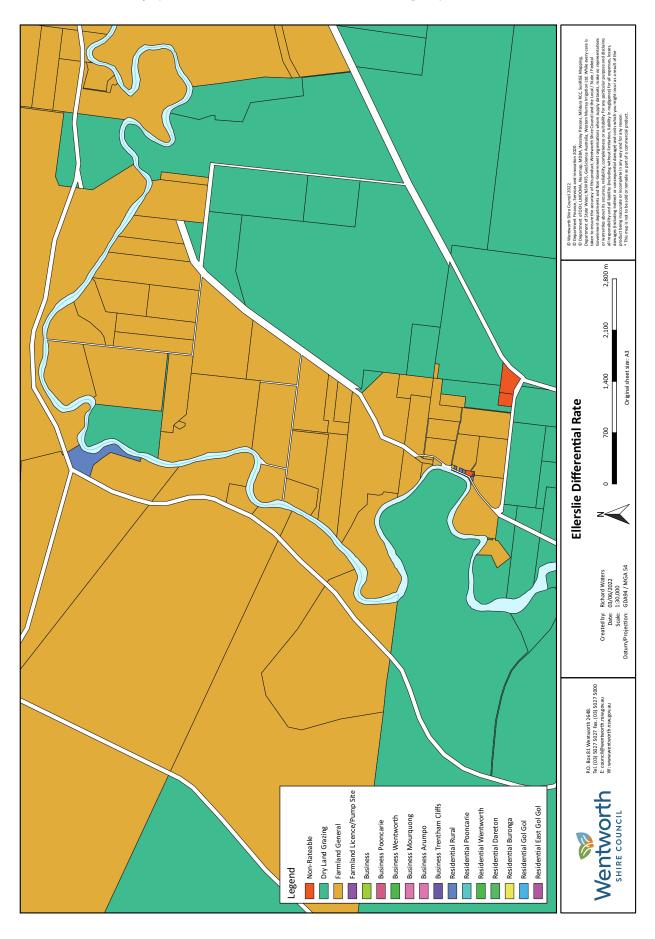


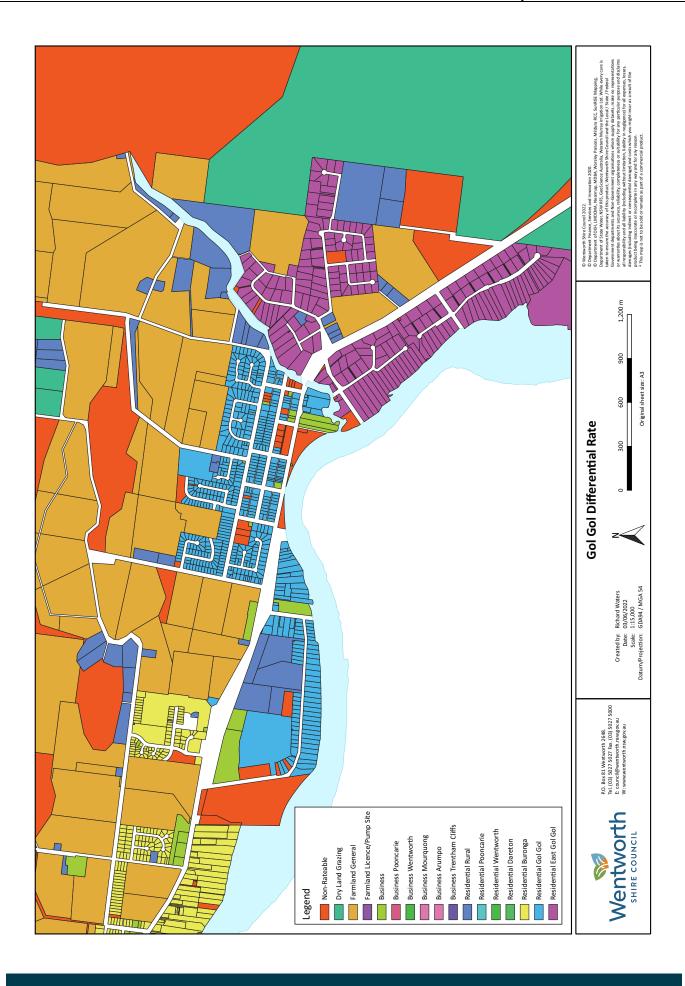


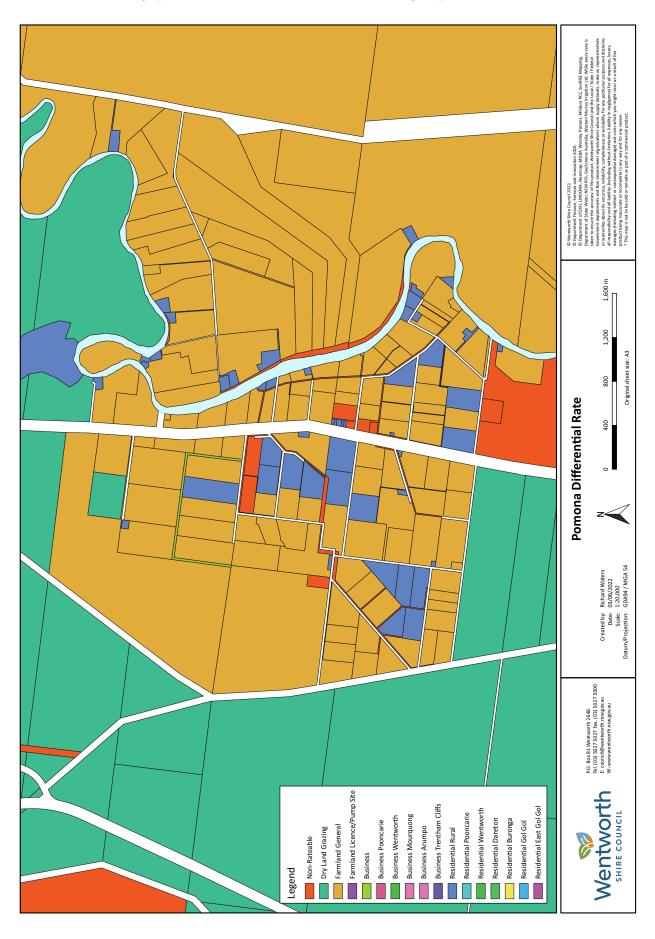


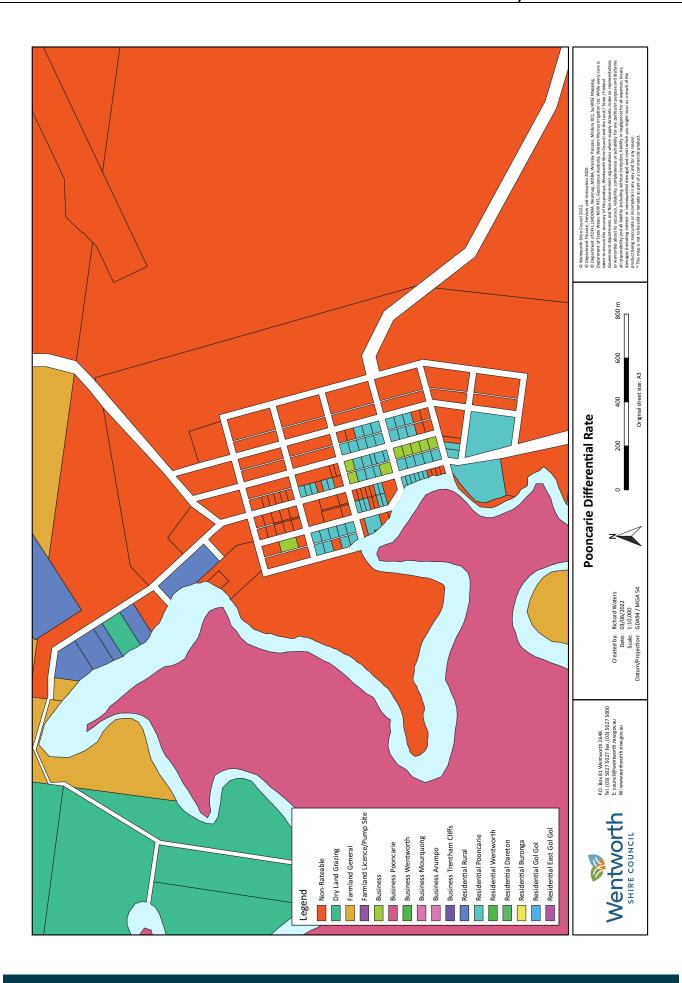


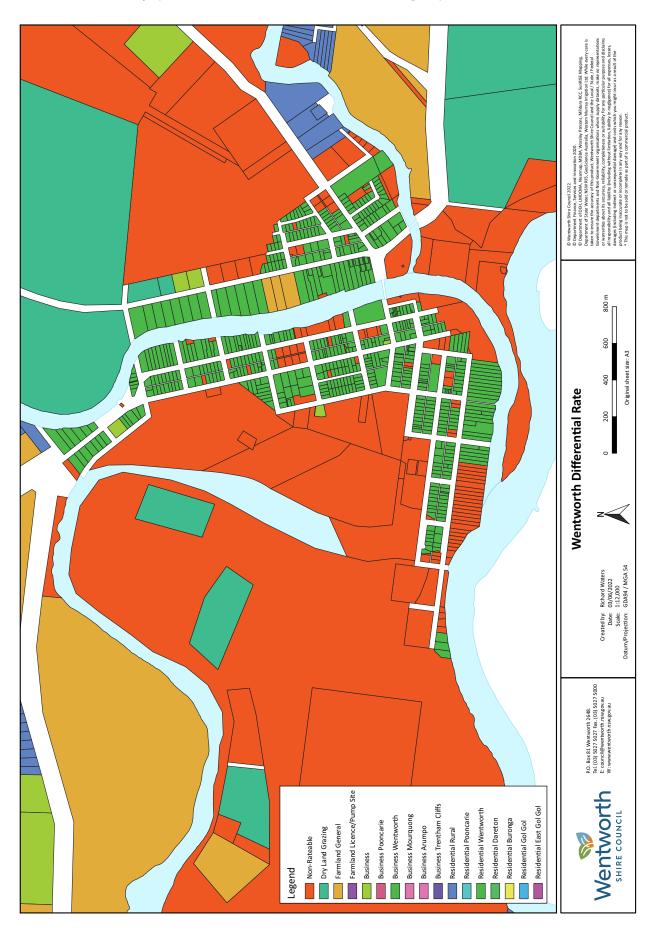


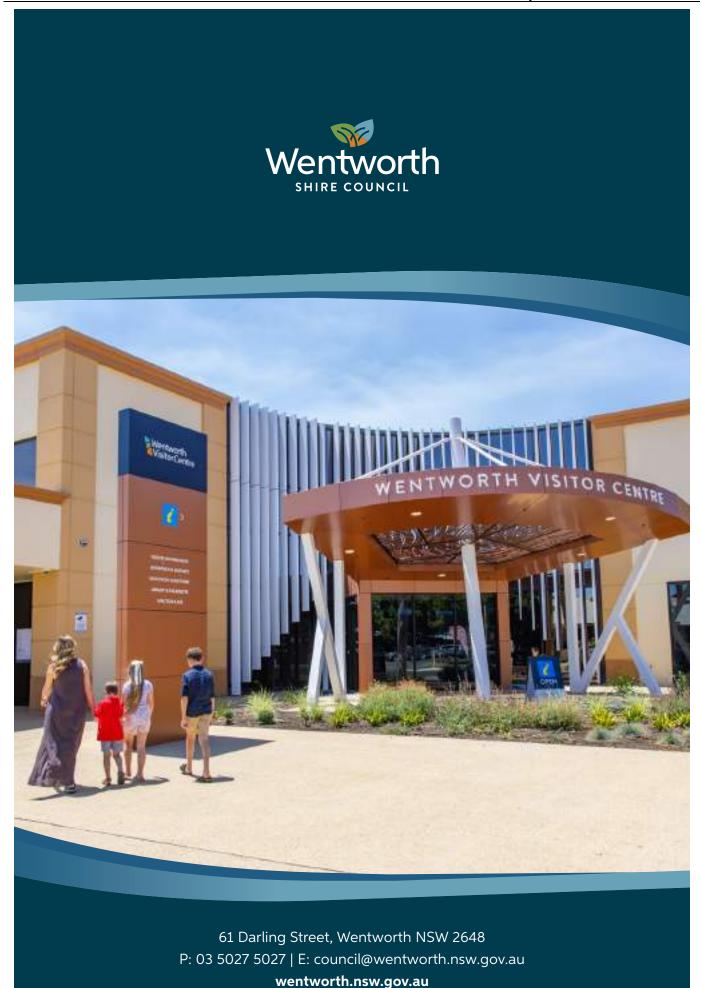














Disability Inclusion Action Plan

2022-2026



INTERPRETER SERVICES





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ਮਹੱਤਵਪੂਰਨ | ਅੰਗਰੇਜ਼ੀ

ਜੇਕਰ ਤੁਹਾਨੂੰ ਇਸ ਦਸਤਾਵੇਜ਼ ਨੂੰ ਪੜ੍ਹਨ ਅਤੇ ਸਮਝਣ ਵੀੱਚ ਸਹਾਇਤਾ ਦੀ ਲੋੜ ਹੈ, ਤਾਂ ਵੈਨਟਵਰਥ ਸ਼ਾਇਰ ਕਾਉਸਲਿ ਦੇ ਗਾਹਕ ਸੇਵਾ ਸਟਾਫ ਇੱਕ ਮੁਫ਼ਤ ਵਿਆਖਿਆ ਸੇਵਾ ਦੇ ਪ੍ਰਬੰਧ ਵੀੱਚ ਸਹਾਇਤਾ ਕਰਨ ਲਈ ਖੁਸ਼ ਹਨ। ਦੁਭਾਸ਼ੀਏ ਦਾ ਇੰਤਜ਼ਾਮ ਕਰਨ ਲਈ, ਕਰਿਪਾ ਕਰਕੇ 03 5027 5027 'ਤੇ ਕਾਉਸਲਿ ਨਾਲ ਸੰਪਰਕ ਕਰੋ, ਜਾਂ ਹੇਠਾਂ ਸੁਚੀਬੱਧ ਕਸਿੇ ਕਾਉਸਲਿ ਦਫ਼ਤਰ 'ਤੇ ਜਾਓ।



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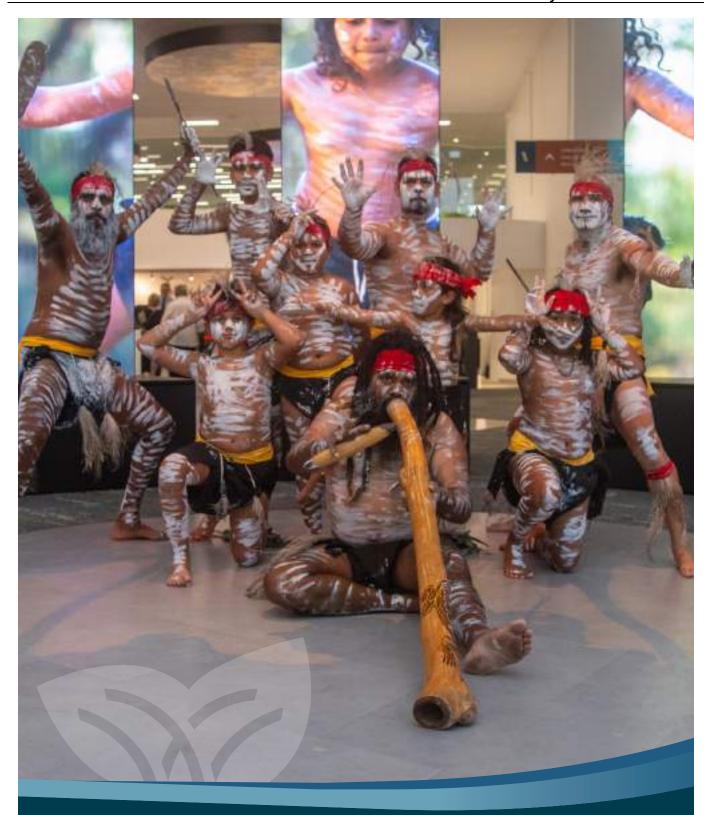




Midway Community Centre



Wentworth Visitor Centre (Main Administration Office)



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



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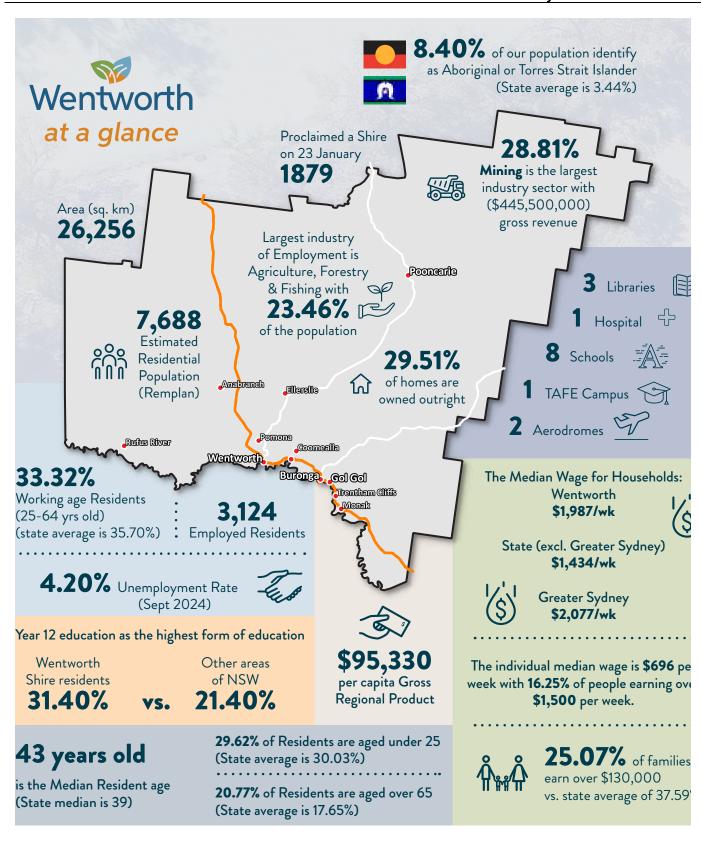
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662km of sealed road

1,360km of unsealed road

Background

I am pleased to present Wentworth Shire Council's Disability Inclusion Action Plan review for 2025.

Council remains committed to providing outstanding services to all members of our community, and I am confident that our Disability Inclusion Action Plan allows us to continue to deliver on this commitment. We understand that the basis of a strong community stems from diversity and when a range of viewpoints and individual perspectives are considered and valued.

Council has an important role to play in supporting and promoting access and inclusion and is committed to ensuring that inclusion is considered in all Council business. This includes how Council develops the built environment, provides information and services, supports employment and recruitment opportunities with Council and businesses in our community, and promotes positive attitudes and behaviour toward people with disability across the Shire.

Our Disability Inclusion Plan review builds on the work we undertook at the implementation of our 2022-2026 Plan, with initiatives continuing to provide greater access to Council services, facilities and events.

We completed several infrastructure projects to deliver positive social, environmental and recreational outcomes promoting community participation, inclusion and cohesion. This has included the opening of the re-built Junction Island Bridge and footpath with a replaced widened foot bridge, improving accessibility to the island, upgrading of walking tracks and bituminised footpath around the bridge precinct.

We have constructed new shared pathways across the Shire with ongoing upgrades of others creating safe, convenient and accessible pedestrian networks, together with consultation to improve the safety or playgrounds with new surfaces following the floods.

We continue to introduce accessible and inclusive initiatives and events in our libraries, build on accessibility on our website, and support local groups to promote and engage with people with disability.

I am proud of what we have achieved so far but there is more work to be done.

We will continue to build on the initiatives and success we have achieved since implementing our plan in 2022, improving the lives of people with disability across Wentworth Shire.

Cr Daniel Linklater Mayor



INTRODUCTION

About this Plan

We want to make sure that people with disability, their families and carers are included in Wentworth Shire and that our community is more accessible. In writing our Disability Inclusion Action Plan we have asked the community about the barriers that people with disability face in the Shire and their ideas for improvement. The Plan explains the actions we will take to improve the lives of people with disability in our community.

Overview of Plan

The Disability Inclusion Act 2014 (NSW) (DIA) (the Act) is the legislative foundation for Local Government disability inclusion and access planning. The Act supports the Government's commitment to improving lives of people with disability and reaffirms NSW's direction on building an inclusive community. In 2014, the Act required all NSW Local Government Areas to develop a Disability Inclusion Action Plan in

consultation with people with disability. This Plan outlines Wentworth Shire Council's commitment to people with a disability to improve access to services, facilities and employment. It is also designed to change perceptions about people with disability and to create a more inclusive community for everyone.

Why inclusion is important

Personal choice and control are only possible when communities are inclusive for all people with disability, including those with physical, intellectual, cognitive, sensory disabilities and those with mental health conditions. Real diversity cannot be realised unless people with disability are provided with the opportunities inherent in truly inclusive communities.

In addition to the human rights imperative, the case for an inclusive community is strong:

- inclusion improves opportunities for participation in the local economy, with the potential to increase economic activity within the Shire;
- providing physical access to businesses benefit not only people with disability, but older people, parents with prams and business owners by expanding their business reach;
- exclusion leads to disadvantage and discrimination, which have far reaching negative impacts across all aspects of life, including health, welfare, education and employment.

These impact are felt beyond the individual, with families and the broader community being negatively impacted by a noninclusive community.

Wentworth Shire Council strives to make the Wentworth region an accessible and inclusive community providing a place for everyone to be able to live, work and visit.

Council has a key role in promoting and supporting access and inclusion in all areas of Council business. This includes how

Council develops the built environment, the provision of information and services, supporting employment opportunities and promoting positive community attitudes and behaviour towards people with disability.

The removal of barriers for people with disability supports the inclusion of members of the local community who may otherwise fall outside of identified definitions of disadvantage.

Wentworth Shire Council is working towards creating a region that is accessible and inclusive of everyone and provides equal opportunity for people with disability to enjoy what our region has to offer. Almost 90% of disabilities are 'invisible' disabilities, the invisibility of disability highlights the critical need to ensure that not only access but inclusion was considered when developing this plan.

Negative attitudes, physical barriers and difficulties accessing necessary supports still limit the opportunities of people with disability to find work, study, socialise and be included in community life.

To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design.

It is imperative that we respect people with disability in relation to their lived experience, empower them to influence their life direction, and encourage them to fully participate so we can identify barriers and propose solutions.

The Disability Inclusion Action Plan has been developed in recognition of Council's responsibility to remove barriers and ensure that people with disability are able to participate equally in their community.

The Plan sets outs the strategies and actions that Council will deliver to enable people with disability to have greater access to Council information, services and facilities.

Council is committed to the attraction, recruitment and retention of people with disability.

The Plan has been based on the following principles enshrined in the Act:

- People with disability have the same inherent rights to respect for their worth and dignity as individuals.
- People with disability have the right to participate in and contribute to social and economic life and should be supported to do so.
- People with disability have the right to realise their capacities and potential and to contribute these to the community.
- People with disability have the same rights as other members of the community to be consulted about decisions that affect their lives.
- People with disability have the right to access information in a way that is appropriate for their disability and enables them to make informed choices.
- The needs of children with disability as they mature, and their rights as equal members of the community are to be respected.

The role that Council will play will vary for each of the focus areas. Although being facilitated by Council, the vision for inclusion is intended for the community and key stakeholders, and is not just focused on all activities internal to Council. Whilst Council has a custodial role in initiating, preparing and implementing the Plan, other partners, such as State Agencies, community groups and businesses may also be engaged in delivery the long-term objectives of the Plan.

DEFINITIONS

DISABILITY

The definition of disability applied in this document includes both definitions provided by the *Disability Inclusion Act 2014* (NSW) and the *Disability Discrimination Act 1992* (Cth).

The Disability Inclusion Act 2014 (NSW) defines disability as including a:

 long-term physical, psychiatric, intellectual or sensory impairment that, in interaction with various barriers, may hinder the person's full and effective participation in the community on an equal basis with others.

The Disability Discrimination Act (DDA) 1992 (Cth) defines disability as:

- The total or partial loss of the person's body or mental functions;
- The total or partial loss of a part of the body;
- The presence in the body of organisms causing disease or illness;
- The malfunction, malformation or disfigurement of a part of the person's body; and
- A disorder or malfunction that results in the person learning differently from a person without the disorder or malfunction.

DISABILITY DISCRIMINATION

Disability discrimination occurs when people with disability are treated less favourably than people without disability. Disability discrimination can be direct or indirect.

The DDA provides legal protection against discrimination based on disability.

INCLUSION

Inclusion is the process whereby every person (irrespective of age, disability, gender, religion, sexual preference or ethnicity) who wishes to can access and participate fully in all aspects of an activity or service in the same way as any other member of the community. Inclusion requires time, space, effort and resources, but it creates a society which is fairer, more cohesive and richer.

FOCUS AREAS

The Plan has been divided into four Focus Areas where significant barriers to access and inclusion will be addressed.

These are:

Attitudes and Behaviours

"Build community awareness of the rights and abilities of people with a disability, and to support the development of positive attitudes and behaviour towards people with disability.

Liveable Communities

"Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing."

Improving access to mainstream services

"Ensure that people with disability are able to easily and efficiently access mainstream government services and other opportunities in the community."

Supporting access to meaningful employment

"Increase the number of people with disability in meaningful employment, thereby enabling people with disability to plan for their future and exercise choice and control as a result of economic security."



STRATEGIC & POLICY CONTEXT

The Plan links to Council's Community Strategic Plan as follows:

Strategy 1

Our Economy

Wentworth Shire is a vibrant, growing and thriving region



The Plan will support the Wentworth Region to stimulate the local economy by assisting to develop more inclusive businesses, tourism, accommodation, events and activities.

Strategy 2

Our Community

Wentworth Shire is a great place to live



Council will continue to foster inclusive opportunities ensuring everyone feels welcomed, valued and able to participate fully in community life

Strategy 3

Our Environment

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



Council will work to ensure that our buildings, facilities and services are accessible and inclusive for all people.

Strategy 4

Our Leadership





Council will champion the development of positive attitudes and behaviours; the engagement of people with disability in decision making; and support and promote increased inclusion in events, buildings and activities in the Wentworth region.

The policy context for the DIAP is one in which all levels of government in Australia are working in concert to ensure the rights of people with disability are actively promoted and upheld. Legislation in place ensures people with disability are consulted about how, together, we can make practical changes to how services are delivered so that they can be accessed equally by all Australians.

The Plan also builds on existing social equity requirements within the IP&R framework to strengthen Council's commitment to inclusion, consultation and rights for people with disability.

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LEGISLATIVE FRAMEWORK & STRATEGIC LINKS

INTERNATIONAL

United Nations Convention on the Rights of Persons with Disabilities (UNCRPD)

In 2008, the Australian Government signed the United Nations Convention on the Rights of Persons with Disability (Convention). In doing so, Australia has committed to ensuring the articles of the Convention are reflected in policy so that the human rights of persons with disabilities can be effectively exercised, and not exist only on paper.

Some key areas of the Convention that is relevant to this DIAP include:

- Access to community life, including cultural events and other sites of cultural importance.
- Raising awareness for, and actively upholding, the rights of people with disability.
- Making sure people with disability have access to the physical environment as well as access to information and communication.
- Ensuring work environments are inclusive and accessible.
- Providing opportunities for people with disability to vote and to be representatives in all levels of government.

NATIONAL

National Disability Strategy 2021-2031

Australia's Disability Strategy 2021-2031 is Australia's national disability policy framework. It sets out a plan for continuing to improve the lives of people with disability in Australia over the next ten years. The Strategy builds on the significant work of the National Disability Strategy 2010-2020 to establish a national approach to improving the lives of people with disability. At its heart is a commitment to create an inclusive Australian society that ensures people with disability can fulfil their potential, as equal members of the community. The new Strategy is an aspirational road map pointing the way ahead. It represents our national commitment to enabling every Australian to meet their potential, to achieve, to have a fair go, and to have real choices.

The purpose of the Strategy is to:

- Provide national leadership towards greater inclusion of people with disability;
- Guide activity across all areas of public policy to be inclusive and responsive to people with disability;
- Drive mainstream services and systems to improve outcomes for people with disability; and
- Engage, inform and involve the whole community in achieving a more inclusive society.

This Strategy places a strong policy focus on housing, safety, employment and community attitudes because extensive consultations and engagement with people with disability and the disability sector shows that they want a National Disability Strategy that is focused on interrelated outcomes with tangible, achievable policy priorities.

NATIONAL

National Disability Insurance Scheme (NDIS)

The National Disability Insurance Scheme (NDIS) is a national insurance scheme that supports people with disability to enhance the social and economic independence of people with disability and their carers.

The NDIS seeks to achieve this by three broad strategies:

- Providing individualised funding to people with permanent and significant disability so
 that they can arrange flexible services geared towards achieving the life goals set by the
 person;
- Funding Local Area Coordinators whose role it is to link individuals with disability (whether or not they have an NDIS package of funding) to community supports; and
- Providing project-based grant funding to agencies in order to progressively make "mainstream" community life more accessible and inclusive.

Wentworth Shire Council can support the objectives of the NDIS by:

- Ensuring built environments become progressively more inclusive and accessible;
- Providing access to Council information in a range of formats;
- Ensuring access to Council services are barrier free; and
- Promoting positive community attitudes and behaviour towards people with a disability.

Commonwealth Disability (Access to Premises - Buildings) Standards 2010

The purpose of the Premises Standards (and corresponding changes to the Building Code of Australia and state and territory building law) is:

- To ensure that dignified, equitable, cost-effective and reasonably achievable access to buildings, facilities and services within buildings, is provided for people with disability; and
- To give certainty to building certifiers, developers and managers that if the Standards
 are complied with they cannot be subject to a successful complaint under the DDA in
 relation to those matters covered by the Premises Standards.

Disability Discrimination Act 1992 and Amendments 2009 (Cwth)

The Disability Discrimination Act 1992 (Commonwealth) exists to provide legal protection against discrimination for people with disability (and carers, co-workers or associates of a person with disability). The Act also requires Australian governments to actively guard against discrimination by developing Disability Action Plans.

Council's DIAP has incorporated the requirements of Section 61 of the Act which includes the requirement to:

- Review practices with a view to identifying discriminatory practices;
- Set goals and targets to measure the success of the Plan;
- Communicate these to persons within the Council; and
- Appoint persons within the Council to implement the Plan.

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STATE

NSW Disability Inclusion Plan 2021-2025

The NSW Disability Inclusion Plan provides the framework through which the NSW Government will work towards achieving an inclusive society. It presents the overall statement of intent from the NSW Government and identifies the key focus areas for NSW to remove systemic and attitudinal barriers so that people with disability have a better opportunity to live a meaningful life and enjoy the full benefits of membership in the community.

This Plan provides a whole of Government strategy aligned with the objects and principles of the NSW Disability Act 2014.

This Plan sets goals that:

- Promote the inclusion in the community of people with disability;
- Identify how NSW agencies and local councils will improve access to mainstream services and community facilities for people with disability; and
- Encourage collaboration and coordination across public authorities in the provision of supports and services.

NSW Anti-Discrimination Act (NSW) 1977

The Anti-Discrimination Act 1997 is an Act of the NSW Parliament, relating to discrimination in employment, the public education system, delivery of goods and services, and other services such as banking, health care, night clubs and property.

The Act prohibits unlawful racial, sexual and other types of discrimination in certain circumstances, and promotes equality of opportunity for all people.

NSW Disability Inclusion Act (2014)

This strategy sets out Infrastructure NSW's independent advice on the current state of the State's infrastructure and the needs and priorities over the next 20 years.

The strategy sets six cross-sectional directions:

- Continuously improve the integration of land and infrastructure planning
- Plan, prioritise and deliver an infrastructure program that represents the best possible investment and use of public land
- Optimise the management, performance and use of the State's assets
- Ensure NSW's existing and future infrastructure is resilient to natural hazards and human-related threats
- Improve state-wide connectivity and realise the benefits of technology
- Drive high quality consumer-centric services and expand innovative service delivery models in infrastructure sectors.

OUR COMMUNITY PROFILE

There are between 171 and 180 registered NDIS Participants in Wentworth Shire.

20% receive Early Childhood Supports

11% receive High Needs Personal Care

75% under NDIS Plan Management

52% receive Support Coordination

Source: Care Sector Demand Map - 2023/2024 Wentworth LGA - Australian Government

DISABILITY IN AUSTRALIA

5.5

million

people in Australia have a disability¹

3

million

Australians provide care for a person with a disability¹

65+

The rate of disability increases with age with 1 in 6 Australians over 65 years old¹

60.5%

In Australia, the labour force participation rate for people with disability aged 15-64 years is 60.5% compared to 84.9% of people the same age without disability²

61%

of Australians have one or more chronic conditions³

1 in 5

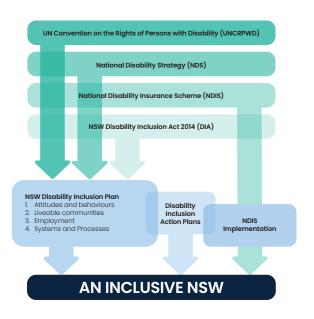
people with disability were positively influenced by an organisation's reputation as being supportive of people with disability.

¹ <u>Australian Bureau of Statistics, Survey of Disability, Ageing and Carers, Summary of Findings 2022.</u>

² People with Disability Australia - ABS Statistics 2022

³ AIHW Chronic Conditions June 2024

DISABILITY REFORM IMPACTING INCLUSION **IN NSW**



ENGAGEMENT ACTIVITIES

Wentworth Shire Council recognises the importance of inclusive and meaningful engagement with our community and disability sector, shaping a community that supports and empowers people with disability.

As part of the review of our Disability Inclusion Action Plan, Council has commenced engagement with local disability service providers to ensure their insights and expertise inform our directions within the plan. We have also engaged with Mildura Rural City Council, to discuss and gain an understanding of the barriers, challenges and needs facing our crossborder communities.

Council also acknowledges the importance of the voices of people with lived experience of disability. We are committed to working closely with individuals across the Shire, to ensure their experiences and aspirations are reflected in the plan.

Collaboration with Providers and engagement with people with disability and those who support them, helps to shape inclusivity and our actions are practical and meaningful.

While the draft plan is on exhibition, Council will continue to engage with disability providers and people with disability. This input will guide our finalised plan to ensure we reflect the needs and priorities of our community.

THE PLAN

Council's commitment is to create greater opportunities for people of all ages, all cultures, and of differing abilities, to access the full range of services and activities available in the local community.

Attitudes and Behaviours

People with disability experience positive attitudes and respectful behaviour from Council staff and express the view that Council encourages these positive attitudes and behaviours within the broader community.

- Support positive attitudes towards inclusion amongst Council staff
- Contribute positive media stories about what Council is doing to build inclusion with people with disability.

Liveable Communities

People with disability, their families and supporters have greater access to community places, buildings and events.

- Assess existing infrastructure compliance with Australian standards for access and mobility.
- Plan to progressively improve the accessibility of public toilets.
- Increase accessibility and inclusion of events held in the Wentworth Region.
- Encourage, support and promote accessible businesses and tourism in the Wentworth Region.

Improving access to mainstream services

People with disability can more easily and efficiently access Council services and are engaged in the decision making of Council.

- People with disability have greater access to information via Council website.
- Improve communication and information processes.
- Update Customer Service Charter to provide guidance to staff in how to make information more accessible.
- Council services can be accessed more independently by people with disability.

Supporting access to meaningful employment

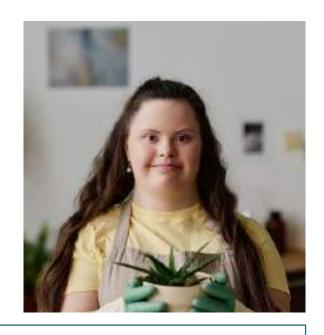
People with disability have greater access to employment opportunities with Council.

 Council has recruitment and employment policies that reflect best practice with regards to encouraging and supporting the employment of people with disability.

KEY OUTCOME AREAS & ACTIONS

Attitudes and Behaviours

People with a disability often experience barriers to access and inclusion. Positive attitudes and respectful behaviour from Council demonstrates and encourages greater community inclusion of people with a disability in our community.



Our Aim

To continue to improve community awareness of the rights and capabilities of people with disability and support the development of positive attitudes and behaviours towards those with disability.

Outcome

- Support positive attitudes towards inclusion among Council staff.
- Contribute positive media stories about what Council is doing to build inclusion with people with a disability
- Create community engagement opportunities for people with disabilities
- Promote inclusivity and access to local events

Actions

- Our Annual Training Plan includes disability awareness training to all staff.
- Staff induction processes incorporate the topic of people with disability.
- Provide regular media stories of Council, community and businesses in the Shire promoting positive behaviours
- Develop a suite of photographs and media of Shire locals living with a disability to be used across Council publications
- Support disability awareness campaigns by displaying promotional posters in Council facilities and in Council media and publications.

Liveable Communities

Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities.



Our Aim

Improve the access to community spaces, events and buildings for people with a disability, removing barriers to engaging in the community, events and improving wellbeing.

Outcome

Actions

- Assess existing infrastructure compliance with Australian standards for access and mobility.
- Plan to progressively improve the accessibility of public toilets.
- Increase accessibility and inclusion of events held in the Wentworth Region.
- Encourage, support and promote accessible businesses and tourism in the Wentworth Region.
- Improved public transport options across the Shire events more accessible.
- Business and tourist attractions in the

- Conduct audits to assess compliance for access and mobility for footpaths.
- Continue to review and upgrade footpaths to ensure compliance
- Monitor the Pedestrian Access Mobility Plan priorities and assessments including continued review and update of the priority list for maintenance or upgrade of PAMP related infrastructure, in consultation with people with mobility and vision related disabilities.
- Advocate with NSW and Victorian representatives to improve public transport across the Shire with importance of meeting the needs of people with a disability
- Current and accurate information on the location of Council accessible toilets is made available to residents and visitors.
- People with disability are directly consulted about the priorities for enhancement of Council infrastructure.
- Pilot low sensory hours at the Library and Visitor Information Centre
- Council staff responsible for events are supported to ensure all community recreation, cultural and social programs and events are as inclusive and accessible as possible.
- Access by people with disability attending meetings held at Council is specifically addressed and catered for.
- Council Events Manual includes guidance material on how event organisers can make Wentworth Region have a greater awareness of the economic benefits of developing accessible and ageing friendly places and activities.

Improving access to mainstream services

A common issue for people with disability is the difficulty in navigating the systems and processes required to access the services and supports they need in the community. These difficulties are the product of a number of barriers including a lack of accessible information, inflexible processes, and limited opportunities for feedback and input.



Our Aim

Ensure that people with a disability are engaged in decision making and can make informed choices about available services and opportunities in our community. Council will continue to advocate for community and business organisations to review and change the way they do business to ensure people with disability can access their services.

Outcome **Actions**

- People with disability have greater access to information via Council website.
- Improve communication and information processes.
- Update Customer Service Charter to provide guidance to staff in how to make information more accessible.
- Council services can be accessed more independently by people with disability.
- Ensure Council's website complies with the most current content accessibility guidelines (WCAG) where issues and barriers to accessibility are identified
- Provide refresher training to staff who author web accessible documents.
- Ensure all service information is available in a range of formats to support different needs and capabilities.
- Continued Customer Service professional development incorporates disability awareness and person-centred communication as the first point of contact with Council.
- Ensure Council led community consultation events are held in accessible venues and a range of formats are used that considers the needs of people with disability.

Supporting access to meaningful employment

Employment rates for people with disability are significantly lower than those without disability across all sectors. Participation in meaningful employment is vital if people with disability are to attain economic security, retain a sense of purpose and engage effectively with others in our community.



Our Aim

Council will continue to advocate for an increase in the number of people with disability in meaningful employment, thereby enabling people with disability to plan for their future, exercise choice and control, and increase their economic security.

People with disability have greater access to employment opportunities with Council.

Outcome A

 Council has recruitment and employment policies that reflect best practice with regards to encouraging and supporting the employment of people with a disability.

Actions

- Review Council's recruitment and employment processes to confirm and they provide fair and barrier free opportunities to candidates who have a disability.
- Keep inclusion front of mind when designing workforce management processes and practices.
- Actively develop a respectful and welcoming work culture that is inclusive and disability conscious.
- Disability awareness training for community facing staff
- Induction programs include disability inclusion to all new starters
- Reaffirm recruitment messaging to be more inclusive and to encourage applications from people with a disability

MONITORING & EVALUATING

The Disability Inclusion Action Plan will be forwarded to the Disability Council NSW.

Council is also required to report to the Department of Communities and Justice annually on DIAP achievements and outcomes.

Council will monitor our actions and outcomes over the year, and report on the DIAP action items as part of our Annual Report. The report will be available in a range of formats through Council's website and Administration Office.

Wentworth Shire Council maintains our commitment to implementing and monitoring the actions within the Plan over the remaining year, with our new plan due in July 2026.

We look forward to working with the community to ensure that the Actions within the Plan are implemented to a high standard and to the benefit of all.

OUR VALUES

At Wentworth Shire Council we value:

Honesty & Integrity

- ▶ We deliver on commitments.
- We act ethically.

Quality & Commitment

- ► We do our best to provide the highest standard of goods and services to our community.
- ▶ We are responsive to the needs of our community and always look for ways to better serve our community.
- ▶ We are dedicated to fulfilling the Shire's vision and goals.

Respect

► We act professionally towards our community and our colleagues.

Accountability & Transparency

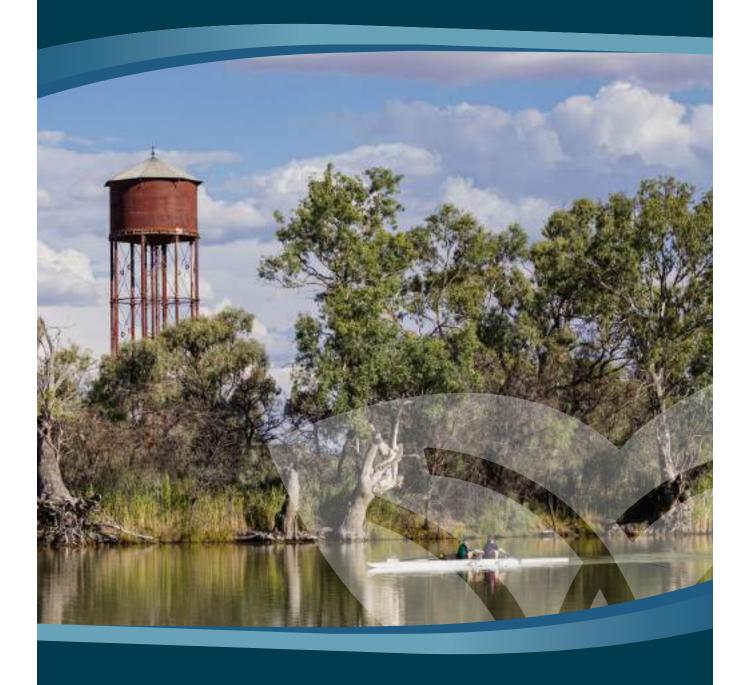
- ► We take responsibility for our actions.
- We communicate openly and respectfully with our community.



Wentworth Shire Council

61 Darling Street, Wentworth NSW 2648
P: 03 5027 5027 | E: council@wentworth.nsw.gov.au
wentworth.nsw.gov.au

Resourcing Strategy 2022-2026



INTERPRETER SERVICES





MAHALAGA | FILIPINO

Kung kailangan mo ng tulong sa pagbabasa at pag-unawa sa dokumentong ito, ang mga kawani ng customer service ng Wentworth Shire Council ay masaya na tumulong sa pag-aayos ng isang libreng serbisyo ng interpretasyon. Upang ayusin ang isang interpreter, mangyaring makipagugnayan sa Council sa 03 5027 5027, o bisitahin ang isang Council Office na nakalista sa ibaba.



IMPORTANT | FRANÇAIS

Si vous avez besoin d'aide pour lire et comprendre ce document, le personnel du service client du Wentworth Shire Council se fera un plaisir de vous aider à organiser un service d'interprétation gratuit. Pour organiser un interprète, veuillez contacter le Conseil au 03 5027 5027 ou visitez un bureau du Conseil indiqué ci-dessous.



ΣΗΜΑΝΤΙΚΟ | ΕΛΛΗΝΙΚΟ

Εάν χρειάζεστε βοήθεια για την ανάγνωση και την κατανόηση αυτού του εγγράφου, το προσωπικό εξυπηρέτησης πελατών του Wentworth Shire Council είναι πρόθυμο να σας βοηθήσει στη διευθέτηση μιας δωρεάν υπηρεσίας διερμηνείας. Για να κανονίσετε έναν διερμηνέα, επικοινωνήστε με το Δήμο στο 03 5027 5027 ή επισκεφθείτε ένα Γραφείο του Συμβουλίου που αναφέρεται παρακάτω.



IMPORTANTE | ITALIANO

Se hai bisogno di assistenza per leggere e comprendere questo documento, il personale del servizio clienti del Wentworth Shire Council sarà lieto di assisterti nell'organizzazione di un servizio interpretativo gratuito. Per organizzare un interprete, contattare il Comune allo 03 5027 5027 o visitare uno degli uffici del Comune elencati di seguito.



PENTING | MELAYU

Jika anda memerlukan bantuan membaca dan memahami dokumen ini, kakitangan perkhidmatan pelanggan Wentworth Shire Council berbesar hati untuk membantu dalam pengaturan perkhidmatan tafsiran percuma. Untuk mengatur jurubahasa, sila hubungi Majlis di 03 5027 5027, atau lawati Pejabat Majlis yang disenaraikan di bawah.



重要 | 普通话(简体中文)

如果您在阅读和理解本文件时需要帮助,温特沃思郡议会的客户服务人员很乐意协助安排免费口译服务。如需安排口译员,请致电0350275027联系议会,或前往下列议会办公室。



ਮਹੱਤਵਪੂਰਨ | ਅੰਗਰੇਜ਼ੀ

ਜੇਕਰ ਤੁਹਾਨੂੰ ਇਸ ਦਸਤਾਵੇਜ਼ ਨੂੰ ਪੜ੍ਹਨ ਅਤੇ ਸਮਝਣ ਵੀੱਚ ਸਹਾਇਤਾ ਦੀ ਲੋੜ ਹੈ, ਤਾਂ ਵੈਨਟਵਰਥ ਸ਼ਾਇਰ ਕਾਉਸਲਿ ਦੇ ਗਾਹਕ ਸੇਵਾ ਸਟਾਫ ਇੱਕ ਮੁਫ਼ਤ ਵਿਆਖਿਆ ਸੇਵਾ ਦੇ ਪ੍ਰਬੰਧ ਵੀੱਚ ਸਹਾਇਤਾ ਕਰਨ ਲਈ ਖੁਸ਼ ਹਨ। ਦੁਭਾਸ਼ੀਏ ਦਾ ਇੰਤਜ਼ਾਮ ਕਰਨ ਲਈ, ਕਰਿਪਾ ਕਰਕੇ 03 5027 5027 'ਤੇ ਕਾਉਸਲਿ ਨਾਲ ਸੰਪਰਕ ਕਰੋ, ਜਾਂ ਹੇਠਾਂ ਸੁਚੀਬੱਧ ਕਸਿੇ ਕਾਉਸਲਿ ਦਫ਼ਤਰ 'ਤੇ ਜਾਓ।



สำคัญ | แบบไทย

หากคุณต่องการความช่วยเหลือในการอ่านและทำความ เข้าใจเอกสารนี้ เจ้าหน้าที่บริการลูกค้าของ Wentworth Shire Council ยินดีให้ความช่วยเหลือในการจัดการบริการ ล่ามฟรี หากต้องการจัดเตรียมล่าม โปรดติดต่อสภาที่ 03 5027 5027 หรือไปที่สำนักงานสภาตามรายการด้านล่าง



ÖNEMLİ | TÜRKÇE

Bu belgeyi okuma ve anlama konusunda yardıma ihtiyacınız varsa, Wentworth Shire Belediyesi'nin müşteri hizmetleri personeli, ücretsiz tercümanlık hizmetinin ayarlanmasında yardımcı olmaktan mutluluk duyacaktır. Bir tercüman ayarlamak için lütfen 03 5027 5027 numaralı telefondan Belediye ile iletişime geçin veya aşağıda listelenen bir Belediye Ofisini ziyaret edin.



QUAN TRONG | TIẾNG VIỆT

Nếu bạn cần trợ giúp để đọc và hiểu tài liệu này, nhân viên dịch vụ khách hàng của Hội đồng Wentworth Shire sẵn lòng hỗ trợ sắp xếp dịch vụ thông dịch miễn phí. Để sắp xếp một thông dịch viên, vui lòng liên hệ với Hội đồng theo số 03 5027 5027 hoặc đến Văn phòng Hội đồng được liệt kê bên dưới.

IMPORTANT | ENGLISH

If you require assistance reading and understanding this document, customer service staff of Wentworth Shire Council are happy to assist in the arrangement of a free interpretive service.

To arrange an interpreter, please contact Council on 03 5027 5027, or visit a Council Office listed below.





Midway Community Centre



Wentworth Visitor Centre (Main Administration Office)



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

Our Objectives



Wentworth Shire is a vibrant, growing and thriving region

ECONOMIC



Wentworth Shire is a great place to live

SOCIAL



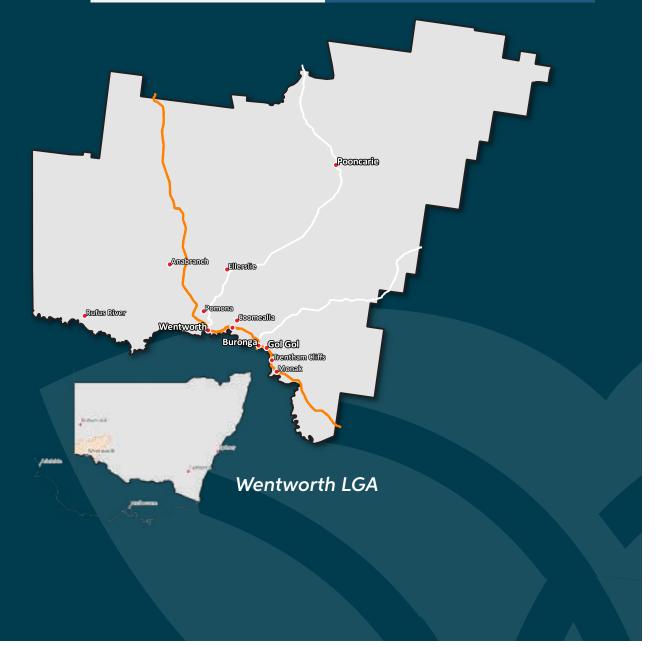
Wentworth Shire is a community that works to enhance and protect its physical and natural environment

ENVIRONMENTAL



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

CIVIC LEADERSHIP





At Wentworth Shire Council we value:

Honesty & Integrity

- ▶ We deliver on commitments.
- ► We act ethically.

Quality & Commitment

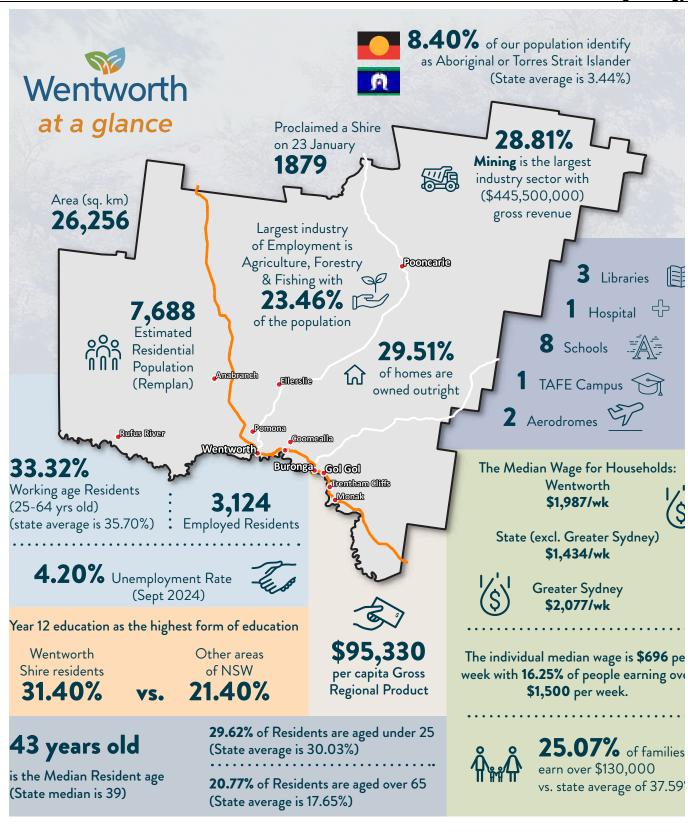
- ➤ We do our best to provide the highest standard of goods and services to our community.
- ➤ We are responsive to the needs of our community and always look for ways to better serve our community.
- ➤ We are dedicated to fulfilling the Shire's vision and goals.

Respect

► We act professionally towards our community and our colleagues.

Accountability & Transparency

- ▶ We take responsibility for our actions.
- We communicate openly and respectfully with our community.













662km of sealed road

1,360km of unsealed road

P.6 Wentworth Shire Council

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Images in this document were sourced from Council's Image Library unless otherwise stated. Cover image: Historic water tower near Wentworth Hospital in the background, with a team of rowers gliding along the Darling River in the foreground, reflecting the area's heritage and recreational life.

The Resourcing Strategy includes the Long Term Financial Plan, Strategic Asset Management Strategy and the Workforce Management Plan. These documents have been prepared in accordance with Section 403(2) of the Local Government Act 1993.

Copies of this program can be viewed online at wentworth.nsw.gov.au

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ABOUT OUR STRATEGY

The Resourcing Strategy is a critical component of Council's planning, ensuring that the necessary financial, human and physical resources are in place to support Councils commitment to the Community Strategic Plan

This Strategy aligns with the long-term financial sustainability, workforce capability and asset investment priorities to enhance service delivery to the community.

INTEGRATED PLANNING AND REPORTING FRAMEWORK

Integrated Planning & Reporting Framework (IP&R) is a strategic planning framework mandated by the NSW State government. The aim is to improve long-term financial sustainability, asset management, community consultation and business planning in local government.

IP&R recognises local government's unique position as the only agency with an interest in all aspects of a local area. It formalises the role of Council as the key advocate for the community for all issues.

The framework requires Council to take a comprehensive and rigorous approach to strategic organisational planning, resourcing, reporting and community engagement.

Council is required to prepare a set of planning documents:

- Community strategic plan (covering a minimum of 10 years)
- Community engagement strategy
- Resourcing strategy consisting of:
 - Long-term financial plan (minimum of 10 years)
 - Asset management strategy (minimum of 10 years)
 - Workforce management plan (minimum of 4 years)
- 4-year delivery program for each elected Council term
- Detailed operational plan that include the annual statement of revenue and annual budget.

COMMUNITY STRATEGIC PLAN

Council's Community Strategic Plan identifies the main priorities and aspirations for the future of the Wentworth Shire. It is the roadmap of what is important to the community and will guide the Shire over the course of the next 10 years.

Council has a clear strategic and integrated framework that is led by the Community Strategic Plan. The other plans are developed to support and deliver on the Community Strategic Plan.

Future documents produced by Council and subsequent decisions made by Council will be tested against the Community Strategic Plan to ensure that Council is working towards the achievement of the vision for the Shire. In short, the Community Strategic Plan is Council's foundation planning document.

RESOURCING THE COMMUNITY STRATEGIC PLAN

The Resourcing Strategy outlines Council's resourcing commitment over the next 10 years to implementing the objectives and strategies of the Community Strategic Plan. The Resourcing Strategy allocates Council's available resources to realise the aspirations of the Community Strategic Plan.

It seeks to support the most effective, efficient use of those resources to deliver the services the community needs and values in order to realise the vision of the Community Strategic Plan.

The Resourcing Plan is vital to ensure that Council and the community understand the major requirements in delivering all of Council's services and maintaining its assets.

We review the Resourcing Strategy annually to ensure it aligns with the diverse range of services identified in the Delivery Program and Operational Plan. The Resourcing Strategy consists of 3 key components:

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

The Long-Term Financial Plan covers a 10-year period and outlines the financial implications of delivering on Council's responsibilities contained in the Community Strategic Plan. The purpose of the plan is to ensure that Council is a financially viable, adequately funded and sustainable organisation which can meet community expectations.

The Asset Management Strategy covers a 10-year period. The strategy identifies the critical assets under Council's responsibility and outlines risk management strategies for these assets. It also contains long-term projections of asset maintenance, renewal and replacement costs.

The Workforce Management Plan covers a 4-year period. It helps ensure Councils has the right staffing to handle the changes and challenges Council will face to meet the current and future service and operational needs of Wentworth Shire Council.

LONG TERM FINANCIAL PLAN

The first part of the Resourcing Strategy consists of Council's Long-Term Financial Plan (LTFP). The LTFP is Council's 10-year financial planning document and the emphasis is on long term financial sustainability. Financial sustainability is one of the key issues facing local government, due to several contributing factors including cost shifting from other levels of government, ageing infrastructure and constraints on revenue growth (including the NSW rate pegging system for local government).

The LTFP tests the community aspirations and planned objectives against financial realities. Contained in the LTFP are:

- Assumptions used to develop the plan;
- Projected income and expenditure, balance sheet and cash flow statements;
- A range of scenarios based on different financial settings; and
- Methods of monitoring financial performance.

Balancing community expectations and the uncertainty of future revenue and expenditure forecasts is one of the most challenging aspects of the financial planning process. As such, the longer the planning horizon, the more general the plan will be in the later years. Every effort has been taken to present the most current estimates and meaningful data in this plan.

As it is difficult to predict the future in details, the later years in the plan don't contain the same level of detail. This information is kept contemporary by an annual review and a more comprehensive strategic review each 4 years.

ASSET MANAGEMENT STRATEGY

The second component of the Resourcing Strategy is Council's Asset Management Strategy. This plan deals with Council's Asset Management Policy, asset strategy, life cycle asset planning and links to specific asset category plans.

Local government is responsible for many billions of dollars' worth of community assets, which enable Council's to provide services to their local communities. These assets need to be managed sustainably and in the most appropriate manner on behalf of the community. Wentworth Shire Council is the custodian of around 753 million of community infrastructure assets.

Council's Asset Management planning framework includes:

- Council's overall asset management principles and goals;
- Asset Management Policy;
- Life cycle management planning;
- Asset management systems and service delivery; and
- Objectives and actions to achieve desired outcomes

The Asset Management Strategy is the summary of the relevant strategies, plans and actions for the assets critical to Council's operations. It is a reflection of Council's intention that our community's infrastructure network is maintained in partnership with other levels of government and stakeholders to meet the needs of the local community. The plan is predicated on the need for assets to be maintained at a safe and functional standard.

Critical to the achievement of the Asset Management Strategy will be the provision of sufficient funding over its life to ensure that infrastructure provides services at the standard that the community expects and can reasonably afford.

WORKFORCE MANAGEMENT PLAN

The third component of the Resourcing Strategy is the Workforce Management Plan. This plan sets out future service and operational needs of Council and help us make sure that our staff can handle the changes and challenges we will face over the next 10 years.

Workforce planning is the process of identifying current and future staffing needs on the basis of current internal and external information.

The Workforce Management Plan is a 4-year big picture view of workforce issues. It takes into account:

- How our current workforce is made up across the entire range of Council's services;
- What staff we need to keep our Council working well and serve our community; and
- How we can staff our Council in the most cost-effective way now and into the future.

Long Term Financial Plan 2026-2035



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Images in this document were sourced from Council's Image Library unless otherwise stated. Cover image: Stock imagery of a puzzle piece.

The Long Term Financial Plan forms part of the Resourcing Strategy. These documents have been prepared in accordance with Section 403(2) of the *Local Government Act 1993*.

 $Copies\ of\ this\ program\ can\ be\ viewed\ online\ at\ wentworth.nsw.gov. au$

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OVERVIEW

Background

A long term financial plan is a key Resourcing Strategy document required under the New South Wales Integrated Planning and Reporting framework. Local government operations are vital to the community, and it is important for stakeholders to have the opportunity to understand the financial implications arising from its Community Strategic Plan, Delivery Program and annual Operational Plan and to be assured that these plans are financially achievable and sustainable.

Wentworth Shire Council's Long Term Financial Plan recognises its current and future financial capacity to continue delivering high quality services and infrastructure to the community while undertaking the initiatives and projects that will contribute towards the aspirations set down in the Community Strategic Plan.

Council's ability to deliver community wants is dependent on the level of financial resources earned. Good financial management requires the understanding of the short and long term financial impacts of decisions taken now, in the past and in the future. It also requires consideration of the potential influences from outside of Council's control that may impact on the finances of Council.

Local Government is reasonably unique in the breadth of the services it delivers and its reliance on assets, that have a high cost and long lives, which are used to provide a significant proportion of those services. Long lived assets are particularly difficult to manage from a financial perspective as the funding required to build, maintain and replace them can be extremely variable from one period to the next.

The Long Term Financial Plan also aims to:

- Establish greater transparency and accountability of Council to the community;
- Provide an opportunity for early identification of financial issues and any likely impacts in the longer term;
- Provide a mechanism to solve financial problems and understand the financial impact of Council's decisions; and
- Provide a means of measuring Council's success in implementing strategies.

Projecting over a ten year timeframe necessitates the use of a variety of underlying assumptions. The Long Term Financial Plan will therefore be closely monitored, and regularly revised to reflect changing circumstances.

As with all forecasts, it must be acknowledged that things change over time and that long term forecasts are useful as a guidance tool which can identify financial issues in advance and enable a strategy or plan to be developed to deal with them. The LTFP has been developed with the overriding assumption that Council will prioritise projects in accordance with available funding and will maintain current service levels.

Section 8B of the *Local Government Act 1993* (NSW), outlines the Principles of sound financial management that Council is required to adhere to. Therefore:

- Council spending should be responsible and sustainable, aligning general revenue and expenses.
- Council should invest in responsible and sustainable infrastructure for the benefit of the local community.
- Council should have effective financial and asset management, including sound policies and processes for the following:
 - Performance management and reporting;
 - · Asset maintenance and enhancement;
 - · Funding decisions; and
 - Risk management practices.
- Council should have regard to achieving intergenerational equity, including ensuring the following:
 - Policy decisions are made after considering their financial effects on future generations; and
 - The current generation funds the cost of its services.

These principles have informed and been incorporated into the development of Council's Long Term Financial Plan.

CURRENT FINANCIAL SITUATION

Operating Results

The following table details Council's operating results for each of the last five years.

TABLE 1 Wentworth Shire Council Income Statement

Year Ending June 30th	2020 \$'000	2021 \$'000	2022 \$'000	2023 \$'000	2024 \$'000
Operating Revenue					
Rates & Annual Charges	8,822	9,164	9,529	9,755	10,410
User Charges & Fees	7,798	7,582	9,600	8,807	10,109
Interest	586	245	280	1,706	2,318
Grants & Contributions (Op)	10,307	10,384	12,147	16,524	10,816
Grants & Contributions (Cap)	8,300	11,724	8,715	17,093	17,143
Other Operating Revenue	1,028	1,072	1,584	590	954
Net gain/loss Disposal of Assets	80	135	(78)	103	56
Total Revenue	36,921	40,306	41,777	54,578	51,806
Operating Expenses					
Employee Costs	8,790	8,792	9,665	9,964	10,066
Materials & Services	10,690	9,553	11,235	13,118	12,665
Borrowing Costs	206	375	316	343	578
Depreciation & Amortisation	8,941	8,283	8,465	9,309	10,083
Other Operating Expenses	659	982	719	729	743
Total Expenses	29,286	27,985	30,400	33,463	34,135
Operating Result	7,635	12,321	11,377	21,115	17,671

Balance Sheet Results

The table on the next page details the balance sheet results for the past 5 years.

TABLE 2 Wentworth Shire Council Balance Sheet

Year Ending June 30th	2020 \$'000	2021 \$'000	2022 \$'000	2023 \$'000	2024 \$'000
Current Assets					
Cash and cash equivalents	10,413	12,393	5,708	7,211	10,482
Investments	18,005	26,000	38,000	44,000	39,000
Receivables	5,546	3,985	4,491	5,771	8,320
Inventories	202	166	224	248	306
Other	213	156	211	201	276
Total Current Assets	34,379	42,700	48,634	57,431	58,384
Non-Current Assets					
Investments	1,359	1,140	945	867	805
Infrastructure	442,194	454,747	511,401	557,482	615,683
Intangible Assets	184	184	184	184	184
Total Non-Current Assets	443,737	456,071	512,530	558,533	616,672
Total Assets	478,116	498,771	561,164	615,964	675,056
Current Liabilities					
Payables	3,578	2,905	2,675	3,775	5,439
Provisions	2,212	2,263	2,142	2,149	2,066
Contract Liabilities	1,056	6,318	6,411	10,012	12,503
Borrowings	262	499	780	956	1,156
Total Current Liabilities	7,108	11,985	12,009	16,892	21,164
Non-Current Liabilities					
Provisions	2,720	2,837	2,865	2,993	3,198
Borrowings	4,032	5,522	7,016	7,011	13,828
Total Non-Current Liabilities	6,752	8,359	9,881	10,004	17,026
Total Liabilities	13,860	20,344	21,890	26,896	38,910
Net Assets	464,256	478,427	539,274	589,065	636,146
Restrictions					
External Restrictions	13,498	22,181	23,096	31,251	32,882
Internal Restrictions	10,583	10,928	14,089	15,897	14,618
Unrestricted Cash	4,337	5,284	6,523	4,063	2,282
Capital expenditure	19,766	19,165	15,999	26,772	38,513

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Financial Sustainability

Council supports the definition of financial sustainability set out by NSW T-Corp that:

"A local government will be financially sustainable over the long term when it is able to generate sufficient funds to provide the levels of service and infrastructure agreed with its community."

A financially sustainable Council is one that has the ability to fund ongoing service delivery and the renewal and replacement of assets without incurring excessive debt or rate increases. This has been translated in the following key financial sustainability principles:

- Council must achieve a fully funded operating position reflecting that Council collects enough revenue to fund operational expenditure, repayment of debt and depreciation;
- Council must maintain sufficient cash reserves to ensure that it can meet its short-term working capital requirements;
- Council must have a fully funded capital program, where the source of funding is identified and secured for both capital renewal and new capital works; and
- Council must maintain its asset base, by renewing ageing infrastructure and by ensuring cash reserves are set aside for those works which are yet to be identified.

Council continues to proactively implement financial planning to ensure that we live responsibly within our means, manage risks and prioritise resources to achieve best value outcomes. Council will always implement a responsible LTFP and ensure:

- We maintain the financial capacity to fund the service assets requirements of the Shire over the long term;
- We deliver the best possible range of value for money services to meet changing community needs within available funding; and
- We manage risk responsibly so that we fulfil our custodian role.

Council continues to safeguard its legacy by making prudent and responsible decisions that consider the financial impacts on future generations. To do this Council will:

- Ensure the current generation covers the cost of its services through a fully funded operating budget; and
- Aim to achieve equity between generations of ratepayers whereby the mechanisms to fund specific capital expenditure and operations take into account the ratepayers who benefit from expenditure and therefore who should pay.

In many cases external factors exert significant pressure on Council's long term sustainability. Some of these external factors include:

- The regulatory environment that defines the scope and boundaries by which Council must conduct its business:
- Lower than anticipated allowable rate peg increases;
- Cost shifting by government such as contributions to emergency services, inadequate funding for public libraries and the cost of regulation of companion animals; and
- Growth and urban development increasing the Shire's population and therefore increasing the demands on existing infrastructure, facilities and services provided.

With each annual budget process Council aims at a minimum, to achieve a balanced budget which allows the organisation to maintain a positive unrestricted cash and investment balance. This position gives Council the flexibility to maintain liquidity and fund any unforeseen expenditures or discretionary funding deficits.

Council adopts conservative assumptions in financial projections, to mitigate the risk of economic fluctuations adversely affecting financial sustainability. The assumed escalation rates for both income and expenditure are regularly reviewed and updated as appropriate.

PLANNING FOUNDATIONS

Wentworth Shire Council remains committed to operating within a financially sustainable framework, to ensure that its community and other stakeholders can rely upon the ongoing provision of a full and diverse range of high quality community services, facilities and infrastructure.

Council plans to maintain its financial position and performance, to ensure resilience and maintain capacity to adapt and respond to emerging community needs in a measured and equitable manner.

Planning Assumptions

Key principles employed in the financial planning process include but are not limited to the following:

- Financial sustainability;
- Maintain diversity of income source;
- Generate significant operating surpluses;
- Maintain tight control over expenditure and staff numbers;
- Deliver best value services, facilities and infrastructure;
- Effective and efficient utilisation of funding sources to fund capital works and asset acquisitions;
- Prudent financial investment:
- Consider appropriate use of debt;

These principles have informed and been incorporated into the development of Council's Long Term Financial Plan.

Council has also considered the following assumptions:

- Council will maintain its existing service level to residents;
- Any changes to future services will be determined in consultation with the community;
- Consideration of the financial effects of Council's decisions on future generations. Council shall strive to achieve equity between generations of ratepayers (intergenerational equity) whereby the mechanisms to fund specific capital expenditure and operations takes into account the ratepayers who benefit from the expenditure and therefore on a user pay basis who should pay for the costs associated with such expenditure.

The Long Term Financial Plan continues Council's commitment to maintain tight control over its financial position and performance, an achievement that has been continually demonstrated through strong operating results.

Council is committed to the ongoing review of its service delivery as part of a continuous improvement process. Specifically, Council is seeking to identify if the services it delivers are relevant and necessary to the community as well as appropriate in the current environment.

The continual improvement process includes determining if the service meets the needs and expectations of the community as set out in the Community Strategic Plan.

The continuous improvement process aims to achieve the following objectives:

- Assist in informing Councillors, the community and Council's staff on what, how and why
 it delivers the current list of services. It endeavours to answer questions surrounding the
 need to provide the service, service delivery alternatives such as contracting resources,
 outsourcing some activities, joint delivery with other councils/organisations, what can be
 provided at what cost and if any efficiencies can be found.
- Finding savings that are real, sustainable and are able to be entrenched into future budgets. This strategic approach to budget management is to identify lasting solutions for the provision of services in contrast to common short-term budget management strategies which include delaying the implementation of projects and unfunded activities or by making budget cuts that may not align with the Community Strategic Plan.
- Embedding the realisation of continuous improvement. In providing an environment
 where continuous improvement to service delivery is expected, staff are encouraged and
 supported to identify opportunities to make the services that Council provides the best
 value for its community.

Council will continue to prudently manage its cash reserves and investments, to ensure that appropriate financial reserves are available to meet Council's liabilities and commitments as they fall due, and manage cash flows demands to ensure responsible financial management control. While externally restricted reserves will be maintained in accordance with legislative requirements, a number of internally restricted reserves are used to ensure that funds are set aside to directly support the Community Strategic Plan's priority initiatives and projects.

The Capital Program is forecast over the ten year timeframe of the plan. In later years, where specific projects may not have been fully identified, provisional sums are included reflecting historical works patterns, and in line with renewal requirements identified as part of the Asset Management Strategy.

The Long term capital works program identifies the various funding sources proposed for each capital project. Council will utilise grant funding where available, internal reserves where applicable and borrowing where it is deemed necessary and intergenerational equity is considered appropriate.

Revenue Forecasts

This section includes a review of the major sources of income received by Council, including explanatory information along with a discussion of any risks and assumptions. Council aims to maintain a diverse income base, with income sources outside Rates and Annual Charges vital to reducing the burden on rate payers of funding all of Council's ongoing operations, minimising the impact of rate-pegging.

The major sources of revenue for Council are:

- Rates and Annual Charges
- User Charges and Fees
- Interest
- Grants and Contributions
- Other Revenue

Rating and Annual Charges

The total income that can be raised from levying rates on property is capped by the State Government via the Independent Pricing and Regulatory Tribunal (IPART). The current rate structure for Wentworth Shire Council will be maintained; rate assessments are based on a combination property valuations (ad valorem) and base rates. The continuing constraint of rate pegging imposed by the State Government limits Council's ability to provide additional services or borrow additional funds and has focused considerable attention to the need for and efficiency of each service provided.

Council's general rates income can grow when new properties are developed that require additional local government services. Property growth impacts on Council's financial performance by increasing rate revenue as a result of the increased number of rateable assessments. It is important to note however, that the increase in rate revenue resulting from property growth is generally not in direct proportion to the increase in the number of rateable assessments.

Council has been experiencing a growth in rateable assessment in the Buronga/Gol Gol locality in recent years, this is expected to continue into the short to medium term. Council's financial modelling includes an anticipated increase in income and expenditure associated with the growth in population. Whilst it is anticipated that service priorities will change as the area's population grows, it is assumed that the range of services will be consistent to that currently being delivered.

In October 2021, the Minister for Local Government announced that the State Government had accepted IPART's recommendation for the inclusion of a population factor into the rate peg.

IPART has developed a methodology that enables council's to maintain per capita general income over time as their populations grow. Maintaining per capita general income will help councils to maintain existing service levels and provide the services their growing communities expect.

The approach developed by IPART amends the existing rate peg calculation to include a population factor in the rate peg that is calculated as the change in residential population, less any increase in general revenue from supplementary valuations.

In development of a population growth factor for the rate peg, IPART undertook research which indicated councils currently only recover approximately 60% of the cost of population growth through supplementary rate income.

The methodology will apply to all councils experiencing population growth, even at low levels, but not impact councils with stable or declining populations. The methodology allows for rating income to increase to provide councils with a greater ability to manage the cost of population growth.

In October 2024 IPART announced a base rate increase of 3.60% for all councils. Council received an additional 0.90% increase to factor in the Emergency Services Levy and the cost of running the 2024 Council elections. Council received no population factor adjustment for 2025-2026 resulting in a core rate peg increase of 4.5%.

Due to the variable nature of determining the new rate peg amount Council has opted to be conservative and has assumed a 3.00% increase for years 2-4 and 3.5% for the remaining years.

For rating purposes land in Wentworth Shire is categorised as residential, farmland or business. Each of these categories has a number of sub-categories. The current rates structure is as follows:

Farmland	Business	Residential
 Dry Land Grazing Licence/Pump Site/ Pipeline Farmland 	WentworthMourquongTrentham CliffsArumpoPooncarie	 Wentworth Buronga Gol Gol Gol Gol East Pooncarie Dareton Rural Residential

Council will continue to closely monitor its rating path and the best way to equitably align its rating structure to ensure the fair and equitable distribution of the rates burden for all our rate payers. It is of note that any change to the rating structure does not equate to additional income to Council but a redistribution of the rating liability of the different rating property types.

Domestic Waste Management charges

Domestic waste management charges are provided on a full cost recovery basis and are determined each year pursuant to Section 496 of the Local Government Act 1993. The charge is based on a 240 litre capacity mobile garbage bin. Additional charges are made in the event that householders require additional capacity for general waste.

The NSW government has set goals under the Waste and Sustainable Materials Strategy 2041 of halving organics, including food organics, going to landfill. In order for this to happen all NSW households will be required to have a source-separated FOGO collection from 1 July 2030.

Council is currently investigating introducing this from 1 July 2026 to fall in line with the commencement of its new Kerbside Collection contract. The cost of this service and the equivalent annual charge have not been included in the LTFP as this time, however as the provision of Domestic Waste Management Services is provided on a full cost recovery basis the financial impact on the LTFP will be cost neutral.

Tourism levy

A special variation for Tourism was approved in 1998 for \$10 per assessment and is still in place.

Water and Sewer

The pricing of water and sewerage services is guided by the State Government Best Practice Pricing Guidelines. Council has adopted a two part tariff for water supply, consisting of an access charge and a usage charge. Access charges are related to the size of the water meter installed on each property. Sewerage tariffs adopted by Council consist of a uniform sewerage charge for all relevant properties. Water and Sewer services are a full cost recovery user pays service provided to those who access the network.

Pensioners who hold a Pensioner Concession card and own and occupy rateable property in Wentworth Shire receive a mandatory rebate on their rates and annual charges. Council continues to provide a 100% rebate for eligible pensioners, this provides an additional rebate on top of the mandatory 55% rebate that is funded by the State Government and in total costs Council approximately \$80,000 per year.

Whilst this is cost has remained reasonably consistent, Council will continue to assess the long term impact to ensure the sustainability of this policy and consider the long term benefits and impacts on Council.

Interest charges on unpaid rates and charges will accrue on a daily basis at the rate advised in accordance with Section 566 of the Local Government Act 1993 (NSW).

User Charges & Fees

Many of the services provided by Council are offered on a user pays basis. Fees and Charges relate mainly to the recovery of service delivery costs through the charging of fees to users. All fees in this category are annually reviewed, published in the fees and charges schedule which is part of the Annual Statement of Revenue within the Operational Plan, and incorporated within the annual operational budget. Assessment of fees and charges is based on:

- the cost of providing the service
- whether the goods or service are provided on a commercial basis
- the importance of the service to the community
- · the capacity of the user to pay
- the impact of the activity on public amenity
- competitive market prices
- prices dictated by legislation
- factors specified within relevant local government regulations as applicable.

Council needs to be mindful of using fees and charges as an avenue to increase revenue over the life of the Long Term Financial Plan in that it can create issues around maintaining equitable access to services and facilities for residents. The Shire's relatively low population base does not provide a large market from which significant fees and charges can be obtained.

There are a mixture of commercial, regulatory and statutory fees in addition to user based fees, which are subsidised to provide wider community outcomes. The Long Term Financial Plan assumes that fees will rise, in general terms, in lines with CPI over the course of the ten years. The level of fees and charges income will fluctuate moderately from year to year depending on patronage and demand for facilities and services.

The Transport for NSW Roads Maintenance Council Contract (RMCC) for the Sturt and Silver City Highways is classed as a fee for service contract and accounts for approx. \$2million of revenue annually.

Council has received planning approval to expand operations at the Buronga Landfill including the ability to increase the amount of waste accepted at the landfill. The LTFP has included a conservative assumption of receiving 60,000 tonnes per annum with income to increase annually based on an increase in the cost charged to deposit waste at the facility not on an increase in tonnage received.

Interest on Investments

Council invests funds that are surplus to its current needs in accordance with the approved "Ministerial Investment Order" and its own Investment Policy and Strategy, which is reviewed annually.

Council's Investment Policy and Strategy for the management of surplus funds was last endorsed by Council in December 2024. It reflects a prudent and conservative approach to achieving reasonable returns ensuring the safeguarding of Council's funds for there intended purpose.

The size of the investment portfolio and interest rate returns determines the revenue generated from Council's cash investment portfolio, Council will continue to carefully manage its cash reserves and investments to ensure that appropriate financial reserves are available to meet Council's liabilities and commitments, along with managing cash flow demands to ensure responsible financial management control.

The current cash rate of 4.10% is above the historic 20 year average of 3%. Council has made the assumption that the cash rate will return to that level of the next two years and remain there for the foreseeable future.

Grants & Contributions

Operational Grants

Council receives grant funding from other government bodies to supplement its other sources of income and provide additional funding for specific projects or programs where there may be shared outcomes.

Council is allocated funding annually from the Commonwealth Government in the form of the Financial Assistance Grants (FAG). These are general purpose grants paid to local councils under the provisions of the Commonwealth Local Government (Financial Assistance) Act 1995 (Cth). These funds are paid to Council via the NSW Local Government Grants Commission which is administered by the Office of Local Government as an unconditional grant.

Following the 2013 independent review of local government in NSW the State Government has been refining the funding model for the Financial Assistance Grants in order to channel additional support to council's and communities with the greatest needs. Generally, council's and communities with the greatest need have the following characteristics:

- Rural and remote councils;
- With small and declining populations;
- Have limited capacity to raise revenue;
- Have financial responsibility for sizeable networks of local roads/infrastructure & diminishing financial resources; and
- Relative isolation.

Funds are allocated by the State Government on the basis of the national principles as outlined in the Local Government (Financial Assistance) Act 1995 (Cth). The ongoing challenge facing the government has been how to allocate a fairer share of the grant to disadvantaged

council's when a fixed 30% of the grant must be allocated based on population increases/decreases.

Other specific grants are allocated to individual projects or programs, either as part of a National or State scheme, or as a result of a specific grant funding application.

The Long Term Financial Plan allows for a notional annual increase in line with CPI. Other grant programs have been reviewed and modelled based on their individual project timelines. It is assumed that in the future, new grants will be received but will be offset by commensurate expenditures, resulting in no net financial impact.

Capital Grants and Contributions

Developer Contributions

Developer contributions provide significant funding towards the cost of essential public facilities, amenities and infrastructure provided by Council. Developer contributions are heavily reliant on the property development cycles influenced by demand, availability of land, interest rates and access to funding. As a result there are substantial risks of cash flow not aligning with planned expenditure to be funded by development contributions funding, leaving funding "gaps" that need to be supplemented by other sources until contributions are received.

Capital Grants

Capital grants are received by Council for specific projects to assist in the funding of community facilities or infrastructure. The grants provide additional levels of funding that can assist in accelerating the commencement of a project, demonstrate a shared commitment from the funding body or provide a greater benefit arising from the additional funding.

A number of proposed projects over the ten years will require significant additional sources of funding for the projects to progress. Each of these projects is assessed, and where the funding sources are known, included in the Long Term Financial Plan.

The plan incorporates known committed grants and a conservative allowance for capital grants income in future years based on historical availability of grant funding assistance. As specific projects are identified as eligible for grants, the income and budgeted capital expenditure are matched within the plan.

Other Revenue

Miscellaneous revenue is obtained from a variety of sources including insurance recoveries, property rentals, etc. It is anticipated that other revenue will be maintained at current levels with an increase for CPI factored in.

Council may carry out work on private land, either on request or arrangement with the land owner or under relevant legislation. The amount or rate to be charged will be the appropriate commercial rate, being the actual cost of the works and standard on-costs to provide full cost recovery plus a return to Council.

Expenditure Forecasts

The major sources of expenditure for Council are:

- **Employee Expenses**
- **Borrowing Costs**
- Materials & Services
- Depreciation
- Other Expenditure

This section includes a review of Council's major expenditure commitments over the next ten years, together with background information and a discussion of any key risks and assumptions. Operating expenditure is expected to increase in general terms over the next ten years and an average increase for annual growth of 0.5% less than expected. CPI growth has been applied to all costs, unless specifically modified on the basis of other data or assumptions.

Employee Expenses

Council is a leading employer in the region both directly through its full time equivalent workforce of 137.05 budgeted positions and indirectly through the services it contracts to ensure an efficient, affordable and sustainable service delivery model for the community.

Council aims to build its reputation as an "employer of choice" in order to attract and retain quality staff that it will continue to develop, support and assist. The challenge in a competitive market place is to achieve these goals and enhance Council's service delivery capability while maintaining salary and wages that are sustainable over the long term.

Direct employee costs represent approximately 30% of Council's total operational expenditure, therefore it warrants specific strategic planning, ongoing monitoring and tight management control to ensure financial sustainability.

Council staff other than the General Manager are employed under the NSW Local Government (State) Award. The most recent award came into effect on 1 July 2023 and stipulates an increase of 3.50% for 2025/26. Subsequently Council has forecast an annual increase of 3.0% for the remainder of the LTFP.

Council's Workforce Management Plan has been prepared in line with the development of this Long Term Financial Plan and considers the current and future workforce challenges and the skill sets of employees required to meet our key objectives.

The Workforce Management Plan is intended to provide an understanding of the internal and external issues facing the organisation now and into the future in terms of the capability of our people, the quality of management and leadership and our workforce culture.

The delivery of major projects within the Community Strategic Plan will rely on the effectiveness of Council's workforce to plan, implement and manage the many projects, facilities and services.

Council will continue to develop strategies that enhance recruitment and attraction, customising learning and development needs, building leadership and management capability and supporting effective performance development and management. These programs are incorporated within the current provisions contained in this Long Term Financial Plan.

Council Employee Leave Entitlements reserve is used to fund unanticipated changes in termination payments each year. The number of staff who might leave is difficult to predict and the Long Term Financial Plan modelling has a provision added to represent the projected levels of retirements, to accommodate the challenges of an ageing workforce.

Council's policy is to fully fund the leave entitlements of staff in the Employee Leave Entitlements Reserve. In recent years the reserve has been used to assist in the funding of costs associated with the resignation/retirement of a number of long serving employees. Council has been fortunate in recent years that it has had enough surplus cash to fund 100% of this reserve. It is projected that the reserve will maintain a balance of 100% over the life of the Long Term Financial Plan. However, if surplus funds were to decrease Council may have to revisit this policy.

Workers Compensation premiums increase and decrease significantly with claims history. Council continues to be proactive in order to minimise any potential for claims.

Borrowing Costs

Wentworth Shire Council in the past has been debt averse and viewed the achievement of a low level of debt or even a debt free status as a primary goal. However we appreciate that the use of loan funding can be a critical component of the funding mix to deliver much needed infrastructure to the community. The beneficiaries of these projects will assist in their funding as their rates will be applied in part to repaying the loans. This is in contrast to current ratepayers bearing the entire burden in one year, possibly at the expense of other worthwhile expenditure.

Debt is seen as a method of more fairly spreading capital costs to deliver intergenerational equity. Keeping this in mind there are limits to the amount the Council can borrow without impacting on its financial sustainability and Council is mindful of not wanting to impose excessive debt on current or future generations.

Council's borrowing strategy projected in the LTFP is to restrict the debt service cover ratio to less than the industry benchmark of 20%. Before embarking on any new debt Council will consider the following:

- Debt financing is only to be used for clearly identifiable major projects and the Capital Works Program
- Debt finance will not be used to meet operational shortfalls
- The period of repayment of debt finance shall not exceed the period over which the benefits are received from a project, or the life of the asset whichever is lesser

The principles of intergenerational equity are supported in respect of the Council contribution to the funding of major projects, the benefits of which will be shared by future generations.

Loans shall only be raised after taking into consideration future known specific capital funding requirements and, when raised, shall only fund the specific project or purpose approved.

Materials and Services

Materials and Services expenditures are another significant proportion of total operating expenditure, with the amount expended fluctuating moderately from year to year, depending on the specific needs and priorities of the services and projects within this category.

Council has a significant infrastructure portfolio that needs to be maintained to a quality standard, whilst providing a broad and diverse range of quality services for its community. Expectations for increasing levels of service and new community assets will lead to future cost pressures. Asset management and service planning, together with on-going reviews of contract and services, will aim to defray some of these increasing cost demands.

Major financial risks within this category of expenditure include:

- increased costs of inputs to operations (waste costs, fuel, labour)
- increased levels of service expected by the community and other stakeholders
- new services expected to be delivered by local government and potential government cost-shifting
- additional asset maintenance costs (new parks, roads, cycle ways, trees, facilities etc)
- limited competitive supply for some specific service areas.

Council's Asset Management Strategy incorporates the over-arching framework, policies and strategies to manage the critical assets under Council's control, a key measure of long term sustainability.

The Long Term Financial Plan provides estimates of the planned maintenance levels for each of the major categories of infrastructure assets including forward estimates for asset maintenance activities including new assets developed, together with provisions for projects that refurbish, upgrade or create new community facilities and essential infrastructure.

The Long Term Financial Plan and Asset Management Strategy together demonstrate the council's capacity to fund the required maintenance and renewal of its critical operational and community assets, in a condition appropriate to meet the needs of the community and its expectations over the next ten years.

Depreciation

Depreciation of assets is a non-cash expense that systematically allocates the financial benefit of a fixed asset, and recognises degradation of its capacity to continue to provide functionality over time. Depreciation provides an approximate indicator of the reduction of the asset's estimated useful life, on the proviso that it is maintained in a standard condition.

Depreciation is based upon each asset's value and an annual rate of depreciation calculated on the estimated useful life for each asset class. Depreciation is not influenced by other factors such as CPI and will only change if asset values or depreciation rates vary, or assets are acquired or disposed of. NSW Office of Local Government guidelines require that all assets are revalued to "fair value" within a five year cycle.

Valuation and depreciation methodologies are regularly reviewed, as part of cyclical asset revaluations and in the interim, as improved asset data is incorporated into depreciation calculations, with the aim of better aligning asset depreciation with consumption of economic benefit as closely as practical, using available information.

However, depreciation – a notional calculation of asset consumption over its useful life – is not a measure of the required renewal expenditure on an asset in any given year. It does not reflect the actual physical degradation of the asset condition. Depreciation is therefore merely a guide towards the funds that should be allocated towards the renewal of assets on an annual basis.

Council's investment in new community facilities and other assets, and periodic revaluation of our existing assets will see the depreciable asset base rise over time. The Long Term Financial Plan assumes a continuation of present-day depreciation methodology.

Other Expenses

These expenses are those which are not part of the day to day operations of Council and generally relate to section 356 financial contributions and levies paid to other levels of government such as the Emergency Services Levy.

Capital Expenditure Program

Council's existing infrastructure assets are generally in good condition, and Council is in a position whereby it can maintain the current levels of service and budget allocation towards asset maintenance and renewal expenditure.

Consistent with previous iterations of the Long Term Financial Plan, Council continues to plan for an extensive capital expenditure program with approximately \$140 million in expenditure forecast over the next ten years.

Council, through its capital works program, delivers vital improvements to the shire's public areas, roads, water, sewer, footways, stormwater, parks and open spaces, pools and other community facilities. New or replacement facilities are designed and constructed to meet growing community needs, while the existing essential infrastructure and community facilities require upgrades and renewal in addition to their annual maintenance programs.

Capital works funding is the largest program of expenditure in Council's Long Term Financial Plan and is therefore the subject of rigorous planning to ensure a sustainable level of funding for the timely delivery of projects. The capital works schedule incorporates estimates of the scope, value and timing of the works and projects based upon Council's priorities, current level of knowledge and best estimates

Substantial capital programs are in place to continue the renewal of Council's infrastructure network. The programs will ensure that these key asset groups meet or exceed Council's determined 'minimum' service levels and continue to provide the expected amenity to the community.

The capital works program prioritises projects based on asset condition, risk, community need and other opportunities as they arise with other entities. Over shorter periods, some areas of the Shire may require more capital works than others to reflect short term needs and opportunities.

The need for new assets is constantly assessed and verified against current population and development projects, community feedback and alternative means of supplying services. A further consideration is the priority of refurbishing existing assets that provide community benefits or operational service that require regular refurbishment to enable the overall safety and quality of the facility to be maintained.

The ten-year capital works schedule comprises a mixture of specifically identified and budgeted projects over a shorter term and contains provisional sums over the longer term for programs of work where individual project opportunities have yet to be determined.

Apart from funding constraints, Council has capacity constraints which determine the capital works program delivery timeframe. The constraints in project delivery include community consultation, state government approvals, design, procurement processes and availability of labour resources to project manage and implement the projects.

In addition to the renewal and expansion of Council's asset base delivered through the capital works program, Council undertakes a replacement (and, where appropriate) upgrade/expansion program for its plant and equipment assets including motor vehicles, furniture, plant and IT hardware.

This significant capital program requires careful planning and financial management, in order to ensure that delivery is achievable whilst maintaining operational service standards.

10 Year Capital	Works Program
Plant & Equipment	\$28,356,577.00
Office Equipment	\$2,100,000.00
Furniture & Fittings	\$112,000.00
Land	\$1,000,000.00
Land Improvements	\$660,000.00
Buildings	\$2,000,000.00
Other Structures	\$250,000.00
Roads	\$48,863,922.00
Footpaths	\$400,000.00
Stormwater	\$5,720,000.00
Water	\$14,084,995.00
Sewerage	\$19,420,143.00
Swimming Pools	\$140,000.00
Open Space/Rec	\$600,000.00
Library Books	\$901,500.00
Tip Assets	\$19,932,510.00
	\$144,541,647.00

Asset Management

Wentworth Shire Council is responsible for a large and diverse asset base. These assets include roads, bridges, footpaths, drains, halls, parks, sporting facilities, water and sewerage infrastructure. The infrastructure assets owned or controlled by Council are required for service delivery, not for profit making. The key objective therefore in assessing infrastructure assets is that a specific level of service can be provided now and into the future.

Service provision, in particular service levels, ultimately determine the infrastructure asset requirements of a Council. In turn all assets that are utilised for service provision require proper maintenance and replacement, over a period of time, to guarantee that the specific service levels are actually achieved now and into the future.

In order to manage this asset base, strategies and plans have been developed which are designed to address issues regarding asset life cycles and risk. The Asset Management Plans that have been developed include information on existing asset condition, deemed acceptable base condition and any associated funding shortfalls together with revised financial models providing affordability data.

The data from these plans have been used to populate the Long Term Financial Plan and act as a guide to assist Council in its decision making processes and is based on best available financial data and assumptions regarding projected movements in future years. It is expected that, as these plans evolve, projected indicators may look decidedly different as further knowledge and expertise is developed.

The program for asset renewal, enhancement and for the creation of new assets will be informed by Council's Asset Management Strategy. Over the long term, proposed capital expenditure for replacement and refurbishment of key asset classes is expected to meet or exceed the required level, as identified in the Asset Management Strategy.

The need for new assets is constantly assessed and verified against current population and development projects, community feedback and alternative means of supplying services. A further consideration is the priority of refurbishing existing assets that provide community benefits or operational service that require regular refurbishment to enable the overall safety and quality of the facility to be maintained.

FINANCIAL MODELLING

The Long Term Financial Plan modelling has been devised with three scenarios, as per the Integrated Planning and Reporting requirements.

Option 1 - Base Case (refer financial summary pages Option 1)

This is based on Council's 2024/2025 budget, this is Councils base case scenario and assumes the continuation of business as usual. No new major capital works have been included other than capital renewals and projects already included for future years. This scenario assumes that all projects were completed as planned in their respective years.

Revenue Assumptions

Ordinary Rates will continue to increase annually in line with State Government rate pegging policy

- General User Fees and Charges will rise annually by forecasted CPI
- Regulatory Fees and Charges will stay the same with any increase attributable to extra service provision
- There are no new capital grants forecasted and income will rise by forecasted CPI.
- Recurrent Operating Grants will increase by forecasted CPI
- Investment income to increase by historic long term average
- Growth Rate is based on the historical trends of 2.1%

Expenditure Assumptions

- Employee costs will increase by forecasted 3.50% in 25/26 than by 3.00% per annum thereafter. There is no increase in staff numbers forecasted
- Other operating expenditure all increased in line with CPI (3% for 25/26 to 27/28 then 3.50% thereafter)
- Asset renewal rate is projected to be above 100% for the remaining period of the plan.
- Service levels to remain at current provisions
- This scenario includes only capital expenditure requirements required to keep maintaining current service standards.

Option 2 - Preferred Option (refer financial summary pages Option 2)

This is based on Council's 2024/2025 budget and includes a major review of revenue, operating expenditure and capital expenditure. This option includes the following considerations:

- Council no longer operates the Willowbend Caravan Park having entered a long term lease with a 3rd party to operate the park.
 - Council has completed the redevelopment of the park during the 2024/2025 financial year. Any future improvements at the park becomes the responsibility of the operator.
- Council continues to operate the Buronga Landfill
 - Application to expand the site and increase the EPA licence was approved
 - \$12M of capital works to expand the site had been programmed to commence in the 2024/2025 financial year
 - Tonnage to increase to 60,000 tonnes per annum from 2025/2026 financial year
 - Funds to set aside annual to an internally restricted reserve to fund ongoing capital works at the site.
- There are no new loans forecast under this assumption

Revenue Assumptions

Ordinary Rates, User Fees and Charges, Operating Grants will be increased by the following amounts:

- Year 1 5%
- Year 2 4%
- Year 3 5 3.5%
- Years 6 -10 increase by 4%
- Investment income to increase incrementally to reflect increases in cash holdings. It is anticipated that the cash rate will return to historic average of 3% over years 1 & 2 and them remain at that level for the life the plan.
- Growth rate in rateable properties is anticipated continue above the historic average of 2.1%. This assumption assumes a conservative increase over the first 5 years of the plan.

Expenditure Assumptions

Expenditure is critically reviewed on an annual basis. Where is there is no justification for an increase in operational expenditure then it is held at current year's levels or even reduced.

- Materials and Contracts and Other Expenses have been forecast to increase by the following amounts:
 - Year 1 4.5% increase in operational expenditure
 - Year 2 3.5% increase in operational expenditure
 - Years 3 5 3% increase in operational expenditure
 - Years 6 10 4.0% increase in operational expenditure
- Borrowing costs will change annually in line with approved loan repayment requirements
- Employee Expenses have been forecasted to increase by 3.00% per year based on the current structure of 137.05
- Assumes no new services and factors in a growth in existing service levels in line with conservative increase in rateable assessments.

Option 3 - Alternative Option (refer financial summary pages Option 3)

This is based on Council's preferred option budget but factors an additional increase in Landfill Revenue due to changes in the local operating environment. This option includes the following considerations:

- · Council continues the operations of the Buronga Landfill
 - This assumption models the impact of the landfill increasing from 60,000 tonnes per annum to 75,000 per annum in 2028/2029 to reflect changes in the local operating environment.
- Growth rate in rateable properties is anticipated to continue above the historic trend of 2.1%, however there has been no change between this assumption and the preferred options as the rate that new properties are developed are largely outside Council's control.
- There are no new loans forecast under this scenario.

Summary of Planning Assumptions

Option		CPI & Inflation	Rates	Employee Costs	Grants	Interest on Investments	Interest on Borrowings	Growth
4	2024/25	5.00%	5.20%	4.00%	3.00%	3.00%	3.66%	2.10%
_	Future	3.00%	3.00%	3.00%	3.00%	3.00%	3.79%	2.10%
	2025/26	4.00%	4.50%	3.50%	5.00%	3.00%	3.79%	3.00%
2	Years 2-5	3.50%	3.50%	3.00%	3.60%	3.00%	3.79%	3.00%
	Years 6-10	4.00%	4.00%	2.50%	4.00%	3.00%	3.79%	3.00%
	2025/26	4.00%	4.50%	3.50%	5.00%	3.00%	3.79%	3.00%
3	Years 2-5	3.50%	3.50%	3.00%	3.60%	3.00%	3.79%	3.00%
	Years 6-10	4.00%	4.00%	2.50%	4.00%	3.00%	3.79%	3.00%

SENSITIVITY ANALYSIS

Although the assumptions used in the Long Term Financial Plan are informed estimates based on reliable information at that point in time, long term financial plans are inherently uncertain. They contain a wide range of assumptions, including assumptions about interest rate movements and the potential effect of inflation on revenue and expenditure which are largely outside of Council's control.

Any major changes in these assumptions will have an impact on the financial projections contained therein. The level of impact depends not only on the level of change but also on the nature of the assumption.

A minor variance in some of the assumptions will have a relatively small impact on the projections contained in the Long Term Financial Plan. Sensitivity analysis has been undertaken to assess the impact of changes in the factors which have been used to project future revenue and expenditure.

Sensitivity analysis involves developing different scenarios by varying critical assumptions, such as the projected level of rates revenue and employee costs. The different scenarios demonstrate the impact of these changes on Council's financial projections.

Council has applied a relatively conservative approach in developing this Long Term Financial Plan, so as to ensure that the forecast financial modelling is more likely to succeed and reduces the financial exposure risk for Council.

Inflation assumptions are heavily used throughout the Long Term Financial Plan and is an assumption used on both income and expenditure projections and as such mitigates any substantial impact on the results of the financial modelling should there be any significant variance.

The following may affect the outcome of the above scenarios in the following way:

Rates

Rates comprise 25% of Council's total operating income. As stated earlier, rates are capped by the State Government. The Plan has assumed an increase of 3.50%-4% in the short to medium term and 4.0% in the medium to longer term.

Risk

There is a High Risk that the rate pegging increase is less than anticipated.

Variances between the forecast and the actual rate peg of 10% would result in an average shortfall per annum of \$97,025 over the length of plan.

Employee Costs

Salary growth is largely subject to the NSW Local Government Award. Council has factored in a 3.0% annual increase in employee expenses and that the current staffing and organisational structure remains constant.

Risk

There is a Moderate Risk should there be changes to levels of service resulting in an increase in employee costs.

As Council is a service provider, employee costs are a large portion of operating expenses. Forecasting assumptions used are based on expected Local Government Award variations and performance-based increases. An increase of 10% above forecast would increase employee costs on average by \$313,000 per annum over the life of the plan.

Interest Revenue

Interest on investments is calculated at 3% for the medium to longer term of the Plan.

Risk

There is a Moderate Risk that interest rates will vary from those projected.

Rates used are based on detailed analysis. If actual interest rates are lower than the assumed rate, expenditure priorities would be re-evaluated or alternative funding mechanisms utilised. It should be noted that any increases in revenue due to increased rates may be partially offset by increased interest borrowing costs on any new loan borrowings or offset by larger funds on investments.

Cost Shifting

Cost shifting describes the situation where the responsibility for, or the cost of, providing a certain service, concession, facility or regulatory function is shifted from a higher level of government without the provision of corresponding funding or an ability to raise revenue to adequately fund the shifted responsibility. Cost shifting to local government from both federal and state governments is an area of significant concern to Council.

Risk

There is a Moderate Risk that new or increased services and functions will be transferred to Council's responsibility.

Should the federal or state governments continue to transfer responsibility and associated costs for service provision to Council, this will have a negative impact on Council's financial performance and place additional pressure on its financial sustainability.

Population Increase/Growth

Council needs to ensure that there are sufficient resources available in the right place at the right time, with the right skills to deliver on the community's vision and aspirations. A growing population brings many challenges and opportunities for Council. Known challenges include urban transformation as new residential developments change the urban environment. More people in the same place will put pressure on open spaces and service provision and there is a greater expectation from the community that services and facilities will be accessible for all.

Whilst some growth in demand for services can be accommodated by efficiency gains, however, there will be a point where the population growth will require Council to fund additional services or increase the level of resources required to deliver existing services.

Risk

There is a High Risk that should growth in the number of properties vary considerably from forecasts, this will result in revenue collected from rates being too low to fund Council's services and capital program.

There is also a High Risk that if the timing of growth differs significantly from forecast, that this will impact on Councils cash flows and may necessitate changes to planned borrowings for capital purposes.

Growth projections are based on the expected lot yield based on known planned development. These projections are not expected to change in the immediate future, however the timing of that growth and its impacts on Council's revenue will affect the funds available for service provision.

Legislative Change

Council will continue to operate within the same general legislative environment and with the same authority as it currently does through the life of this plan.

Risk

There is a Moderate Risk that should the Local Government legislative environment change, the services and functions Council plans to provide over the 10 year life of the Plan could change.

At the time of writing this Plan, Council is unable to determine how potential legislative change might impact its operations or quantify the potential impact.

Fees & Charges

Based on historical trends, fees and charges are assumed to increase by an average of 5% per year.

Risk

There is a Low Risk that fees and charges increase by less than the assumed rate. There is a High Risk should Councils current sources of fees and charges revenue change significantly.

Fees and charges make up approximately 30% of Council's revenue base and as such changes in this amount is likely to materially impact on Council's financial viability.

Council has limited ability to raise additional revenue, fees and charges are one area that gives Council tha additional capacity. In particular Council receives significant revenue from the Transport for NSW RMCC contract and the Buronga Landfill. The loss or significant reduction in one of these sources of revenue will significantly impact on Council's ability to generate additional discretionary revenue.

Service Levels

Service levels largely remain the same throughout the life of the plan.

Risk

There is a Moderate Risk that there will be a demand for service levels to increase.

The provision of current service level requires 100% of current income streams. Any increase in service levels will require sourcing of new/increased income streams or the reduction of another service to offset the increase cost.

Inflation

In developing the Plan, Council has based inflation at an average of 3.5-4.00% in the short to medium term and 4.00% in the medium to longer term.

Risk

There is a Low Risk should inflation be higher or lower than anticipated. However, there is a Moderate Risk should inflation on expenditure not be offset by inflation on revenue.

Inflation is affected by external economic factors outside Council's control. However, any inflationary increase in Council's costs that is not offset by efficiency gains or revenue increases is likely to impact service levels and programmed works.

Borrowing Costs

Council's proposed a long term borrowing plan is based on Council's current average interest rate of 3.79% which is subject to market lending conditions and Council's financial position.

Risk

There is a Low Risk should interest rates vary from those projected.

The interest rates used in the plan is based on Council's current average interest for its existing loan portfolio. The Plan forecasts no new loan borrowings therefore it is expected that this rate will remain constant for the life of the plan.

If the actual interest rates are higher than assumed, it should be noted it will be hedged by increased interest on investments therefore the impact of any interest rate fluctuations are expected to be minimal.

Performance Monitoring

reviewed and updated as circumstances change, to ensure our long term financial sustainability and growth are not compromised. A set of key Council is committed to ensuring that Council and its community are sustainable and able to continue to grow in the long term. Accordingly, it will measure its financial performance on a continuing basis. We will ensure that its financial management policies and procedures are performance indicators have included in each scenario to measure Councils performance. These include:

Operating Performance Ratio

(Benchmark: greater than 0%)

excluding Capital Grants and Contributions (which are typically variable in nature and shouldn't be relied on as ongoing income). Performance Widely acknowledged within the sector as a core measure of financial sustainability, this ratio essentially measures Council's operating result at or above benchmark indicates that Council has the ability to generate sufficient recurrent income to fund its ongoing operations.

Year Ending 30 June	Scenario 2026	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Benchmark:	က	19.05%	22.34%	24.35%	33.68%	35.37%	36.86%	38.23%	39.25%	40.89%	42.15%
Greater than 0%	7	19.02%	22.34%	24.35%	25.32%	27.12%	28.74%	30.21%	31.29%	33.08%	34.45%
	н	16.30%	18.61%	20.07%	19.55%	20.81%	21.65%	22.41%	22.86%	23.80%	24.49%

Own-Source Operating Revenue Ratio

(Benchmark: greater than 60%)

A measure of fiscal flexibility, Own Source Revenue refers to Council's ability to raise revenue through its own internal means, thereby reducing reliance on external sources of income and insulating against negative fluctuations in external funding.

	Scenario 2026 2027	2028	2029	2030	2031	2032	2033	2034	2035
7 2			68 42%	68 47%			68 68%	68.75%	
	9 19					65.42%			

Unrestricted Current Ratio

(Benchmark: greater than 1.5x)

Used to assess the financial liquidity of Council. It measures Council's ability to meet its short-term financial obligations using unrestricted current assets, meaning those not tied to external restrictions such as grants or specific-purpose funds.

Year Ending Scenario 2026 30 June	Scenario	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Benchmark:	က	2.93x	3.30x	4.43x	5.53x	7.56x	9.89×	12.03x	14.29x	17.14x	22.57x
Greater than 1.5x	7	2.93x	3.30x	4.43x	4.74x	×00.9	7.50x	8.82x	10.30x	12.24x	15.83x
	П	2.83x	3.44x	4.15x	3.96x	4.77×	5.73x	6.67x	7.56x	7.89x	9.20x

Debt Service Cover Ratio

(Benchmark: greater than 2%)

Assess Council's ability to service debt obligations from operating cash flows. It measures Council's ability to meet principal and interest repayments on borrowings while maintaining financial sustainability.

))		•						
Year Ending Scenario 2026 30 June	Scenario	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Benchmark:	3	6.72%	7.38%	8.18%	11.57%	12.40%	13.05%	15.68%	17.09%	18.05%	20.48%
Greater than 2%	7	6.72%	7.38%	8.14%	9.23%	%68.6	10.42%	12.52%	13.63%	14.42%	16.37%
	1	6.01%	6.46%	6.91%	7.20%	7.75%	%86′2	9.34%	%96.6	10.45%	11.66%

Rates, Annual Charges, Interest & Extra Charges Outstanding Percentage Ratio

(Benchmark: less than 10%)

Used to assess the efficiency of Council's revenue collection. It measures the proportion of outstanding rates and annual charges at the end of a financial year relative to the total amount levied

Year Ending 30 June	Scenario 2026	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Benchmark:	က	%89.6	%89.6	9.72%	%92.6	%08'6	9.84%	%88%	9.92%	%96.6	10.00%
Less than 10%	7	9.63%	%89.6	9.72%	%92.6	%08'6	9.84%	9.88%	9.92%	%96.6	10.00%
	1	9.63%	%99.6	%69.6	9.73%	%92.6	%08'6	9.83%	%98.6	%68.6	9.95%

Cash Expense Cover Ratio

(Benchmark: greater than 3 months)

Measures the number of months Council can continue to pay its operating expenses using available cash reserves, without receiving any additional revenue.

Year Ending 30 June	Scenario 2026	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035
Benchmark:	3	24.70	26.65	28.80	28.19	30.43	32.77	35.62	38.73	38.10	40.86
Greater than 3 months	7	24.70	26.65	28.80	28.19	30.43	32.77	35.62	38.73	38.10	40.86
	н	25.08	26.99	29.07	27.51	30.05	32.39	35.22	38.44	37.79	40.53

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Wentworth Shire Council 10 Year Financial Plan for the Years ending 30 June 2035 INCOME STATEMENT - CONSOLIDATED Scenario: Scenario 1 - Business as Usual scenario (rolled over from	Actuals 2023/24	Current Year 2024/25	2025/26	2026/27	2027/28	2028/29	Projected Years 2029/30	Years 2030/31	2031/32	2032/33	2033/34	2034/35
Income from Continuing Operations	e	6	P	Ð	A	Ð	P	A	A	A	A	9
Revenue:												
Rates & Annual Charges	10.410.000	10.938.380	11.271.797	11.615.215	11.968.937	12.333.270	12.708.534	13.095.054	13.493.171	13.903.231	14.325.593	14.760.626
User Charges & Fees	10,109,000	8,412,720	10,799,350	11,117,037	11.444.254	11.781.287	12,128,432	12,485,991	12,854,277	13,234,511	13.625,225	14.027.661
Other Revenues	879,000	1,114,564	1,155,936	1,160,251	1,144,696	1,149,273	1,153,989	1,178,845	1,183,848	1,169,000	1,174,307	1,179,773
Grants & Contributions provided for Operating Purposes	10,816,000	11,968,600	12,657,749	13,358,126	13,812,673	14,148,779	14,571,669	15,007,247	15,455,891	15,917,995	16,393,962	16,884,208
Grants & Contributions provided for Capital Purposes	17,143,000	15,492,909	2,746,407	1,622,214	232,948	535,121	537,360	539,666	542,041	544,487	547,006	549,602
Interest & Investment Revenue	2,318,000	2,220,250	2,286,857	2,355,464	2,426,128	2,498,912	2,573,879	2,651,095	2,730,628	2,812,547	2,896,924	2,983,831
Other Income:												
Net Gains from the Disposal of Assets	26,000	•				٠		•	٠			
Fair value increment on investment properties	•	•				•		•	•			
Reversal of revaluation decrements on IPPE previously expensed	•			•		•		•	•			
Reversal of impairment losses on receivables	23,000	•						•				
Other Income	52,000											
Joint Ventures & Associated Entities - Gain								•	•		•	
Total Income from Continuing Operations	51,806,000	50,147,422	40,918,095	41,228,307	41,029,635	42,446,641	43,673,863	44,957,899	46,259,856	47,581,771	48,963,017	50,385,701
Expenses from Continuing Operations												
Employee Benefits & On-Costs	10.066.000	11.277.280	11.868.172	12.489.573	12.861.200	13.235.200	13.620.111	14.016.252	14,423,948	14.843.536	15.275.357	15.199.833
Borrowing Costs	578,000	1,401,229	1,350,426	1,305,183	1,230,614	1,165,492	1,051,582	987,981	922,423	854,011	799,187	724,534
Materials & Contracts	12,665,000	7,848,739	8,725,364	8,416,510	8,480,100	9,260,483	9,411,726	9,703,098	10,012,054	10,450,832	10,661,316	11,523,873
Depreciation & Amortisation	10,083,000	9,307,829	9,307,829	9,307,829	9,307,829	9,307,829	9,307,829	9,307,829	9,307,829	9,307,829	9,307,829	9,307,829
Impairment of investments	•	•	•	•	•	•	•	•	•	•	•	
Impairment of receivables	3,000				•	•		•				
Other Expenses	678,000	684,920	699,468	714,452	729,885	748,431	767,626	787,493	808,055	829,337	851,364	874,162
Interest & Investment Losses	•											
Net Losses from the Disposal of Assets	•	•	•	•		•	•	•	•	•	•	
Kevaluation decrement/impairment or IPPE												
Fall Value decrement on investment properties	62 000											
Total Expenses from Continuing Operations	34,135,000	30,519,997	31,951,259	32,233,547	32,609,629	33,717,436	34,158,874	34,802,654	35,474,310	36,285,545	36,895,053	37,630,231
Operating Result from Continuing Operations	17,671,000	19,627,425	8,966,836	8,994,760	8,420,006	8,729,206	9,514,988	10,155,245	10,785,546	11,296,226	12,067,963	12,755,470
Net Profit/(Loss) from Discontinued Operations												. .
Net Operating Result for the Year	17,671,000	19,627,425	8,966,836	8,994,760	8,420,006	8,729,206	9,514,988	10,155,245	10,785,546	11,296,226	12,067,963	12,755,470
Net Operating Result before Grants and Contributions provided for												
Capital Purposes	528.000	4,134,516	6.220.430	7.372.546	8.187.058	8.194.085	8.977.628	9.615.579	10.243,505	10,751,739	11.520.957	12.205.868

wentworm Snire Council 10 Year Financial Han for the Years ending 30 June 2035 BALANCE SHEET - CONSOLIDATED Scenario: Scenario 1 - Business as Usual scenario (rolled over from	Actuals 2023/24 \$	Current Year 2024/25 \$	2025/26	2026/27	2027/28	2028/29	Projected Years 2029/30 \$	d Years 2030/31 \$	2031/32	2032/33	2033/34	2034/35
ASSETS Current Assets Cash & Cash Equivalents Receivables	10,482,000 39,000,000 8,320,000	10,765,660 39,603,388 5,461,586	10,491,375 39,603,388 5,072,288	10,679,852 44,075,990 5,219,635	10,635,009 49,285,861 5,332,945	9,735,472 49,285,861 5,479,511	10,541,247 55,174,209 5,718,522	10,492,252 62,215,509 5,964,960	10,441,778 69,886,072 6,224,423	10,389,791 77,775,363 6,491,450	10,336,245 80,350,592 6,689,888	10,271,091 89,237,320 6,981,354
Inventories Contract assets and contract cost assets Other	306,000	127,986	146,611 - 139,278	138,114	138,197	154,375 - 146,887	156,125 - 148,762	161,017 - 153,341	166,248 - 158,224	174,380 - 165,607	177,232 - 168,481	194,910 - 184,071
Non-current assets dassified as "held for sale" Total Current Assets	58,384,000	56,081,659	55,452,940	60,245,885	-65,524,677	64,802,107	71,738,865	78,987,078	86,876,745	94,996,592	97,722,439	106,868,746
Non-Current Assets Investments Receivables												
Contract assets and contract cost assets infrastructure. Property, Plant & Equipment	615,683,000	644,208,183	- 648,717,649	- 010,775,010	- 652,814,345	-661,210,365	-662,582,694	-664,239,411	-666,133,058	- 668,351,772	-676,694,168	- 679,401,047
Investment Property Pintangle Assets Pintangle Assets	184,000	184,000	184,000	184,000	184,000	184,000	184,000	184,000	184,000	184,000	184,000	184,000
rights of the second of the se	805,000	805,000	805,000	805,000	805,000	805,000	805,000	805,000	805,000	805,000	805,000	805,000
Other Total Non-Current Assets TOTAL ASSETS	616,672,000 675,056,000	645,197,183 701,278,842	649,706,649 705,159,589	- 652,366,010 712,611,894	- 653,803,345 719,328,022	- 662,199,365 727,001,472	- 663,571,694 735,310,559	- 665,228,411 744,215,489	- 667,122,058 753,998,803	- 669,340,772 764,337,364	- 677,683,168 775,405,607	- 680,390,047 787,258,793
LIABILITIES Current Liabilities Bank Overdraft					•	•	•		•			
Payables	5,439,000	4,426,135	4,604,545	4,658,056	4,719,856	4,856,930	4,931,997	5,021,747	5,115,677	5,225,491	5,312,638	5,404,313
Contract labilities faste in pulities	12,503,000	9,590,271	5,784,181	5,665,178	5,378,057	5,611,130	5,774,469	5,942,709	6,115,996	6,294,549	6,478,389	6,667,744
Borrowings Borrowings Employee benefit provisions	1,156,000 2,066,000	1,458,410 2,109,388	1,476,962 2,109,388	1,478,558 2,109,388	1,425,902 2,109,388	1,444,308 2,109,388	1,508,304 2,109,388	1,269,449 2,109,388	1,246,032 2,109,388	1,270,707 2,109,388	1,183,314 2,109,388	928,962 2,109,388
Orner provisions Liabilities associated with assets classified as "held for sale" Total Current Liabilities	21,164,000	17,584,204	13,975,076	13,911,180	13,633,203	14,021,756	14,324,158	14,343,293	14,587,093	14,900,135	15,083,729	15,110,407
Non-Current Liabilities Payables Propered in advance Contract liabilities												
case alanties Borrowings Employee benefit provisions Other provisions	13,828,000 235,000 2,963,000	24,046,601 191,612 2,963,000	22,569,639 191,612 2,963,000	21,091,081 191,612 2,963,000	- 19,665,179 191,612 2,963,000	- 18,220,871 191,612 2,963,000	16,712,567 191,612 2,963,000	15,443,118 191,612 2,963,000	14,197,086 191,612 2,963,000	2,926,379 191,612 2,963,000	- 11,743,065 191,612 2,963,000	- 10,814,103 191,612 2,963,000
Liabilities associated with assets classified as "held for sale" Total Non-Current Liabilities Not Assets Net Assets	17,026,000 38,190,000 636,866,000	27,201,213 44,785,417 656,493,425	25,724,251 39,699,327 665,460,262	24,245,693 38,156,873 674,455,022	22,819,791 36,452,994 682,875,028	21,375,483 35,397,239 691,604,233	- 19,867,179 34,191,337 701,119,221	- 18,597,730 32,941,023 711,274,466	- 17,351,698 31,938,791 722,060,012	- 16,080,991 30,981,126 733,356,238	- 14,897,677 29,981,406 745,424,201	- 13,968,715 29,079,122 758,179,671
EQUITY Retained Earnings Revalation Reserves	133,826,000 503,040,000	153,453,425 503,040,000	162,420,262 503,040,000	171,415,022 503,040,000	179,835,028 503,040,000	188,564,233 503,040,000	198,079,221 503,040,000	208,234,466 503,040,000	219,020,012 503,040,000	230,316,238 503,040,000	242,384,201 503,040,000	255,139,671 503,040,000
Country State of the state of t	636,866,000	656,493,425	665,460,262	674,455,022	682,875,028	691,604,233	701,119,221	711,274,466	722,060,012	733,356,238	745,424,201	758,179,671
Total Equity	636,866,000	656,493,425	665,460,262	674,455,022	682,875,028	691,604,233	701,119,221	711,274,466	722,060,012	733,356,238	745,424,201	758,179,671

Wentworth Shire Council 10 Year Financial Plan for the Years ending 30 June 2035 CASH FLOW STATEMENT - CONSOLIDATED	Actuals	Current Year					Projected Years	Years				
Scenario: Scenario 1 - Business as Usual scenario (rolled over fro	2023/24	2024/25	2025/26 \$	2026/27 \$	2027/28 \$	2028/29	2029/30 \$	2030/31 \$	2031/32	2032/33 \$	2033/34 \$	2034/35
Cash Flows from Operating Activities Receipts:												
Rates & Annual Charges User Charges & Fees	10,714,000 9,102,000	10,633,062 9,998,089	11,251,735 10,599,977	11,594,552 11,078,503	11,947,654 11,404,564	12,311,348 11,740,407	12,685,955 12,086,325	13,071,798 12,442,621	13,469,216 12,809,606	13,878,558 13,188,430	14,300,180 13,577,834	14,734,450 13,978,848
Investment & Interest Revenue Received Grants & Contributions	25.212.000	2,733,199	2,246,516	2,274,127	2,345,381	2,499,458	2,469,935	2,543,903	2,614,458	2,693,126	2,850,504	2,848,945
Bonds & Deposits Received Other	4.507.000	1.135.988	1.217.704	1.161.145	1.148.928	1.143.270	1.149.291	1.173.878	1.178.864	1.163.988	1.169.019	1.174.326
Payments:				(40 410 000)	(100 010 04)	100 000	00000	777		1000 44)	(45 000 400)	007007
Employee Behalis & On-Costs Materials & Contracts	(15,119,000)	(7,517,765)	(8,760,227)	(8,401,028)	(8,480,555)	(9,290,884)	(9,415,351)	(9,712,568)	(10,022,169)	(10,466,348)	(10,667,042)	(11,557,141)
Borrowing Costs Bonds & Deposits Refunded	(351,000)	(1,434,095)	(1,354,579)	(1,309,388)	(1,234,820)	(1,169,536)	(1,055,677)	(992,263)	(926,232)	(857,750)	(803,000)	(728,085)
Other	(1,347,000)	(1,757,747)	(548,186)	(687,270)	(689,184)	(631,644)	(717,483)	(721,353)	(739,053)	(745,392)	(200,909)	(798,459)
Net Cash provided (or used in) Operating Activities	24,733,000	28,199,049	15,001,420	18,105,231	17,388,750	18,230,215	18,818,588	19,465,155	20,091,015	20,609,879	21,442,614	22,019,596
Cash Flows from Investing Activities												
Receipts: Sale of Investment Securities	40.000.000	•	,									
Sale of Investment Property		•										
Sale of Infrastructure, Property, Plant & Equipment	412,000	000'002	200,007	200,007	200,007	200,000	200,007	200,007	200,007	200,007	200,007	700,000
Sale of non-current assets classified as "held for sale" Sale of intancible Assets												
Sale of Interests in Joint Ventures & Associates	•	,	i									
Sale of Disposal Groups Deferred Debtors Receints												
Distributions Received from Joint Ventures & Associates	•			•	•	•			•			
Other Investing Activity Receipts	•	•							•			
Purchase of Investment Securities	(35,000,000)	(603,388)		(4,472,602)	(5,209,871)		(5,888,348)	(7,041,300)	(7,670,563)	(7,889,290)	(2,575,229)	(8,886,728)
Purchase of Investment Property Purchase of Infrastructure. Property. Plant & Equipment	(33.891.000)	(38.533.012)	(14.517.294)	(12.667.190)	(11,445,165)	(18.403.849)	(11,380,158)	(11,664,546)	(11,901,476)	(12,226,544)	(18,350,225)	(12,714,708)
Purchase of Real Estate Assets												
ruchase of Interests in Joint Ventures & Associates		. '										
Deferred Debtors & Advances Made Contributions Paid to Joint Ventures & Associates												
Other Investing Activity Payments		•			•	•	•				•	
Net Cash provided (or used in) Investing Activities	(28,479,000)	(38,436,400)	(13,817,294)	(16,439,792)	(15,955,036)	(17,703,849)	(16,568,506)	(18,005,846)	(18,872,039)	(19,415,834)	(20,225,454)	(20,901,436)
Cash Flows from Financing Activities												
Receipts: Proceeds from Borrowings & Advances	8 000 000	12 000 000						٠				
Proceeds from Finance Leases	200,000,0											
Other Financing Activity Receipts Payments:												
Repayment of Borrowings & Advances	(983,000)	(1,478,989)	(1,458,410)	(1,476,962)	(1,478,558)	(1,425,902)	(1,444,308)	(1,508,304)	(1,269,449)	(1,246,032)	(1,270,707)	(1,183,314)
Repayment of lease facilities (principal repayments) Distributions to non-controlling interests												
Other Financing Activity Payments	'	'										
Net Cash Flow provided (used in) Financing Activities	7,017,000	10,521,011	(1,458,410)	(1,476,962)	(1,478,558)	(1,425,902)	(1,444,308)	(1,508,304)	(1,269,449)	(1,246,032)	(1,270,707)	(1,183,314)
Net Increase/(Decrease) in Cash & Cash Equivalents	3,271,000	283,660	(274,285)	188,477	(44,843)	(899,536)	805,774	(48,995)	(50,474)	(51,987)	(53,547)	(65,154)
plus: Cash & Cash Equivalents - beginning of year	7,211,000	10,482,000	10,765,660	10,491,375	10,679,852	10,635,009	9,735,472	10,541,247	10,492,252	10,441,778	10,389,791	10,336,245
Cach & Cach Equivalente , and of the year	40 482 000	10 765 660	10.494.375	10 679 852	10 635 000	0 735 472	40 544 247	10.402.252	10 441 778	10 389 701	10 336 345	10 271 001
												2
Cash & Cash Equivalents - end of the year Investments - end of the year	10,482,000	10,765,660	10,491,375	10,679,852	10,635,009	9,735,472	10,541,247	10,492,252	10,441,778	10,389,791	10,336,245	10,271,091
Cash, Cash Equivalents & Investments - end of the year	49,482,000	50,369,047	50,094,763	54,755,842	59,920,870	59,021,334	65,715,456	72,707,761	80,327,851	88,165,154	90,686,836	99,508,4
Representing: - External Restrictions - Internal Restrictions	32,882,000	32,827,660	32,785,390	32,741,852	32,697,009	32,650,821	32,603,247	32,554,252 19,118,000	32,503,778	32,451,791	32,398,245	32,333,091 26,318,000
- Intertricted	2 282 000	3 223 388	1 101 372	4 005 000	7 505 861	4 852 513	0 704 200	21 035 500	26 906 973	22 005 263	22 770 502	40.857

Wentworm Snire Council 10 Year Financial Plan for the Years ending 30 June 2035		2						,				
INCOME SI A LEMEN - CONSOLIDATED Scenario: Scenario 2 - preferred scenario	Actuals 2023/24 \$	Current Year 2024/25 \$	2025/26	2026/27	2027/28	2028/29	Projected Years 2029/30 2	Years 2030/31 \$	2031/32	2032/33	2033/34	2034/35
Income from Continuing Operations												
Revenue:												
Rates & Annual Charges	10,410,000	10,938,380	11,271,797	11,729,688	12,146,370	12,577,635	13,023,995	13,551,975	14,101,074	14,672,137	15,266,042	15,883,704
User Charges & Fees	10,109,000	8,145,436	12,923,061	13,525,745	14,136,706	14,776,289	15,445,857	16,167,180	16,922,943	17,714,801	18,544,492	19,413,836
Other Revenues	879,000	1,381,848	1,958,378	1,867,013	1,867,150	1,802,969	1,754,492	1,814,199	1,804,845	1,831,463	1,859,092	1,887,772
Grants & Contributions provided for Operating Purposes	10,816,000	11,968,600	12,410,050	13,206,124	13,709,737	14,098,257	14,589,861	15,171,359	15,776,116	16,405,064	17,059,169	17,739,439
Grants & Contributions provided for Capital Purposes	17,143,000	15,492,909	8,133,998	1,258,983	234,006	536,579	539,242	542,391	545,667	549,074	552,617	556,301
Interest & Investment Revenue	2,318,000	2,220,250	2,286,857	2,378,332	2,461,573	2,547,728	2,636,899	2,742,375	2,852,070	2,966,152	3,084,798	3,208,190
Other Income:												
Net Gains from the Disposal of Assets	26,000	•	•	•					•	•		•
Fair value increment on investment properties	•	•	•		•	•		•	•			•
Reversal of revaluation decrements on IPPE previously expensed	•	•	•		•	•	•	•	•	•		•
Reversal of impairment losses on receivables	23,000	•										•
Other Income	22,000	•	•		•	•		•			•	•
Joint Ventures & Associated Entities - Gain	- 24 806 000	50 447 422	, AB 08A 4A4	- 43 965 884	- 44 555 542	46 330 457	- 47 000 346	40 080 478	52 000 745	- FA 139 601	- 56 366 340	58 680 243
	000,000,10	771,177	10,001	15,505,505	44,000,044	10,000,01	25,000,11	0.1.00.01	25,005,113	26,00	20,200,00	20,000,43
Expenses from Continuing Operations												
Employee Benefits & On-Costs	10,066,000	9,894,288	10,190,320	10,596,905	10,903,937	11,220,180	11,545,971	11,862,060	12,187,016	12,521,020	12,864,319	13,217,166
Borrowing Costs	278,000	1,401,229	1,282,303	1,235,784	1,146,851	1,060,501	999,043	934,942	869,337	805,667	745,327	681,420
Materials & Contracts	12,665,000	9,234,231	10,858,390	10,566,095	10,697,833	11,128,212	11,227,418	11,610,139	12,007,562	12,625,311	12,848,964	13,294,136
Depreciation & Amortisation	10,083,000	8,307,829	10,083,280	10,083,280	10,083,280	10,083,280	10,083,280	10,083,280	10,083,280	10,083,286	10,083,280	10,083,280
Impairment of investments	, 000 %	•										
Other Expenses	3,000	684 920	667 697	684 066	698 588	713 546	728 952	747 466	768.627	786 459	808 985	828 230
Interest & Investment Losses	5	-	,	-	-	'	- 20,031	201	10,00	20,	'	-
Net Losses from the Disposal of Assets	•	•	•				•	•		•	•	•
Revaluation decrement/impairment of IPPE	•	•	•	•	•	•		•	•	•		•
Fair value decrement on investment properties							•				•	•
Joint Ventures & Associated Entities	62,000											
l otal Expenses from Continuing Operations	34,135,000	30,522,497	33,081,996	33,166,136	33,530,495	34,205,725	34,584,670	35,237,893	35,913,828	36,821,743	37,348,880	38,104,238
Operating Result from Continuing Operations	17,671,000	19,624,925	15,902,145	10,799,748	11,025,047	12,133,731	13,405,676	14,751,585	16,088,886	17,316,948	19,017,330	20,585,005
Discontinued Operations - Profit/(Loss) Net Profit/(I oss) from Discontinued Operations				
Net Operating Result for the Year	17,671,000	19,624,925	15,902,145	10,799,748	11,025,047	12,133,731	13,405,676	14,751,585	16,088,886	17,316,948	19,017,330	20,585,005
Net Operating Result before Grants and Contributions provided for												
Capital Purposes	528,000	4,132,016	7,768,147	9,540,765	10,791,041	11,597,153	12,866,434	14,209,195	15,543,219	16,767,874	18,464,713	20,028,704

ASSETS Gurent Assets Investments Receivables Inventories Contract assets and contract cost assets Mon-current Assets Investments Non-Current Assets Investments Receivables Investments Receivables Investments Receivables Inventories Contract assets and contract cost assets Contract assets Contract assets	10,482,000 39,000,000 8,220,000 306,000 Z76,000 58,384,000	10,765,660 39,685,768 5,421,269				69	49	49	49	49	\$	
remotivies Vortract assets and contract cost assets Ann-current Assets void Current Assets vosalments vestments vestments vereinnels ventract assets and contract cost assets	306,000	100000	10,723,471 39,942,186 5,798,256	10,656,112 42,637,854 5,565,040	10,593,193 50,538,257 5,806,749	10,528,109 53,250,201 6,063,907	10,460,798 63,420,780 6.417,038	10,382,765 74,313,366 6,807,595	10,301,667 84,922,392 7,204,080	10,217,382 98,125,783 7,647,682	10,129,785 113,409,696 8,131,010	10,038,746 124,799,870 8,572,253
order current assets classified as "held for sale" for all Current Assets for all Current Assets westments economic assets are assets and contract cost assets contract assets and contract cost assets	58,384,000	159,634	183,659	175,105	176,449	184,564	185,064	191,683	198,563	210,400	213,155	220,887
otal Current Assets Ion-Current Assets westments receivabless conventions ontract cost assets	58,384,000	150,149	170,393	163,386	164,821	172,066	172,795	178,827	185,096	195,624	198,385	205,425
on-Gurrent Assets westments eceivables convertions ontract assets on tract assets		56,182,480	56,817,964	59,197,497	67,279,470	70,198,847	80,656,475	91,874,236	102,811,798	116,396,870	132,082,032	143,837,182
vesulments even values wentories on tract assets and confract cost assets												
ventories ontract assets and confract cost assets												
Infrastructure, Property, Plant & Equipment	615,683,000	644,208,183	656,148,494	661,042,139	662,371,396	670,549,244	672,349,040	674,733,267	678,988,239	681,882,837	684,285,383	692,309,272
Investment Property Intangible Assets	184,000	184,000	184,000	184,000	184,000	184,000	184,000	184,000	184,000	184,000	184,000	184,000
Right of use assets Investments Accounted for using the equity method Investments assets classified as "held for sale"	805,000	805,000	805,000	805,000	805,000	805,000	805,000	805,000	805,000	805,000	805,000	805,000
Other	- 648.672.000	- 645 107 183	- 657 137 404	- 662 034 430		- 671 538 244	- 238 040	- 200 267	- 670 073	- 682 871 837	- 885 274 383	603 208 2
TOTAL ASSETS	675,056,000	701,379,663	713,955,458	721,228,636	730,639,866	741,737,090	753,994,515	767,596,503	782,789,038	799,268,706	817,356,415	837,135,453
LIABILITIES Current Liabilities Bank Overdraft	,				,		,		,	,		
Payanest Payanest Troma received in advance	5,439,000	4,395,198	4,564,385	4,594,546	4,656,291	4,750,240	4,814,169	4,907,498	5,004,680	5,127,442	5,209,604	5,317,787
Control liabilities	12,503,000	9,570,212	7,641,211	5,674,812	5,544,988	5,817,652	6,027,431	6,270,265	6,523,232	6,786,758	7,061,287	7,347,282
Employee benefit provisions Other provisions	2,066,000	2,109,388	2,109,388	2,109,388	2,109,388	2,109,388	2,109,388	2,109,388	2,109,388	2,109,388	2,109,388	2,109,388
Liabilities associated with assets classified as Tield for sale Total Current Liabilities	21,164,000	17,641,334	15,905,316	13,924,484	13,713,787	14,099,240	14,436,749	14,533,651	14,860,868	15,309,901	15,580,424	14,774,457
Non-Current Liabilities Payables								٠	٠	٠		
Income received in advance												
Contract radiines Borrowings	13,828,000	24,092,792	22,502,460	20,956,722	19,553,602	18,131,642	16,645,882	15,399,382	14,175,814	12,889,502	11,689,357	11,689,357
Employee benefit provisions Other provisions	235,000	191,612 2.963,000	191,612 2,963,000	191,612 2,963,000	191,612 2,963,000	191,612 2,963,000	191,612 2,963,000	191,612 2.963,000	191,612 2.963,000	191,612 2,963,000	191,612 2.963,000	191,612 2.963,000
Investments Accounted for using the equity method Liabilities associated with assets classified as "held for sale"												
Total Non-Current Liabilities	17,026,000	27,247,404	25,657,072	24,111,334	22,708,214	21,286,254	19,800,494	18,553,994	17,330,426	16,044,114	14,843,969	14,843,9
TOTAL LIABILITIES Net Assets	38,190,000 636,866,000	44,888,738 656,490,925	41,562,388 672,393,069	38,035,818 683,192,818	36,422,001 694,217,864	35,385,495 706,351,596	34,237,243 719,757,272	33,087,645 734,508,857	32,191,294 750,597,744	31,354,015 767,914,692	30,424,393 786,932,021	29,618,427 807,517,027
EQUITY Retained Eamings	133,826,000	153,450,925	169,353,069	180,152,818	191,177,864	203,311,596	216,717,272	231,468,857	247,557,744	264,874,692	283,892,021	304,477,027
Revaluation Reserves Council Equity Interest	503,040,000	503,040,000 656,490,925	503,040,000 672,393,069	503,040,000			503,040,000	734,508,857	503,040,000	503,040,000	503,040,000	503,040,000

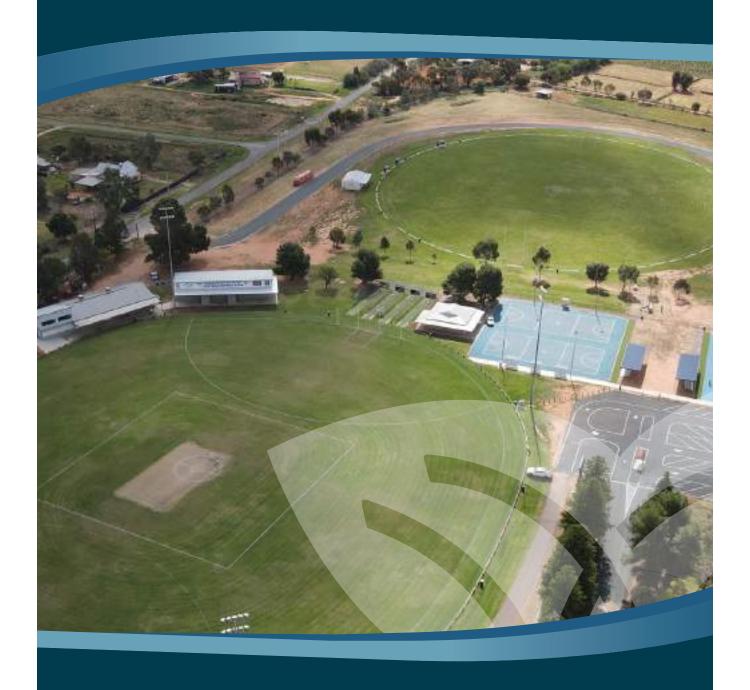
Wentworth Shire Council 10 Year Financial Plan for the Years ending 30 June 2035 CASH FLOW STATEMENT - CONSOLIDATED Scenario: Scenario 2 - preferred scenario	Actuals 2023/24	Current Year 2024/25	2025/26	2026/27	2027/28	2028/29	Projected Years 2029/30	Years 2030/31	2031/32	2032/33	2033/34	2034/35
Cash Flows from Operating Activities)	?	9	9	9	>	→	>	9	→	>)
Receipts: Rates & Annual Charges User Charges & Fees	10,714,000 9,102,000	10,633,062 9,751,636	11,251,735	11,702,138	12,121,299	12,551,687 14,709,145	12,997,138	13,520,207	14,068,035	14,637,777	15,230,308	15,846,540 19,321,310
Investment & Interest Revenue Received Grants & Contributions	2,130,000 25,212,000	2,732,626 25,559,469	2,228,891 18,705,214	2,336,800 12,849,173	2,335,356 13,805,151	2,498,048 14,818,545	2,484,173 15,260,492	2,578,352 15,869,163	2,691,615 16,483,414	2,769,189 17,122,233	2,858,955 17,786,605	3,035,761 18,477,552
Bonds & Deposits Received Other	4,507,000	1,403,272	1,968,604	1,902,915	1,866,872	1,795,182	1,747,681	1,805,847	1,796,580	1,822,597	1,849,833	1,878,102
rayments. Employee Benefits & On-Costs Materials & Contracts	(10,115,000)	(9,799,829) (8,962,014)	(10,175,719) (10,902,659)	(10,584,919) (10,550,534)	(10,894,545) (10,700,612)	(11,212,452) (11,143,573)	(11,534,059) (11,228,646)	(11,851,796) (11,622,791)	(12,176,442) (12,020,712)	(12,510,129) (12,647,675)	(12,853,101) (12,854,480)	(13,205,611) (13,308,908)
Borrowing Costs Borros & Deposits Refunded Other	(351,000)	(1,433,632)	(1,286,781)	(1,240,329)	(1,151,258) - (658,875)	(1,064,476)	(1,003,071)	(939,157)	(873,077)	(809,339)	(749,187)	(685,021) - (753,270)
Net Cash provided (or used in) Operating Activities	24,733,000	28,127,112	23,804,361	19,195,573	20,795,766	22,311,113	23,408,311	24,767,826	26,112,687	27,320,557	28,968,462	30,606,454
Cash Flows from Investing Activities												
Receipts: Sale of Investment Securities Sale of Investment Property	40,000,000											
Sale of Real Estate Assets Sale of Infrastructure, Property, Plant & Equipment	412,000	- 200,007	700,000	845,000	855,000	- 000,022	700,007	735,000	700,007	700,000	700,000	- 000,007
Sale of non-current assets classified as "held for sale" Sale of Intangible Assets												
Sale of Interests in Joint Ventures & Associates Sale of Dismosal Grouns												
Deferred Debtors Receipts Distributions Received from Joint Ventures & Associates												
Other Investing Activity Receipts Payments:	•	•	•	•	•	•	•	•	•	•	•	
Purchase of Investment Securities Purchase of Investment Property	(35,000,000)	(685,768)	(256,418)	(2,695,669)	(7,900,403)	(2,711,943)	(10,170,580)	(10,892,585)	(10,609,026)	(13,203,391)	(15,283,914)	(11,390,174)
Purchase of Infrastructure, Property, Plant & Equipment Purchase of Real Ferain Assets	(33,891,000)	(38,533,012)	(22,723,597)	(15,821,931)	(12,267,543)	(19,031,134)	(12,583,082)	(13,202,513)	(15,038,259)	(13,677,883)	(13,185,832)	(18,807,175)
Fundase of Intended Assets Purchase of Intended Assets Burchase of Intended in District Volumes 9												
Putriase of interess in John Ventures & Associates Deferred Debtors & Advances Made												
Contributions Fau to John Ventures & Associates Other Investing Activity Payments												
Net Cash provided (or used in) Investing Activities	(28,479,000)	(38,518,781)	(22,280,014)	(17,672,600)	(19,312,946)	(20,973,077)	(22,053,662)	(23,360,098)	(24,947,285)	(26,181,274)	(27,769,746)	(29,497,349)
Cash Flows from Financing Activities Receipts:												
Proceeds from Borrowings & Advances Proceeds from Finance Leases	8,000,000	12,000,000										
Other Financing Activity Receipts Payments:	•										•	
Repayment of Borrowings & Advances Repayment of lease liabilities (principal repayments)	(983,000)	(1,324,672)	(1,566,536)	(1,590,332)	(1,545,738)	(1,403,120)	(1,421,960)	(1,485,760)	(1,246,500)	(1,223,568)	(1,286,312)	(1,200,145)
Distributions to non-controlling interests Other Financing Activity Payments		• •										
Net Cash Flow provided (used in) Financing Activities	7,017,000	10,675,328	(1,566,536)	(1,590,332)	(1,545,738)	(1,403,120)	(1,421,960)	(1,485,760)	(1,246,500)	(1,223,568)	(1,286,312)	(1,200,145)
Net Increase/(Decrease) in Cash & Cash Equivalents	3,271,000	283,660	(42,189)	(67,359)	(62,918)	(65,085)	(67,311)	(78,033)	(81,098)	(84,285)	(87,597)	(91,039)
plus: Cash & Cash Equivalents - beginning of year	7,211,000	10,482,000	10,765,660	10,723,471	10,656,112	10,593,193	10,528,109	10,460,798	10,382,765	10,301,667	10,217,382	10,129,785
Cash & Cash Equivalents - end of the year	10,482,000	10,765,660	10,723,471	10,656,112	10,593,193	10,528,109	10,460,798	10,382,765	10,301,667	10,217,382	10,129,785	10,038,746
							000	1000	100	1	1	1
Cash & Cash Equivalents - end of the year Investments - end of the year Cash, Cash Equivalents & Investments - end of the year	10,482,000 39,000,000 49,482,000	10,765,660 39,685,768 50,451,428	10,723,471 39,942,186 50,665,657	10,656,112 42,637,854 53,293,966	10,593,193 50,538,257 61,131,451	10,528,109 53,250,201 63,778,310	10,460,798 63,420,780 73,881,579	10,382,765 74,313,366 84,696,131	10,301,667 84,922,392 95,224,059	10,217,382 98,125,783 108,343,165	10,129,785 113,409,696 123,539,482	10,038,746 124,799,870 134,838,617
Representing: - External Restrictions	32,882,000	32,827,660	32,785,471	32,718,112	32,655,193	32,590,109	32,522,798	32,444,765	32,363,667	32,279,382	32,191,785	32,100,746
- Internal Restrictions - Unrestricted	14,318,000 2,282,000 49,482,000	14,318,000 3,305,768 50,451,428	1,762,186 50,665,657	17,918,000 2,657,854 53,293,966	19,718,000 8,758,257 61,131,451	21,518,000 9,670,201 63,778,310	23,318,000 18,040,780 73,881,579	19,118,000 33,133,366 84,696,131	20,918,000 41,942,392 95,224,059	22,718,000 53,345,783 108.343.165	24,518,000 66,829,696 123,539,482	26,318,000 76,419,870 134,838,617
	40,404,040	United to the control of the control	on'non'no	20,600,000	101,101	20,000,000	0 100100101	04,000,101	20,424,000	ייי ייידיייים	401000000	134,636,617

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Shire
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P.56

Wentworth Shire Council 10 Year Financial Plan for the Years ending 30 June 2035												
INCOME STATEMENT - CONSOLIDATED Scenario: Scenario 3 - alternative scenario	Actuals 2023/24 \$	Current Year 2024/25	2025/26	2026/27	2027/28	2028/29	Projected Years 2029/30 2	Years 2030/31 \$	2031/32	2032/33	2033/34	2034/35
Income from Continuing Operations											•	
Revenue:												
Rates & Annual Charges	10,410,000	10,938,380	11,271,797	11,729,688	12,146,370	12,577,635	13,023,995	13,551,975	14,101,074	14,672,137	15,266,042	15,883,704
User Charges & Fees	10,109,000	8,145,436	12,923,061	13,525,745	14,136,706	20,550,156	21,508,418	22,532,869	23,606,915	24,732,972	25,913,572	27,151,370
Other Revenues	879,000	1,381,848	1,958,378	1,867,013	1,867,150	1,802,969	1,754,492	1,814,199	1,804,845	1,831,463	1,859,092	1,887,772
Grants & Contributions provided for Operating Purposes	10,816,000	11,968,600	12,410,050	13,206,124	13,709,737	14,098,257	14,589,861	15,171,359	15,776,116	16,405,064	17,059,169	17,739,439
Grants & Contributions provided for Capital Purposes	17.143.000	15.492.909	8.133.998	1.258.983	234,006	536,579	539.242	542.391	545,667	549.074	552,617	556,301
Interest & Investment Revenue	2,318,000	2,220,250	2,286,857	2,378,332	2,461,573	2,547,728	2,636,899	2,742,375	2,852,070	2,966,152	3,084,798	3,208,190
Other Income:												
Net Gains from the Disposal of Assets	26,000	•	•				•	•	•		•	
Fair value increment on investment properties	•	•	•					•	•		•	
Reversal of revaluation decrements on IPPE previously expensed	•	•	•				•	•	•		•	
Reversal of impairment losses on receivables	23,000	•	•	•			•	•	•			
Other Income	52,000	•	•	•			•	•	•			
Joint Ventures & Associated Entities - Gain	•	•	•				•					
Total Income from Continuing Operations	51,806,000	50,147,422	48,984,141	43,965,884	44,555,542	52,113,324	54,052,907	56,355,167	58,686,687	61,156,862	63,735,290	66,426,777
Expenses from Continuing Operations												
Employee Benefits & On-Costs	10,066,000	9,894,288	10,190,320	10,596,905	10,903,937	11,220,180	11,545,971	11,862,060	12,187,016	12,521,020	12,864,319	13,217,166
Borrowing Costs	578,000	1,401,229	1,282,303	1,235,784	1,146,851	1,060,501	999,043	934,942	869,337	805,667	745,327	681,420
Materials & Contracts	12,665,000	9,234,231	10,858,390	10,566,095	10,697,833	11,128,212	11,227,418	11,610,139	12,007,562	12,625,311	12,848,964	13,294,136
Depreciation & Amortisation	10,083,000	9,307,829	10,083,286	10,083,286	10,083,286	10,083,286	10,083,286	10,083,286	10,083,286	10,083,286	10,083,286	10,083,286
Impairment of investments	•	•	•	•			•	•	•		•	
Impairment of receivables	3,000	•		•			•					
Other Expenses	678,000	684,920	269,799	684,066	698,588	713,546	728,952	747,466	766,627	786,459	806,985	828,230
Interest & Investment Losses			•					•				
Net Losses from the Disposal of Assets		•	•	•		•	•					
Revaluation decrement/impairment of IPPE		•										
Fair value decrement on investment properties	' 00											
Joint Ventures & Associated Entities Total Expenses from Continuing Operations	34,135,000	30,522,497	33,081,996	33,166,136	33,530,495	34,205,725	34,584,670	35,237,893	35,913,828	36,821,743	37,348,880	38,104,238
Operating Result from Continuing Operations	17,671,000	19,624,925	15,902,145	10,799,748	11,025,047	17,907,598	19,468,237	21,117,274	22,772,859	24,335,119	26,386,410	28,322,539
Discontinued Operations - Profit/(Loss)												
Net Profit/(Loss) from Discontinued Operations	•	•	•	•	•	•	•	•	•	•	•	
Net Operating Result for the Year	17,671,000	19,624,925	15,902,145	10,799,748	11,025,047	17,907,598	19,468,237	21,117,274	22,772,859	24,335,119	26,386,410	28,322,539
Net Operating Result before Grants and Contributions provided for Capital Purposes	528,000	4,132,016	7,768,147	9,540,765	10,791,041	17,371,020	18,928,995	20,574,883	22,227,192	23,786,045	25,833,793	27,766,239

3 - A control to the	Wentworth Shire Council 10 Year Financial Plan for the Years ending 30 June 2035 BALANCE SHEET - CONSOLIDATED	Actuals	Current Year					Projected Years	l Years				
The country the equaly method as hadf for said? 15.149 15.149 15.140 15.14	Scenario: Scenario 3 - alternative scenario	2023/24	2024/25	2025/26	2026/27 \$	2027/28 \$	2028/29 \$	2029/30 \$	2030/31 \$	2031/32 \$	2032/33 \$	2033/34 \$	2034/35 \$
Section 10,000	ASSETS Current Assets												
150,000 512,124 170,000 512,124 170,000 160,104 170,000 170,	Cash & Cash Equivalents Investments	10,482,000 39,000,000	10,765,660 39,685,768	10,723,471 39,942,186	10,656,112 42,637,854	10,593,193 50,538,257	10,528,109 58,452,715	10,460,798 74,592,380	10,382,765 91,739,715	10,301,667 108,916,402	10,217,382 129,015,835	10,129,785 151,540,593	10,038,746 170,533,653
150,146 170,326 150,146 170,326 163,386 163,386 163,386 163,386 171,286 172,286 171,286	Receivables Inventories	8,320,000 306,000	5,421,269 159,634	5,798,256	5,565,040 175,105	5,806,749 176,449	7,068,569	7,536,840	8,061,084 191,683	8,597,767 198,563	9,188,579 210,400	9,826,477 213,155	10,430,020 220,887
Fig. 28-17-28-17-11-11-11-11-11-11-11-11-11-11-11-11-	Contract assets and contract cost assets Other	276,000	150,149	170,393	163,386	164,821	172,066	172,795	178,827	185,096	195,624	198,385	205,425
Fig. 16 (197.18) Fig. 16 (197	Nort-curent assets cassilled as neid for sale Total Current Assets	58,384,000	56,182,480	56,817,964	59,197,497	67,279,470	76,406,022	92,947,877	110,554,075	128,199,496	148,827,820	171,908,396	191,428,731
Interior to expected to the continuent of the co	Non-Current Assets												
Interior cost assets Interior cost assets	Investments receivables												
Selfe day wethord as "held for sale" 184,000	invertiones Contract assets and contract cost assets												
selfe d a "held for sale" 184,000 186	Infrastructure, Property, Plant & Equipment Investment Property	615,683,000	644,208,183	656,148,494	661,042,139	662,371,396	670,549,244	672,349,040	674,733,267	678,988,239	681,882,837	684,285,383	692,309,272
sets between the decay method as the first said" E16,672,000 E61,137,6,638 E61,137,484 E61,1	Intangible Assets Birth of use assets	184,000	184,000	184,000	184,000	184,000	184,000	184,000	184,000	184,000	184,000	184,000	184,000
seits 616,872,000 645,197,183 657,137,484 662,011,139 663,390,396 671,538,244 677,228,636 730,539,866 747,542,865 <th< td=""><td>when the seasons of the second</td><td>805,000</td><td>805,000</td><td>805,000</td><td>805,000</td><td>805,000</td><td>805,000</td><td>805,000</td><td>805,000</td><td>805,000</td><td>805,000</td><td>805,000</td><td>805,000</td></th<>	when the seasons of the second	805,000	805,000	805,000	805,000	805,000	805,000	805,000	805,000	805,000	805,000	805,000	805,000
Figure 12, 250, 3000	Other Other TOTAL ASSETS	616,672,000 675,056,000	645,197,183 701,379,663	657,137,494 713,955,458	- 662,031,139 721,228,636	- 663,360,396 730,639,866	- 671,538,244 747,944,266	673,338,040 766,285,916	675,722,267 786,276,342	679,977,239 808,176,736	682,871,837 831,699,656	685,274,383 857,182,779	693,298,272 884,727,003
Figure 5,439,000 4,396,198 4,564,386 4,564,686 6,260,961 6,482,406 6,747,988 1,105,000 1,566,000	LIABILITIES Current Liabilities			,	,	,		,	,	,	,	,	
12,503,000	Payaban Payaban Income received in advance	5,439,000	4,395,198	4,564,385	4,594,546	4,656,291	4,750,240	4,814,169	4,907,498	5,004,680	5,127,442	5,209,604	5,317,787
Since Companies Companie	incontractive in advance Contract liabilities Bornowine	12,503,000	9,570,212	7,641,211	5,674,812	5,544,988	6,250,961	6,482,406	6,747,988	7,024,842	7,313,448	7,614,311	7,927,958
Inclusions a red for sale 21,164,000 17,641,334 15,905,316 13,828,484 13,713,787 14,592,549 14,891,723 15,011,374 15,905,316 13,828,000 24,092,792 22,502,460 20,956,722 19,553,602 19,503,602 19,503,602 19,503,602 19,503,602 19,503,602 19,503,602 19,503,602 19,503,602 10,503,40,000 10,612,818 10,117,864 10,803,40,000 10,003,04	Employee benefit provisions Other provisions	2,066,000	2,109,388	2,109,388	2,109,388	2,109,388	2,109,388	2,109,388	2,109,388	2,109,388	2,109,388	2,109,388	2,109,388
Figure 13,828,000 24,092,792 22,502,460 20,956,722 19,553,602 18,131,642 16,645,882 15,399,382 235,000 2,963,000 2,9	Liabilites associated with assets classified as Treid for safe Total Current Liabilities	21,164,000	17,641,334	15,905,316	13,924,484	13,713,787	14,532,549	14,891,723	15,011,374	15,362,477	15,836,590	16,133,448	15,355,133
Isions 13.828.000 24.022.792 25.000 191.612 2.963.000 2	Non-Current Liabilities Payables Income received in advance												
191,612 191,	Contract liabilities Borrowings	13,828,000	24,092,792	22,502,460	20,956,722	19,553,602	18,131,642	16,645,882	15,399,382	14,175,814	12,889,502	11,689,357	11,689,357
thrities 38,190,000 27,247,404 25,657,072 24,111,334 22,708,214 12,866,254 19,800,499 18,553,994 13,828,000 656,490,325 672,333,069 835,192,818 34,522,01 35,818,803 34,692,217 33,565,369 133,828,000 153,450,925 169,553,069 180,152,818 191,177,864 70,125,463 731,593,699 752,710,973 563,040,000<	Employee benefit provisions Other provisions Investments Accounted for using the equity method	235,000 2,963,000	191,612 2,963,000 -	191,612 2,963,000	191,612 2,963,000 -	191,612 2,963,000 -	191,612 2,963,000	191,612 2,963,000 -	191,612 2,963,000 -	191,612 2,963,000 -	191,612 2,963,000	191,612 2,963,000	191,612 2,963,000 -
133,826,000 153,450,925 169,353,069 180,152,818 191,177,864 209,085,463 228,553,699 249,670,973 533,040,000 503,040,000 503,040,000 503,040,000 503,040,000 503,040,000	Labilities associated with assets classified as "held for sale". Total Non-Current Liabilities TOTAL LIABILITIES Net Assets	17,026,000 38,190,000 636,866,000	27,247,404 44,888,738 656,490,925	25,657,072 41,562,388 672,393,069	24,111,334 38,035,818 683,192,818	22,708,214 36,422,001 694,217,864	21,286,254 35,818,803 712,125,463	- 19,800,494 34,692,217 731,593,699	- 18,553,994 33,565,368 752,710,973	- 17,330,426 32,692,903 775,483,832	16,044,114 31,880,704 799,818,952	14,843,969 30,977,417 826,205,362	14,843,969 30,199,102 854,527,901
563,040,000 563,040,000 563,040,000 563,040,000 563,040,000 563,040,000 563,040,000	EQUITY Retained Eamings	133,826,000	153,450,925	169,353,069	180,152,818		209,085,463	228,553,699	249,670,973	272,443,832	296,778,952	323,165,362	351,487,901
636.866.000 656.490.925 672.393.069 683.192.818 694.217.864 712.125.463 731.593.699 752.710.973	Revaluation Reserves Council Equity Interest	503,040,000	503,040,000	503,040,000	503,040,000	503,040,000	503,040,000	731.593,699	503,040,000	503,040,000	503,040,000	503,040,000	503,040,000

Strategic Asset Management Strategy 2026-2035



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The Strategic Asset Management Strategy forms part of the Resourcing Strategy. These documents have been prepared in accordance with Section 403(2) of the Local Government Act 1993.

Copies of this program can be viewed online at wentworth.nsw.gov.au

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1. EXECUTIVE SUMMARY

This Asset Management Strategy (AMS) states the approach to implementing the principles and the objectives set out in the Asset Management Policy. It includes specific requirements to outline the processes, resources, structures, roles and responsibilities necessary to establish and maintain the asset management system. The asset groups covered by this AMS are Buildings, Transport Infrastructure, Stormwater Assets, Open Space Assets as well as Water and Sewer Network assets.

Both the AMS and the asset management plans (AMPs) have been prepared in accordance with the International Infrastructure Management Manual (IIMM) and the Institute of Public Works Engineering Australasia (IPWEA) National Asset Management Strategy (NAMS) guidelines. Development of an asset management strategy and plans for Council's infrastructure assets is a mandatory requirement for NSW local government. The key findings for each asset class are included in the asset management plans section of this strategy and are covered in a concise but detailed manner.

This strategy includes Council's Asset Management Policy. The policy provides a framework for managing infrastructure assets to support the delivery needs of the community.

1.1 Asset Values

In preparing this AMS, it has been identified that Wentworth Shire Council has an infrastructure and asset portfolio with a current replacement cost of approximately \$753 million. The asset values are estimates of the value of assets, as at 30 June 2024, based on our best estimate of asset values, taking into account recent asset revaluations.

These values should be updated on an annual basis, in line with the annual financial statements, once completed.

TABLE 1 Asset classes and values

Asset	GRC \$ 000's	WDV \$ 000's	DEP \$ 000's
Buildings	\$81,533	36,404	\$1,049
Other Structures	\$7,086	\$4,537	\$269
Roads	\$238,606	\$112,937	\$3,883
Bridges	\$14,824	\$7,868	\$92
Footpaths	\$8,322	\$4,299	\$80
Bulk Earthworks	\$224,373	\$224,373	\$0
Stormwater	\$31,815	\$19,054	\$225
Water	\$76,140	\$40,215	\$935
Sewer	\$51,871	\$30,123	\$778
Swimming Pools	\$3,335	\$1,910	\$71
Open Space	\$1,422	\$588	\$86
Other Infrastructure	\$16,236	\$12,365	\$171
Grand Total	\$752,563	\$494,673	\$7,639

GRC = Gross Replacement Cost | WDV = Written Down Value | DEP = Depreciation

1.2 Asset Condition

Reviewing asset condition data shows that most of Council's assets are in a satisfactory or better condition. The reliability of Council's condition data varies between the asset classes with most data being reliable, or highly reliable. Details of Council's current asset condition are shown in the table below. The condition is represented as a percentage of the replacement cost of Council's assets.

TABLE 2 Asset backlog summary

		Asset Co	ndition (%	of CRC)	
Asset Class	1	2	3	4	5
Buildings	47.00%	8.00%	11.00%	32.00%	2.00%
Roads & Transport	67.50%	26.80%	4.30%	0.70%	0.70%
Stormwater	30.00%	29.00%	32.00%	7.00%	2.00%
Water and Sewer	18.50%	51.00%	16.00%	8.00%	6.50%
Open Space	5.60%	55.80%	26.00%	9.90%	2.70%
Other Structures	11.00%	21.00%	36.00%	18.00%	14.00%
Other Infrastructure	35.00%	55.00%	5.00%	5.00%	0.00%
Combined	53.30%	30.00%	8.80%	6.00%	1.90%

CRC = Current Replacement Cost

1.3 Expenditure and Reporting

The average capital and maintenance expenditure on Council's infrastructure assets over the last ten-year period is approximately \$14.8 million per year.

TABLE 3 Combined asset expenditure

	2014/2015 (,000)	2015/2016 (,000)	2016/2017 (,000)	2017/2018 (,000)	2018/2019 (,000)	2019/2020 (,000)	2020/2021 (,000)	2021/2022 (,000)	2022/2023 (,000)	2023/2024 (,000)
Capital - Renewal	\$5,081	\$4,681	\$4,867	\$6,051	\$3,612	\$7,212	\$8,466	\$15,921	\$7,196	\$16,097
Capital - New	\$827	\$133	\$2,341	\$2,595	\$4,994	\$1,744	\$1,113	\$3,911	\$9,141	\$8,405
Maintenance	\$2,567	\$3,681	\$4,780	\$3,655	\$3,570	\$3,013	\$2,955	\$3,538	\$3,153	\$3,213
Total	\$8,475	\$8,495	\$11,988	\$12,301	\$12,176	\$11,969	\$12,534	\$23,370	\$19,490	\$27,715

1.4 Levels of Service

The objective of asset management is to enable assets to be managed in the most costeffective way, based on an understanding of customer needs, expectations, preferences and their willingness to pay for any increase in the level of service.

A level of service is a measurable description of what Council delivers (or intends to deliver) in an activity which relates to something that can be controlled. Council has prepared specific community and technical levels of service which cover the accessibility, quality, responsiveness, affordability, customer satisfaction, sustainability, health and safety and financial performance regarding the delivery of their infrastructure assets.

These have been developed for all asset classes and are detailed in the respective AMPs and address the adopted lifecycle management of assets. The overarching AMS establishes a basic framework to measure service level outcomes. It is important to note that while service levels have been developed and are informed by Council's Community Strategic Plan, Council is yet to undertake community and stakeholder consultation to 'accept' the service levels.

1.5 High Level Strategic Actions

TABLE 4 High level strategic actions

Objective	Desired Outcome
Ensure Sustainable Asset Lifecycle Management	A well planned and structured approach to asset lifecycle management that ensures infrastructure longevity, minimises costs and reduces risk of asset failure.
Maintain Financial Sustainability	A financially sustainable asset management framework that enables Council to maintain infrastructure assets within budget constraints while securing funding for future investments.
Improve Asset Maintenance and Renewal Programs	A proactive and efficient asset maintenance program that reduces unplanned costs, improves asset reliability, and enhances community satisfaction.
Enhances Data Driven Decision Making	Improved asset management efficiency and transparency through data driven decision making, leading to better prioritisation of infrastructure investments.
Improve Asset Management Maturity	A mature and well integrated asset management system that enhances organisational capability, promotes best practice management and ensures compliance with industry standards.

2. INTRODUCTION

2.1 Asset Planning

Development of AMPs for Council's infrastructure is a mandatory requirement for NSW councils, as per the NSW Local Government Act 1993 and its subsequent amendments. As such, Wentworth Shire Council has developed the following AMS to cover the period 2025/26 - 2034/35. The key findings for each asset class are included in the asset management plans that support this strategy and are covered in a concise but detailed manner.

The provision of infrastructure is one of the most important roles of Council, as assets support the delivery of services that deliver on Council's long-term objectives. A formal approach to asset management is essential to ensure that services are provided in the most cost-effective and value-driven manner. To ensure this, it is essential that asset management is fully aligned and integrated with Council's Community Strategy, Long-Term Financial Plan and Workforce Plan. This ensures that community needs, and expectations are well understood, and that funding requirements and consequences are understood and available.

Council's current planning framework is based on the 'Local Government Financial Asset Sustainability Framework'.



Figure 1 Wentworth Shire Council asset management planning framework

Council has adopted a 'whole of council' approach, beyond just a 'lifecycle' approach, and is committed to delivering value for money to the current and future generations of the community. The Asset Management Strategy is underpinned by Council's Community Strategic Plan which was developed using the guiding principles of:

A Vibrant Thriving and Growing Region

- Create a supportive Environment for business to invest and grow
- Promote the Wentworth Region as a desirable visitor and tourism destination
- · High quality connectivity across the region

A Great Place to Live

- Continue to create opportunities for inclusion where all people feel welcome and participate in community life
- The community has access to services and initiatives that contribute to well being across all stages of life
- To have a safe community
- To have a strong sense of place

A Community that works to enhance and protect its physical and natural environment

- An urban environment that maintains and enhances our sense of identity and place
- · Our public assets are well maintained and able to meet the growing population demands
- Minimise the impact on the natural environment
- Use and manage our resources wisely
- Infrastructure meets the needs of our growing shire

Is supported by strong and ethical civic leadership with all activities conducted in an open, transparent and inclusive manner

- A well engaged and informed community
- We value our civic leadership whose stewardship and decision making benefits present and future generations
- Provide a governance framework that is transparent and builds trust in local leadership
- Manage public resources responsibly and efficiently for the benefit of the community

This framework aligns with the updated 2021 Integrated Planning and Reporting guidelines.

P.70 Wentworth Shire Council

State and regional plans Community Strategic Plan Workforce Plan **Delivery Program** 4 years Long-term Community Resourcing Financial **Engagement Strategy Operational Plan** Plan Annual Asset Management Plan **Annual Report**

Figure 2 Relationship between Council's plans and resourcing strategies

Community Strategic Plan

Outlines what the community wants; the objectives of the community and strategies to achieve those objectives.

Resourcing Strategy

Details the resources available to Council to deliver the Community Strategic Plan.

Delivery Program/Operational Plan

Details how Council will use the resources that it has, to meet the objectives in the Community Strategic Plan, specifically where Council has been identified as responsible or as a supporting partner in the identified strategies.

Annual Report

• Is the reporting mechanism used by Council to report on those activities and actions that Council proposed in its Delivery Program and Operational Plan.

This AMS establishes a framework to enable the prioritisation of asset groups through planning, construction, maintenance and operation of infrastructure necessary to achieve the goals and objectives as set out in:

- Wentworth Shire Council Resource Strategy
- Sustainable Wentworth Strategy
- NSW State Plan and Premier Priorities
- Western Murray Regional Economic Development Strategy
- Far West Regional Action Plan
- Buronga/Gol Gol Structure Plan
- Dareton Revitalised Strategy
- Wentworth Shire Economic Development Strategy

2.2 Scope of this Strategic Asset Management Plan

This AMS has been developed to provide the framework to ensure that Council's new and existing infrastructure assets are operated, maintained, renewed and upgraded to ensure that the levels of service are achieved in the most cost effective and sustainable way. It meets Council's commitments under the IP&R Framework in that all Council's infrastructure assets are fully accounted for. Details on each asset class, including the inventory, condition, predicted and required expenditure are included in the appendices.

The audience for this AMS is Council staff, the Council executive management team, elected representatives (Councillors), interest groups, stakeholders and other interested members of the general community.

The specific objectives of this strategy are:

- to ensure a sustainable service offering to the community by evolving and embedding a culture of asset management;
- to ensure decision-making reflects community value for this generation and the next;
- to develop clearly defined and agreed service levels, to inform asset investment, to support the community's quality of life;
- · to drive quality service outcomes by taking a risk-based approach to the way assets are managed; and
- to ensure availability of resources to maintain assets over the longer term.

The strategy identifies the future funding requirements and service delivery in the context of:

- current asset condition and performance;
- levels of service:
- forecasted demand for infrastructure and services; and
- funding constraints.

This strategy supports Council's aim to have 'best value' asset management strategies and practices. This is achieved by continually developing and improving the whole of Council's knowledge, systems, processes and strategies. This will ensure that Council is providing the level of asset management necessary to competently, responsibly and sustainably manage the community assets for current and future generations.

This AMS has been prepared using a 'top down' approach whereby analysis is applied at the 'system' or 'network' level. The focus is on current levels of service and current practices. It includes expenditure forecasts for asset maintenance, renewal and replacement based on local knowledge of assets and options for meeting current levels of service.

Future revisions of this AMS will use a 'bottom up' approach for gathering information for individual assets to support the optimisation of activities and programs to meet the levels of service. The focus of future plans developed in this manner will include risk and performance optimisation, risk-based strategies, use of predictive methods and optimised decision-making techniques.

The format of this AMS is outlined in the table on the following page.

TABLE 5 Asset Management Strategy structure

Sec	tions	Guidelines
1	Executive Summary	Provides a high-level summary of the combined asset management plans and highlights the main issues for consideration.
2	Introduction	Outline of the purpose and scope of the plan and how the plan relates to other key policies and strategies.
3	Asset Management Policy	Excerpt from Council's adopted Asset Management Policy outlining the principles guiding Council's asset management practices.
4	Asset Management Practices	Provision of a comprehensive strategic asset management gap analysis process for asset management.
5	Levels of Service	Outline of levels of service and asset performance standards and customer/community expectations and feedback regarding levels of service.
6	Future Demand	Identification of demand trends, factors which may influence demand, forecast changes in demand, impacts and implications of future demand and effects on future planning.
7	Risk Management Plan	Provision of an asset-based risk management plan.
8	Overarching Asset Management Strategy	Provision of a summary of Council's overall Asset Strategy including Asset Management Policy and identification of critical assets.

2.3 Council's Assets

Council uses infrastructure assets to provide services to the community. An outline of the range of infrastructure assets and the services provided from the assets is shown below:

TABLE 6 Range of infrastructure assets and services

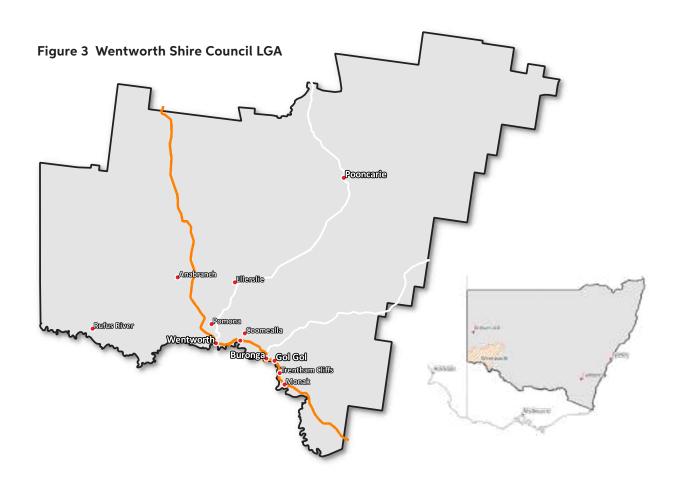
Asset Class	Description
Buildings and Other Structures	This includes office/administration centres, libraries, community centres, halls, sheds, public toilets and other miscellaneous structures.
Transport infrastructure	This includes roads, kerb and guttering, bridges, footpaths and cycleways.
Drainage	This includes drainage pipelines, pits, inlets and outlets; gross pollutant traps; drainage basins and headwalls
Water and Sewer	This includes the water and sewerage pipelines, pumping stations, storage and treatment plants
Open Space and Other Assets	This includes Council's reactional assets, such as playgrounds, ovals, swimming pools, etc.

2.4 About Wentworth Shire Council

Wentworth Shire is located in the far south west Riverina region and is considered the gateway to Outback NSW and is situated on the junction of the Murray and Darling Rivers in South-Western New South Wales. The area has a rich history with Wentworth once being the busiest inland port in NSW. Wentworth is situated 1,075 km from Sydney, 585 km from Melbourne and 420 km from Adelaide and sprawls across more than 26,000 square kilometres of predominantly semi-arid grazing lands and reserves in the south west.

The key towns and areas (2024 Estimated ABS Population - REMPLAN) within the LGA include:

- Gol Gol (1,955)
- Wentworth (1,577)
- Buronga (1,251)
- Coomealla (748)
- Dareton (456)
- Curlwaa (496)
- Pooncarie (226)



2.5 Links to Council Plans and Strategies

The Asset Management Strategy and asset management plans have been prepared in line with the vision and strategy outlined in the 'Wentworth Shire: Our Future in Focus Community Strategic Plan 2026-2036' (CSP).

Infrastructure assets will play both a direct and indirect role in achieving the strategic objectives of the CSP. The following table indicates how Council's assets play a role in the delivery of the key strategies outlined in the CSP.

TABLE 7 Linkages to the Community Strategic Plan

Strategy			ter	sewer	ace & sets
	Buildings	Transport	Stormwater	Water & Sewer	Open Space 8 Other Assets
Wentworth Shire is a vibrant, thriving and growing region					
Promote the Wentworth Region as a desirable visitor and tourism destination	✓	✓			✓
High quality connectivity across the region.		✓			
Wentworth Shire is a great place to live					
Continue to create opportunities for inclusion where all people feel welcome and participate in community life.		✓			
The community has access to services and initiatives that contribute to well being across stages of life	✓	✓			
To have a safe community.	✓	√			
To have a strong sense of place.	✓	√			√
Wentworth Shire is a community that works to enhance and environment	protec	t its ph	nysical	and na	tural
Our public assets are well maintained and able to meet the growing population demands.	✓	√	√	✓	✓
Minimise the impact on the natural environment.		✓	✓	✓	
Use and manage our resources wisely.	✓	✓	✓	√	✓
Infrastructure meets the needs of our growing shire.	✓	√	✓	√	√
Wentworth Shire is supported by strong and ethical civic lead conducted in an open, transparent and inclusive manner	dershi	p with	all acti	vities	
A well engaged and informed community	√	√	√	✓	✓
Manage public resources responsibly and efficiently for the benefit of the community	✓	✓	✓	√	✓

3. ASSET MANAGEMENT POLICY

3.1 Statement of Policy Intent

The intent of this policy is to set guidelines for implementing systematic practices and coordinated activities to optimally manage Council assets as per the direction provided from the Community Strategic Plan.

3.2 Policy Scope

This policy applies to all Council owned and controlled assets. The policy will provide direction regarding the measurable service levels, management, maintenance and operation of assets.

This policy together with the Asset Management Strategy and Asset Management Plants will provide the framework for asset management practices and processes for all assets.

3.3 Definitions and Abbreviations

All definitions and abbreviations used in this policy are contained in the International Infrastructure Management Manual, 2011.

3.4 Background Information

Council is committed to implementing a systematic asset management methodology in order to apply appropriate asset management best practices across all areas of the organisation. This includes ensuring that assets are planned, created, operated, maintained, renewed and disposed of in accordance with Council's priorities for service delivery.

Asset management practices impact directly on the core business of the organisation and appropriate asset management is required to achieve our strategic service delivery objectives.

Adopting asset management principles will assist Council in achieving its strategic longer-term planning and its long-term financial objectives.

A strategic approach to asset management will ensure that Council delivers the highest appropriate level of service through its assets. This will provide positive impact on:

- Members of the public and staff;
- Council's Financial Position;
- The ability of Council to deliver the expected level of service and infrastructure;
- The political environment in which Council operates; and
- The legal liabilities of Council.

3.5 Policy

It is the policy of this Council that:

Adequate Provision is made for the Long-Term Replacement of Major Assets by:

- ensuring that Council's services and infrastructure are provided in a sustainable manner, with the appropriate levels of service to residents, visitors and the environment;
- safeguarding Council assets including physical assets and employees by implementing appropriate asset management strategies and appropriate financial resources for those assets;
- creating an environment where all Council employees take an integral part in overall management of Council assets by creating and sustaining an asset management awareness throughout the organisation by training and development;
- meeting legislative requirements for asset management;
- ensuring resources and operational capabilities are identified and responsibility for asset management is allocated; and
- demonstrating transparent and responsible asset management processes that align with demonstrated best practice.

Asset Management Principles

The following key principles for Asset Management are established within this policy:

- the establishment of a consistent Asset Management Strategy to implement systematic asset management and appropriate asset management best practice standards for Asset Management throughout all Departments of Council. The Asset Management Strategy is to also outline the risk management strategies for Council assets;
- the adherence to relevant legislative requirements together with consideration of the quadruple bottom line (political, social, economic and environment) are to be taken into account in asset management;
- the integration of Asset Management planning with the Resourcing Strategy, the Delivery Program and the Operational Plan;
- the development of Asset Management Plans for major service/asset categories. The plans will be informed by community consultation, financial planning and the development of current and agreed service levels;
- the development of an inspection regime will be used as part of asset management to ensure agreed service levels are maintained and to identify asset renewal priorities;
- the renewal of assets required to meet agreed service levels as identified in the adopted asset management plans, and long term financial plans will form the basis of annual budget estimates with the service and risk consequences of variations in defined asset renewals and budget resources documented in budget documentation;
- the development of asset renewal plans, which are to be prioritised and implemented progressively based on agreed service levels and the effectiveness of the current assets to provide that level of service;

- the systematic and cyclic reviews for all asset classes to ensure that the assets are managed, valued and depreciated in accordance with appropriate best practice and applicable Australian Standards;
- the development of lifecycle costing, whereby the future life cycle costs will be reported and considered in all decisions relating to new services and assets and upgrading of existing services and assets; and
- the development of future service levels will be determined in consultation with the community.
- the delivery of training in asset and financial management for councillors and relevant staff.

4. ASSET MANAGEMENT PRACTICES

4.1 Asset Management Information Systems

Wentworth Shire Council's asset knowledge, information and data are corporate assets and are managed as part of the asset management framework. The current applications used by Council include:

- Financial System Practical (With current migration to Open Office)
- Asset Management System Asset Master (Open Office)
- Road Capital Works Programming Moloney Asset Management Systems
- Road Maintenance Management System Reflect
- End-User Geographic Information System IntraMaps
- Power-User GIS QGIS (Data editing, map production, design and further spatial analysis)

4.2 Data Collection and Validation

In the preparation of this Asset Management Strategy, Council has used the most current and up to date information available to Council.

As part of Council's asset management improvement plan, Council aims to foster a culture of continuous improvement in service delivery to ensure best value in service provision for the community. This will be supported by the asset management plans including ongoing monitoring, audit and improvement practices which are to be used to optimise Council's operational and renewal expenditure.

4.3 Monitoring and Review Procedures

Council utilises a performance management framework to track the achievement of the CSP, Delivery Program, Operational Plan and asset management improvement plan outcomes. This will be reviewed and reported on annually by the executive team.

4.4 Confidence in Data

The confidence in the asset data used as a basis for the financial forecasts has been assessed using the following grading system, as outlined in the table below.

TABLE 8 Asset data confidence scale

Confidence grade	General meaning
Highly reliable	Data based on sound records, procedure, investigations and analysis that is properly documented and recognised as the best method of assessment.
Reliable	Data based on sound records, procedures, investigations and analysis which is properly documented but has minor shortcomings; for example, the data is old, some documentation is missing, and reliance is placed on unconfirmed reports or some extrapolation.
Acceptable	Data based on sound records, procedures, investigations and analysis with some shortcomings and inconsistencies.
Uncertain	Data based on sound records, procedures, investigations and analysis which is incomplete or unsupported or extrapolation from a limited sample.
Very uncertain	Data based on unconfirmed verbal reports and/or cursory inspection and analysis.

Summary of confidence in asset data for all asset classes is detailed in the table below.

TABLE 9 Asset data confidence rating

Asset Class	Inventory	Condition	Age	Overall
Buildings	Highly Reliable	Reliable	Reliable	Reliable
Transport	Highly Reliable	Reliable	Reliable	Reliable
Stormwater	Reliable	Reliable	Acceptable	Reliable
Water and Sewer	Reliable	Acceptable	Acceptable	Acceptable
Open Space and Other Assets	Reliable	Reliable	Acceptable	Reliable

4.5 Funding Strategy

Council's funding strategy aims to align Council's Long Term Financial Plan, Asset Management Plans and annual budget to accommodate the lifecycle requirements of its assets. By having a unified process, all decision-making numbers can be traced back to the AMPs, thereby informing the annual budgets and forward programs providing a degree of certainty for delivery timeframes and resourcing requirements.

In order to ensure value, Council will plan capital upgrade and new projects to meet level of service objectives by:

- planning and scheduling capital upgrade and new projects to deliver the defined level of service in the most efficient manner
- undertaking project scoping for all capital upgrade/new projects to identify:
 - the service delivery 'deficiency', present risk and required timeline for delivery of the upgrade/new asset;
 - the project objectives to rectify the deficiency including value management for major projects;
 - the range of options, estimated capital and lifecycle costs for each option that could address the service deficiency;
 - management of risks associated with alternative options;
 - evaluate the options against evaluation criteria adopted by Council; and
 - select the best option to be included in capital upgrade/new programs.
- reviewing current and required skills base and implement training and development to meet required construction and project management needs;
- reviewing the current resources and capacity of the organisation to deliver the Capital works Program on an annual basis; and
- reviewing management of capital project management activities to ensure Council is obtaining best value for resources used.

Standards and specifications for new assets and for upgrade/expansion of existing assets are the same as those for renewal, as shown in the appendices.

5. LEVELS OF SERVICE

5.1 Defining Levels of Service

There are a variety of ways to describe levels of service (also known as service level). The concept adopted in this plan is that 'levels of service are output descriptions supported by quantifiable performance measures.'

A level of service is a measurable description of what Council delivers (or intends to deliver) in an activity which relates to something that can be controlled. Service levels may relate to:

- · the reliability of an asset;
- the quality of an asset;
- · having the right quantity of assets; or
- the safety/risk/security of the assets.

The objective of asset management is to enable assets to be managed in the most costeffective way based on an understanding of customer needs, expectations, preferences and their willingness to pay for any increase in the levels of service.

5.2 Key Issues from Community Consultation

As part of Council's community consultation for the Community Strategic Plan, Council conducted extensive consultation to determine what areas were priorities for the community. The following four pages highlight the key findings of the consultation for each of council's strategic pillars.

Our Economy



Wentworth Shire is a vibrant, growing and thriving region.



- Bigger and more developed with additional services.
- Major employment opportunities for businesses.
- Build other infrastructure and services to attract visitors to enhance the tourist experience.
- Larger population, more tourists.
- Continuing to grow the region
- We need money spent here and not in Victoria.

- Make our riverfront a feature.
- Support mining and renewable
- Promote the natural attractions within the Shire.
- Attracting young families to the
- The vision must be for economic change to the community.
- Bring tourist dollars to the town and the local community and business.

Our Community



Wentworth Shire is a great place to live.



- Animal control
- Better access to services and facilities.
- Stronger police presence.
- More facilities to accommodate our aging population.
- Childcare facilities for families.
- Another school in Buronga or Gol Gol to accommodate growth in the area.

- Access to housing
- Public signage
- Public amenity
- An enhanced events calendar so residents have more to do.
- Increased traffic and pedestrian safety

Our Environment



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



- Better planning for infrastructure to support growth
- Better water pressure and quality
- An environmentally sustainable
- More green spaces included in new developments
- A better waste management system that incorporates recycling and green waste bins
- Better maintenance of Council assets and infrastructure
- Stronger effort to protect our natural environment and waterways

Our Leadership



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



- A council that's in tune with the needs of the community
- Better communication and engagement with the community.
- A more diverse council to reflect the current Shire demographics
- Good decision-making by all who are in charge of our future
- Transparency, honesty, integrity in the Council and its staff
- Broader community consultation

- Proactive councillors, those who can make a vision reality, and be willing to influence change
- Inform the community and get community input
- A council that looks after all its constituents in a similar manner
- Advocate for the community
- Staff who are capable and passionate about the area

5.3 Service Level Outcomes

The levels of service in this strategy have been developed with a customer focus and are grouped into core customer value areas that are referred to as 'service level outcomes'. These service level outcomes (sometimes referred to as service criteria) encompass:

- condition
 - accessibility and/or availability
 - quality/condition
- functionality
 - reliability/responsiveness
 - sustainability
 - · customer satisfaction
- capacity
 - affordability
 - health and safety.

5.3.1 Condition

Accessibility

To ensure the asset base performs as required, it is essential that the asset, no matter which type of asset, is generally available to the community as required. As a service outcome, the Council's customers will require assets that are accessible and can be relied upon to deliver the services that are not only expected, but the services that are required.

Quality/condition

Asset quality is also very important. In this regard, Council should determine the quality of the assets required. Quality will have more to do with manner and type of the asset rather than its condition. An asset may be poor in quality yet have a condition which is described as good.

Condition is a measure of an asset's physical condition relative to its condition when first constructed. When rating asset condition, Council uses a scale of 0 - 5, where 0 = new and 5 = totally failed. A copy of a typical condition rating matrix is detailed in table 10.

TABLE 10 Asset condition rating matrix

Condition Rating	Condition	Descriptor	Guide	Residual life as a % of total life	Mean percentage residual life
1	Excellent	An asset in excellent overall condition, however, is not new and providing its intended level of service.	Normal maintenance required	>86	95
2	Good	An asset in good overall condition with some possible early stages of slight deterioration evident, minor in nature and causing no serviceability issues. No indicators of any future obsolescence and providing a good level of service.	Normal maintenance plus minor repairs required (to 5% or less of the asset)	65 to 85	80
3	Satisfactory	An asset in fair overall condition with some deterioration evident, which may be slight or minor in nature and causing some serviceability issues. Providing an adequate level of service with no signs of immediate or short-term obsolescence.	Significant maintenance and/or repairs required (to 10 - 20% of the asset)	41 to 64	55
4	Poor	An asset in poor overall condition, moderate to high deterioration evident. Substantial maintenance required to keep the asset serviceable. Will need to be renewed, upgraded or disposed of in near future. Is reflected via inclusion in the ten-year Capital Works Plan.	Significant renewal required (to 20 - 40% of the asset)	10 to 40	35
5	Very Poor	An asset in extremely poor condition or obsolete. The asset no longer provides an adequate level of service and/or immediate remedial action required to keep the asset in service in the near future.	Over 50% of the asset requires renewal	<10	5

5.3.2 Function

Responsiveness

Council will maintain assets in a diligent manner and be responsive to the needs of the community now and into the future. Whilst this may be difficult in some instances, Council places a high emphasis on customer service and its responsiveness to customer enquiries. Strategies will be implemented to ensure that Council maintains a high level of customer support.

Customer satisfaction

Council will continue to provide services to the community in a manner that is efficient and effective. Council will continue to monitor community satisfaction with its current services and strive to improve community satisfaction where possible.

Sustainability

Council will ensure that its assets are maintained in a manner that will ensure the long-term financial sustainability for current and future generations. This will be achieved by ensuring efficient and effective service delivery and ensuring appropriate funds are allocated to maintain and renew infrastructure assets.

5.3.3 Capacity

Affordability

Council will maintain its infrastructure assets in a cost-effective, affordable manner in accordance with responsible economic and financial management. In order for Council's assets to assist in meeting the strategic goals and in attaining optimum asset expenditure, Council will need to continually review its current operational strategies and adopt new and proven techniques to ensure that assets are maintained in their current condition.

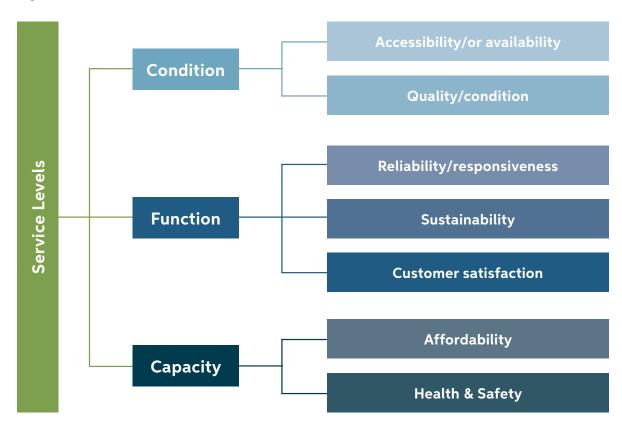
Health and safety

Council will endeavour to identify and mitigate all key health and safety risks created by the provision of services. Examples of level of service based on safety might include the following:

- services do not cause a hazard to people
- · water is safe for swimming.

Each of the service level outcomes is related directly to the Council's Community Strategic Plan by the way each asset class helps deliver the services required by the community. These service level outcomes are essential to ensure the asset portfolio is not only maintained to a satisfactory level but also caters for the future demands of the community whilst balancing the potential risks to the community and the Council.

Figure 5 Service Level Framework



5.4 Financial Based Service Levels

The premise of asset management is that asset requirements and asset management strategies should be driven by defined and acceptable service levels and performance standards. This section defines the various factors that are considered relevant in determining the levels of service for Council's assets that have been used to provide the basis for the lifecycle management strategies and works program identified within this Asset Management Strategy.

5.4.1 Asset Backlog Ratio

This ratio shows what proportion the infrastructure backlog is against the total value of a Council's infrastructure. The benchmark is less than 2%. The ratio is determined by dividing the estimated cost to bring assets to a satisfactory condition by the carrying value of infrastructure, building, other structures and depreciable land improvement assets (averaged over 3 years).

5.4.2 Asset Consumption Ratio

The average proportion of 'as new' condition remaining for assets. This ratio shows the written down current value of the local government's depreciable assets relative to their 'as new' value. It highlights the aged condition of a local government's stock of physical assets and the potential magnitude of capital outlays required in the future to preserve their service potential. It is also a measure of Council's past commitment to renewal of the asset class. A consumption ratio of less than 50% would suggest that past renewal funding has been inadequate or that the asset could expect to decay more rapidly.

5.4.3 Asset Sustainability Ratio

Are assets being replaced at the rate they are wearing out? This ratio indicates whether a local government is renewing or replacing existing non-financial assets at the same rate that its overall stock of assets is wearing out. It is calculated by measuring capital expenditure on renewal or replacement of assets relative to the rate of depreciation of assets for the same period. A local government would need to understand and be measuring its renewal expenditure to be able to determine this ratio.

5.4.4 Asset Renewal and Renewals Funding Ratio

Is there sufficient future funding for renewal and replacement of assets? This ratio indicates whether Council is allocating sufficient funds in its Long Term Financial Plan to adequately fund asset renewals. The benchmark is 100% (averaged over 3 years).

5.4.5 Asset Maintenance Ratio

This ratio compares actual versus required annual asset maintenance for each asset class. A ratio of above 100% indicates that Council is investing enough funds that year to halt the infrastructure backlog from growing. The benchmark is greater than 100% (averaged over 3 years).

TABLE 11 Service Levels

Key Performance Indicator	Level of Service	Performance Measurement Process	Target Performance
Accessibility	Provision of quality of assets to meet community needs	Condition of assets are measured and reported annually	No net decrease in condition across all asset classes
	Community has confidence in Council to manage assets	Community satisfaction survey and Community engagement strategy	Increased level of confidence from previous survey
Quality/ Condition	Assets are maintained in a satisfactory condition	Backlog ratio (estimated cost to brig asset to a satisfactory condition / written down value of the assets)	OLG benchmark <2%
Reliability/ Responsiveness	Provision of sufficient assets to meet community needs	Number of requests for additional/ increased level of service	Number of requests for additional/ increased level of service less than rolling previous three-year average
Customer Satisfaction	Be responsive to the needs of customers using asset	No customer requests received	85% of requests are completed within Council's service charter
	Opportunity for community involvement in decision making are provided	Asset management plan	All asset management plans are available on the website and for circulation to the public
Sustainability	Assets are managed with respect for future generations	Lifecycle approach to managing assets	Prepare a ten-year asset condition and age-based renewals plan - ensure the plan is approved by Council and updated annually
	Continuous improvement in asset knowledge, systems and processes.	Asset Management Working Group meets regularly to report on performance of strategic asset improvement program	100% of the strategic asset improvement actions completed annually
	Assets are being renewed in a sustainable manner	Asset renewal ratio (asset renewal expenditure / annual depreciation expense)	OLG benchmark >100%

TABLE 11 Service Levels

Key Performance Indicator	Level of Service	Performance Measurement Process	Target Performance
Affordability	Council maintains its assets	Asset maintenance ratio, measured by (actual maintenance expenditure and required maintenance expenditure)	OLG benchmark 100%
Health & Safety	Ensure all assets are safe and do not cause a hazard to people	Safety audits	The three-year rolling average of total claims decreases

6. FUTURE DEMAND

6.1 Demand Forecast

The future infrastructure demand for community infrastructure and facilities is driven by changes and trends in:

- population growth;
- changes in the demography of the community;
- urban planning;
- residential occupancy levels;
- commercial/industrial demand;
- technological changes which impact the asset;
- the economic situation;
- government policy; and
- the environment.

Projected changes

Figure 6 NARClim Modelling and Expectations

INCREASING INCREASING INCREASING DECREASING

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TABLE 12 Future Demand Impacts

Demand Drivers	Present Position	Projection	Impact on Services
Population growth and residential development	Current estimated population is 7,688 (REMPLAN)	The population is projected to continue to grow over the life of this strategy as development in the Buronga and Gol Gol area progresses.	Population growth will have large impact on demand for assets. Council expects a natural demand for increased in existing services as community expectations and demands change over time.
Demographics	Around 21% of the population was over the age of 65 in the 2021 Census.	The population is expected to continue to age. With the expected increase in average age of the population.	An increasing and older population will place an increased demand on some assets and increased accessibility requirements for footpaths, aged care facilities, community centres and open space assets.
Lifestyle	Predominantly rural lifestyle.	Community engagement identified that the community wishes to maintain its rural lifestyle.	N/A
Economic	Transport infrastructure utilised by GHV due to mining activity in the region	Expectation of 2 additional mines to open either within or in close proximity to the LGA	Additional movements of GHV will create additional strain on the road network and reduce the useful lives of affected roads
Environment	The NSW and ACT Regional Climate Modelling (NARCliM) Project has undertaken climate modelling of the region for 2020-2039 and 2060-2079.	Expected climatic changes can be found in figure six. This includes: overall increased temperatures increased risk and intensity of natural disaster (fire) events.	Assets may be impacted by changes such as more severe weather events.

6.2 Demand Management Strategies

Demand management strategies have been developed to effectively manage the change in Wentworth Shire Council. These strategies will need to be monitored to ensure that they capture and are responsive to changing community expectations and demographic profile as the region develops.

TABLE 13 Demand Management Strategies

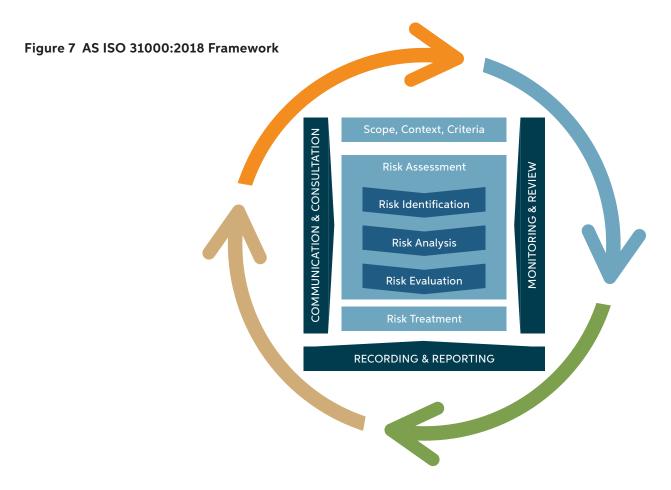
Demand Factor	Impact on Services
Population	Population growth will place an increased demand on assets, especially roads, water and sewer assets.
Demographics	An increasing and older population will place an increased demand on some assets and increased accessibility requirements for footpaths, aged care facilities, community centres and open space assets.
Road utilisation changes	Smart, multi-modal road solutions will be required to keep up with the growth and provide cheap, efficient and sustainable means of road transport.
Increasing costs	Requirement to continue to maximise service delivery within the funding limitations.
Environment and climate	Assets may be impacted by changes such as increased severity of natural disasters and weather events.
Technology	May require improved environmental/economical management of assets.

7. RISK MANAGEMENT

Risk management is defined in 'ISO 31000:2018' as a coordinated set of activities and processes at directing and controlling an organisation with regard to risk. It provides a structured approach to managing risk effectively by applying principles, frameworks, and processes to identify, assess, and mitigate risks while considering the organisation's objectives.

Wentworth Shire Council is committed to a structured and systematic approach to the management of risk with Council's enterprise risk management framework aligned with ISO 31000:2018. This aims to embed the principles of risk management in all aspects of Council's operations, which ultimately:

- increases the likelihood of Council achieving its objectives;
- creates an environment where all employees have a key role in managing risk;
- encourages proactive management;
- improves the identification of opportunities and threats;
- improves stakeholder confidence and trust;
- improves financial stability and minimise losses; and
- improves organisational performance.



This is a structured, best-practice and proven approach that is to be applied Council-wide to support the management of strategic, operational, financial, regulatory, and other risk. Under this approach, there are five key stages to the risk management process:

- communicate and consult with internal and external stakeholders
- establish context the boundaries
- risk assessment identify, analyse and evaluate risks
- treat risks implement and assess controls to address risk
- monitoring and review risks reviews and audit.

7.1 Infrastructure Risk Management Framework

Council is currently developing 'infrastructure risk management plans' for each of its asset classes. These plans provide greater detail on Council's risk management approach for each of its infrastructure assets, including the risk analysis (likelihood and consequence) and treatment criteria specific to each asset class.

In general, risks are evaluated in the following way in Council's asset risk registers:

Risk identification

- which asset is at risk?
- what can happen?
- when can it occur?
- what are the possible causes?
- what are the existing controls?
- is the risk credible?

Risk analysis

- what is the likelihood of occurrence?
- what are the consequences of occurrence?
- risk rating
- what action is required?
- is the risk acceptable?

Risk treatment

- what treatment options are available?
- what is the plan to treat the risk?
- what is the residual risk?

Risk treatment plan

- actions
- responsibility
- resource
- budget
- due date.

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7.2 Strategic Infrastructure Risks

Using Council's Risk Management Framework, some high-level infrastructure-based risks have been identified that are associated with the management of the assets. These strategic risks are identified in following table.

TABLE 14 Risk Identification Table

Asset at Risk	What can Happen?	Possible Cause	Risk Rating	Treatment Option (s)
Urban road	Unserviceable, water over road due to flooding	Flooding/damage caused by under capacity	Extreme	Communications/ community awareness of Council policies
Road base (pavement)	Asset failure	Inadequate funding leading to continued deterioration of asset condition	Extreme	Ensure renewal funding is optimised and available; develop and coordinate long term capital investment plan to fund renewal
Footpath or shared path	Asset failure	Inadequate funding leading to continued deterioration of asset condition	Extreme	Ensure renewal funding is optimised and available; develop and coordinate long term capital investment plan to fund renewal
Kerb and gutter	Asset failure	Inadequate funding leading to continued deterioration of asset condition	Extreme	Ensure renewal funding is optimised and available; develop and coordinate long term capital investment plan to fund renewal
All assets	Defect inspection program not implemented	Lack of resources; responsibility not clearly defined	Extreme	Resolve asset management role and responsibility
Urban road	Unserviceable, due to major damage by developer	Inappropriate construction management by developers for high- risk work	High	Proactive public domain inspections
Urban road	Unserviceable, due to damage by utility provider or their contractor	Inappropriate construction management by utility providers and their contractors	High	Review utility provider work management practices; proactive precinct inspections
Urban road	Unserviceable, road blocked/ water over road due to flooding	Due to defects of stormwater pit/pipe on/under a road	High	Proactive precinct inspections

TABLE 14 Risk Identification Table

Asset at Risk	What can Happen?	Possible Cause	Risk Rating	Treatment Option (s)
Urban road	Unserviceable, road blocked/ water over road due to flooding	Due to condition of stormwater pit/pipe on/under a road	High	Proactive condition inspection process
Urban road	Unserviceable, oil/ chemical spill	As a result of a vehicular or industrial accident	High	Critical assets
Urban road	Unserviceable, water over road due to flooding	Flooding caused by trunk stormwater drainage asset failure	High	Critical assets
Urban road	Unserviceable, water over road due to flooding	Illegal dumping causing trunk drainage blockage	High	Critical assets
Road base (pavement)	Asset failure	Pavement condition due to poor wearing surface condition	High	Proactive precinct inspections; proactive condition inspection process
Bridge or culvert	Asset failure	Structural fatigue; traffic loads	High	Proactive precinct inspections; proactive condition inspection process
Bridge or culvert	Structure deterioration	Lack of planned or reactive maintenance	High	Proactive precinct inspections; maintenance program
Footpath or shared path	Unserviceable, due to damage by utility provider or their contractor	Inappropriate construction management by utility providers and their contractors	High	Review utility provider work management practices; proactive precinct inspections
Footpath or shared path	Trip or fall	Service pits	High	Review utility provider work management practices; proactive precinct inspections
Footpath or shared path	Trip or fall	Surface	High	Proactive precinct inspections; maintenance program
Footpath or shared path	Trip or fall	Tree roots/slab lift or tilt	High	Proactive precinct inspections; maintenance program
Footpath or shared path	Waste containers/ materials on footpath causing obstruction	Skip bins placed in inappropriate location	High	Continue existing regulatory controls; proactive precinct inspections

TABLE 14 Risk Identification Table

Asset at Risk	What can Happen?	Possible Cause	Risk Rating	Treatment Option (s)
Kerb and gutter	Cyclist crash/ collision, due to stormwater grate	Stormwater grate missing	High	Proactive precinct inspections
Kerb and gutter	Poor condition causing injury	Slip, trip and fall from pedestrians crossing roads	High	Proactive precinct inspections
Traffic facility/ pedestrian crossing	Collision - motor vehicle and pedestrian	Facilities not maintained to appropriate condition	High	Proactive precinct inspections; maintenance program
All assets	Unserviceable, due to damage caused by natural disaster	Natural disaster emergency	High	Review critical assets and disaster management responsibilities

7.3 Critical Assets

Critical assets are those assets that are likely to result in a more significant financial, environmental and social cost in terms of impact on organisational objectives. By identifying critical assets and critical failure modes, organisations can target and refine investigative activities, maintenance plans and capital expenditure plans at critical areas.

ISO 55001 Cl 6.2.1.2b requires organisations to 'review the importance of assets related to their intended outcomes, objectives and product or service requirements.' ISO 55002 Cl 6.2.2.1 suggests that 'a key aspect of planning is the identification of events in which the functionality of assets is compromised, including potentially catastrophic events in which function is completely lost'. Council determines the criticality of assets based upon the following criteria:

- Complexity;
- impact of loss of service;
- environmental impact;
- health and safety impact; and
- cost of failure.

Critical assets for each asset class have been identified in their respective asset management plans.

8. EXPENDITURE PROJECTIONS

8.1 Asset Values

In preparing this AMS, it has been identified that Wentworth Shire Council has an infrastructure and asset portfolio with a current replacement cost of approximately \$753 million. The asset values are estimates of the value of assets, as at 30 June 2024, based on our best estimate of asset values, taking into account recent asset revaluations. These values should be updated on an annual basis, in line with the annual financial statements, once completed.

TABLE 15 Asset Classes and Values

Asset	GRC \$ 000's	WDV \$ 000's	DEP \$ 000's
Buildings	\$81,533	36,404	\$1,049
Other Structures	\$7,086	\$4,537	\$269
Roads	\$238,606	\$112,937	\$3,883
Bridges	\$14,824	\$7,868	\$92
Footpaths	\$8,322	\$4,299	\$80
Bulk Earthworks	\$224,373	\$224,373	\$0
Stormwater	\$31,815	\$19,054	\$225
Water	\$76,140	\$40,215	\$935
Sewer	\$51,871	\$30,123	\$778
Swimming Pools	\$3,335	\$1,910	\$71
Open Space	\$1,422	\$588	\$86
Other Infrastructure	\$16,236	\$12,365	\$171
Grand Total	\$752,563	\$494,673	\$7,639

Figure 8 Asset Classes

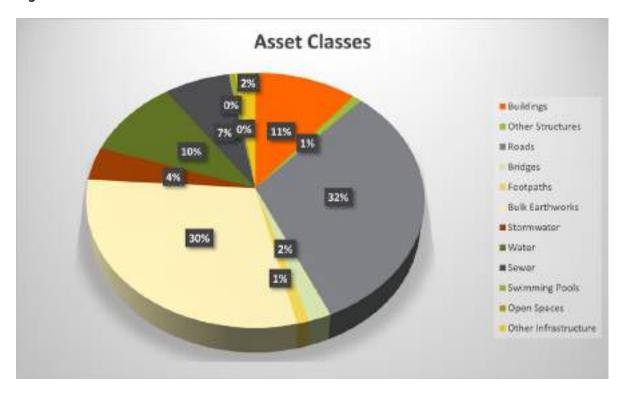
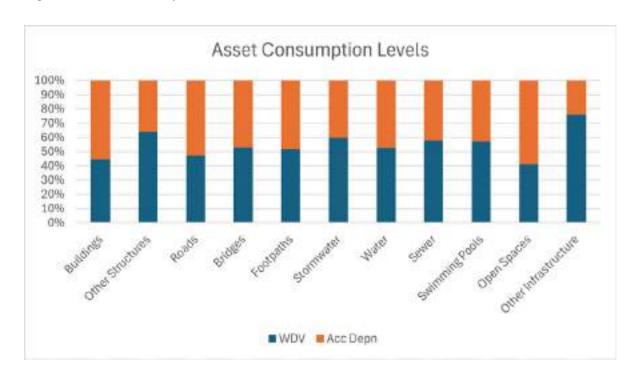


Figure 9 Asset Consumption



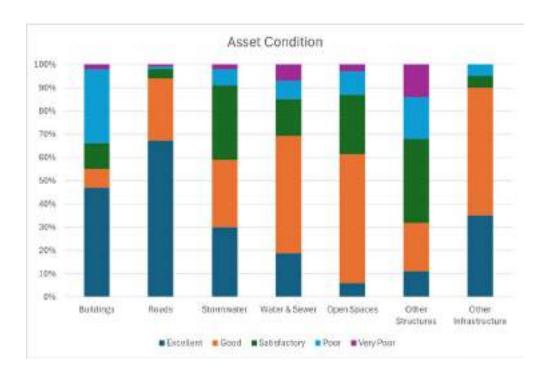
8.2 Asset Condition

Reviewing asset condition data shows that most of Council's assets are in a satisfactory or better condition. The reliability of Council's condition data varies between the asset classes with most data being reliable, or highly reliable. Details of Council's current asset condition are shown in the table below. The condition is represented as a percentage of the replacement cost of Council's assets.

TABLE 16 Asset Condition Data

Asset Class		Asset Co	ondition (% of	FCRC)	
	1	2	3	4	5
Buildings	47.00%	8.00%	11.00%	32.00%	2.00%
Roads & Transport	67.50%	26.80%	4.30%	0.70%	0.70%
Stormwater	30.00%	29.00%	32.00%	7.00%	2.00%
Water and Sewer	18.50%	51.00%	16.00%	8.00%	6.50%
Open Space	5.60%	55.80%	26.00%	9.90%	2.70%
Other Structures	11.00%	21.00%	36.00%	18.00%	14.00%
Other Infrastructure	35.00%	55.00%	5.00%	5.00%	0.00%
Combined	53.30%	30%	8.80%	6.00%	1.90%

Figure 10 Asset Condition Data



Strategic Asset Management Strategy 2026-2035

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8.3 Expenditure and Reporting

The average capital and maintenance expenditure on Council's infrastructure assets over the last ten-year period is approximately \$14.8 million per year.

TABLE 17 Combined Asset Expenditure Projections

Capital Renewal \$5,081 \$2014/2015 \$2016/2016 \$2016/											
al Renewal \$5,081 \$4,681 \$4,867 \$6,051 \$3,612 \$7,212 \$8,466 \$15,921 al – New \$827 \$133 \$2,341 \$2,595 \$4,780 \$3,613 \$1,144 \$1,113 \$3,911 tenance \$2,567 \$3,613 \$3,613 \$2,955 \$3,538 \$3,538 \$8,475 \$8,475 \$1,988 \$12,301 \$12,176 \$11,969 12,534 \$23,370 \$3		2014/2015 (,000)	2015/2016 (,000)	2016/2017 (,000)	2017/2018 (,000)	2018/2019 (,000)	2019/2020 (,000)	2020/2021 (,000)	2021/2022 (,000)	2022/2023 (,000)	2023/2024 (,000)
al – New \$827 \$134 \$2,595 \$4,994 \$1,744 \$1,113 \$3,911 tenance \$2,567 \$3,681 \$4,780 \$3,655 \$3,570 \$3,013 \$2,955 \$3,538 \$8,475 \$8,475 \$1,988 \$12,301 \$12,176 \$11,969 12,534 \$23,370 \$	Capital Renewal	\$5,081	\$4,681	\$4,867	\$6,051	\$3,612	\$7,212	\$8,466	\$15,921	\$7,196	\$16,097
tenance \$2,567 \$3,681 \$4,780 \$3,655 \$3,570 \$3,013 \$2,955 \$3,538 \$3,538 \$475 \$8,495 \$11,988 \$12,301 \$12,176 \$11,969 12,534 \$23,370 \$\$	Capital – New	\$827	\$133	\$2,341	\$2,595	\$4,994	\$1,744	\$1,113	\$3,911	\$9,141	\$8,405
\$8,475 \$8,495 \$11,988 \$12,301 \$12,176 \$11,969 12,534 \$23,370	Maintenance	\$2,567	\$3,681	\$4,780	\$3,655	\$3,570	\$3,013	\$2,955	\$3,538	\$3,153	\$3,213
	Total	\$8,475	\$8,495	\$11,988	\$12,301	\$12,176	\$11,969	12,534	\$23,370	\$19,490	\$27,715

Figure 11 Combined Asset Expenditure



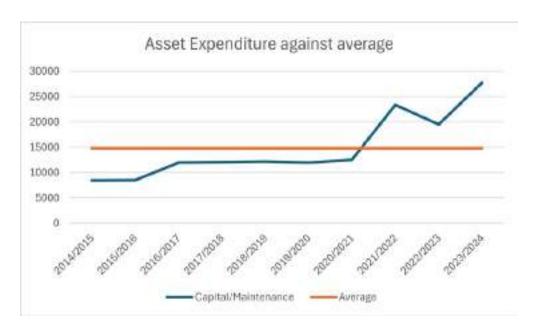


Figure 12 Asset Expenditure Against Average

Over the last five years a portion of new asset capital expenditure has been on assets provided by developers and other third parties.

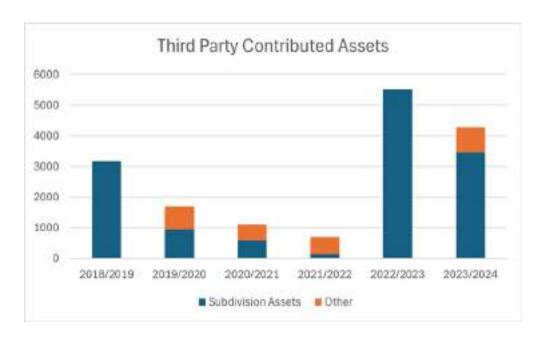


Figure 13 New third party contributed assets

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In order for Council to achieve the outcomes outlined in the Community Strategic Plan and the Delivery Program the following asset expenditure is required over the next 10 years.

TABLE 18 Future asset expenditure projection

	2025/2026 (,000)	2026/2027 (,000)	2027/2028 (,000)	2028/2029 (,000)	2029/2030 (,000)	2030/2031 (,000)	2031/2032 (,000)	2032/2033 (,000)	2033/2034 (,000)	2034/2035 (,000)
Capital	16,913	11,542	8,255	15,217	9,749	9,610	12,630	10,264	10,775	16,395
Maintenance	4,539	4,618	4,819	4,975	5,134	5,330	5,533	5,719	5,957	6,190
Total	21,451	16,160	13,074	20,192	14,883	14,940	18,163	15,983	16,732	22,585

8.4 Financial Performance

The Office of Local Government has established financial benchmarks for councils to strive towards and adhere to. To ensure financial sustainability and effective asset management these key infrastructure ratios are used as performance indicators. These ratios help assess asset conditions, renewal needs and the adequacy of investment over time.

Figure 14 Buildings & Infrastructure Renewals Ratio

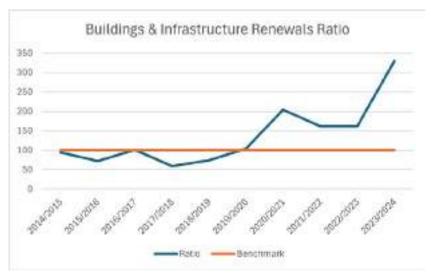


Figure 15 Asset Maintenance Ratio



Council will also monitor the following indicators:

- Infrastructure Backlog Ratio
- Cost to being assets to satisfactory condition

These ratios provide valuable insights into Council's long-term financial sustainability and the ability to maintain essential services and will be monitored annually to ensure adequate planning, funding and risk management.

9. OBJECTIVES, ACTIONS & OUTCOMES

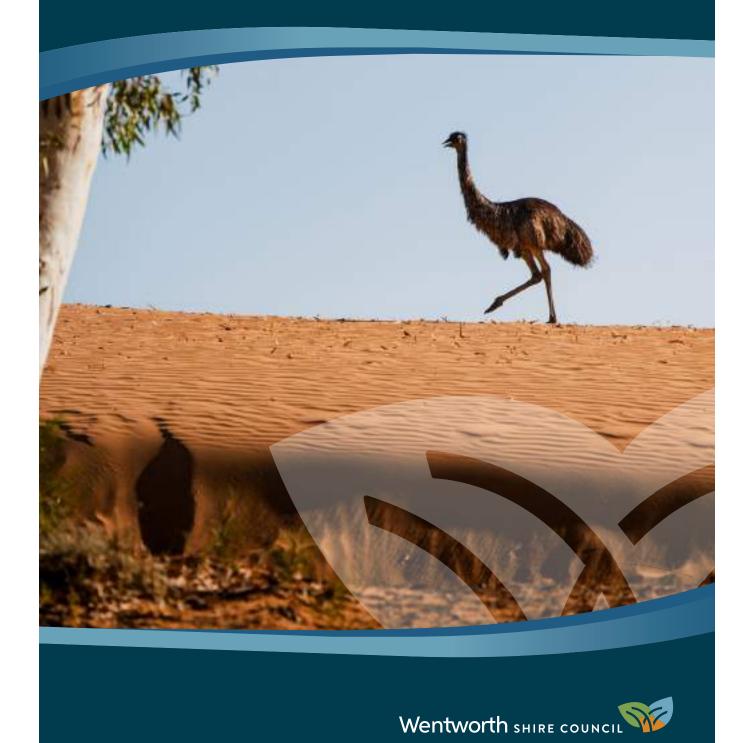
The following objectives and actions provide a framework for managing infrastructure assets efficiently while balancing cost, risk and service levels

Objectives	Desired Outcome
Ensure Sustainable Asset Lifecycle Management	
Develop and maintain Asset Management Plans for all major asset classes	Prolong asset lifespan and minimised lifecycle costs
Implement lifecycle cost analysis to optimise investment in asset renewal and maintenance	Data-driven decision making for asset renewal and maintenance
Establish asset condition assessment programs to monitor asset performance	Reduced financial risk from asset failure
Maintain Financial Sustainability	
Align asset investment with long term financial planning	Balanced budgets with a sustainable approach to infrastructure investment
Monitor key infrastructure ratios	Transparent financial planning and reporting
Secure funding through grants, partnerships and community contributions	Improved ability to secure funding for infrastructure projects
Improve Asset Maintenance and Renewal Programs	
Develop risk based maintenance schedules that prioritises critical infrastructure	Reduction in unplanned maintenance costs
Implement predictive maintenance techniques to reduce reactive repairs	Improved service reliability and asset condition
Increase community engagement to identify maintenance needs	Greater public satisfaction with infrastructure services
Enhance Data Driven Decision Making	
Implement an asset management information system (AMIS)	Increased accuracy and efficiency in asset management
Conduct regular asset audits and performance evaluations	Data driven prioritisation of asset investments
Utilise Geographic Information System (GIS) for spatial asset planning	Enhanced transparency and accountability
Improve Asset Management Maturity	
Implement an asset management capability framework	Enhanced organisational capability and expertise in asset management
Standardise asset management practices	Consistent and best practice asset management practices
Benchmark asset management performance against industry standard	Increased efficiency and effectiveness in managing infrastructure assets

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Workforce Management Plan 2026-2030



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Images in this document were sourced from Council's Image Library unless otherwise stated. Cover image: Perry Sandhills, Wentworth.

The Workforce Management Plan forms part of the Resourcing Strategy. These documents have been prepared in accordance with Section 403(2) of the *Local Government Act 1993*.

Copies of this program can be viewed online at wentworth.nsw.gov.au

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About this Plan

Wentworth Shire Council, like all Councils in NSW, operates within an Integrated Planning and Reporting Framework (IP&R) established by State Government. This framework requires preparation and adoption of the following plans to assist councils in their ongoing delivery of services to residents and ratepayers.

Figure 1 The Integrated Planning and Reporting Framework



EXECUTIVE LEADERSHIP REPORTING STRUCTURE

Our Organisational Structure is designed to deliver on the Communty's Strategic Objectives as outlined in the Community Strategic Plan 2026-2036.



REPORTING STRUCTURE

As at 01 May 2024





- Advocacy
- **Executive Services**
- Civic Service
- Mayor & Councillor support

- Human Resources recruitment
- Organisational training & development
- Work Health & Safety
- Workplace & Industrial relations

TOURISM & PROMOTION

- Events
- Library
- Marketing & Communications
- Tourism
- · Visitor Information Centre



SIMON RULE

DIRECTOR

Appointed to role in May 2014

CORPORATE SERVICES

CUSTOMER SERVICES

- Bendigo Bank Agency (Midway Service Centre)
- Bridge lift bookings
- Cemetery reservations & burials
- Customer enquiries
- Receipting (rates, water accounts, applications)
- Venue hire bookings

- Accounts payable/receivable
- Accounting services
- Payroll
- Procurement
- Rates

ECONOMIC & COMMUNITY DEVELOPMENT

- · Business continuity
- Cyber security
- End-user support
- Geographic Information Systems (GIS)
- Hardware/software/ maintenance acquisition

RECORDS

• Record management

- Audit, Risk & Improvement Committee
- Corporate Compliance
- Corporate Strategic Planning & Reporting
- Internal Audit
- Risk management



GEORGE KENENDE

ACTING DIRECTOR

Appointed to role in January 2024

HEALTH & PLANNING

ENVIRONMENTAL HEALTH

- Bonds and Permits
- **Building Certification**
- Food Safety annual inspections & temporary permits
- Public Health/Skin Penetration/ Cooling Towers/UPSS

- **Barking Dogs**
- Nuisance/Aggressive Dogs
- Rehoming
- Shelter Management

DEVELOPMENT ASSESSMENT

- **Development Determinations**
- Planning Portal management & assistance
- Pre-lodgement advice

- Alcohol Free Zones
- Development compliance
- Education & enforcement
- Noise
- Pollution & contaminated land

RESERVES & LAND TENURE

- Acquisition of land
- Crown land manager
- Native Title

- Heritage Protection & Advice
- Planning Proposals & LEP Amendments
- Strategic Planning Projects & Strategies



GEOFF GUNN

DIRECTOR

Appointed to role in August 2019

ROADS & ENGINEERING

ENGINEERING TEAM

- Assets
- **Engineering services**
- Infrastructure
- **Technical Services**
- Water & Waste Water

- Aerodrome operations
- Building maintenance
- Civil Works
- Fleet/Workshop
- Landfill/Waste
- Operations
- Parks & Gardens Roads

Our Workforce



126 Employees

46 female/80 male

115.95

108

15

1

2

Full time equivalents

Full time employees

Permanent part time employees

Casual employee

Term Contracts



Workplace Gender

Permanent full time

31

Female employees **77**

Male employees

Permanent part time

15

Female employees

Casual basis

1

Male employee Term Contracts

1

Female employee

Male employee

1



Average tenure (years)

4

Female employees

8

Male employess



Staff residential location

70

Within LGA

56

Outside LGA



Staff turnover

15%

2024

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Workforce Profile

Anticipating and managing changing workforce demographics is a key aspect to our approach (to ensure delivery of plans and programs. Council continually analyses and examines the make-up of our current workforce to help us anticipate challenges that may arise in the future.



Age Analysis

TABLE 1 Staff Age Ranges

Age	Female	Male	Representation of total workforce
15-24	3	6	7%
25-34	13	13	20%
35-44	4	19	18%
45-54	13	18	25%
55-64	9	18	22%
65+	4	6	8%

There are a number of statistics available that suggests Australia's population and labour force continues to age over time. Key data;

- Median age for the Council's workforce 46.
- Approximately 46% of Council's workforce are under 44 years old suggesting an ageing workforce
- Council's Executive Leadership team is greater than the general workforce on average, with a median age of 50.

Aboriginal and Torres Strait Islanders

The number of staff identifying s Aboriginal and/or Torres Strait Islanders within Wentworth Shire Council is 11% (an increase of 10% from the 2022-2056 Workplace Management Plan).



Recruitment

Attracting and retaining a high quality, committed workforce is a key objective for Wentworth Shire Council. Many objectives outlined in the plan aim to improve how we recruit and retain our most valuable asset, our people.

Attracting high quality candidates continues to be a challenge for Council. Whilst the majority of advertised positions are filled, feedback and experience suggests that attracting competitive pool of suitable qualified and experienced candidates for some positions has proven difficult due to the following factors;

- Lower remuneration levels for positions compared to the external market;
- Lack of required qualifications and experience for the role;
- Significant reduction in suitable applicants, particularly over the last 12-18 months (for more specialised positions).

In addition, during the past two to three years, the following positions are examples that required re-advertised in order to attract suitably qualifies candidates:

- Engineers
 - Civil
 - Project
- Planners
- Accountants

These internal and external factors show there is potential to improve on how we recruit and retain staff, through supporting continued implementation of workforce planning initiatives such as the development of an Employee Value Proposition (EVP). The development of an EVP will aim to develop and package up all the benefits that Council provides its employees and market them externally to promote and attract talented candidates to Council.



What our employees think

In 2024, an 'employee pulse survey' was conducted to obtain valuable feedback about workplace experiences and needs. Staff participating in the survey was 70% and was completed by 88 staff.

Respondents identified organisational culture, performance development, safety and internal communication as the top four improvement opportunities. A number of these challenges and issues will be directly addressed through the actions contained within this plan.

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Key Workforce Priorities



Attraction and Retention

Employees more than ever expect satisfactory pay and benefits, but they also want to feel valued. Employees are looking for a renewed and revised sense of purpose in their work.

It is estimated that across Australia some 30 per cent of the current workforce are at least somewhat likely to seek new employment short term. Forecasts suggest that attrition levels generally are likely to increase as more people appear willing to resign from their roles without already having secured their next role.



Ageing Workforce

According to research conducted by the Australian Bureau of Statistics, the median age of the Australia population at June 2023 was 38.3 years of age, a significant increase from 35 years of age in 2000. The median age of Wentworth Shire council is 46, higher than the Australian median.

With a median employee age of 46 and 54% of the workforce over the age of 40, an ageing workforce is a significant issues for the management and planning of Council's workforce. A number of challenges are raised in terms of maintaining and developing a skilled workforce from this ageing population.

The challenges involve managing the inherent needs of an ageing workforce including knowledge management, skill transfer, valuing older workers, flexible work options for transition to retirement, whilst ensuring their health and safety is maintained, as well as ensuring we are equipped to replace older workers when they decide it is the right time to retire.

Detailed analysis of our workforce identifies the following areas have 30 per cent or more of their permanent staff over the age of 55 years and should therefore form the priority for pilot programs and initiatives around our ageing workforce:

- Landfill/Transfer stations.
- Workshop.



Organisational Culture

Council will continue to foster a creative, accessible, respectful, energetic, and safe culture which motivates and inspires our employees to deliver excellent community outcomes and services. Council is committed to conducting annual 'pulse' surveys to ensure we understand the needs of employees.



Workplace Health and Safety

The pandemic has increased the trend of employers playing an expanded role in their employees' financial, physical and mental well-being. For example, there is an ever-growing body of research suggesting that the mental health of the broader workforce is suffering due to the COVID-19 pandemic.

As such, it will be crucial for Council to recognise this, and prioritise mental health alongside physical health and wellbeing as we move forward. Wentworth Shire Council is proactive in this area, having a number of employees trained in mental health and traditional first aid. Council offers a Employee Assistance Program (EAP) and we have implemented and promoted health, safety and wellbeing on an annual basis, providing focussed and events and services throughout the year.



Learning and Development

Sustained employee engagement is supported when employees believe and feel that the organisation supports their personal and professional advancement. Opportunities to develop capability must be underpinned by meaningful career pathways to foster and maintain long term engagement.

Council will continue to ensure we are prepared for changing business requirements and challenges. Our focus remains on building our leadership capability, operational skills, offering development opportunities and driving a high performance, valued-based culture.

Challenges that Council face in this area include (but not limited to) training availability, budgetary constraints and time constraints.



Action Plan

TABLE 2 Workforce Engagement

Objectives	Actions	Year 1	Year 2	Year 3	Year 4
Corporate Values	Embed the values outlined in the community strategic plan throughout all workplace strategies	√	√	√	✓
EVP/Attract & Retain	Develop an employee value proposition to ensure Council remains engaged and enable	√	✓		
Employee Surveys	Conduct on annual basis	√	√	√	√
Flexible Workplace	Review flexible workplace practices ensuring meet the needs of our people and the services we provide	√	✓	✓	✓
Leadership presence	Increase executive presence on outdoor worksites by scheduling regular visits throughout the year	√	✓	✓	✓
Diversity and Equality	Build a culture where we celebrate the diversity in our workforce, and to create a workforce that reflects our community	√	√	√	✓

TABLE 3 Growing our Capabilities

Objectives	Actions	Year 1	Year 2	Year 3	Year 4
Learning and Development	Establish LMS.	√	√		
Leadership development	Leadership programs are established to build capability across the organisation	√		✓	
Training calendar	Continue to revise/ implement annual training calendar (via LMS)	✓	✓	✓	√
Succession planning	Clear pathways developed/ identified for our people to ensure succession/ transition	√	✓	✓	√
Graduate / Trainee / Apprenticeships	Review ongoing opportunities for apprenticeships/trainees	✓		✓	

TABLE 4 Safe and Healthy Workplace

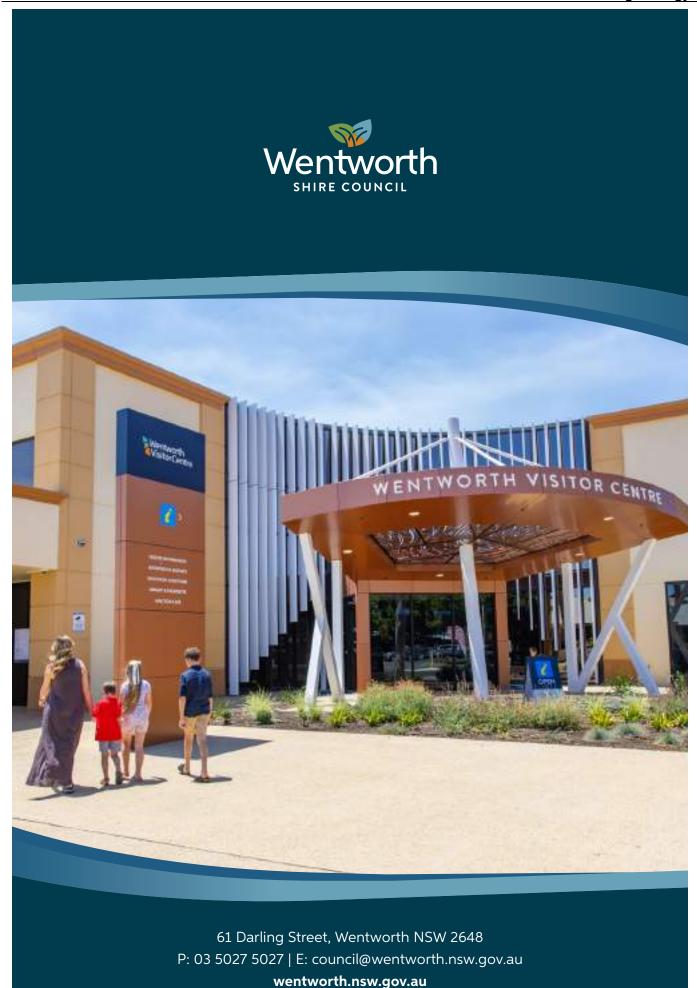
Objectives	Actions	Year 1	Year 2	Year 3	Year 4
Health and well-being	Ongoing (annual) heath and well being strategies and initiatives in conjunction with business partners	✓	✓	√	✓
Safety management	Rollout new Donesafe safety management system	✓	✓		
Injury management initiatives	Implement injury management initiatives to assist in managing workers' compensation premiums		✓		√
Operator verification of competency	Review ongoing verification process for determining operator competencies		✓		✓
Volunteer management	Review, monitor and standard volunteer management practices			√	

TABLE 5 Planning for the Future

Objectives	Actions	Year 1	Year 2	Year 3	Year 4
Policies, procedures and processes	Ongoing streamline of processes/ policies to increase efficiencies	√	✓	✓	✓
Centralised payroll/HR system	New LMS system as recommended in the HR/Payroll audit	√	✓		
Overtime and leave liability	Ongoing review of overtime (reasons) and reduction of lave liability)	√	✓	✓	√
Ageing workforce	Build multi- generational teams and bridge the knowledge gap	✓	✓	✓	✓
Technology	In line with LMS system and in conjunction with IT team – continue to review how technology impacts our organisation	√	√	√	✓

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Draft Resourcing Strategy



9.8 AF003 REQUESTS FOR FINANCIAL ASSISTANCE

File Number: RPT/25/246

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Reporting Officer: Annette Fraser - Team Leader Customer Service

Objective: 2.0 Wentworth Shire is a great place to live

Strategy: 2.4 A well informed, supported and engaged community

Summary

Council has provided an allocation of \$200,000.00 for the 2024/25 financial year for the funding of requests from the community for financial assistance. In this financial year, \$110,337.00 has been granted to a variety of organisations through the annual fees and charges "Exemptions from the Application" process (refer 2024/2025 annual fees & charges).

The total value of requests granted this financial year so far under delegated authority is \$4,830.75

The total value of requests approved at the March 2025 Council Meeting was \$419.79

A further request was also approved at the March 2025 Council Meeting for Wentworth Pioneer Homes Committee for the amount of \$4,734.75 and the April 2025 Council meeting for Northern Mallee Leaders for the amount of \$4,545.45.

The total value of requests for this current funding round ending 24 April 2025 totals \$10,000.00 which if granted in full, would leave a balance in the financial assistance program of -\$1,338.96

Financial Assistance Program starting balance 2024/25	\$200,000.00
Annual fees & charges annual exemptions granted	\$110,337.00
Granted under delegated authority 1 July – 31 October 2024	\$ 4,301.25
Value of approved requests after August 2024 Council Meeting	\$ 37,042.22
Available balance after August 2024 Council Meeting	\$ 48,319.53
Value of approved requests November 2024 Council Meeting	\$ 12,000.00
Available balance after November 2024 Council Meeting	\$ 36,319.53
Granted under delegated authority 1 November 24 – 31 January 25	\$ 529.50
Available balance as 31 January 2024	\$ 35,790.03
Value of approved requests – November 2024 Council Meeting	\$ 8,608.00
Value of approved requests – December 2024 Council Meeting	\$ 2,764.00
Value of approved requests 1 November 2024 – 31 January 2025	\$ 419.79
Available balance after February 2025 Council Meeting	\$ 23,998.24
Granted under delegated authority 31 January – 24 April 2025	\$ 6,057.00
Value of approved requests 19 March 2025 Council Meeting	\$ 4,734.75
Value of approved requests 16 April 2025 Council Meeting	\$ 4,545.45
Financial Requests received 31 January – 24 April 2025	\$ 10,000.00

Remaining balance if all approved	-\$ 1,338.96
Nemaining balance if all approved	-φ 1,550.90

Recommendation

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

That Council considers a budget variation of \$10,000 to provide sufficient funds till the end of the financial year.

Options

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

- (a) Granting the full value of all requests for a total of \$10,000.00 or
- (b) Consider partially funding the applications

Detailed Report

Purpose

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

Background

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

Report Detail

In this current application period, (1 February -24 April 2025), there has been two (2) requests for assistance received from community organisations. The total value of the requests under consideration is \$10,000.00

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

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

During this application period (1 February – 24 April 2025), the following six (6) requests totalling \$6,057.00 were approved under delegated authority.

\$246.00 - Pooncarie Quick Shear - Fee waiver for hire of Pooncarie Hall and Pioneer Park for Quick Shear Competition.

\$1,837.00 - The Hive Sunraysia Inc - Fee waiver for weekly hire during School Terms of Curlwaa Hall for Children's Playgroup.

\$1,107.00 - Pooncarie Field Day Group - 4 day hire of Pooncarie Hall for Local Ball.

\$321.00 - Coomealla Health Aboriginal Corporation - Hire of Sturt Park Dareton plus bins and power for Community Easter Event.

\$2,000.00 - Variety Queensland Inc - Hire of Wentworth Showgrounds for 2025 Variety Bash 6 August 2025.

\$546.00 - Pooncarie Community Christmas Group - Hire of Pooncarie Town Hall for Community Christmas Party.

Additional Information

The RSL Talent Quest Competition is currently in the planning stages. If successful, any grant monies to be paid after the event has occurred.

Legal, strategic, financial or policy implications

If the requested total of \$10,000.00 is approved this would leave a balance of -\$1,338.96 for the remaining period of the financial year.

Conclusion

Council has received requests for financial assistance under this round of the program to the value of \$10,000.00. The sum of \$6057.00 worth of fee waivers have been approved under delegated authority.

Attachments

- 1. Financial Assistance Application List May 2025.
- 2. Financial Assistance Applications May 2025 (Under Separate Cover) ⇒

FINANCIAL ASSISTANCE APPLICATIONS - MAY 2025

Organisation/Recipient	Type of Request	Request Value \$	\$ Amounts granted in 2022/23	Details of Request
Coomealla Wentworth Cricket Club	Grant	\$5,000.00	\$5,000.00	Grant to cover rental of George Gordon & McLeod Ovals and purchase of cricket netting
Wentworth District Sub- Branch of the RSL of Australia	Grant	\$5,000.00		Grant to fund Talent Quest in Wentworth Conference Room or Wentworth Town Hall
		\$10,000.00		

9.9 BURONGA GOL GOL SPORTING MASTERPLAN

File Number: RPT/25/171

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Reporting Officer: Simon Rule - Director Corporate Services

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

protect its physical and natural environment

Strategy: 3.5 Infrastructure meets the needs of our growing Shire

Summary

The Buronga Gol Gol Sporting Master Plan is a strategic assessment of the future sporting and recreation needs for the Buronga Gol Gol area. It provides a guiding framework for Council, stakeholders and partners for the future provision of sporting and recreation facilities to meet the changing needs of the community.

Population growth and the increase in female participation in sport generally is placing pressure on existing facilities.

Recommendation

That Council endorses the Draft Buronga Gol Gol Sporting Masterplan.

Detailed Report

Purpose

The purpose of this report is to present the Buronga Gol Gol Sporting Master Plan for Council's consideration and endorsement.

Background

The development of the Buronga Gol Gol Sporting Masterplan was initiated in response to increasing demand for sporting infrastructure. Population growth and the increase in female participation in sport generally is placing pressure on existing facilities. Extensive stakeholder consultations, community surveys and industry benchmarking were conducted to assess current needs and future opportunities.

Matters under consideration

Community feedback has overwhelmingly supported the need for improved sporting infrastructure. Engagement with local sporting clubs and residents has ensured that the plan reflects the desires and needs of the community. The Plan also aligns with regional and national sports development strategies.

The implementation of the Plan will require a phased investment strategy taking into account Council's own funds, State and Federal grants and other potential funding opportunities. Further investigation and feasibility of some of the proposed elements of the Plan may be required depending upon their scale, likely impact and estimated cost.

Conclusion

It is recommended that Council:

- Endorse the Buronga Gol Gol Sporting Master Plan as the guiding document for future sporting infrastructure
- Commit to phased funding and implementation to achieve the outlined objectives

- Develop a funding strategy that identifies partnerships and funding opportunities to optimise financial efficiency
- Monitor and update the Plan on a regular basis to ensure that it remains relevant

Attachments

1. Draft Buronga Gol Gol Sporting Master Plan U.

BURONGA GOL GOL SPORTING MASTER PLAN

March 2025





Buronga Gol Gol Sporting Master Plan

About this document

The Buronga Gol Gol Sporting Master Plan study is a strategic assessment of the future sporting and recreation needs for the Buronga Gol Gol area. It provides a guiding framework for Council, and associated project stakeholders and partners, for the future provision of sporting and recreation facilities to meet the changing needs of the community.

Planning inputs have included:

- the demographic profile of the current and projected population for the Buronga Gol Gol area,
- the current provision of sporting facilities within Buronga and Gol Gol, and throughout other areas of Wentworth Shire and Mildura Rural City,
- the sporting and recreational needs of the Buronga Gol Gol area community, including new and emerging sports and trends of participation, and
- the current and estimated future levels of participation by the Buronga Gol Gol area community in sport and recreation.

The master plan becomes the 'road map' to guide the future development of sporting and recreation facilities in Buronga and Gol Gol. The plan identifies several projects and strategic directions required to achieve the vision for sport and recreation, including the expansion of the Carramar Drive Sporting Complex to create a consolidated, multipurpose and high quality regional sporting and leisure complex. Further investigation and feasibility of some of the proposed projects may be required depending upon their scale, likely impact and estimated cost.

It is important to note that projects proposed in the Buronga Gol Gol Sporting Master Plan do not directly commit the Wentworth Shire Council, or any other organisations to a responsibility for their funding and implementation.

The Buronga Gol Gol Sporting Master Plan Stakeholder Engagement Report is an accompanying report to this study report.

Acknowledgements

The input into the study by the existing Buronga and Gol Gol sporting clubs is appreciated, and also the involvement from residents who provided feedback during the community engagement process. Other stakeholders that provided valuable information included relevant state and regional sporting associations, Mildura Rural City Council, and other community organisations.

The study was managed by Council's Director Corporate Services, and the input and guidance provided by other Wentworth Shire staff and Councillors was important for the preparation of the master plan.

Richard Simon Director, Simon Leisure (sports planning consultant and Project Leader)

Study Consultant

Simon Leisure Consulting Pty Ltd

Simon Leisure Consulting Pty Ltd
Office 1, 655 Nepean Highway, Brighton East, Victoria 3187
M 0458 957 824

E richard@simonleisure. www.simonleisure.com

BURONGA GOL GOL SPORTING MASTER PLAN – Wentworth Shire Council

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7.1. Facility Mix	25	and	and emerging.

Country

BURONGA GOL GOL SPORTING MASTER PLAN - Wentworth Shire Council

EXECUTIVE SUMMARY -:

ntroduction

Wentworth Shire in far southwest NSW, and approximately 5km from Mildura on the other side of the Murray River. The combined area of the two towns is the main growth area in the Shire, and is the fastest Buronga and Gol Gol are two towns located in the southeast of the growing residential corridor within the broader Sunraysia Region. The population of the growth area is projected to increase to an estimated 6,000 people at full yield from the 3,185 in 2021.

and recreation needs of the Buronga Gol Gol community important strategic investigation into the future sporting The Buronga Gol Gol Sporting Master Plan is an

generally, has led to an increase in participation levels for a number Population growth, and the increase in female participation in sport of sports which is placing pressure on existing facilities.

The study was informed by the following background reports:

- Buronga Gol Gol Structure Plan 2020.
- Wentworth Shire Community Strategic Plan 2022-2032
- Wentworth Shire Operational Plan 2023/2024.
- NSW Office of Sport Strategic Plan 2020-2024.
- Far West Sport and Active Recreation Plan 2018-2023.

Existing Sporting and Recreation Facilities

The existing sporting and recreation facilities in Buronga and Gol Gol are located at three different venues (see Figure A).

The Carramar Drive Sporting Complex comprises a sports oval, 2 netball courts, a cricket practice facility, a pavilion, and a multipurpose basketball court/ skate park

ennis courts and 2 bocce courts located outside the centre that are comprises a single indoor sports court (basketball/ netball), and 2 The Midway Centre, a Shire multipurpose community facility, reely available for community use.

and comprises 8 tennis courts and a clubroom, a playground, a boat James King Park is the primary public open space area in Gol Gol, ramp, and public toilets.

community tennis courts at the Midway Centre that are in poor All facilities are in good to excellent condition, except the 2 condition.

Figure A - Buronga and Gol Gol sporting facilities



There are currently four sporting clubs in Buronga and Gol Gol:

Gol Gol Hawks Football Netball Club

- Gol Gol Cricket Club
- Alcheringa Saints Basketball Club
- Alcheringa Tennis Club

BURONGA GOL GOL SPORTING MASTER PLAN – Wentworth Shire Council

In 2024, an estimated 624 players were members of the four Buronga and Gol Gol sporting clubs, including 31% female participation and 59% junior participation.

The overall sports participation rate by Buronga and Gol Gol residents is 19.5%, compared to the National sports participation rate of 14.5% and the rate for all of Mildura Rural City at 15.9%.

Stakeholder Engagement

Extensive engagement with stakeholders was a feature of the study research and can be summarised as follows.



April 2024

Meetings with the four Buronga and Gol Gol sporting clubs to collect information about the clubs' membership, their use and adequacy of existing sporting facilities, and club aspirations.



April 2024

Other Stakeholder Meetings with relevant Victorian and NSW State Sporting Associations, local and region sporting associations and leagues, Mildura City Council, and other community groups.



May 2024

A Community Survey collected information on the community's participation in sport and recreation activities, and what activities they might like to participate in - 165 surveys were completed.

Key information collected from engagement activities included:

 The Gol Gol Hawks Football Netball Club is planning to introduce junior football teams in 2025 and believe a second football oval will be required to meet future needs.

- The Gol Gol Cricket Club believe a second cricket oval is required in the Buronga and Gol Gol area, as it currently has to use the No. 3 Oval in Mildura as its second match day venue.
- The Alcheringa Tennis Club believes that 8 courts will be sufficient to meet club needs over the next 20 years, however, its clubroom will require extension or replacement.
- The Alcheringa Saints Basketball Club is advocating for additional training courts to meet future needs.
- Of the 165 people who completed the Buronga and Gol Gol Region Sport and Recreation Survey, 85% participate in sport or outdoor recreation activities.
- 60% of survey respondents participate in their chosen sport or recreation activities outside the Buronga Gol Gol area, and 26% participate in some of their activity(s) outside the area.

 Of the 120 survey respondents who participate in their chosen sport or recreation activities outside the Buronga Gol Gol area (or sometimes do), most (78%) do so as the 'required facilities

are not available in the Buronga Gol Gol area', followed by 'local

facilities do not meet their needs' (23%)

Survey respondents were asked if there was anything else they
would like to add about sport and recreation opportunities in the
Buronga Gol Gol Area. Of the 79 respondents who answered
this question, 44 advocated for a swimming pool (or 27% of the
total sample of 165 survey respondents).



16 January – 23 February 2025

The draft Master Plan Executive Summary and draft Concept Plan of the Carramar Drive Sporting Precinct Expansion were available on Council's 'Have Your Say' portal for study stakeholders and the community to review and provide feedback on the plans.

- 6 written responses were received
- 33 online surveys were completed

This feedback helped finalise the plans.

Sports Facility Demand Analysis

The method for determining the demand for future sporting facilities in the Buronga Gol Gol area utilised a combination of the following planning tools and other inputs.

- Sports facility benchmarks endorsed by State Sporting Associations.
- 2. Optimum number of teams a facility can accommodate.
- 3. Optimum number of players a facility can accommodate.
- The total estimated population for the Buronga Gol Gol area (6,000 people).
- (b,000 people).The current participation rates of Buronga and Gol Gol residents in sport.
- Input from Buronga and Gol Gol sports clubs and other stakeholders.
- 7. Research that shows that sports participation is highest for people living in Regional Victoria (40%), compared to Metropolitan Melbourne (27%).
- 8. The current availability of facilities throughout the Buronga Gol Gol area, in other Wentworth townships along the Murray River and in Mildura and surrounds.

The demand analysis recommends the following mix of facilities are required for the Buronga Gol Gol area community at full population yield of 6,000 residents:

- 2 football ovals
- 4 multi-lined indoor courts
- 3 cricket ovals
- 2 lawn bowling greens
- 4 outdoor netball courts (with 2 line-marked to be multipurpose to support other sports)
- 2 soccer pitches

- 8 tennis courts
- 1 skate park
- Public outdoor swimming facility

It was further recommended that where possible, facilities be clustered to form a new sporting and recreation hub. For this to be possible, a site of approximately 15 hectares will be required.

<u>=</u>

Sports Facility Site Options

The Carramar Drive Sporting Complex is approximately 8.5 hectares in size and has capacity to accommodate some but not all future new facilities. With the assistance of Wentworth Shire Council officers, the following 2 sites were identified as potential sites for a future sporting hub (see Figure B).

- 'Whitworth' Site
- 2. 'River Road' Site

Figure B – Sporting Hub Site Options



BURONGA GOL GOL SPORTING MASTER PLAN - Wentworth Shire Council

Site	Ownership	Size
Carramar Drive Sporting Complex	Crown land with Wentworth Shire Council delegated management responsibilities	8.5 ha
"Whitworth' Land	Private - Louise Whitworth	24.1 ha
'River Road' Site	Crown land –	111.5 ha

community, and the potential to incorporate the existing The 'Whitworth' Site is preferred mainly due to the central location of the site to the future residential Carramar Drive Sporting Complex into the future planning of a Buronga Gol Gol sporting hub.

Carramar Drive Sporting Complex Expansion Concept Plan

At the Councillor and Executive Team Workshop held 17 June 2024, area. Other related items were discussed, and agreed in-principle: it was agreed that the study investigate the feasibility of combining the Carramar Drive Sporting Complex and the 'Whitworth' Site to form a new sporting and recreation hub for the Buronga Gol Gol

- Complex by user groups, Council and other stakeholders, and That there has already been significant investment in the development of facilities at the Carramar Drive Sporting that the condition of most facilities is good to excellent.
- Carramar Drive Sporting Complex, and would also have use of That the Gol Gol Cricket Club would remain based at the the 2 new ovals in summer on the 'Whitworth' site. ۲
- etain the turf centre wicket but be expanded to accommodate 2 That the existing oval at the Carramar Drive Sporting Complex soccer pitches when sufficient demand arises in the future. က
- That the Gol Gol Football Netball Club would relocate to the new sporting complex at the 'Whitworth' site (2 new ovals, 2-4 new netball courts, and a new pavilion). 4.

- the primary recreational park and visitor stop in Buronga and Gol That James King Park in the future will need to be developed as Gol which will require all tennis infrastructure to be removed to allow the quantity of usable public open space to be increased. 5
- That Council consider including a new Library and community meeting rooms with the proposed new 4-court indoor sports centre. This would enable Council to either re-purpose the Midway Centre in the long term or dispose of it. ပ်

Leased to Barry & Maree Lush

That a strong physical connection exists between the Carramar Drive Sporting Complex and the new sports complex on the 'Whitworth' site. ۲.

Concept Plan (see next page) and is a visionary plan The Carramar Drive Sporting Complex Expansion showing how all future facility needs can be accommodated within the precinct. The total estimated cost for full implementation of the concept plan is that a project of this scale and cost will require a staged approach by timeframe required for the demand for some sports to reach a level \$89 million, excluding the cost of purchase of the 'Whitworth' land. A 4-stage implementation plan is proposed, which acknowledges Wentworth Shire Council and other project partners, and the that is sufficient to sustain a new club.

Study Conclusion

population yield of 6,000 residents; there will also likely be demand The Buronga Gol Gol Sporting Master Plan Study has applied evidenced-based research to predict the future sporting and recreation needs for the Buronga Gol Gol community at full or the new facilities from the expanding Mildura population.

shows how future new facilities can complement existing facilities at multipurpose, and regionally significant sporting and recreation hub The Carramar Drive Sporting Complex Expansion Concept Plan the Carramar Drive Sporting Complex to achieve an integrated, for the Wentworth Shire.

BURONGA GOL GOL SPORTING MASTER PLAN – Wentworth Shire Council



BURONGA GOL GOL SPORTING MASTER PLAN - Wentworth Shire Council

2. INTRODUCTION

2.1. Study Background

Wentworth Shire Council commissioned this study to prepare a sporting master plan for the Buronga and Gol Gol area. The master plan is a follow-up study to the *Buronga Gol Gol Structure Plan 2020*, and assesses in more detail the future sporting and recreation needs of the growing Buronga Gol Gol community.

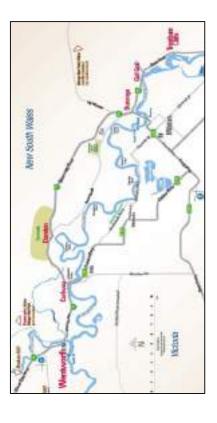
Buronga and Gol Gol are two towns located in the southeast of the Wentworth Shire in far southwest NSW (see Figure 1). They are strategically located on the Sturt Highway and Silver City Highway, two significant transport corridors that traverse the Sunraysia Region and extend to Broken Hill, Adelaide, Melbourne and Sydney.

Both towns are situated on the Murray River approximately 5km from Mildura (in Victoria). The Buronga Gol Gol area operates as a 'defacto' northern suburb of Mildura due to its strong physical and socio-economic connection to this regional centre (see Figure 2).

Figure 1 – Site Context

South Australia NSW Sydney Victoria Melbourne

Figure 2 - Location of Buronga and Gol Gol



The Buronga Gol Gol area is the main growth area in the Wentworth Shire, and is the fastest growing residential corridor within the Sunraysia Region. The area experienced a 20% population increase during the 10 year period 2011 to 2021. This growth has led to an increase in participation levels for a number of sports, and this, coupled with an increase in female participation, is placing sureconcernisting facilities. The population of the area is

Find the state of

The study was an important strategic investigation to ensure the health and wellbeing of this growing community is supported by evidenced-based research for the provision of necessary leisure facilities. This report collates all research undertaken during the study, including the outcomes of a sports facility demand analysis. Key outcomes of the study include a costed and staged implementation plan (indicative) for new and upgraded sporting and recreation facilities, and a concept plan showing the future expansion of the Carramar Drive Sporting Complex.

BURONGA GOL GOL SPORTING MASTER PLAN – Wentworth Shire Council

Study Purpose and Objectives 2.2.

The study purpose was:

To develop a master plan that considers the existing and future sporting and recreational needs of the Buronga Gol Gol community

The study objectives were:

- To articulate Council's role and function in the provision and future investment for sporting and recreational facilities.
- recreation in the Buronga Gol Gol area (short term and medium To investigate community aspirations and needs for sport and to long term) and utilise this research to inform strategy development and actions to support these aspirations. ۲i
- stakeholders, current and potential partners, and other levels of To represent the community after the consultation with key government. က
- provision of sports and recreation facilities for the Buronga Gol community to form appropriate partnerships that facilitate the To adopt a collaborative approach to working with the Gol community 4.

Project Approach 2.3.

The study was undertaken in four stages.

Situation Analysis

March-April 2024

- Project inception meeting
- Review background reports
 Demographic analysis
- Review distribution' condition of Buronga and Gol Gol sporting facilities
 Confirm the 'state of play' of the main sports

Sports Facility Needs Analysis

April-June 2024

- Conduct individual meetings with Buronga and Gol Sporting clubs Conduct a community survey and collate and analyse results
 - Liaise with state and regional sporting associations
 - Undertake a sports facility needs analysis
- ELT and Councillors' Briefing consider the Report Prepare an Issues & Opportunities Report

Develop the Draft Sporting Master Plan

July-December 2024 (incl. allowance for Council election period)

- Prepare 1st draft sporting master plan
 ELT and Councillor Briefing consider the draft sporting master plan
 Revise draft sporting master plan

Public Exhibition and Final Sporting Master Plan December 2024-April 2025

- Council considers the revised draft sporting master plan to endorse for public exhibition
 - Final draft sporting master plan on public exhibition
- Collate and review stakeholder and community feedback
 Prepare final Buronga Gol Gol Sporting Master Plan for Council adoption

3. PLANNING CONTEXT

The preparation of the Buronga Gol Gol Sporting Master Plan was nformed by a number of planning considerations, including:

- Buronga Gol Gol Structure Plan 2020.
- Other background reports and plans.

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3. Demographic characteristics of the Buronga Gol Gol area.

3.1. Buronga Gol Gol Structure Plan 2020

The purpose of the *Buronga Gol Gol Structure Plan 2020* is to facilitate quality and sustainable urban development in Buronga and Gol Gol. With the two towns currently experiencing strong growth, it is important to plan and guide land use changes, infrastructure development, and public and recreational spaces to support this growth.

The structure plan sets strategic short and long term directions for optimising land use and development, including identifying what, when, where, and how development should occur in the area.

The Buronga Gol Gol study area covers approximately 3,071 hectares (see Figure 3). It includes a large parcel of additional land to the east of the 2005 structure plan study area. This additional land is subject to a large-scale planning proposal referred to as 'Northbank on Murray', with the intent that this land is developed to support a range of accommodation options of a resort nature, cafes and restaurants, a gymnasium, shopping outlets, and other indoor and outdoor attractions and activities.

The structure plan states that the population of the Buronga Gol Gol region is projected to increase to 4,742 by 2040, however, more recent planning assessments have refined this total to upwards of 6,000 people, based on the rapid expansion of the population since the Covid pandemic and the high demand for house lots.

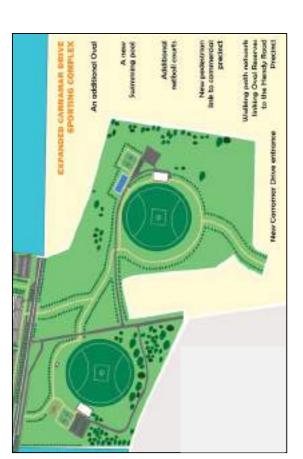
Figure 3 – Plan showing the Buronga Gol Gol study area



Currently 24 hectares (or 0.8% of the study area) is zoned for Public Recreation. The structure plan proposes that the Carramar Drive Sporting Complex be expanded to include a portion of the E3 Environmental Management zoned land that adjoins it to the east. The expansion covers 22 hectares of the E3 Environmental Management land and the structure plan notes that the land would be sufficient for a second oval, 2 additional netball courts, and a community swimming pool.

Figure 4 shows a layout plan for the land described above, and is an excerpt from the *Buronga Gol Gol Structure Plan*. The mix of proposed facilities and the feasibility of utilising this land was subject to review and assessment during this sporting master plan study.

Figure 4 - Layout plan showing an expanded Carramar Drive Sporting Complex



Other Background Reports and Plans 3.2.

The following State Government and Wentworth Shire Council plans were important references to inform the development of the sporting master plan.

NSW Government

- Office of Sport Strategic Plan 2020-2024.
- Far West Sport and Active Recreation Plan 2018-2023.

Council

- Community Strategic Plan 2022-2032.
- Operational Plan 2023/2024

See Appendix 1 for a full review of each report.

BURONGA GOL GOL SPORTING MASTER PLAN – Wentworth Shire Council

Key findings from State Plans

The Office of Sport Strategic Plan 2020-2024 has the vision that 'Sport and active recreation creating healthier people, connecting communities and making NSW stronger". The vision is underpinned by four Focus Areas, each containing a Key Goal that aligns with the development of the sporting master plan.

places and spaces for sport and Everyone in NSW participating Everyone in NSW can access in sport and active recreation throughout their whole life active recreation Places and Spaces **Participation**

The sector continues to grow sport and active recreation Sector Sustainability

Partnerships and Investment Partnerships and investment in

across NSW

sport and active recreation that maximise the value for everyone in NSW

- provides increased sport and active recreation opportunities that The Far West Sport and Active Recreation Plan 2018-2023 sets more active communities. The plan outcomes relevant for the planning for future facilities in the Buronga Gol Gol area are: will enhance the lives of its people as members of healthier, out a vision, outcomes and strategies to ensure the region
- Increased participation in sport and active recreation.
- Improved access to sport and active recreation for everyone in the region, regardless of background or ability.
- Fit for purpose facilities in the region.
- Effective collaboration within the sport and active recreation

BURONGA GOL GOL SPORTING MASTER PLAN - Wentworth Shire Council

Key findings from Council Plans

- The Community Strategic Plan 2022-2032 outlines the future vision and aspirations of the community. To achieve the vision, Council applies a Quadruple Bottom Line approach comprising four components:
- Economic
- Social
- Environmental
- Civic Leadership

The Social component has the following statement relevant to sports facility provision:

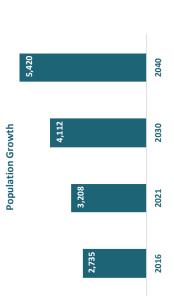
It is essential that all people, where ever they live, have access to services which enable them to feel included, to do what they love, and to participate in cultural, sporting and social activities.

- The Operational Plan 2023/2024 is Council's action plan to achieve the community priorities outlined in the Community Strategic Plan. Relevant actions in the plan include:
- Undertake specific public space capital works projects, including reserve upgrades and James King Park Riverfront.
- Prioritise and implement recommendations of Asset
 Management Plans, including Alcheringa Tennis Courts
 Upgrade [completed] and the Carramar Drive Sporting
 Complex Cricket Nets [completed].
- Undertake a review of current and future sporting needs within the Shire via the delivery of the Buronga Gol Gol Sporting Master Plan.

3.3. Demographic Characteristics

ABS Statistics show that the Buronga Gol Gol area had a population growth rate of 17.3% between 2016 and 2021 compared to 9.7% for the whole of Wentworth Shire.

The region is projected to continue to grow; the *Buronga Gol Structure Plan 2020* forecasts an annual growth rate of 2.8% to 2040. Applying this growth rate to the actual population of the Buronga Gol Gol area in 2021, it can be estimated that the population of the Buronga Gol Gol area in 2040 will be 5,420.

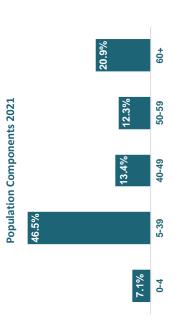


In 2021, 16.4% of residents in Buronga and Gol Gol were born overseas, compared with 34.6% for all of Wentworth Shire. England represents the largest cohort of overseas born residents at 1.6%.



The age cohort of 5-39 years is important for sports facility planning, as a high proportion of people who participate in organised (club) sport fall within this age cohort (often referred to as the 'active age cohort')¹. In 2021, 46.5% of Buronga Gol Gol area residents were aged 5-39 years compared with 40.1% for all of Wentworth Shire, 45.6% for all of NSW, and 50.3% for all Mildura Rural City.

It is a key determinant for the future demand for sports facilities in the Buronga Gol Gol area, as there is a comparatively high proportion of residents within the active age cohort.



The changeable population growth in the Buronga Gol Gol area makes it somewhat difficult to predict a future population at full residential yield of the growth area region. Council is currently reviewing the *Buronga Gol Gol Structure Plan 2020*, including the projected future population.

For the purposes of the sports facility demand analysis for the Buronga Gol Gol area (see Section 6), a total yield of 6,000 people has been used.

BURONGA GOL GOL SPORTING MASTER PLAN - Wentworth Shire Council

¹ Source: AusPlay 2023 (AusPlay is a national sport and physical activity participation tracking tool funded and coordinated by the Australian Sports Commission)

CURRENT PROVISION/ USE OF FACILITIES 4.

This section describes the current provision of sporting facilities within Buronga and Gol Gol, and their use by sporting clubs.

Buronga and Gol Gol Sporting Facilities 4.1.

Figure 5 shows the location of the existing sporting precincts/facilities in Buronga and Gol Gol.

Figure 5 – Buronga and Gol Gol sporting facilities





Carramar Drive Sporting Compex 4.1.1.

centre pitch and floodlights, 2 floodlit acrylic netball courts, a 6 lane Buronga and Gol Gol communities. It comprises an oval with a turf Carramar Drive Sporting Complex is the main sporting hub for the covered cricket practice facility, a pavilion, and a multipurpose basketball court/ temporary skate park (see Figure 6).

All facilities are in good to excellent condition.

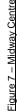


BURONGA GOL GOL SPORTING MASTER PLAN - Wentworth Shire Council

4.1.2. Midway Centre

The Midway Centre is a Wentworth Shire Council multipurpose community facility located in Buronga (see Figure 7). As well as a Library, function room, and meeting rooms, the centre comprises a single indoor sports court line marked for both basketball and netball with associated change room and amenities. The court surface and surrounds are in good condition.

There are also two gravel tennis courts and two bocce courts located outside the centre that are available for community use. The tennis courts are not floodlit, and are in average condition.





4.1.3. James King Park

James King Park is the primary public open space area in Gol Gol. It comprises a playground, a boat ramp, and public toilets, and is also the location for the Alcheringa Tennis Club (see Figure 8). The tennis facility has two banks of four courts each, and a small clubroom. All courts have a sand-filled synthetic grass surface, and the bank of courts adjacent to the clubroom are floodlit. The courts and the clubroom are all in good condition, although the clubroom has no change or amenities; players use the nearby toilet block.

Figure 8 - James King Park



Buronga and Gol Gol Sporting Clubs 4.2.

Table 1 lists the four Buronga and Gol Gol sporting clubs and their eam and club player numbers in 2024.

Table 1 – Club Team and Player Numbers

- 3		N	No. of Teams	ns			No.	No. of Players	ers	
Glub	Senior Men	enior Senior Junior Men Women Boys		Junior Girls	Total	Male	Male Female Senior Junior	Senior	Junior	Total
Gol Gol Hawks Football Netball Club (football)*	1	1	0	0	2	40	21	61	0	61
Gol Gol Hawks Football Netball Club (netball)*		3		က	9	-	54	27	27	54
Gol Gol Cricket Club	3	1	9	0	10	122	6	70	61	131
Alcheringa Saints Basketball Club	2	2	34	œ	46	222	2.2	39	260	299
Alcheringa Tennis Club	3	-	0	0	4	44	35	22	22	79
TOTAL	6	8	40	11	68	428	196	254	370	624

* No. of Players is an estimated based on the number of teams

courts and two bocce courts at the Midway Centre. The table shows There is no data available on the use of the two community tennis that:

- Basketball is the most popular sport.
- All sports have female participation; the overall ratio of female to male participation is 31% female to 69% male.
- The overall ratio of junior to senior participation is 59% junior to 41% adult.

sport is 19.5%, compared to the National sports participation rate of The overall participation rate by Buronga and Gol Gol residents in $14.5\%^2$ and the participation rate for all of Mildura Rural City at $15.9\%^2$.

State of play infographics have been prepared for the following

- Lawn Bowls Football (Australian Rules)
- Baseball

Basketball

Cricket

Soccer

Netball

Tennis

throughout the combined Buronga Gol Gol area and Mildura region by sport, and also the key participation data for that sport in the They provide a summary of all facilities currently available context of the combined region.

See Appendix 2 for the state of play infographics.

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BURONGA GOL GOL SPORTING MASTER PLAN - Wentworth Shire Council

Source: AusPlay, 2023 Source: Sport Participation in Victoria, VicHealth, 2019

5. STAKEHOLDER ENGAGEMENT

1st Round Stakeholder Engagement

The 1st round of stakeholder engagement was conducted during the period 15 April to 31 May 2024 and utilised a number of different techniques.



April 2024

Meetings with the four Buronga and Gol Gol sporting clubs to collect information about the clubs' membership, their use and adequacy of existing sporting facilities, and club aspirations



April 2024

Other Stakeholder Meetings



May 2024

A **Community Survey** was available on Wentworth Shire Council's 'Have Your Say' portal between 3 May and 31 May 2024.

The survey collected information about the community's current participation in sport and recreation activities, and what activities people might like to participate in the future.

165 surveys were completed.

Refer to Section 5.1 for a summary of the 1st round stakeholder engagement.

2nd Round Stakeholder Engagement

The 2nd round of stakeholder engagement was designed to receive feedback from the community and study stakeholders on the Draft Buronga Gol Gol Sporting Master Plan.



16 January - 23 February 2025

The draft Master Plan Executive Summary and draft Concept Plan of the Carramar Drive Sporting Precinct Expansion were emailed to study stakeholders to invite feedback and comment on the plan.

6 responses were received.



The draft Master Plan Executive Summary and draft Concept Plan of the Carramar Drive Sporting Precinct Expansion were available to view on the Wentworth Shire Council's 'Have Your Say' portal, and **community members** were invited to provide feedback via a survey. The public consultation process closed on 23 February 2025.

33 surveys were completed.

Refer to Section 5.2 for a summary of the 2nd round stakeholder engagement.

5.1. 1st Round Stakeholder Engagement

What We Heard from Stakeholders

Gol Gol Football Netball Club

- The club is planning to introduce junior football teams in 2025.
- The club believes a second football oval will be required in the future to meet club needs.
- The club believes that the current 2 netball courts will be sufficient to meet netball needs over the next 20 years.
- Change rooms need updating for women's use

Gol Gol Cricket Club

- The club believes a second cricket oval is required in the Buronga and Gol Gol area to better meet current and future club needs (club currently uses the No. 3 Oval in Mildura as its second match day oval).
- Change rooms need updating for women's use.

Alcheringa Tennis Club

- The club believes that the current 8 courts will be sufficient to meet the club's needs over the next 20 years.
- The clubhouse is small and outdated, and will likely restrict the club's off-court activities as the membership increases.

Alcheringa Saints Basketball Club

- The club's training is based is at the Midway Centre. All competition is conducted at the Mildura Sporting Precinct and the Mildura Basketball's Hothouse Stadium.
- With the projected population growth, the club expects to continue to grow, including an additional 10 teams in 2025.
- The club is advocating for additional training courts to meet future needs.

Lions Club of Buronga Gol Gol and Districts

• The group has a storage shed at the Carramar Drive Sporting Complex which meets all current storage needs and has capacity to absorb additional future needs.

Mildura Rural City Council

- There is pressure on Mildura Rural City Council to provide additional football and cricket ovals in Mildura.
- Participation in basketball is also increasing throughout the Sunraysia Region, whilst participation for most other sports has declined or is stable since the COVID pandemic.

Various Sport Peak Bodies

The Victorian and NSW State Sporting Associations for selected sports were consulted to collect local sports participation data, which was required for the sports demand analysis (refer Section 6). Sunraysia sporting associations and leagues were also consulted, as required.

What We Heard from the Community

165 people completed the Buronga and Gol Gol Region Sport and Recreation Survey. The key findings were:

- 85% of respondents participate in sport or outdoor recreation activities.
- 2. Of those respondents who do not participate in sport or outdoor recreation activities (25 No.), the main reasons cited were 'lack of time' (56%), followed by 'age' (28%).
- Of those respondents who participate in sport or recreation activities (140 No.), over half (54%) participate in Walking, followed by Fitness Classes/ Gym (45%), and Swimming (40%), Football (31%), Netball (25%) and Golf (24%) were the most popular sports.

- ecreation activities outside the Buronga Gol Gol area, and 26% 60% of respondents participate in their chosen sport or participate in some of their activity(s) outside the area. 4.
- Of the 120 respondents who participate in their chosen sport or sometimes do), most (78%) do so as the 'required facilities are not available in the Buronga Gol Gol area', followed by 'local recreation activities outside the Buronga Gol Gol area (or 'acilities do not meet their needs' (23%). 5
- Respondents were asked if there are any sporting/ recreational activities that they or their family do not currently participate in but would like to in the future. The most popular responses were: 6
- Fitness Classes/ Gym (35%)
- Swimming (33%)

Basketball (12%) and Gymnastics (11%) were the most popular. Of the most popular sporting options, Lawn Bowls (14%),

- recreation facilities in the Buronga Gol Gol area meet theirs and/ or their family's needs. 70% indicated that some or a few needs Respondents were asked how well existing sporting and are met, whilst 19% indicated that no needs are met. ۲.
- his question, 44 advocated for a Swimming Pool (or 27% of the Respondents were asked if there was anything else they would Buronga Gol Gol Area. Of the 79 respondents who answered like to add about sport and recreation opportunities in the total sample of 165 respondents). ထ

2nd Round Stakeholder Engagement 5.2.

What We Heard from Stakeholders

Responses on the draft Buronga Gol Gol Sporting Master Plan were received from the six following stakeholders.

- **Tennis NSW**
- Tennis Victoria

- **Bowls Victoria**
- Sunraysia Baseball League
- Mildura Rural City Council
- Football Federation Sunraysia

All stakeholder groups generally support the directions of the Master Plan. All feedback received was assessed by the Simon Leisure, and resulted in two recommendations to revise the draft Master

- Replace the 2 Tennis-Netball courts with 2 Tennis-only courts.
- Re-orientate the Baseball diamond to a more NE-SW alignment ۲,

What We Heard from the Community

33 people completed the survey to provide feedback on the draft Buronga Gol Gol Sporting Master Plan. The key findings were: 73% of respondents generally supported the directions of the Buronga Gol Gol Sporting Master Plan. The directions of the master plan that received most support are:

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- the Carramar Drive Sporting Complex Expansion will be a hub for all sports (18%)
- a second oval is provided (15%),
- liked all of it (15%),
- that it provides soccer pitches (12%), and
 - that it provides for a swimming pool (9%)
- consideration is having synthetic cricket pitches on Ovals 2 & The main direction that respondents think needs additional rather than turf pitches (15%). რ

Refer to the Stakeholder Engagement Report (February 2025) for a comprehensive summary of all study stakeholder engagement processes and outcomes.

SPORTS FACILITY DEMAND ANALYSIS 6

in the Buronga Gol Gol area has used a combination of the following The method for determining the demand for future sporting facilities planning tools depending on the sport.

The following planning tools/ benchmarks have been utilised to

Planning Tools/ Benchmarks

6.1.

nform the future number of facilities required for each sport.

- Sports facility benchmarks endorsed by State Sporting Associations.
- Optimum number of teams a facility can accommodate.
- Optimum number of players a facility can accommodate.

Other inputs used to develop the recommendations for the future provision of sporting facilities include:

- The total estimated population for the Buronga Gol Gol area (6,000 people)
- The current participation rates of Buronga and Gol Gol residents in sport.
- Input from Buronga and Gol Gol sports clubs and other stakeholders
- Research that shows that sports participation is highest for people living in Regional Victoria (40%), compared to Metropolitan Melbourne (27%)⁴
- Gol area, in other Wentworth townships along the Murray River The current availability of facilities throughout the Buronga Gol and in Mildura and surrounds.

participation rates, as all of the sporting competitions that Buronga and Gol Gol area residents compete in are Victorian leagues and Local participation data has been compared to Victorian average associations based in the Sunraysia Region. This is due to the geographic separation of the Wentworth Shire towns from the closest NSW-based sporting competitions.

BURONGA GOL GOL SPORTING MASTER PLAN – Wentworth Shire Council

diamond can support 4-5 teams population yield for the Buronga Gol Gol area (6,000) and based on court can support 300 players green can support 64 bowlers court can support 9-10 teams pitch can support 5-6 teams oval can support 5-6 teams Table 2 shows the application of the planning tools/ benchmarks oval can support 7 teams court per 2,500 people when projecting the future participation in each sport at full the current rate of participation. Football (Australian Rules) Netball (outdoor) Lawn Bowls Basketball Baseball Cricket Soccer Tennis

Fable 2 - Sports facility demand for the Buronga Gol Gol area

	Partici	Participation Rate	Projected	Estimated	Facility
Sport	Victorian Average	Buronga Gol Gol Residents (Current)	Number of Participants*	Team	Requirements (based on benchmark)
Football	3.32%	6.29%	380	15	2-3 ovals
Baseball	0.13%	0.53%	35	4	1 field
Basketball	3.18%	7.89%	475	300 players per court	2 courts
Cricket	2.11%	2.84%	170	14	3 ovals
Lawn Bowls	0.81%	0.44%	30	64 bowlers per green	1 green
Netball	1.81%	5.30%	320	35	3-4 courts
Soccer	1.11%	1.53%	92	8	2 pitches
Tennis	%69.9	2.46%	150	1 court per 2,500 people	3 courts

^{*} Based on a projected population of 6,000

⁴ Source: Sport Participation in Victoria, VicHealth, 2019

6.2. Sports Facility Interim Recommendations

Table 3 shows initial recommendations for new/ upgraded sporting facilities required to accommodate the sporting needs of the Buronga Gol Gol area community at full population yield of 6,000 residents, and how the number of recommended facilities compares to the existing provision.

Table 3 - Recommended sporting facilities for the Buronga Gol Gol area

Sport	Facility Requirement per benchmark	Exiting Provision	Shortfall (-) Surplus(+)	Interim Recommendation	Comments
Football	2-3 ovals	1	- 1-2	2 football ovals	Both ovals to support cricket also.
Baseball	1 diamond	0	-1	-	The Sunraysia Baseball League has adopted a centralised competition structure at the Old Aerodrome Sporting Complex, so the need for a local baseball diamond is reduced. If this structure changes, a baseball diamond could be integrated with the outlield of an oval.
Basketball	2 courts	-	-1	4 courts	4 courts is considered the minimum for a venue operationally to sustainably host a competition, 4 courts will also add flexibility by enabling other sporting, social and cultural uses to be possible. A consideration is the potential for a new 4-court indoor sports centre in the Buronga Gol Gol area to replace the ageing Mildura Hothouse Basketball Stadium in northern Mildura, giving Mildura Basketball access to two new indoor centres - one in the north and one in the south of the Mildura-Buronga Gol Gol region.
Cricket	3 ovals	1	-2	3 ovals	The oval not required for football could support other field-based sports
Lawn Bowls	1 green	0	-1	2 greens	Best practice planning for a bowls venue allows for 2 greens. However, the existing supply of greens in the Shire and in Mildura, and the projected total population of the Buronga Gol Gol area, may not warrant 2 greens (suggest supply 2 greens in two stages; 1 green only stage 1).
Netball (outdoor)	3-4 courts	2	- 1-2	4 courts	1 or 2 courts could be lined-marked to be multipurpose to support other sport and active recreation, eg. tennis, basketball, futsal, pickleball, etc.
Soccer	2 pitches	0	-2	2 pitches	2 soccer pitches to be integrated with the 3rd cricket oval.
Tennis	3 courts	10	+ 7	8 courts	Remove the 2 community courts at the Midway Centre.

6.3. Options and Scenarios for Future Provision

The following proposed future directions for new/ upgraded sports facilities were informed by a Councillor and Executive Team Workshop held 17 June 2024. The Workshop was presented with the findings of the sports facility demand analysis and subsequent discussions built on the interim recommendations in Table 3.

Whilst **Baseball** presently has a centralised competition structure in the Sunraysia Region, a local diamond is supported in the form of an integrated facility with a cricket oval (see example below). This would provide a local training facility in the Buronga Gol Gol area, which would support the high level of participation by residents in baseball (0.53% participation vs a Victorian average participation rate of 0.13%).

Planning for the provision of a single baseball diamond will help to grow the sport locally and within the region, and will also future-proof the sport should a local club form and the Sunraysia Baseball League reverts back to a traditional 'home and away' competition format.



2. For Basketball, 4 courts are considered the minimum required for a venue to operate sustainably as a competition venue. A consideration is the potential for a new 4-court indoor sports centre in the Buronga Gol Gol area to replace the ageing Mildura Hothouse Basketball Stadium. This would provide Mildura Basketball with two new indoor high-ball centres; one in the north and one in the south of the broader Mildura region.

rear car park towards the external tennis courts. Any expansion would require use of the site of the rear car park, however, additional courts will require additional car parking to be available. Expansion of the Midway Centre is not considered a feasible option to increase the number of indoor courts in the Buronga Gol Gol area.

side of the single court and there is a grade change beyond the

northwards, as amenities are currently located on the northern

The Midway Centre court would be expensive to expand

A 4 court indoor sports centre will future-proof indoor sporting needs for the area. Basketball continues to be one of the fastest growing sports in Victoria and NSW, and the current participation rate of Buronga and Gol Gol residents at 7.89% is significantly higher than the average Victorian participation rate of 3.18%. Four multi-lined courts also adds flexibility for use and programming for other sporting, social and cultural activities due to the size and number of courts.

 For Lawn Bowls, best practice planning for a bowls venue allows for 2 greens. However, the existing supply of bowling greens throughout the Shire (including the recently redeveloped Coomealla Club bowls facility) and in Mildura may not warrant support for 2 greens. Similar to baseball, planning for the provision of bowling greens will future proof the sport locally, with an option being to plan for 2 greens but deliver them in two stages, pending future demand. Of significance is the continued popularity of social and corporate bowling. For a 'young' community such as the Buronga and Gol Gol area, social bowling will have potential to become a very popular midweek evening leisure activity offered by a local bowls club.

BURONGA GOL GOL SPORTING MASTER PLAN – Wentworth Shire Council

- 4. In relation to **Netball**, the Gol Gol Hawks Football Netball Club believes that 2 netball courts will be sufficient to meet its future netball needs over the next 20 years. It is possible that the club's junior netball program, which is affiliated with the Mildura Netball Association, could expand exponentially with the growth of the local population. Any demand for additional court space beyond the capacity of the 2 outdoor netball courts could be accommodated using the proposed indoor sports courts for junior teams' overflow training.
- Soccer continues to be a growth sport throughout Australia. There are high levels of participation throughout the Sunraysia Region, including in Buronga and Gol Gol despite there being no local soccer club. Two soccer pitches can be overlaid onto an oval (see example below), which is a cost-effective means to accommodate soccer needs on ovals not required for Football in winter. This shared usage is becoming increasingly more popular with councils to accommodate both sports. With the projected future need for a third cricket oval in the Buronga Gol Gol area, this approach can be adopted to future-proof soccer

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- locally by providing the third oval as a dual-use cricket-soccer sports field.
- Midway Centre. Whilst the benchmarking suggests only 3 tennis facility as a 'supporting venue' for the Mildura Lawn Tennis Club, Another reason to support the additional tennis courts is Tennis which is likely to be elevated in classification by Tennis Victoria Buronga and Gol Gol area (the Alcheringa Tennis Club has the Victoria's classification of the Alcheringa Tennis Club's 8 court current resurgence in tennis participation throughout Australia. courts in James King Park, and the 2 community courts at the courts are required to meet the needs of the projected future tennis clubs, except the Mildura Lawn Tennis Club), and the recommended. This is due to the popularity of tennis in the second highest club membership of all 9 Sunraysia Region Tennis is currently very well provided for in Gol Gol with 8 population, the retention of an 8-court tennis club is as a 'Tier 2 - Performance Hub' venue. 6

One of the key constraints with the current Alcheringa Tennis Club facility is the small and ageing clubroom building. This, and the likely future need to expand the open space/ parkland offerings at James King Park to better meet the passive recreational needs of the increasing local population, provides the trigger to investigate a potential new venue for the Alcheringa Tennis Club. One option is to consider a venue that can accommodate both tennis and lawn bowls, which will enable a joint-use clubroom building to be provided and shared by both clubs (or a potential new single tennis and bowling club entity).

Further, any new tennis club facility could be constructed in two stages – with stage 1 including 4 - 6 tennis courts and a clubroom, and stage 2 including 2 - 4 courts.

BURONGA GOL GOL SPORTING MASTER PLAN – Wentworth Shire Council

Other Discussion/ Recommendations

From the Community Survey there was strong advocacy from residents for a local outdoor swimming pool. Swimming pools incur high operating costs, and Council already has 2 outdoor seasonal pools at Wentworth and Dareton.

Buronga and Gol Gol residents are approximately 7km from the Mildura Waves Aquatic and Leisure Centre, and approximately 20km from the Dareton pool and 35km from the Wentworth pool. Mildura Waves is open all year and comprises 2 indoor pools (a wave pool and 25m lap pool), a seasonal outdoor 50m pool, and a range of other health, fitness and wellbeing facilities.

In lieu of a detailed aquatics facility planning study, this study makes the following recommendations relating to aquatics facilities:

- In the short to medium term whilst the Buronga Gol Gol area population is still growing, status quo is recommended.
- In the longer term, Council considers closing one of its existing 2 outdoor seasonal pools and constructing a new seasonal outdoor pool in the Buronga Gol Gol area. This recommendation will have additional merit if the asset condition of one or both of the Shire pools continues to deteriorate in the next 10-15 years and reaches the end of its functional life.

Other Recommendations

- That a new concrete (permanent) skate park be constructed at a suitable location in the Buronga Gol Gol area to replace the temporary one currently available at the Carramar Drive Sporting Complex.
- That Council plan for an integrated shared path network throughout the Buronga Gol Gol area that links residents with proposed new sporting facilities, the Midway Centre, James King Park, and other key community facilities.

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7. SPORTS FACILITY SITE OPTIONS ASSESSMENT

7.1. Facility Mix

The following mix of sporting facilities are recommended for the Buronga Gol Gol area:

- 3 ovals; 2 ovals to be cricket/ football, 1 oval to be cricket/ soccer.
- 2 soccer pitches; both pitches overlaid onto the 3rd cricket oval.
- 2 outdoor acrylic netball courts.
- 2 lawn bowling greens; constructed in 2 stages to align with demand (1 green per stage).
- 8 tennis courts; this to be a new tennis facility to enable the courts at James King Park to be removed and converted into open space and/or other passive recreation facilities.
- 4 indoor high-ball courts; suggested that all courts be multi-lined for badminton, basketball, futsal, netball and volleyball.
- 1 skate park with components and spaces to cater for skate boards, roller skates, and scooters, and riders of all abilities (beginners to advanced).
- Public outdoor swimming facility comprising a 25 metre pool, an intermediate pool, and a toddlers pool and other associated facilities (pending Shire-wide review of aquatic facilities).

It is further recommended that where possible, all facilities be clustered to form a new sporting and recreation hub. For this to be possible, a site of approximately 15 hectares will be required.

7.2. Site Options

The Carramar Drive Sporting Complex is approximately 8.5 hectares in size and has capacity to accommodate the swimming pool and/ or bowling greens after the relocation of the existing 2 netball courts and multipurpose court/ skate park.

With the assistance of Wentworth Shire Council officers, the following 2 sites were identified as potential sites for a future sporting hub (see Figure 9).

- 'Whitworth' Site
- 2. 'River Road' Site

Figure 9 – Sporting Hub Site Options



Figure 10 – 'Whitworth' Site (red line boundary)

Carramar Drive Sporti Complex 'Whitworth' Land (see Figure 10) 'River Road' Site	Carramar Drive Sporti Complex	'Whitworth' Land (see Figure 10)	'River Road' Site				
---	----------------------------------	----------------------------------	-------------------	--	--	--	--

111.5 ha

Crown land – Leased to Barry & Maree Lush

24.1 ha

Private -Louise Whitworth

Crown land with Wentworth Shire Council delegated management responsibilities

Size

Ownership

Site Details

Site

Shurt Highway, Writiworth Land	Housing Lots
Carramar Drive	Caramar Drive Spating Complex

Site Options Assessment	Site	'Whitworth' Site - Size of site	- Located centrally	- Topography of site (flat)	- Services already	- Potential for re-pu	- Adjacent to Carra	- Advanced flood m	
			within the Buronga Gol Gol area	te (flat)	connected (cost savings)	- Potential for re-purposing existing sheds (cost savings)	- Adjacent to Carramar Drive Sporting Complex	mitigation	
Housing Lots	Cons	- In private ownership	- Some remediation required (dams)	- Current Land Use is C3 Environment Management					

	 Not centrally located to the Buronga Gol Gol area Size of site; will a lease for only part of the site be possible? No services connected (additional development cost) Existing flood mitigation was breached during the 2022 flood
 Potential for re-purposing existing sheds (cost savings) Adjacent to Carramar Drive Sporting Complex Advanced flood mitigation 	 Size of site Crown land (no capital outlay required; potential for long lease) Topography of site (flat)
	River Road' Site - Size of site - Crown land - Topography

7.3.

The 'Whitworth' Site is preferred mainly due to the central location of the site to the future residential community, and the potential to incorporate the existing Carramar Drive Sporting Complex into the future planning of a Buronga Gol Gol sporting hub.

At the Councillor and Executive Team Workshop held 17 June 2024 the following development options were considered, all included the use of the 'Whitworth' site.

- Retain the Carramar Drive Sporting Complex and develop the 'Whitworth' site as a complementary new sporting complex. This concept is consistent with the concept plan described in the Buronga Gol Gol Structure Plan 2020.
- Fully integrate the Carramar Drive Sporting Complex with the 'Whitworth' site to create a consolidated new sporting and recreation precinct. This concept would require the removal of Carramar Drive.
- Develop the 'Whitworth' site as a new sporting and recreation
 precinct to incorporate all recommended sporting facilities, and
 relinquish the Carramar Drive Sporting Complex site back to the
 State Government.

Option 1 was endorsed at the Councillor and Executive Team Workshop held 17 June 2024, and it was subsequently agreed that the study investigate the feasibility of combining the Carramar Drive Sporting Complex and the 'Whitworth' Site to form a new sporting and recreation hub for the Buronga Gol Gol area.

Other related items were discussed, and agreed in-principle:

- That there has already been significant investment in the development of facilities at the Carramar Drive Sporting Complex by user groups, Council and other stakeholders, and that the condition of most facilities is good to excellent.
- That a strong physical connection exists between the Carramar Drive Sporting Complex and the new sports complex on the 'Whitworth' site.
- That the Gol Gol Cricket Club would remain based at the Carramar Drive Sporting Complex, and would also have use of the 2 new ovals on the 'Whitworth' site in summer.
- That the existing oval at the Carramar Drive Sporting Complex retain the turf centre wicket but be expanded to accommodate 2 soccer pitches when sufficient demand for soccer arises in the future
- 5. That the Gol Gol Football Netball Club would relocate to the new sporting complex at the 'Whitworth' site (2 new ovals, 2 new outdoor netball courts, 4 new indoor netball courts, and a new pavilion).
- That James King Park in the future will need to be developed as the primary recreational park and visitor stop in Buronga and Gol Gol, and will require all tennis infrastructure to be removed to allow the quantity of usable public open space to be increased.
- That Council consider including a new Library and community
 meeting rooms with the proposed new 4-court indoor sports
 centre. This would enable Council to either re-purpose the
 Midway Centre in the long term or dispose of it.

CARAMAR DRIVE SPORTING COMPLEX EXPANSION

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8.1. Concept Plan Development

The Carramar Drive Sporting Complex Expansion Concept Plan was developed in response to the outcomes of the sports facility demand analysis for a future population of 6,000 for the Buronga Gol Gol area. Input from local sports clubs and other stakeholders, and from Wentworth Shire Council's Executive Team and Councillors, has helped shape the concept plan.

The concept plan is underpinned by the sports planning principles outlined and described in Table 4. See Figure 11 for the Carramar Drive Sporting Complex Expansion Concept Plan.

Table 4 - Design Principles Carramar Drive Sporting Complex Expansion

INCREASED PARTICIPATION	Facilities will facilitate increased participation in sport and recreation activities and improve their health and wellbeing
MULTI-USE AND SHARED ÜSE	Facilities will be multi-use and can support shared use, where appropriate and practical
ACCESSIBLE AND INCLUSIVE	Facilities will be accessible to and encourage people of all ages, genders, abilities and cultural backgrounds
ENVIRONMENTALLY SENSITIVE AND SUSTAINABLE	Facilities will be designed, constructed and managed to enhance ecological values and sustainability outcomes (maximise retention of existing native vegetation), and embrace Ecologically Sustainable Development (ESD) principles
ADAPTABLE	Facilities will be designed, constructed and managed to meet specific user requirements whilst also being flexible to meet changing community needs and aspirations
FINANCIALLY RESPONSIBLE	In all aspects of their planning, construction and management, facilities will be cost efficient and provide value for money

BURONGA GOL GOL SPORTING MASTER PLAN – Wentworth Shire Council

Figure 11 - Carramar Drive Sporting Complex Expansion Concept Plan



HILL THINK 53m) and 1 (union social pilot (98m x 50m). Main entry to the weathern aports predict and dar park heroase the power supply to the each impredict.

They planting throughout (Indicative)

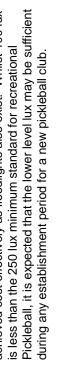
India's a perimater fence around the eachern precind. courts, chargenouns, finans gym, function room and administration offices Entry forger fining to indoor courts, fitness gym and Upgrade the paylion to eccommodate the needs of orbat, account and piddeball user groups Retain byt centre without and necessing on the sports leid to accommodate 1 main society pitch (105m x 2 neitosi courts with floodigitis Nam hoeball oval (185m x 135) with flooringths and informal road to connect to easiern side of precing 7. Passengor stop, ord potential properties
8. Infernational to contract to eastern side of precinc
1. Infernational process to eastern side of precinc
1. I want bounding greats. I covered with feedings
11. Infernational tents and brown provision with deciding. outhers uthinky the over Indoor Leisum Cenths comprising 4 multipurpose Oval 2 (165m s 135) with synthetic excess ploch; unfamoed to enable feedble use of space Permenent translated daymont and backing with Superior uniquebed pur (seconds (QC couddle) Re-purpose the existing nothall ceurts into 8 picketsell courts 14. Integrated football and Helball partition with gareedion to the Indion Leisure Cestre for future uses to be determined dwerbooking courts and greens Paved surface Graves surfect synthetic cricket pitch Gentle Reserve-Wilds Projects LEGEND 食物 蛸 2

BURONGA GOL GOL SPORTING MASTER PLAN - Wentworth Shire Council

BURONGA GOL GOL SPORTING MASTER PLAN - Wentworth Shire Council

Key Features of the Concept Plan 8.2

- raised pedestrian crossing over Carramar Drive, and respective facilities on the 'Whitworth' land are connected strongly via a The Carramar Drive Sporting Complex and the new sporting reserve vehicle entries adjacent to each other.
- expanded on the west side adjacent to the pavilion to enable a senior soccer pitch to be line marked. A second, junior soccer pitch can be accommodated on the east side of the turf centre The existing oval at the Carramar Drive Sporting Complex is wicket.
- achieved cost effectively as floodlights also exist. Whilst 100 lux The 2 existing netball courts at the Carramar Drive Sporting Complex can be converted to up to 8 new pickleball courts, currently one of the fastest growing sports in Australia (see is less than the 250 lux minimum standard for recreational during any establishment period for a new pickleball club. example below). The re-purposing of the courts can be





- Highway. With the new skate park, the adjacent basketball court A new District level skate park can utilise the unallocated land in the northwest of the Carramar Drive Sporting Complex, with can be returned as a basketball court after removing the convenient access from the shared path along the Sturt temporary skate equipment.
- The existing pavilion will require some upgrade to accommodate the needs of cricket and potential new soccer and pickleball
- urban design principles to enable canopy/ shade trees to benefit On the 'Whitworth' land, all facilities are serviced by a single car park. The car park will be constructed with water sensitive from passive irrigation (see example below). Overflow car parking for major sporting events and/or events can be accommodated using the land to the south and east.



- The car park includes a generous passenger drop-off/ pick-up zone centrally located to all facilities.
- Tennis and lawn bowls facilities have been located to enable the Alcheringa Tennis Club and a potential new bowling club to colocate in the same clubroom, which will have excellent viewing to the courts and greens.

known. In the interim, it can be utilised for overflow car parking

for major sporting events and/or as events' space.

Much of the land to the south and east of the Whitworth' site

remains unallocated, and can provide for future uses not yet

An extensive path network with direct access from the shared path along the Sturt Highway will create new opportunities for

personal exercise, such as walking, jogging and recreational

cycling – a combination of sealed and unsealed.

- covered synthetic green to ensure year round access to bowls, The concept plan supports one of the bowling greens to be a and the protection of bowlers from both the sun and the rain
- The main football oval is fenced and floodlit, and adjacent to 2 outdoor netball courts and a pavilion.
- and for community and cultural events (eg. outdoor concerts and flexible space for sport (eg. as a cricket oval and baseball field) The second oval is unfenced and floodlit to enable it to be a estivals)
- basketball, futsal, netball and volleyball, and spaces for a fitness gym, and community function room. The siting also allows for a which will contribute to centre operations efficiencies, and which Centre to be accessed from an expansive entry foyer linked to uture public outdoor swimming centre and Library & Learning the indoor centre. This will enable one centre control point, A 4-court indoor sports centre to accommodate badminton, can be serviced with a café and other community facilities/ services, such as a Council Service Centre (see example oelow)







Other Recommendations

8.3

Other items to be considered during future studies to further develop the site and concept planning include: Purchase of the 'Whitworth' land.

- impact on the siting, design and construction of fields of play and Flooding and possible future flood mitigation to reduce this associated buildings.
- Native vegetation clearing.
- Appropriate zoning and permitted land uses.
- Geotech and soil investigations.
- -and and features survey.
- Cultural Heritage Management Plan.

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PRECINCT CONCEPT PLAN COSTINGS

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The Carramar Drive Sporting Complex Expansion Concept Plan recommends more than 25 separate projects. The total estimated cost for full implementation of the concept plan is approximately \$89 million, excluding the cost of purchase of the 'Whitworth' land.

The estimated capital cost for each improvement project is shown in Table 5. The item number assigned to a project corresponds with the same number on the concept plan drawing in Figure 11. Capital costs have been estimated by a qualified quantity surveyor and cost planner from Harlock Consulting. See Appendix 3 for the detailed QS Report.

The practicality and order of implementation of most projects will be subject to a number of factors and criteria before proceeding, including:

- Availability of funding.
- Current and future priorities of the Wentworth Shire Council, user groups, and the broader needs of the community.
- Further investigation, research and consultation.

An indicative staging plan has also been incorporated into Table 5. The staging plan has responded to known sports facility needs, the timeframe that is required for the demand for some sports to reach a level that is sufficient to sustain a new club, and the realisation that a project of this scale and cost will require a staged approach by Wentworth Shire Council and other project partners.

Stage 1 (short-term) 1 – 3 years Stages 2 & 3 (medium-term) 4 – 9 years

Plans showing the scope of work for each stage follow Table 5.

10+ years

Stage 4 (long-term)

Notes about the Concept Plan Costings

- The directions contained in the concept plan do not commit Wentworth Shire Council, the user groups or other organisations to a responsibility for funding.
- All capital cost estimates shown in the table are based on works being undertaken by professional contractors.
- A design and construction contingency has been included in each project cost (15% of construction cost).
- A total fee for Professional fees (10%) and Authority fees & charges (1%) has been calculated as a total of all projects combined.
- Cost exclusions include:
- Purchase of the "Whitworth' land.
- Costs associated with any design and construction of flood mitigation infrastructure following flood impact assessment of the site
- Any costs/ loss of income, which may be incurred by user groups during construction of projects.
 - Goods and Services Tax (GST)
- Adverse ground conditions, HAZMAT, contamination, etc.
- Cost escalation beyond October 2024, the date of the QS report
- It should be noted that some capacity will exist for cost savings during the implementation of the capital improvement program by packaging multiple projects into one larger contract.

BURONGA GOL GOL SPORTING MASTER PLAN - Wentworth Shire Council

Total

BURONGA GOL GOL SPORTING MASTER PLAN – Wentworth Shire Council

s s (long-term) Stage 4 S Costs and Indicative Prioritisation (medium-term B) ↔ ᡐ (medium-term A) S ↔ 20,000 20,000 (short-term) ᡐ ᡐ Geotech and soil investigation Land and features survey Preliminaries/ Site Investigation Concept No. on Plan

Table 5 - Concept Plan Costs and Indicative Staging

100,000

s

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100,000

Sub Total Preliminaries/ Site Investigation

Site-specific flood impact study

Ecologist study

20,000 20,000 30,000 30,000

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30,000

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Carrama	Carramar Drive Sporting Complex									
1	New skate park	\$ -	\$	1,000,000 \$	\$	•	\$	ı	\$	\$ 1,000,000
2	Reinstate the basketball court	\$ -	\$	\$ 000'59	\$	•	\$	ı	\$	65,000
3	Re-purpose existing netball courts into 8 pickleball courts	\$ 75,000 \$	\$	ı	\$	1	↔	1	\$	75,000
4	Upgrade the pavilion to accommodate the needs of cricket, soccer and pickleball user groups	\$	\$	ı	\$	2,615,000 \$	↔	1	\$	\$ 2,615,000
5	Reconfigure the sports field to accommodate 2 soccer pitches \$	\$	\$	1	\$	135,000 \$	\$		\$	135,000
	Professional Fees (8.99%)	\$ 6,743 \$	\$	95,744 \$	\$	247,225	\$		↔	349,711
	Authority Fees & Charges (1%)	\$ \$ 052	\$	10,650 \$	\$	27,500 \$	\$	ı	\$	38,900
	Sub Total Carramar Drive Sporting Complex	\$ 82,493	↔	82,493 \$ 1,171,394 \$ 3,024,725	\$	3,024,725	₩.	•	↔	\$ 4,278,611

No. on				Costs	s and Indicat	ive F	Costs and Indicative Prioritisation				
Concept Plan	Concept Projects Plan	s (sh	Stage 1 (short-term)	(mec	Stage 2 Stage 3 (medium-term B)	(med	Stage 3 dium-term B)	St. (lon)	Stage 4 (long-term)		Total
'Whitwort	Whitworth' Land Development										
9	Main vehicle entry to the eastern sports precinct and pedestrain crossing. Car parking provided in 3 stages -Stage 1 - northern bank of parking -Stage 2 - middle bank of parking -Stage 3 - southern bank of parking	↔	1,388,000	↔	994,000	↔	993,000	↔		↔	3,375,000
7	Passenger drop-off/ pick-up zone	8	400,000	\$	ı	↔	ı	\$	ı	₩	400,000
8	Internal road to connect to eastern side, provided in 2 stages -Stage 1 - northern section -Stage 2 - southern section	↔	130,000	8	ı	↔	130,000	↔		↔	260,000
6	8 tennis courts with floodlights, provided in 2 stages -Stage 1 - 4 tennis courts -Stage 2 - 4 tennis courts	↔	ı	\$	1,250,000	↔	1,395,000	↔		↔	2,645,000
10	2 lawn bowling greens, provided in 2 stages -Stage 1 - covered synthetic green with floodlights -Stage 2 - natural turf green	↔	ı	\$		↔	1,625,000	↔	425,000	↔	2,050,000
11	Tennis and bowls pavilion with decking overlooking courts and greens. Largely built as one stage, but allowance for some expansion when required to accommodate bowls	↔		↔	2,000,000	↔	845,000	↔		↔	2,845,000
12	2 netball courts with floodlights	\$	860,000	\$	1	\$	1	\$	1	\$	860,000
13	Main football oval with floodlights and synthetic cricket pitch	\$	2,330,000	\$	ı	\$		\$	1	\$	2,330,000
14	Football and netball pavilion, connection to the Indoor Leisure Centre constructed with the Leisure Centre project	↔	5,355,000	↔		↔	595,000	↔	ı	\$	5,950,000

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No. on			Costs and Ind	icativ	Costs and Indicative Prioritisation				
Concept Plan	Concept Projects	Stage 1 (short-term)	Stage 2 (medium-term A)		Stage 3 (medium-term B)	Stage 4 (long-term)		Total	
'Whitwor	'Whitworth' Land Development (cont.)								
15	Oval 2 with synthetic cricket pitch	\$	\$	\$	2,095,000	\$	\$	2,095,000	000
16	Baseball diamond and backnet	- \$	\$	↔		\$ 330,000	↔	330,000	000
17	Indoor Leisure Centre comprising 4 multipurpose courts, changerooms, fitness gym, function room and administration offices	. ↔	₩		27,375,000	. ↔	↔	\$ 27,375,000	000
18	Entry foyer linking to indoor courts, fitness gym and function room, and to potential future additional facilities	\$	\$.	2,380,000	\$	₩	2,380,000	000
19	Potential future outdoor swimming centre	- \$	\$	\$	-	\$ 9,250,000	\$	9,250,000	000
20	Potential future library and learning centre	- \$	\$	\$	-	\$ 8,000,000	\$	8,000,000	000
21	Land for future uses to be determined; cost allows for soil topup and seeding, and tree planting	\$	\$	↔	400,000	\$ 400,000	\$	800,000	000
22	Perimeter walking path (gravel) throughout eastern section utilising connecting roads	\$	\$	↔	325,000	\$	\$	325,000	000
	Tree planting	\$ 30,000	20,000	\$ 00	15,000	\$	\$	65,	65,000
	Site demolition and clearance, to generally align with staging of works	\$ 150,000	\$ 50,000	\$ 00	460,000	\$	↔	660,000	000
	Paving and paths (excludes eastern path - see No. 22)	\$ 900,000	\$ 250,000	\$ 00	165,000	\$	\$	1,315,000	000

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No. on				Costs a	ind Indicativ	ve P	Costs and Indicative Prioritisation				
Concept Plan	Concept Projects Plan	s)	Stage 1 (short-term)	St (mediu	Stage 2 (medium-term A)	(med	Stage 3 (medium-term B)	" 일	Stage 4 (long-term)		Total
'Whitwo	'Whitworth' Land Development (cont.)										
	Reserve entry sign, and directional and regulatory signage throughout	↔	260,000	\$	\$ 000'09	↔	120,000 \$	↔	30,000	\$	460,000
	Street furniture (benches, drinking fountains, bike stands)	\$	260,000	\$	35,000	\$	120,000	\$	50,000	\$	465,000
	Grassing to common areas (excludes eastern and southern sections - see No. 21)	8	260,000	\$	1	↔	\$0,000 \$	\$	270,000	\$	580,000
	Perimeter fencing around Whitworth land (as may be required)	\$	490,000	\$	1	\$	-	\$	-	\$	490,000
	Site services infrastructure and utilities' connections	↔	960,000	\$		↔	•	↔	1	↔	960,000
	Professional Fees (8.99%)	\$	1,253,025	\$	628,562	\$	4,057,857	\$	1,686,075	\$	7,625,518
	Authority Fees & Charges (1%)	\$	137,730	\$	46,490	\$	390,880	\$	187,550	\$	762,650
	Sub Total 'Whitworth' Land Development	\$	15,163,755	\$	5,324,052	\$	43,536,737	\$	20,628,625	\$	\$ 84,653,168
TOTAL	TOTAL PLANIMPLEMENTATION COSTS (ex. GST)	₩.	15,346,247	€	495.445	.	6.495.445 8 46.561.462 8	U	20,628,625 \$ 89,031,779	₩.	99 031 779





BURONGA GOL GOL SPORTING MASTER PLAN – Wentworth Shire Council







APPENDIX 1

Review of Background Reports

NSW Government Reports

Office of Sport Strategic Plan 2020-2024

agency for sport and active recreation. Its vision is The Office for Sport is the lead NSW Government

Sport and active recreation creating healthier people, connecting communities and making NSW stronger. The plan has four Focus Areas, each with a Goal and a list of Outcomes



Participation

Everyone in NSW participating in sport and active Goal

participating regularly in sport and active recreation. Increase the percentage of adults and children recreation throughout their whole life.

Outcomes

mprove participant retention across all age groups for sport and active recreation. Increase participation in sport and active recreation for populations under-represented in participation including females, Culturally and Linguistically Diverse (CALD) communities, people with a

recreation opportunities, both formal and informal Increase public awareness of sport and active

disability and Aboriginal and Torres Strait Islanders

Enable aligned and inclusive talent pathways so everyone can achieve the level they aspire to.



Places and Spaces

Goal

Everyone in NSW can access places and spaces

for sport and active recreation.

Outcomes

purpose sport and active recreation facilities across Increase the number and proportion of fit-for-NSW. ncrease accessibility to sport and active recreation facilities for everyone.

Increase the availability and use of multi-purpose facilities

Increase the number of facilities designated for outdoor recreation.

Sector Sustainability

The sector continues to grow sport and active recreation across NSW. Goal

Increase the capability of the sector to respond to emerging trends and challenges Outcomes

Increase the capability of the sector to create fair, safe and inclusive environments for everyone, including children.

Increase the organisational health of the sport sector. Increase sector satisfaction with the support of the Office of Sport.

Partnerships and Investment

recreation that maximise the value for everyone in Partnerships and investment in sport and active Goal

incorporating sport and active recreation across all Increase the number of programs and services Outcomes

of government.

4

Increase recognition of sport and active recreation as an important contributor to government priorities.

Increase the number of programs being codelivered by government and the sector.

ncrease the contribution from partners and stakeholders for Office of Sport programs.

Far West Sport and Active Recreation Plan 2018-2023

This document sets out the vision, outcomes and strategies to ensure the Far West Region provides increased sport and active recreation opportunities to enhance the lives of its people as members of healthier, more active communities.

Wentworth is one of eight local government areas in the Far West Region. The vision for the region is

Sport and active recreation in the far west is widely accessible and community driven. It will adapt for long term success through commitment to developing capability and valued partnerships.

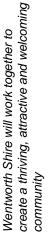
The six outcomes identified for the Far West Region are:

- **Increased participation** of adults and children in regular sport and active recreation.
- **Improved access** to sport and active recreation for everyone in the region, regardless of background or ability.
- Integrated performance pathways for participants in sport
- Fit for purpose facilities in the region
- Valued regional sporting events which are valued by the region.
- Effective collaboration within the sport and active recreation sector.

Wentworth Shire Reports

Community Strategic Plan 2022-2032

The purpose of the plan is to outline the future vision and aspirations of the community to assist with long term planning, prioritisation and decision making. The Community Vision is

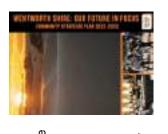


To achieve the vision, Council applies a Quadruple Bottom Line approach that underpins the Community Strategic Plan. The Quadruple Bottom Line considerations include:

- Economic
- Social
- Environmental
- Civic Leadership

Within the Social consideration there is the following statement relevant to sports provision:

It is essential that all people, where ever they live, have access to services which enable them to feel included, to do what they love and to participate in cultural, sporting and social activities.



BURONGA GOL GOL SPORTING MASTER PLAN - Wentworth Shire Council

Operational Plan 2023/2024

The plan is Council's action plan for achieving the community priorities outlined in the Community Strategic Plan and Delivery Program. The Operational Plan is prepared each year and identifies the projects, programs and activities that Council will conduct to achieve the commitments outlined in the Delivery Program.



Relevant specific actions listed that are relevant to this plan are:

- Undertake specific public space capital works projects including: Reserve upgrades, Buronga Pump Track Stage 2, and James King Park Riverfront.
- Prioritise and implement recommendations of Asset Management Plans including: Alcheringa Tennis Courts Upgrade [completed] and the Carramar Drive Sporting Complex Cricket Nets [completed].
- Undertake a review of current and future sporting needs within the Shire via the delivery of the Buronga/Gol Gol Sporting Master Plan.

APPENDIX 2

State of Play Infographics

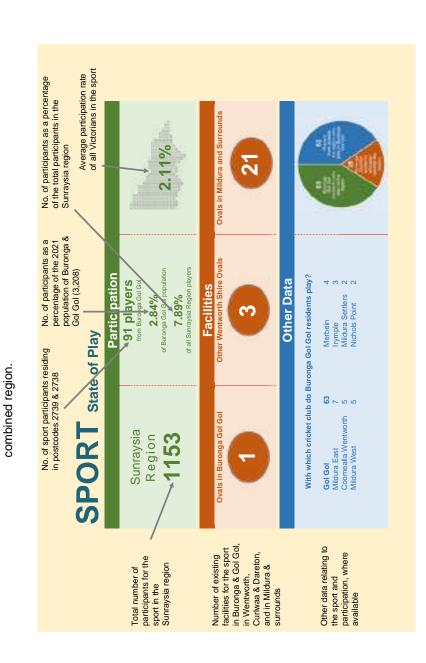
A State of Play infographic has been prepared for the following sports:

These sports have been selected as they are either already available in the Buronga Gol Gol area or they are popular sports throughout the Sunraysia

Region.

The State of Play infographics provide a summary of all facilities currently available throughout the combined Buronga Gol Gol and Mildura region by sport, and also the key participation data for that sport in the context of the

- Football (Australian Rules)
- Baseball
- Basketball
- Cricket
- Lawn Bowls
- Netball
- SoccerTennis



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AUSTRALIAN FOOTBALL State of Play



BURONGA GOL GOL SPORTING MASTER PLAN - Wentworth Shire Council

BURONGA GOL GOL SPORTING MASTER PLAN – Wentworth Shire Council

Diamonds in Mildura and Surrounds Other Wentworth Shire Diamonds of all Sunraysia Region players of Buronga Gol Gol population BASEBALL State of Play **Participation** 17 players from Buronga Gol Gol **Facilities** 0.53% Diamonds in Buronga Gol Gol Sunraysia Region 688

BASKETBALL State of Play



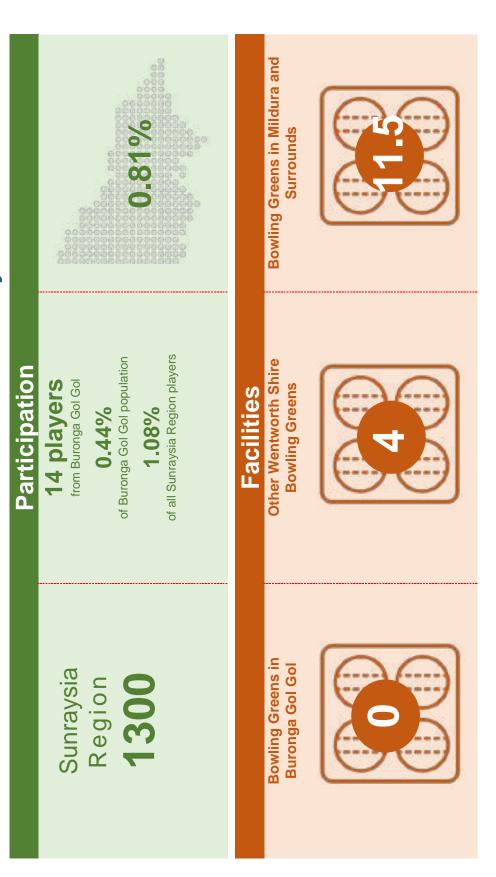
CRICKET State of Play



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BURONGA GOL GOL SPORTING MASTER PLAN - Wentworth Shire Council

LAWN BOWLS State of Play



State of Play

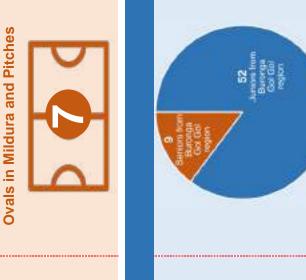
NETBALL

BURONGA GOL GOL SPORTING MASTER PLAN - Wentworth Shire Council

Outdoor Courts in Mildura and Surrounds Other Wentworth Shire Outdoor of all Sunraysia Region players of Buronga Gol Gol population **Participation** 170 players from Buronga Gol Gol **Facilities** %69.6 5.30% Courts **Outdoor Courts in Buronga Gol Gol** Sunraysia Region

SOCCER State of Play





Other Data

With which soccer clubs do Buronga Gol Gol residents play? Three Colours **Mildura United** 0 7 7 Irymple Knights Nichols Point Midura City

BURONGA GOL GOL SPORTING MASTER PLAN – Wentworth Shire Council

Other Wentworth Shire Pitches

Pitches in Buronga Gol Gol

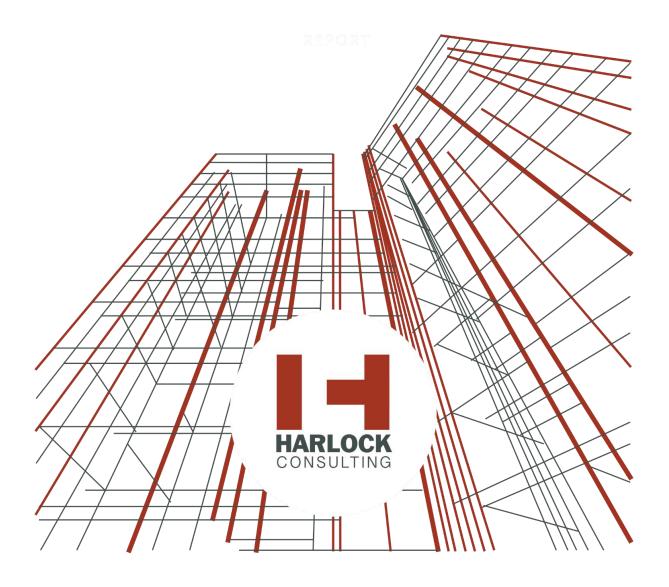
TENNIS State of Play



BURONGA GOL GOL SPORTING MASTER PLAN - Wentworth Shire Council

BURONGA GOL GOL SPORTING MASTER PLAN - Wentworth Shire Council

APPENDIX 3
Harlock Consulting Cost Plan



MASTERPLAN COST ESTIMATE

Project: Carramar Drive Sports Precinct Issued to: Simon Leisure Date: 7th November 2024

Revision Number: 3

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4	Notes & Exclusions	. 3
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1 Executive Summary

As requested, Harlock Consulting have prepared a masterplan stage estimate in relation to the Carramar Drive Sporting Precinct Expansion as documented by Simon Leisure.

The estimated total project cost for the scheme is anticipated to be in the order of \$89,070,000 (excluding GST)

The estimate is inclusive of design and construction contingency allowances (15%) built into each project, 10% allowance for professional fees and 1% allowance for permits and authority fees.

Various notes and exclusions are set out in Section 4 of this report.

2 Basis of Cost Plan

This Cost Plan has been prepared on the basis of the following information:

- Existing conditions photographs
- Simon Leisure Master Plan drawings
- Aerial images
- Briefing provided by Simon Leisure

3 Cost Plan

Refer to Appendix 1 for a full breakdown of the cost plan.

4 Notes & Exclusions

Please note that any allowance for the following have been excluded from the estimate:

- GST
- Cost escalation beyond October 2024
- Adverse ground conditions, HAZMAT, contamination
- Costs associated with any design and construction of flood mitigation infrastructure following flood impact assessment of the site

Note: Harlock Consulting has no control over, without limitation, cost of labour, cost of materials, cost of equipment, pricing methods used by third parties, availability of competitive bids, economic factors and specific market conditions. Accordingly, Harlock Consulting does not guarantee or warrant that actual costs will not vary from any estimates or forecasts



5 Tendering & Market Assumptions

It is assumed that the works would be procured under a tradition lump sum tender methodology to several appropriately sized and qualified builders and the estimate reflects the expected preliminaries level and trade pricing associated with this form of procurement.

The rates in this estimate are based on our opinion of current market prices. It is recommended that an allowance of 4% per annum is budgeted for cost escalation up to construction commencement.



Appendix 1: Estimate



Elemental Summary

Project: Carramar Drive Sporting Precinct Details: Estimate

Building: Masterplan Estimate

Code	Description	%BC	Cost/m2	Quantity	Unit	Rate	Subtotal	Factor	Total
	1. New Concrete Skate Park	1.13%					1,000,000		1,000,000
	2. Reinstate the Basketball Court	0.08%					65,000		65,000
	3. Re-purpose the existing netball courts into 8 pickleball	0.09%					75,000		75,000
	Upgrade the pavilion to accommodate cricket and soccer needs	2.94%					2,615,000		2,615,000
	5. Retain turf centre wicket and reconfigure the sports field to accommodate 1 main soccer pitch (105m x 63m) and 1 junior soccer pitch (90m x 50m)	0.16%					135,000		135,000
	6. Main entry to the eastern sports precinct and car parking	3.79%					3,375,000		3,375,000
	7. Passenger drop off/pick up zone	0.45%					400,000		400,000
	8. Internal road to connect to eastern side of precinct	0.30%					260,000		260,000
	9. 8 tennis courts with flood lights	2.97%					2,645,000		2,645,000
	10. 2 lawn bowling greens, 1 covered with flood lights	2.31%					2,050,000		2,050,000
	 Integrated tennis and bowls pavilion with decking overlooking courts and greens 	3.20%					2,845,000		2,845,000
	12. 2 netball courts with floodlights	0.97%					860,000		860,000
	13. Main football oval (165m x 135m) with flood lights and synthetic cricket pitch	2.62%					2,330,000		2,330,000
	14. Integrated football and netball pavilion with connection to the Indoor Leisure Centre	6.69%					5,950,000		5,950,000
	15. Oval 2 (165m x 135m) with synthetic cricket pitch – unfenced to enable flexible use of space	2.36%					2,095,000		2,095,000
	16. Permanent baseball diamond and backnet with outfield utilising the oval	0.38%					330,000		330,000
	17. Indoor Leisure Centre comprising 4 multipurpose courts, change rooms, fitness gym, function room and administration offices	30.74%					27,375,000		27,375,000
	18. Entry foyer linking to indoor courts, fitness gym and function room and to the potential future outdoor swim centre and library and learning centre	2.68%					2,380,000		2,380,000
	19. Potential future outdoor swimming centre	10.39%					9,250,000		9,250,000
	20. Potential future library and learning centre	8.99%					8,000,000		8,000,000
	21. Land for future uses to be determined	0.90%					800,000		800,000
	22. Perimeter walking path utilising connecting roads	0.37%					325,000		325,000
	Other – Tree planting	0.08%					65,000		65,000

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Elemental Summary

Project: Carramar Drive Sporting Precinct Details: Estimate

Building: Masterplan Estimate

Code	Description	%BC	Cost/m2	Quantity	Unit	Rate	Subtotal	Factor	Total
	Other - Site demolition and site clearance	0.75%					660,000		660,000
	Other - Paving/paths	1.48%					1,315,000		1,315,000
	Other – Signage	0.52%					460,000		460,000
	Other – Street furniture	0.53%					465,000		465,000
	Other - Grassing to common areas (Other than area in No. 21)	0.66%					580,000		580,000
	Other – Perimeter fencing to Witworth Land	0.56%					490,000		490,000
	Other - Site services infrastructure	1.08%					960,000		960,000
	Professional fees (10%)	9.00%							8,015,000
	Authority fees and charges (1%)	0.90%							800,000
	Site specific flood impact study	0.04%							30,000
	Ecologist study	0.04%							30,000
	Geotech and soil invetigation	0.03%							20,000
	Land and features survey	0.03%							20,000
	Exclusions:								
	GST								
	Cost escalation beyond October 2024								
	Adverse ground conditions, HAZMAT, contamination								
	Costs associated with any design and construction of flood mitigation infrastructure following flood impact assessment of the site	100.00%							80 070 002

100.00% 89,070,002

	Building: Masterplan Estimate						
Code	Description	Quantity	Unit	Rate	Subtotal	Factor	Total
1. New	Concrete Skate Park						T
	Preliminaries, overheads and profit		Item				112,500
	New concrete skate park		Item		750,000		750,00
	·				,		,
	Design and construction contingency (15%)		Item				129,37
	Rounding						8,12
	1. New Concrete Skate Park				750,000		1,000,000
. Rein	state the Basketball Court		1				
	Preliminaries, overheads and profit		Item				7,50
	Reinstate the Basketball Court – assume new court surfacing, new linemarking, seating, new backboards and rings, etc	1	No	50,000	50,000		50,00
	3.1						
	Design and construction contingency (15%)		Item				8,62
	Rounding						-1,12
	2. Reinstate the Basketball Court				50,000		65,000
. Re-	purpose the existing netball courts into 8 pickleball		1				<u> </u>
	Preliminaries, overheads and profit		Item				8,400
	New surfacing and linemarking	8	No	5,000.00	40,000		40,00
	New nets	8	No	2,000.00	16,000		16,00
	Design and construction contingency (15%)		Item				9,66
	Rounding						94
	3. Re-purpose the existing netball courts into 8 pickleball				56,000		75,000
. Upg	rade the pavilion to accommodate cricket and socce	r needs	ı				Г
	Preliminaries, overheads and profit		Item				296,25
	General refurbishment of the exsting building	650	m2	1,500.00	975,000		975,00
	New extension to building for change rooms, etc - nominal area	200	m2	5,000.00	1,000,000		1,000,000
	Design and construction contingency (15%)		Item				340,688
	Rounding						3,06
	4. Upgrade the pavilion to accommodate cricket and soccer needs				1,975,000		2,615,000
. Reta	ain turf centre wicket and reconfigure the sports field junior soccer pitch (90m $ imes$ 50m)	l to accommo	date 1 r	nain soccer pit	tch (105m x 63r	m)	
	Preliminaries, overheads and profit		Item				15,000
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	Project: Carramar Drive Sporting Precinct Building: Masterplan Estimate			Details : Est	imate		
Code	Description	Quantity	Unit	Rate	Subtotal	Factor	Total
	ain turf centre wicket and reconfigure the sports field junior soccer pitch (90m $ imes$ 50m)	d to accommo	odate 1 i	main soccer pi	tch (105m x 63)	m)	(Continued
	Earthworks		Item		25,000		25,000
	Terracing		Item		50,000		50,000
	Surface reinstatement		Item		25,000		25,000
	Design and construction continuous (1F0/)		lhama				17.25
	Design and construction contingency (15%) Rounding		Item				17,250 2,750
.	5. Retain turf centre wicket and reconfigure the sports field to accommodate 1 main soccer pitch (105m x 63m) and 1 junior soccer pitch (90m x 50m)				100,000		135,000
b. Mair	n entry to the eastern sports precinct and car parkin	g 	la a ma				383 500
	Preliminaries, overheads and profit		Item				382,500
	Car parking including site preparation, asphalt, kerbs, pathways, linemarking, drainage, lighting, garden beds	9,500	m2	250.00	2,375,000		2,375,000
	Entry works		Item		100,000		100,000
	Wombat pedestrian crossing and pathways		Item		75,000		75,000
	Design and construction contingency (15%)		Item				439,875
	Rounding						2,625
7. Pass	6. Main entry to the eastern sports precinct and car parking senger drop off/pick up zone				2,550,000		3,375,000
	Preliminaries, overheads and profit		Item				45,000
	Passenger drop off/pick up zone including circular road		Item		300,000		300,000
	Design and construction continuous (1F0/)		Item				51,750
	Design and construction contingency (15%) Rounding		iteiii				3,250
	7. Passenger drop off/pick up zone				300,000		400,000
8. Inte	rnal road to connect to eastern side of precinct						
	Preliminaries, overheads and profit		Item				29,250
	Internal road to connect to eastern side of precinct – 4m wide	300	m	650.00	195,000		195,000
	Design and construction contingers (150/)		Itom				33,638
	Design and construction contingency (15%)		Item				
	8. Internal road to connect to eastern side of		1		195,000		2,112 260,000

Details: Estimate

Project: Carramar Drive Sporting Precinct

	Project: Carramar Drive Sporting Precinct						
	Building: Masterplan Estimate						
Code	Description	Quantity	Unit	Rate	Subtotal	Factor	Total
). 8 te	nnis courts with flood lights						
	Preliminaries, overheads and profit		Item				300,00
	New tennis courts with fencing players shelters, drainage and flood lights – sand filled grass	8	No	250,000	2,000,000		2,000,00
	Design and construction contingency (15%)		Item				345,00
	9. 8 tennis courts with flood lights				2,000,000		2,645,00
I 0. 2 I	awn bowling greens, 1 covered with flood lights						
	Preliminaries, overheads and profit		Item				232,50
	Synthetic bowling green		Item		350,000		350,00
	Natural turf		Item		300,000		300,00
	Cover and lighting to synthetic bolwing green		Item		900,000		900,00
	Design and construction contingency (15%)		Item				267,37
	Rounding						12
11. Int	lights regrated tennis and bowls pavilion with decking over Preliminaries, overheads and profit	erlooking court	s and gr	reens			322,50
	Pavilion	400	m2	5,000.00	2,000,000		2,000,00
	Decking	200	m2	750.00	150,000		150,00
	Design and construction contingency (15%)				I		
			Item				370,87
	Rounding		Item				
12.2.	11. Integrated tennis and bowls pavilion with decking overlooking courts and greens		Item		2,150,000		1,62
12. 2 r	11. Integrated tennis and bowls pavilion with decking overlooking courts and greens				2,150,000		1,62 2,845,0 0
12. 2 r	11. Integrated tennis and bowls pavilion with decking overlooking courts and greens		Item		2,150,000		1,62 2,845,0 0
12. 2 1	11. Integrated tennis and bowls pavilion with decking overlooking courts and greens	2	Item	325,000	2,150,000 650,000		1,62 2,845,00 97,50
12. 2 1	11. Integrated tennis and bowls pavilion with decking overlooking courts and greens netball courts with floodlights Preliminaries, overheads and profit New netball court with fencing players shelters, drainage and flood lights	2	Item No	325,000			97,50 650,00
12. 2 1	11. Integrated tennis and bowls pavilion with decking overlooking courts and greens netball courts with floodlights Preliminaries, overheads and profit New netball court with fencing players shelters, drainage and flood lights Design and construction contingency (15%)	2	Item	325,000			97,50 650,00
12. 2 1	11. Integrated tennis and bowls pavilion with decking overlooking courts and greens netball courts with floodlights Preliminaries, overheads and profit New netball court with fencing players shelters, drainage and flood lights	2	Item No	325,000			97,50 650,00 112,12
	11. Integrated tennis and bowls pavilion with decking overlooking courts and greens netball courts with floodlights Preliminaries, overheads and profit New netball court with fencing players shelters, drainage and flood lights Design and construction contingency (15%) Rounding 12. 2 netball courts with floodlights		Item No Item		650,000		97,50 650,00 112,12
	11. Integrated tennis and bowls pavilion with decking overlooking courts and greens metball courts with floodlights Preliminaries, overheads and profit New netball court with fencing players shelters, drainage and flood lights Design and construction contingency (15%) Rounding		Item No Item		650,000		97,50 97,50 650,00 112,12 37 860,00
	11. Integrated tennis and bowls pavilion with decking overlooking courts and greens netball courts with floodlights Preliminaries, overheads and profit New netball court with fencing players shelters, drainage and flood lights Design and construction contingency (15%) Rounding 12. 2 netball courts with floodlights sin football oval (165m x 135m) with flood lights and seco		Item No Item		650,000		370,87 1,62 2,845,00 97,50 650,00 112,12 37 860,00 184,40

Trade Detail

	Project: Carramar Drive Sporting Precinct Building: Masterplan Estimate			Details: Est	imate		
Code	Description	Quantity	Unit	Rate	Subtotal	Factor	Total
13. Ma	uin football oval (165m $ imes$ 135m) with flood lights and	d synthetic cr	icket pit	ch			(Continued
	Grassing, goals, subsoil drainage, irrigation	17,500	m2	60.00	1,050,000		1,050,000
	Flood lighting – 200 lux	1	No	450,000.00	450,000		450,000
	Seating / boxes		Item		50,000		50,000
	Fencing	475	m	140.00	66,500		66,500
	Extra over cost of fencing for higher fencing behind goals	2	No	20,000.00	40,000		40,000
	Electronic scoreboard	1	No	80,000.00	80,000		80,000
	Sythetic cricket pitch	1	No	20,000.00	20,000		20,000
	Design and construction contingency (15%)		Item				304,260
	Rounding						-2,660
	13. Main football oval (165m x 135m) with flood lights and synthetic cricket pitch				1,844,000		2,330,000
14. Int	egrated football and netball pavilion with connectio	n to the Indoo	r Leisur	e Centre			
	Preliminaries, overheads and profit		Item				675,000
	Integrated football and netball pavilion with connection to the Indoor Leisure Centre	1,000	m2	4,500.00	4,500,000		4,500,000
	Design and construction contingency (15%)		Item				776,250
	Rounding						-1,250
	14. Integrated football and netball pavilion with connection to the Indoor Leisure Centre		•		4,500,000		5,950,000
15. Ov	ral 2 (165m x 135m) with synthetic cricket pitch – ui	nfenced to en	able flex	cible use of spa	ace		
	Preliminaries, overheads and profit		Item				165,750
	Site preparation	17,500	m2	5.00	87,500		87,500
	Grassing, goals, subsoil drainage, irrigation	17,500	m2	60.00	1,050,000		1,050,000
	Flood lighting – 100 lux	1	No	350,000.00	350,000		350,000
	Seating / boxes		Item		50,000		50,000
	Extra over cost of fencing for higher fencing behind goals	2	No	20,000.00	40,000		40,000
	Electronic scoreboard	1	No	60,000.00	60,000		60,000
	Sythetic cricket pitch	1	No	20,000.00	20,000		20,000
	Design and construction contingency (15%)		Item				273,488
	Rounding						-1,738
	15. Oval 2 (165m x 135m) with synthetic cricket pitch – unfenced to enable flexible use of space				1,657,500	,	2,095,000
16. Pe	rmanent baseball diamond and backnet with outfield Preliminaries, overheads and profit	d utilising the	oval Item			I	37,500
	Treminianes, overneaus and pront		iteili				37,300

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Trade Detail

Project: Carramar Drive Sporting Precinct

Details: Estimate

Building: Masterplan Estimate

Code	Description	Quantity	Unit	Rate	Subtotal	Factor	Total
16. Pe	rmanent baseball diamond and backnet with outfield	l utilising the	oval				(Continued)
	Permanent baseball diamond and backnet with outfield utilising the oval	1	No	250,000.00	250,000		250,000
	Design and construction contingency (15%)		Item				43,125
	Rounding						-625
	1C. Darmanant hazaball diamond and hadrost				250,000		220.000

16. Permanent baseball diamond and backnet with outfield utilising the oval

250,000

330,000

17. Indoor Leisure Centre comprising 4 multipurpose courts, change rooms, fitness gym, function room and administration offices

Preliminaries, overheads and profit		Item			3,105,000
4 x netball size courts with on-court storage within walls	4	No	4,000,000.0	16,000,000	16,000,000
2 x sets of change and amenities	2	No	750,000.00	1,500,000	1,500,000
Refs change		Item		150,000	150,000
Admin/offices		Item		200,000	200,000
Cafe		Item		500,000	500,000
Meeting Rooms	2	No	200,000.00	400,000	400,000
Function Room	200	m2	5,000.00	1,000,000	1,000,000
Kitchen and furniture stores		Item		150,000	150,000
Circulation		Item		300,000	300,000
External works and services		Item		500,000	500,000
Design and construction contingency (15%)		Item			3,570,750
Rounding					-750

17. Indoor Leisure Centre comprising 4 multipurpose courts, change rooms, fitness gym, function room and administration offices

20,700,000

27,375,000

18. Entry foyer linking to indoor courts, fitness gym and function room and to the potential future outdoor swim centre and library and learning centre

Preliminaries, overheads and profit		Item			270,000
Entry foyer linking to indoor courts, fitness gym and function room and to the potential future outdoor swim centre and library and learning centre	400	m2	4,500.00	1,800,000	1,800,000
Design and construction contingency (15%)		Item			310,500
Rounding					-500

18. Entry foyer linking to indoor courts, fitness gym and function room and to the potential future outdoor swim centre and library and learning centre

1,800,000

2,380,000

19. Potential future outdoor swimming centre

	1	ı	
Preliminaries, overheads and profit	Item		1,050,000

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7,031

Other - Tree planting

Preliminaries, overheads and profit

Trade Detail

Details: Estimate **Project:** Carramar Drive Sporting Precinct **Building:** Masterplan Estimate Code Description Quantity Unit Rate Subtotal Factor Total 19. Potential future outdoor swimming centre (Continued) 25m outdoor pool 463 m2 4,000.00 1,850,000 1,850,000 850,000 850,000 Intermediate pool Item Toddlers pool Item 800,000 800,000 Building containing - plant room, change rooms Item 2,500,000 2,500,000 and amenities, first aid room, cafe, office and Concourse works, fencing, paving, grassing, Item 1,000,000 1,000,000 garden beds, 3 x shelters Design and construction contingency (15%) Item 1,207,500 Rounding -7,500 7,000,000 19. Potential future outdoor swimming centre 9,250,000 20. Potential future library and learning centre Preliminaries, overheads and profit Item 900,000 Potential future library and learning centre and fitout - Nominal 1,000m2 1,000 6,000.00 6,000,000 6,000,000 m2 Design and construction contingency (15%) Item 1,035,000 Rounding 65,000 20. Potential future library and learning centre 6,000,000 8,000,000 21. Land for future uses to be determined Preliminaries, overheads and profit Item 90,000 Soil top up and seeding, as required 60,000 m2 10.00 600,000 600,000 Design and construction contingency (15%) Item 103,500 6,500 Rounding 21. Land for future uses to be determined 600,000 800,000 22. Perimeter walking path utilising connecting roads Preliminaries, overheads and profit Item 36,563 975 250.00 243,750 243,750 1500mm wide concrete pathways m Design and construction contingency (15%) 42,047 Item 2,640 22. Perimeter walking path utilising connecting 243,750 325,000 roads

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Item

Trade Detail

Project: Carramar Drive Sporting Precinct Details: Estimate **Building:** Masterplan Estimate Code Description Quantity Unit Rate Subtotal Factor Total Other - Tree planting (Continued) Tree planting and establishment - semi mature 125 No 375.00 46,875 46,875 Design and construction contingency (15%) Item 8,086 Rounding 3,008 Other - Tree planting 65,000 46,875 Other - Site demolition and site clearance Preliminaries, overheads and profit Item 75,000 Other - Site demolition and site clearance 500,000 500.000 Item allowance Design and construction contingency (15%) Item 86,250 -1,250Rounding Other - Site demolition and site clearance 500,000 660,000 Other - Paving/paths Preliminaries, overheads and profit Item 149,063 1500mm wide concrete path around oval 475 m 250.00 118,750 118,750 5,000 175.00 875,000 875,000 Various pavements around site m2 Design and construction contingency (15%) Item 171,422 Rounding 765 Other - Paving/paths 993,750 1,315,000 Other - Signage 52,500 Preliminaries, overheads and profit Item Directional and locational signage allowance 350,000 350,000 Item Design and construction contingency (15%) Item 60,375 Rounding -2,875 Other - Signage 350,000 460,000 Other - Street furniture Item 52,500 Preliminaries, overheads and profit Street furniture allowance - seats, bins, drinking fountains, bike stands, etc Item 350,000 350,000 Design and construction contingency (15%) Item 60,375 Rounding 2,125

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725,000

960,000

Other - Site services infrastructure

	-	Carramar Drive Sporting Precinct Masterplan Estimate			Details : Est	imate		
Code		Description	Quantity	Unit	Rate	Subtotal	Factor	Total
		eet furniture	- 21)			350,000		(Continued,
		o common areas (Other than area in N es, overheads and profit	0. 21)	Item				65,625
	Soil top up	and seeding, as required	35,000	m2	12.50	437,500		437,500
	Design and	d construction contingency (15%)		Item				75,469
	Rounding							1,406
	Other - Grarea in No.	assing to common areas (Other than 21)				437,500		580,000
Other –	Perimeter	fencing to Witworth Land		1	т т			
	Preliminari	es, overheads and profit		Item				55,500
		encing to Witworth Land	1,600	m	200.00	320,000		320,000
	Gates, feat	ure fences near entry etc		Item		50,000		50,000
	Design and	l construction contingency (15%)		Item				63,825
	Rounding							675
	Other – Pe	rimeter fencing to Witworth Land	•	•		370,000		490,000
Other –	Site servic	es infrastructure						
	Preliminari	es, overheads and profit		Item				108,750
	Provisional	allowances:						
	Electrical	anowances.		Item		200,000		200,000
	Communca	ntions		Item		25,000		25,000
	Water	ations		Item		100,000		100,000
	Sewer			Item		100,000		100,000
	Stormwate	r		Item		300,000		300,000
	Design and	l construction contingency (15%)		Item				125,063
	Rounding							1,187

9.10 COUNCIL POLICIES - CODE OF MEETING PRACTICE AND CODE OF CONDUCT

File Number: RPT/25/174

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Reporting Officer: Deborah Zorzi - Governance Officer

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

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.2 A strong, responsible and representative government

Summary

In accordance with the *Local Government Act* 1993 councils must adopt a code of meeting practice and adopt a code of conduct no later than 12 months after an ordinary election of councillors. The adopted codes must incorporate the mandatory provisions of the model codes prescribed by the regulations and may also incorporate the non-mandatory provisions and other provisions that supplement the model codes.

Council's adopted codes must not contain provisions that are inconsistent with the mandatory provisions.

Council is required to consult with the community prior to adopting a code of meeting practice.

Councils and committees of councils of which all the members are councillors must conduct their meetings in accordance with the code of meeting practice adopted by the council.

One of the provisions previously adopted by Council relates to the Council Seal. As required by the *Local Government Regulations (General) 2021* the seal of a council must be kept by the mayor or the general manager, as the council determines. This is an opportune time for Council to review where the Council Seal is to be stored.

Recommendation

That Council:

- a) Endorses the draft *Code of Meeting Practice* including the change to clause 22.3 indicating that the Council Seal is kept in the office of the General Manager, to be placed on public exhibition for a period of 28 days
- b) Adopts the draft Code of Conduct.

Detailed Report

Purpose

The purpose of this report is to seek the endorsement of Council for the draft *Code of Meeting Practice* to be placed on public exhibition to enable community consultation to occur, and for adoption of the draft *Code of Conduct*

Background

In accordance with statutory requirements, Council is required to have a Code of Meeting Practice and a Code of Conduct (incorporating Procedures for the Administration of Council's Code of Conduct Policy) that are based on Model Codes issued in accordance with the *Local Government Regulations (General)* 2021.

Council is to review its adopted Code of Conduct within 12 months of an ordinary election and make such adjustment as considered appropriate.

Not later than 12 months after an ordinary election, Council must adopt a code of meeting practice that incorporates the mandatory provisions and may also incorporate the non-mandatory provisions and other provisions. Council must first exhibit a draft of the code of meeting practice for at least 28 days and provide members of the community at least 42 days in which to comment on the draft code.

Councils and committees of councils of which all the members are councillors must conduct their meetings in accordance with the code of meeting practice adopted by the council.

The Model Code of Conduct and the Model Code of Meeting Practice for Local Councils in NSW are available on the OLG website.

Matters under consideration

Council's current *Code of Conduct* was adopted on 31 January 2022. Council's draft *Code of Conduct* has been updated in line with Council's current logo, formatting and updated legislative references and otherwise it is considered the scope and intent remains relevant. There has been no change to the Model Code upon which it is based in the intervening period. The accompanying draft *Procedures for the Administration of Wentworth Shire Council's Code of Conduct Policy* has similarly been updated to the new format and legislative references with change otherwise only to clauses 5.46 and 5.47. Those clauses described actions that aligned with sections of the *Public Interest Disclosures Act 1994* and not the current *Public Interest Disclosures Act 2022*. It is recommended that the draft *Code of Conduct Policy* (including the *Procedures for the Administration of Council's Code of Conduct Policy*) be adopted.

Council's Draft *Code of Meeting Practice* is based on the adopted version of 20 April 2022, which incorporated the mandatory provisions and adopted non-mandatory and other provisions of the Model Meeting Code. The draft *Code of Meeting Practice* has also been updated to reflect Council's updated logo, with minor typographical and formatting corrections addressed also.

Late last year the Minister for Local Government released a consultation draft of amendments to the Model Meeting Code. The reform of the codes and procedures governing how councillors gather, debate and make decisions was flagged by the Minister as part of a discussion paper issued in September 2024 'Councillor conduct and meeting practice: a new framework.' Submissions in response to the consultation draft closed in February 2025 and the new Model Meeting Code has not yet been approved by the Minister. Once approved, it will then need to be prescribed by Regulation.

Given this reform process underway, no changes have been made to the draft *Code of Meeting Practice* from the previously adopted version, other than the administrative changes noted above.

Legal, strategic, financial or policy implications

It is a requirement of the *Local Government Act 1993* that the Code of Conduct and the Code of Meeting Practice be adopted within 12 months of an ordinary election.

It is a requirement that Council consult with the community prior to adopting its *Code of Meeting Practice.*

Conclusion

The review of the *Code of Conduct* and of the *Code of Meeting Practice* has been undertaken in accordance with the *Local Government Act 1993*. Council is being asked to adopt the *Code of Conduct*, to determine where the Council Seal is to be stored, and to endorse the draft *Code of Meeting Practice* for public exhibition.

Attachments

- 1. Draft Council Policy Code of Conduct GOV020
- 2. Attachment to Code of Conduct Policy (Draft Procedures for the Administration of the Code of Conduct Policy) ...
- 3. Draft Council Policy Code of Meeting Practice for WSC GOV018 3.



POLICY NUMBER & TITLE: WORD DOCUMENT ID: VERSION:

VERSION:
ADOPTED MEETING DATE:
REVIEW DUE:
VERSION AMENDMENTS:

GOV020 CODE OF CONDUCT POLICY

Doc/25/4641

1.1

Click or tap to enter a date.

Four yearly or following change of legislation or incident

Version 1 adapted to current policy format

RESPONSIBLE DEPARTMENT:

General Manager

CODE OF CONDUCT POLICY

POLICY OBJECTIVE

The Model Code of Conduct sets the minimum standards of conduct for Council officials. It is prescribed by regulation to assist Council officials to:

- Understand and comply with the standards of conduct that are expected of them;
- Enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439); and
- Act in a way that enhances public confidence in local government.

Section 440 of the *Local Government Act* 1993 (NSW) (the Act) requires Council to adopt a Code of Conduct Policy that incorporates the provisions of the Model Code of Conduct. Council's adopted Code of Conduct Policy may also include provisions that supplement the Model Code of Conduct and that extends its application to persons that are not "Council officials" for the purposes of the Model Code of Conduct (e.g. volunteers, contractors and members of wholly advisory committees).

Council's adopted Code of Conduct Policy has no effect to the extent that it is inconsistent with the Mode Code of Conduct. However, Council's adopted Code of Conduct Policy may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

1. POLICY STATEMENT

The Model Code of Conduct for Local Councils in NSW is made under section 440 of the Act and the *Local Government (General) Regulation* 2021 (the Regulation).

Councillors, Administrators, members of staff, delegates of Council, (including members of Council committees that are delegates of Council) and any other person Council's adopted Code of Conduct Policy applies to, must comply with the applicable provisions of the Code of Conduct Policy. It is the personal responsibility of Council officials to comply with the standards in the Code of Conduct Policy and to regularly review their personal circumstances and conduct with this in mind.

Failure by a Councillor to comply with the standards of conduct prescribed under this code constitutes misconduct for the purposes of the Act. The Act provides for a range of penalties that may be imposed on Councillors for misconduct, including suspension or disqualification from civic office. A Councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

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Failure by a member of staff to comply with Council's Code of Conduct Policy may give rise to disciplinary action.

2. POLICY COVERAGE

This policy applies to Councillors, Administrators, members of staff, delegates of Council, (including members of Council committees that are delegates of Council) and any other person Council's adopted Code of Conduct Policy applies to.

3. STRATEGIC PLAN LINK

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

Strategy: A strong, responsible and representative government.

4. **DEFINITIONS AND ABBREVIATIONS**

Term/Word	Definition			
Administrator	An administrator of a council under the Act other than an			
	administrator appointed under section 66.			
Committee	See the definition of "Council committee".			
Complaint	A code of conduct complaint made for the purposes of clauses			
	2.1 and 2.2 of the Procedures.			
Conduct	Includes acts and omissions.			
Council	Wentworth Shire Council.			
Council committee	A committee established by Council comprising of Councillors,			
	staff or other persons that Council has delegated functions to			
	and Council's Audit, Risk & Improvement committee.			
Council committee	A person other than a Councillor or member of staff of Council			
member	who is a member of a council committee other than a wholly			
	advisory committee, and a person other than a Councillor who is			
	a member of Council's Audit, Risk & Improvement committee.			
Council official	Includes Councillors, members of staff of Council,			
	administrators, council committee members, delegates of			
	Council and for the purpose of clause 4.16, Council advisers.			
Councillor	Any person elected or appointed to civic office including the			
	Mayor and includes members and chairpersons of county			
	councils and voting representatives of the boards of joint			
	organisations and chairpersons of joint organisations.			
Delegate of Council	A person (other than a Councillor or member of staff) or body,			
	and the individual members of that body, to whom a function of			
	Council is delegated.			
Designated person	A person referred to in clause 2.8.			
Election campaign	Includes council, state and federal election campaigns.			
Environmental planning	ntal planning Has the same meaning as it has in the Environmental Planning			
instrument	and Assessment Act 1979 (NSW).			
General Manager	Includes the executive officer of a joint organisation.			

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A joint organisation established under section 4000 of the Act.
Local Government Act 1993 (NSW).
A local planning panel constituted under the Environmental
Planning and Assessment Act 1979 (NSW).
Includes the chairperson of a county council or joint
organisation.
Includes members of staff of county council and joint
organisations.
NSW Office of Local Government.
Information or an opinion (including information or an opinion
forming part of a database and whether or not recorded in a
material form) about an individual whose identity is apparent or
can reasonably be ascertained from the information or opinion.
The Procedures for the Administration of the Model Code of
Conduct for Local Councils in NSW prescribed under the
Regulation.
The Local Government (General) Regulation 2021.
A voting representative of the board of a joint organisation.
A Council committee that Council has not delegated any
functions to.

5. POLICY CONTENT

PART 1 GENERAL CONDUCT OBLIGATIONS

General conduct

- 1.1 You must not conduct yourself in a manner that:
 - a) is likely to bring the Council or other Council officials into disrepute;
 - b) is contrary to statutory requirements or Council's administrative requirements or policies;
 - c) is improper or unethical;
 - d) is an abuse of power;
 - e) causes, comprises or involves intimidation or verbal abuse;
 - f) involves the misuse of your position to obtain a private benefit; or
 - g) constitutes harassment or bullying behaviour under this code, or is unlawfully discriminatory.
- 1.2 You must act lawfully and honestly and exercise a reasonable degree of care and diligence in carrying out your functions under the Act or any other Act (section 439).

Fairness and equity

1.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.

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- 1.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.
- 1.5 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 1.3 or 1.4.

Harassment and discrimination

- 1.6 You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status or political, religious or other affiliation.
- 1.7 For the purposes of this code, "harassment" is any form of behaviour towards a person that:
 - a) is not wanted by the person;
 - b) offends, humiliates or intimidates the person; and
 - c) creates a hostile environment.

Bullying

- 1.8 You must not engage in bullying behaviour towards others.
- 1.9 For the purposes of this Policy, "bullying behaviour" is any behaviour in which:
 - a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and
 - b) the behaviour creates a risk to health and safety.
- 1.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:
 - a) aggressive, threatening or intimidating conduct;
 - b) belittling or humiliating comments;
 - c) spreading malicious rumours;
 - d) teasing, practical jokes or 'initiation ceremonies';
 - e) exclusion from work-related events;
 - f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker's skill level;
 - g) displaying offensive material; or
 - h) pressure to behave in an inappropriate manner.
- 1.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:
 - a) performance management processes;
 - b) disciplinary action for misconduct;
 - c) informing a worker about unsatisfactory work performance or inappropriate work behaviour;
 - d) directing a worker to perform duties in keeping with their job;
 - e) maintaining reasonable workplace goals and standards;

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- f) legitimately exercising a regulatory function; or
- g) legitimately implementing a Council policy or administrative processes.

Work health and safety

- 1.12 All Council officials, including Councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WHS Act). You must comply with your duties under the WHS Act and your responsibilities under any policies or procedures adopted by Council to ensure workplace health and safety. Specifically, you must:
 - a) take reasonable care for your own health and safety;
 - b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons;
 - c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WHS Act and any policies or procedures adopted by Council to ensure workplace health and safety;
 - d) cooperate with any reasonable policy or procedure of Council relating to workplace health or safety that has been notified to Council staff;
 - e) report accidents, incidents, near misses, to the General Manager or such other staff member nominated by the General Manager, and take part in any incident investigations; and
 - f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WHS Act in relation to the same matter.

Land use planning, development assessment and other regulatory functions

- 1.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.
- 1.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

Binding caucus votes

- 1.15 You must not participate in binding caucus votes in relation to matters to be considered at a Council or committee meeting.
- 1.16 For the purposes of clause 1.15, a binding caucus vote is a process whereby a group of Councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the Council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the Council or committee.
- 1.17 Clause 1.15 does not prohibit Councillors from discussing a matter before the Council or committee prior to considering the matter in question at a Council or committee meeting, or from voluntarily holding a shared view with other Councillors on the merits of a matter.

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1.18 Clause 1.15 does not apply to a decision to elect the Mayor or Deputy Mayor, or to nominate a person to be a member of a Council committee or a representative of the Council on an external body.

Obligations in relation to meetings

- 1.19 You must comply with rulings by the Chair at Council and committee meetings or other proceedings of the Council unless a motion dissenting from the ruling is passed.
- 1.20 You must not engage in bullying behaviour (as defined under this part) towards the Chair, other Council officials or any members of the public present during Council or committee meetings or other proceedings of the Council (such as, but not limited to, workshops and briefing sessions).
- 1.21 You must not engage in conduct that disrupts Council or committee meetings or other proceedings of Council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.
- 1.22 If you are a Councillor, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of Council, or of a committee of Council. Without limiting this clause, you must not:
 - a) leave a meeting of Council or a committee for the purposes of depriving the meeting of a quorum, or
 - submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another Councillor from submitting a rescission motion with respect to the same decision, or
 - c) deliberately seek to impede the consideration of business at a meeting.
- 2.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 2.3.
- 2.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 2.6.
- 2.3 For the purposes of this part, you will have a pecuniary interest in a matter if the pecuniary interest is:
 - (a) your interest, or
 - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
 - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 2.4 For the purposes of clause 2.3:
 - (a) Your "relative" is any of the following:
 - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child;
 - ii) your spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child;

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- iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii); or
- (b) "de facto partner" has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 2.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 2.3(b) or (c):
 - (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body; or
 - (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown; or
 - (c) just because the person is a member of, or a delegate of Council to, a company or other body that has a pecuniary interest in the matter, so long as the person has no beneficial interest in any shares of the company or body.

What interests do not have to be disclosed?

- 2.6 You do not have to disclose the following interests for the purposes of this part:
 - (a) your interest as an elector;
 - (b) your interest as a ratepayer or person liable to pay a charge;
 - (c) an interest you have in any matter relating to the terms on which the provision of
 a service or the supply of goods or commodities is offered to the public generally,
 or to a section of the public that includes persons who are not subject to this code;
 - (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by Council in the same manner and subject to the same conditions as apply to persons who are not subject to this code;
 - (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not);
 - (f) if you are a Council committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the council committee;
 - (g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company;
 - (h) an interest you have arising from the proposed making by Council of an agreement between Council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership;
 - (i) an interest you have arising from the making by Council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by Council in respect of similar matters with other residents of the area:

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- the performance by Council at the expense of your relative of any work or service in connection with roads or sanitation;
- ii) security for damage to footpaths or roads; or
- iii) any other service to be rendered, or act to be done, by Council by or under any Act conferring functions on Council, or by or under any contract.
- (j) an interest relating to the payment of fees to Councillors (including the Mayor and Deputy Mayor);
- (k) an interest relating to the payment of expenses and the provision of facilities to Councillors (including the Mayor and Deputy Mayor) in accordance with a policy under section 252 of the Act;
- (I) an interest relating to an election to the office of Mayor arising from the fact that a fee for the following 12 months has been determined for the office of Mayor;
- (m) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person;
- (n) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a Councillor or a Council committee member; or
- (o) an interest arising from the appointment of a Councillor to a body as a representative or delegate of Council, whether or not a fee or other recompense is payable to the representative or delegate.
- 2.7 For the purposes of clause 2.6, "relative" has the same meaning as in clause 2.4, but includes your spouse or de facto partner.

What disclosures must be made by a designated person?

- 2.8 Designated persons include:
 - (a) the General Manager;
 - (b) other senior staff of Council for the purposes of section 332 of the Act;
 - (c) a person (other than a member of the senior staff of Council) who is a member of staff of Council or a delegate of Council and who holds a position identified by Council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person's duty as a member of staff or delegate and the person's private interest; or
 - (d) a person (other than a member of the senior staff of Council) who is a member of a committee of Council identified by Council as a committee whose members are designated persons because the functions of the committee involve the exercise of the Council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.
- 2.9 A designated person:
 - (a) must prepare and submit written returns of interests in accordance with clauses 2.21; and
 - (b) must disclose pecuniary interests in accordance with clause 2.10.
- 2.10 A designated person must disclose in writing to the General Manager (or if the person is the General Manager, to Council) the nature of any pecuniary interest the person has in any

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Council matter with which the person is dealing as soon as practicable after becoming aware of the interest.

- 2.11 Clause 2.10 does not require a designated person who is a member of staff to disclose a pecuniary interest if the interest relates only to the person's salary as a member of staff, or to their other conditions of employment.
- 2.12 The General Manager must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.
- 2.13 A disclosure by the General Manager must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of Council and Council must deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by council staff other than designated persons?

- 2.14 A member of staff of Council, other than a designated person, must disclose in writing to their Manager or the General Manager the nature of any pecuniary interest they have in a matter they are dealing with as soon as practicable after becoming aware of the interest.
- 2.15 The staff member's Manager or the General Manager must, on receiving a disclosure under clause 2.14, deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by Council advisers?

- 2.16 A person who, at the request or with the consent of Council or a Council committee, gives advice on any matter at any meeting of Council or committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.
- 2.17 A person does not breach clause 2.16 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

What disclosures must be made by a Council committee member?

- 2.18 A Council committee member must disclose pecuniary interests in accordance with clause 2.28 and comply with clause 2.29.
- 2.19 For the purposes of clause 2.18, a "Council committee member" includes a member of staff of Council who is a member of the committee.

What disclosures must be made by a Councillor?

- 2.20 A Councillor:
 - (a) must prepare and submit written returns of interests in accordance with clause 2.21, and

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(b) must disclose pecuniary interests in accordance with clause 2.28 and comply with clause 2.29 where it is applicable.

Disclosure of interests in written returns

- 2.21 A Councillor or designated person must make and lodge with the General Manager a return in the form set out in schedule 2 to this Policy, disclosing the Councillor's or designated person's interests as specified in schedule 1 to this Policy within 3 months after:
 - (a) becoming a Councillor or designated person; and
 - (b) 30 June of each year; and
 - (c) the Councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).
- 2.22 A person need not make and lodge a return under clause 2.21, paragraphs (a) and (b) if:
 - (a) they made and lodged a return under that clause in the preceding 3 months, or
 - (b) they have ceased to be a Councillor or designated person in the preceding 3 months
- 2.23 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.
- 2.24 The General Manager must keep a register of returns required to be made and lodged with the General Manager.
- 2.25 Returns required to be lodged with the General Manager under clause 2.21(a) and (b) must be tabled at the first meeting of Council after the last day the return is required to be lodged.
- 2.26 Returns required to be lodged with the General Manager under clause 2.21(c) must be tabled at the next council meeting after the return is lodged.
- 2.27 Information contained in returns made and lodged under clause 2.21 is to be made publicly available in accordance with the requirements of the Government Information (Public Access) Act 2009, the Government Information (Public Access) Regulation 2009 and any guidelines issued by the Information Commissioner.

Disclosure of pecuniary interests at meetings

- 2.28 A Councillor or a Council committee member who has a pecuniary interest in any matter with which Council is concerned, and who is present at a meeting of Council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 2.29 The Councillor or Council committee member must not be present at, or in sight of, the meeting of Council or committee:
 - (a) at any time during which the matter is being considered or discussed by Council or committee; or

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- (b) at any time during which Council or committee is voting on any question in relation to the matter.
- 2.30 In the case of a meeting of a Board of a Joint Organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 2.28 and 2.29 where they participate in the meeting by telephone or other electronic means.
- 2.31 A disclosure made at a meeting of a Council or Council committee must be recorded in the minutes of the meeting.
- 2.32 A general notice may be given to the General Manager in writing by a Councillor or a Council committee member to the effect that the Councillor or Council committee member, or the Councillor's or Council committee member's spouse, de facto partner or relative, is:
 - (a) a member of, or in the employment of, a specified company or other body, or
 - (b) a partner of, or in the employment of, a specified person.

Such a notice is, unless and until the notice is withdrawn or until the end of the term of the Council in which it is given (whichever is the sooner), sufficient disclosure of the Councillor's or Council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by Council or Council committee after the date of the notice.

- 2.33 A Councillor or a Council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the Councillor or Council committee member has an interest in the matter of a kind referred to in clause 2.6.
- 2.34 A person does not breach clauses 2.28 or 2.29 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.
- 2.35 Despite clause 2.29, a Councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.
- 2.36 Clause 2.29 does not apply to a Councillor who has a pecuniary interest in a matter that is being considered at a meeting if:
 - (a) the matter is a proposal relating to:
 - (i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the Council's area; or
 - (ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the Council's area; and
 - (b) the pecuniary interest arises only because of an interest of the Councillor in the Councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 2.3) in that person's principal place of residence; and

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- (c) the Councillor made a special disclosure under clause 2.37 in relation to the interest before the commencement of the meeting.
- 2.37 A special disclosure of a pecuniary interest made for the purposes of clause 2.36(c) must:
 - (a) be in the form set out in schedule 3 of this Policy and contain the information required by that form, and
 - (b) be laid on the table at a meeting of the Council as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.
- 2.38 The Minister for Local Government may, conditionally or unconditionally, allow a Councillor or a Council committee member who has a pecuniary interest in a matter with which Council is concerned to be present at a meeting of Council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
 - (a) that the number of Councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
 - (b) that it is in the interests of the electors for the area to do so.
- 2.39 A Councillor or a Council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of Council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 2.38, must still disclose the interest they have in the matter in accordance with clause 2.28.
- 3.1 Non-pecuniary interests are private or personal interests a Council official has that do not amount to a pecuniary interest as defined in clause 2.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 3.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 3.3 The personal or political views of a Council official do not constitute a private interest for the purposes of clause 3.2.
- 3.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of Council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this Policy.
- 3.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

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Managing non-pecuniary conflicts of interest

- 3.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 3.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of Council staff other than the General Manager, such a disclosure is to be made to the staff member's Manager. In the case of the General Manager, such a disclosure is to be made to the Mayor.
- 3.7 If a disclosure is made at a Council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 3.6.
- 3.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 3.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 2.1, but it involves:
 - a) a relationship between a Council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 2.4 or another person from the Council official's extended family that the Council official has a close personal relationship with, or another person living in the same household.
 - a) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
 - b) an affiliation between the Council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a Council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
 - c) membership, as Council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of Council and the organisation are potentially in conflict in relation to the particular matter
 - d) a financial interest (other than an interest of a type referred to in clause 2.6) that is not a pecuniary interest for the purposes of clause 2.1
 - e) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.

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- 3.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
 - a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination; or
 - b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a Council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 2.28 and 2.29.
- 3.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest, you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 3.12 If you are a member of staff other than the General Manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your Manager. In the case of the General Manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the Mayor.
- 3.13 Despite clause 3.10(b), a Councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 3.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the Council committee.

Political donations

- 3.15 Councillors should be aware that matters before Council or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.
- 3.16 Where you are a Councillor and have received or knowingly benefitted from a reportable political donation:
 - a) made by a major political donor in the previous four years, and
 - b) the major political donor has a matter before council,

You must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 2.28 and 2.29. A disclosure made under this clause must be recorded in the minutes of the meeting.

- 3.17 For the purposes of this part:
 - a) a "reportable political donation" has the same meaning as it has in section 6 of the Electoral Funding Act 2018

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- b) "major political donor" has the same meaning as it has in the *Electoral Funding Act* 2018.
- 3.18 Councillors should note that political donations that are not a "reportable political donation", or political donations to a registered political party or group by which a Councillor is endorsed, may still give rise to a non-pecuniary conflict of interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 3.9 and take the appropriate action to manage them.
- 3.19 Despite clause 3.16, a Councillor who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

Loss of quorum as a result of compliance with this Part

- 3.20 A Councillor who would otherwise be precluded from participating in the consideration of a matter under this part because they have a non-pecuniary conflict of interest in the matter is permitted to participate in consideration of the matter if:
 - a) the matter is a proposal relating to:
 - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the Council's area; or
 - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the Council's area; and
 - b) the non-pecuniary conflict of interest arises only because of an interest that a person has in that person's principal place of residence, and
 - c) the Councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 3.6.
- 3.21 The Minister for Local Government may, conditionally or unconditionally, allow a Councillor or a Council committee member who is precluded under this part from participating in the consideration of a matter to be present at a meeting of Council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
 - a) that the number of Councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
 - b) that it is in the interests of the electors for the area to do so.
- 3.22 Where the Minister exempts a Councillor or committee member from complying with a requirement under this part under clause 3.21, the Councillor or committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 3.6.

Other business or employment

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- 3.23 The General Manager must not engage, for remuneration, in private employment, contract work or other business outside the service of Council without the approval of Council.
- 3.24 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of Council that relates to the business of Council or that might conflict with the staff member's Council duties unless they have notified the General Manager in writing of the employment, work or business and the General Manager has given their written approval for the staff member to engage in the employment, work or business.
- 3.25 The General Manager may at any time prohibit a member of staff from engaging, for remuneration, in private employment, contract work or other business outside the service of Council that relates to the business of Council, or that might conflict with the staff member's Council duties.
- 3.26 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the Council if prohibited from doing so.
- 3.27 Members of staff must ensure that any outside employment, work or business they engage in will not:
 - a) conflict with their official duties;
 - b) involve using confidential information or Council resources obtained through their work with Council including where private use is permitted;
 - c) require them to work while on Council duty;
 - d) discredit or disadvantage Council; and
 - e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.

Personal dealings with Council

- 3.28 You may have reason to deal with Council in your personal capacity (for example, as a ratepayer, recipient of a Council service or applicant for a development consent granted by Council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.
- 3.29 You must undertake any personal dealings you have with Council in a manner that is consistent with the way other members of the community deal with Council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.
- 4.1 For the purposes of this part, a gift or a benefit is something offered to or received by a Council official or someone personally associated with them for their personal use and enjoyment.

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- 4.2 A reference to a gift or benefit in this part does not include:
 - a) items with a value of \$10 or less;
 - b) a political donation for the purposes of the electoral funding act 2018;
 - a gift provided to Council as part of a cultural exchange or sister-city relationship that
 is not converted for the personal use or enjoyment of any individual Council official or
 someone personally associated with them;
 - d) a benefit or facility provided by Council to an employee or Councillor
 - e) attendance by a Council official at a work-related event or function for the purposes of performing their official duties; or
 - f) free or subsidised meals, beverages or refreshments provided to Council officials in conjunction with the performance of their official duties such as, but not limited to:
 - i) the discussion of official business
 - ii) work-related events such as Council-sponsored or community events, training, education sessions or workshops
 - iii) conferences
 - iv) Council functions or events
 - v) social functions organised by groups, such as Council committees and community organisations.

Gifts and benefits

- 4.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from Council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.
- 4.4 A gift or benefit is deemed to have been accepted by you for the purposes of this part, where it is received by you or someone personally associated with you.

How are offers of gifts and benefits to be dealt with?

- 4.5 You must not:
 - a) seek or accept a bribe or other improper inducement;
 - b) seek gifts or benefits of any kind;
 - c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty;
 - d) subject to clause 4.7, accept any gift or benefit of more than token value as defined by clause 4.9;
 - e) accept an offer of cash or a cash-like gift as defined by clause 4.13, regardless of the amount;
 - f) participate in competitions for prizes where eligibility is based on the Council being in or entering into a customer–supplier relationship with the competition organiser; or
 - g) personally benefit from reward points programs when purchasing on behalf of Council.
- 4.6 Where you receive a gift or benefit of any value other than one referred to in clause 4.2, you must disclose this promptly to your Manager or the General Manager in writing. The recipient, Manager, or General Manager must ensure that, at a minimum, the following details are recorded in the Council's gift register:
 - a) the nature of the gift or benefit;
 - b) the estimated monetary value of the gift or benefit;

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- c) the name of the person who provided the gift or benefit; and
- d) the date on which the gift or benefit was received.
- 4.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to Council, unless the nature of the gift or benefit makes this impractical.

Gifts and benefits of token value

- 4.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$100. They include, but are not limited to:
 - a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$100;
 - b) gifts of alcohol that do not exceed a value of \$100;
 - c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like; and
 - d) prizes or awards that do not exceed \$100 in value.

Gifts and benefits of more than token value

- 4.9 Gifts or benefits that exceed \$100 in value are gifts or benefits of more than token value for the purposes of clause 4.5(d) and, subject to clause 4.7, must not be accepted.
- 4.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$100, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.
- 4.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$100 in value.
- 4.12 For the purposes of this part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

"Cash-like gifts"

4.13 For the purposes of clause 4.5(e), "cash-like gifts" include, but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit,

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lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

Improper and undue influence

- 4.14 You must not use your position to influence other Council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A Councillor will not be in breach of this clause where they seek to influence other Council officials through the proper exercise of their role as prescribed under the Act.
- 4.15 You must not take advantage (or seek to take advantage) of your status or position with Council, or of functions you perform for Council, in order to obtain a private benefit for yourself or for any other person or body.
- 5.1 Council is a body politic. The Councillors or Administrator/s are the governing body of Council. Under section 223 of the Act, the role of the governing body of Council includes the development and endorsement of the strategic plans, programs, strategies and policies of Council, including those relating to workforce policy, and to keep the performance of Council under review.
- 5.2 Councillors or Administrators must not:
 - a) direct Council staff other than by giving appropriate direction to the General Manager by way of Council or committee resolution, or by the Mayor or Administrator exercising their functions under section 226 of the Act;
 - in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff or a delegate of Council in the exercise of the functions of the staff member or delegate;
 - c) contact a member of the staff on Council-related business unless in accordance with the policy and procedures governing the interaction of Councillors and Council staff that have been authorised by Council and the General Manager; or
 - d) contact or issue instructions to any of Council's contractors, including Council's legal advisers, unless by the Mayor or Administrator exercising their functions under section 226 of the Act.
- Despite clause 5.2, Councillors may contact the Council's external auditor or the Chair of Council's Audit, Risk & Improvement committee to provide information reasonably necessary for the external auditor or the Audit, Risk & Improvement committee to effectively perform their functions.

Obligations of staff

5.4 Under section 335 of the Act, the role of the General Manager includes conducting the day-to-day management of Council in accordance with the strategic plans, programs, strategies and policies of Council, implementing without undue delay, lawful decisions of Council and ensuring that the Mayor and other Councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.

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- 5.5 Members of staff must:
 - a) give their attention to the business of Council while on duty;
 - b) ensure that their work is carried out ethically, efficiently, economically and effectively;
 - c) carry out reasonable and lawful directions given by any person having authority to give such directions;
 - d) give effect to the lawful decisions, policies and procedures of Council, whether or not the staff member agrees with or approves of them; and
 - e) ensure that any participation in political activities outside the service of Council does not interfere with the performance of their official duties.

Inappropriate interactions

- 5.6 You must not engage in any of the following inappropriate interactions:
 - a) Councillors and Administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters;
 - b) Council staff approaching Councillors and Administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
 - subject to clause 6.6, Council staff refusing to give information that is available to other Councillors to a particular Councillor;
 - d) Councillors and Administrators who have lodged an application with Council, discussing the matter with Council staff in staff-only areas of Council;
 - e) Councillors and Administrators approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the Councillor or Administrator has a right to be heard by the panel at the meeting;
 - f) Councillors and Administrators being overbearing or threatening to Council staff;
 - g) Council staff being overbearing or threatening to Councillors or Administrators;
 - h) Councillors and Administrators making personal attacks on Council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums including social media;
 - i) Councillors and Administrators directing or pressuring Council staff in the performance of their work, or recommendations they should make;
 - j) Council staff providing ad hoc advice to Councillors and Administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community;
 - k) Council staff meeting with applicants or objectors alone AND outside office hours to discuss planning applications or proposals;
 - Councillors attending on-site inspection meetings with lawyers and/or consultants engaged by Council associated with current or proposed legal proceedings unless permitted to do so by Council's General Manager or, in the case of the Mayor or Administrator, unless they are exercising their functions under section 226 of the Act.
- 6.1 The General Manager is responsible for ensuring that Councillors and Administrators can access information necessary for the performance of their official functions. The General

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Manager and Public Officer are also responsible for ensuring that members of the public can access publicly available Council information under the *Government Information (Public Access) Act* 2009 (the GIPA Act).

- 6.2 The General Manager must provide Councillors and Administrators with the information necessary to effectively discharge their official functions.
- 6.3 Members of staff must provide full and timely information to Councillors and Administrators sufficient to enable them to exercise their official functions and in accordance with Council procedures.
- 6.4 Members of staff who provide any information to a particular Councillor in the performance of their official functions must also make it available to any other Councillor who requests it and in accordance with Council procedures.
- 6.5 Councillors and Administrators who have a private interest only in Council information have the same rights of access as any member of the public.
- 6.6 Despite clause 6.4, Councillors and Administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to Council information in relation to the matter unless the information is otherwise available to members of the public, or Council has determined to make the information available under the GIPA act.

Councillors and administrators to properly examine and consider information

6.7 Councillors and Administrators must ensure that they comply with their duty under section 439 of the Act to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

Refusal of access to information

6.8 Where the General manager or Public Officer determine to refuse access to information requested by a Councillor or Administrator, they must act reasonably. In reaching this decision they must take into account whether or not the information requested is necessary for the Councillor or Administrator to perform their official functions (see clause 8.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 8.6). The General Manager or Public Officer must state the reasons for the decision if access is refused.

Use of certain Council information

- 6.9 In regard to information obtained in your capacity as a Council official, you must:
 - a) subject to clause 6.14, only access Council information needed for Council business;
 - b) not use that Council information for private purposes;

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- c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office or position with Council; and
- d) only release Council information in accordance with established Council policies and procedures and in compliance with relevant legislation.

Use and security of confidential information

- 6.10 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.
- 6.11 In addition to your general obligations relating to the use of Council information, you must:
 - a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions;
 - b) protect confidential information;
 - c) only release confidential information if you have authority to do so;
 - d) only use confidential information for the purpose for which it is intended to be used;
 - e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person;
 - f) not use confidential information with the intention to cause harm or detriment to the Council or any other person or body; and
 - g) not disclose any confidential information discussed during a confidential session of a Council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Personal information

- 6.12 When dealing with personal information you must comply with:
 - a) the Privacy and Personal Information Protection Act 1998;
 - b) the Health Records and Information Privacy Act 2002;
 - c) the Information Protection Principles and Health Privacy Principles;
 - d) the Council's Privacy Management Plan; and
 - e) the Privacy Code of Practice for Local Government

Use of Council resources

- 6.13 You must use Council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.
- 6.14 Union delegates and consultative committee members may have reasonable access to Council resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:
 - a) the representation of members with respect to disciplinary matters;
 - b) the representation of employees with respect to grievances and disputes; or
 - c) functions associated with the role of the local consultative committee.

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- 6.15 You must be scrupulous in your use of Council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.
- 6.16 You must avoid any action or situation that could create the appearance that Council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 6.17 You must not use Council resources (including Council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
 - 6.18 You must not use the Council letterhead, Council crests, Council email or social media or other information that could give the appearance it is official Council material:
 - a) for the purpose of assisting your election campaign or the election campaign of others;
 or
 - b) for other non-official purposes.
 - 6.19 You must not convert any property of Council to your own use unless properly authorised.

Internet access

6.20 You must not use Council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage Council's reputation.

Council record keeping

- 6.21 You must comply with the requirements of the *State Records Act* 1998 and Council's records management policy.
- 6.22 All information created, sent and received in your official capacity is a Council record and must be managed in accordance with the requirements of the *State Records Act* 1998 and the Council's approved records management policies and practices.
- 6.23 All information stored in either soft or hard copy on Council supplied resources (including technology devices and email accounts) is deemed to be related to the business of Council and will be treated as Council records, regardless of whether the original intention was to create the information for personal purposes.
- 6.24 You must not destroy, alter, or dispose of Council information or records, unless authorised to do so. If you need to alter or dispose of Council information or records, you must do so in consultation with Council's records manager and comply with the requirements of the *State Records Act* 1998.

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Councillor access to Council buildings

- 6.25 Councillors and Administrators are entitled to have access to the Council chamber, committee room, Mayor's office (subject to availability), Councillors' rooms, and public areas of Council's buildings during normal business hours and for meetings. Councillors and Administrators needing access to these facilities at other times must obtain authority from the General Manager.
- 6.26 Councillors and Administrators must not enter Staff-only areas of Council buildings without the approval of the General Manager (or their delegate) or as provided for in the procedures governing the interaction of Councillors and Council staff.
- 6.27 Councillors and Administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence Council staff decisions.
- 7.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 7.2 For the purposes of clause 7.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
 - a) To bully, intimidate or harass another Council official;
 - b) To damage another Council official's reputation;
 - c) To obtain a political advantage;
 - d) To influence a Council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions;
 - e) To influence the Council in the exercise of its functions or to prevent or disrupt the exercise of those functions;
 - f) To avoid disciplinary action under the procedures;
 - g) To take reprisal action against a person for making a complaint alleging a breach of this code;
 - h) To take reprisal action against a person for exercising a function prescribed under the procedures; or
 - i) To prevent or disrupt the effective administration of this code under the procedures.

Detrimental action

- 7.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this Policy.
- 7.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the procedures.
- 7.5 For the purposes of clauses 7.3 and 7.4, a detrimental action is an action causing, comprising or involving any of the following:
 - a) injury, damage or loss;

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- b) intimidation or harassment;
- c) discrimination, disadvantage or adverse treatment in relation to employment;
- d) dismissal from, or prejudice in, employment; and
- e) disciplinary proceedings.

Compliance with requirements under the Procedures

- 7.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the procedures.
- 7.7 You must comply with a reasonable and lawful request made by a person exercising a function under the procedures. A failure to make a written or oral submission invited under the procedures will not constitute a breach of this clause.
- 7.8 You must comply with a practice ruling made by the OLG under the procedures.

Disclosure of information about the consideration of a matter under the Procedures

- 7.9 All allegations of breaches of this Policy must be dealt with under and in accordance with the procedures.
- 7.10 You must not allege breaches of this Policy other than by way of a complaint made or initiated under the procedures.
- 7.11 You must not make allegations about, or disclose information about, suspected breaches of this Policy at Council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 7.12 You must not disclose information about a complaint you have made alleging a breach of this Policy or any other matter being considered under the procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the procedures.
- 7.13 Nothing under this part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act* 2022.

Complaints alleging a breach of this Part

- 7.14 Complaints alleging a breach of this part by a Councillor, the General Manager or an Administrator are to be managed by the OLG. This clause does not prevent the OLG from referring an alleged breach of this part back to Council for consideration in accordance with the procedures.
- 7.15 Complaints alleging a breach of this part by other Council officials are to be managed by the General Manager in accordance with the procedures.

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SCHEDULE 1: DISCLOSURES OF INTERESTS AND OTHER MATTERS IN WRITTEN RETURNS SUBMITTED UNDER CLAUSE 4.21

Part 1: Preliminary

Definitions

1. For the purposes of the schedules to this Policy, the following definitions apply:

address means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the Councillor or designated person disclosing the address, or
- in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

de facto partner has the same meaning as defined in section 21C of the Interpretation Act 1987.

disposition of property means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company;
- b) the creation of a trust in respect of property;
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property;
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property;
- e) the exercise by a person of a general power of appointment over property in favour of another person; and
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

gift means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

interest means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act* 2001 of the Commonwealth) in securities issued or made available by the corporation.

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listed company means a company that is listed within the meaning of section 9 of the *Corporations Act* 2001 of the Commonwealth.

occupation includes trade, profession and vocation.

professional or business association means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

property includes money.

return date means:

- a) in the case of a return made under clause 2.21(a), the date on which a person became a Councillor or designated person;
- b) in the case of a return made under clause 2.21(b), 30 June of the year in which the return is made; or
- c) in the case of a return made under clause 2.21(c), the date on which the Councillor or designated person became aware of the interest to be disclosed.

relative includes any of the following:

- a) a person's spouse or de facto partner;
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child;
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child; or
- d) the spouse or de factor partner of a person referred to in paragraphs (b) and (c).

travel includes accommodation incidental to a journey.

Matters relating to the interests that must be included in returns

- 2. Interests etc. outside New South Wales: A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
- 3. References to interests in real property: A reference in this schedule or in schedule 2 to real property in which a councillor or designated person has an interest includes a reference to any real property situated in Australia in which the Councillor or designated person has an interest.
- 4. Gifts, loans etc. from related corporations: For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a Councillor or designated person by two or more corporations that are related to each other for the purposes of

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section 50 of the *Corporations Act* 2001 of the Commonwealth are all given, made or supplied by a single corporation.

Part 2: Pecuniary interests to be disclosed in returns Real property

- 5. A person making a return under clause 2.21 of this code must disclose:
 - a) the street address of each parcel of real property in which they had an interest on the return date; and
 - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year; and
 - c) the nature of the interest.
- 6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
 - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy; or
 - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
- 7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a Councillor or designated person.
- 8. For the purposes of clause 5 of this schedule, "interest" includes an option to purchase.

Gifts

- 9. A person making a return under clause 2.21 of this code must disclose:
 - a) a description of each gift received in the period since 30 June of the previous financial year; and
 - b) the name and address of the donor of each of the gifts.
- 10. A gift need not be included in a return if:
 - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less; or
 - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act* 2018; or
 - c) the donor was a relative of the recipient; or
 - d) subject to paragraph (a), it was received prior to the person becoming a Councillor or designated person.
- 11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

Contributions to travel

12. A person making a return under clause 2.21 of this code must disclose:

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- a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year; and
- b) the dates on which the travel was undertaken; and
- the names of the states and territories, and of the overseas countries, in which the travel was undertaken.
- 13. A financial or other contribution to any travel need not be disclosed under this clause if it:
 - a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or Council vehicles), or
 - b) was made by a relative of the traveller; or
 - c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return; or
 - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less; or
 - e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act* 2018, or
 - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
 - g) subject to paragraph (d) it was received prior to the person becoming a Councillor or designated person.
- 14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

Interests and positions in corporations

- 15. A person making a return under clause 2.21 of this code must disclose:
 - a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
 - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year; and
 - c) the nature of the interest, or the position held, in each of the corporations; and
 - d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.
- 16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
 - a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose; and
 - b) required to apply its profits or other income in promoting its objects; and
 - c) prohibited from paying any dividend to its members.
- 17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
- 18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a Councillor or designated person.

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Interests as a property developer or a close associate of a property developer

- 19. A person making a return under clause 2.21 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
- 20. For the purposes of clause 19 of this schedule:

close associate, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act* 2018.

property developer has the same meaning as it has in Division 7 of Part 3 of the Electoral Funding Act 2018.

Positions in trade unions and professional or business associations

- 21. A person making a return under clause 2.21 of the code must disclose:
 - a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date; and
 - b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year; and
 - c) a description of the position held in each of the unions and associations.
- 22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a Councillor or designated person.

Dispositions of real property

- 23. A person making a return under clause 2.21 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
- 24. A person making a return under clause 2.21 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
- 25. A disposition of real property need not be disclosed if it was made prior to a person becoming a Councillor or designated person.

Sources of income

- 26. A person making a return under clause 2.21 of this code must disclose:
 - a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June; and
 - b) each source of income received by the person in the period since 30 June of the previous financial year.

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- 27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
 - a) in relation to income from an occupation of the person:
 - (i) a description of the occupation; and
 - (ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office; and
 - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted; or
 - b) in relation to income from a trust, the name and address of the settlor and the trustee; or
 - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
- 28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
- 29. The source of any income received by the person that they ceased to receive prior to becoming a Councillor or designated person need not be disclosed.
- 30. A fee paid to a Councillor or to the Mayor or Deputy Mayor under sections 248 or 249 of the Act need not be disclosed.

Debts

- 31. A person making a return under clause 2.21 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
 - a) on the return date; and
 - b) at any time in the period since 30 June of the previous financial year.
- 32. A liability to pay a debt must be disclosed by a person in a return made under clause 2.21 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
- 33. A liability to pay a debt need not be disclosed by a person in a return if:
 - a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:
 - (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be; and
 - (ii) the amounts to be paid exceeded, in the aggregate, \$500, or
 - b) the person was liable to pay the debt to a relative; or
 - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender; or
 - d) in the case of a debt arising from the supply of goods or services:

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- (i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be; or
- (ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return; or
- e) subject to paragraph (a), the debt was discharged prior to the person becoming a Councillor or designated person.

Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

SCHEDULE 2: FORM OF WRITTEN RETURN OF INTERESTS SUBMITTED UNDER CLAUSE 2.21

'Disclosures by Councillors and designated persons' return

- 1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
- 2. If this is the first return you have been required to lodge with the General Manager after becoming a Councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a Councillor or designated person.
- 3. If you have previously lodged a return with the General Manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the General Manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a Councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
- 4. If you have previously lodged a return with the General Manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
- 5. This form must be completed using block letters or typed.
- 6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
- 7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

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Important information

This information is being collected for the purpose of complying with clause 2.21 of the Model Code of Conduct.

You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 2.23 of the Model Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the General Manager in a register of returns. The General Manager is required to table all returns at a Council meeting.

Information contained in returns made and lodged under clause 2.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act* 2009, the *Government Information (Public Access) Regulation* 2009 and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

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as at [return date]

in respect of the period from [date] to [date]

[Councillor's or designated person's signature] [date]

A. Real Property

Street address of each parcel of real property in which I had an interest at Nature of interest the return date/at any time since 30 June

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CODE OF CONDUCT POLICY



COUNCIL POLICY

B. Sources of income		
	ly expect to receive from an occupation iter the return date and ending on the fol	·
Sources of income I received fro	om an occupation at any time since 30 Ju	ine
Description of occupation	Name and address of employer or description of office held (if applicable)	n Name under which partnership conducted (if applicable)
	ly expect to receive from a trust in the po te and ending on the following 30 June	eriod commencing on
Sources of income I received fro	om a trust since 30 June	
Name and address of settlor	Name and add	ress of trustee
day after the return date and er Sources of other income I receiv		-
C. Gifts		
Description of each gift I received June	ed at any time since 30 Name and add	ress of donor
D. Contributions to travel		
Name and address of each person who made any financial or othe contribution to any travel under by me at any time since 30 June	r undertaken rtaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken

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E. Interests and positions in corporations			
Name and address of each Nature of	f interest Description	on of	Description of
corporation in which I had an interest (if any)	position (if any)	principal objects (if
or held a position at the return			any) of corporation
date/at any time since 30 June			(except in case of
			listed company)
F. Were you a property developer or a close as date? (Y/N)	sociate of a propert	y develop	per on the return
uate: (1/14)			
G. Positions in trade unions and professional o	r business association	ons	
Name of each trade union and each profession		on of pos	ition
business association in which I held any position			
(whether remunerated or not) at the return da	te/at any		
time since 30 June			
H. Debts			
Name and address of each person to whom I wany time since 30 June	as liable to pay any	debt at t	he return date/at
I. Dispositions of property			
1 Particulars of each disposition of real proper	y by me (including t	the street	address of the
affected property) at any time since 30 June as			
part, the use and benefit of the property or the	e right to re-acquire	the prop	erty at a later time
2 Particulars of each disposition of property to	a person by any oth	ner perso	n under
		-	
arrangements made by me (including the stree	t address of the affe	ected pro	perty), being
arrangements made by me (including the stree dispositions made at any time since 30 June, a	t address of the affe	ected pro	perty), being
arrangements made by me (including the stree dispositions made at any time since 30 June, a	t address of the affe	ected pro	perty), being
arrangements made by me (including the stree dispositions made at any time since 30 June, a	t address of the affe	ected pro	perty), being
arrangements made by me (including the streed dispositions made at any time since 30 June, as part, the use and benefit of the property	t address of the affe	ected pro	perty), being
2 Particulars of each disposition of property to arrangements made by me (including the streed dispositions made at any time since 30 June, as part, the use and benefit of the property J. Discretionary disclosures	t address of the affe	ected pro	perty), being



SCHEDULE 3: FORM OF SPECIAL DISCLOSURE OF PECUNIARY INTEREST SUBMITTED UNDER CLAUSE 2.37

- 1. This form must be completed using block letters or typed.
- 2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

Important information

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 2.36(c) of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a Councillor has in the Councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 2.3 of the Code of Conduct Policy) has in that person's principal place of residence.

Clause 2.3 of the Code of Conduct Policy states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 2.4 of the Code of Conduct Policy as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the Council or Council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Title: GOV020	CODE OF CONDUCT POLICY		V1.0	Version date: XX/XX/XXXX
DOC ID: DOC/XX/X	CXXX	Do not use this policy in printed for	orm without fir	st checking it is the current version





Title: GOV020	CODE OF CONDUCT POLICY		V1.0	Version date: XX/XX/XXXX
DOC ID: DOC/XX/X	(XXX	Do not use this policy in printed for	orm without fir	st checking it is the current version



Special disclosure of pecuniary interests by [full name of Councillor]

in the matter of [insert name of environmental planning instrument]

which is to be considered at a meeting of the [name of Council or Council committee (as the case requires)]

to be held on the day of 20 .

Pecuniary interest	
Address of the affected principal place of residence of the Councillor or an associated person, company or body (the identified land)	
Relationship of identified land to the Councillor [Tick or cross one box.]	 □ The Councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). □ An associated person of the Councillor has an interest in the land. □ An associated company or body of the Councillor has an interest in the land.
Matter giving rise to pecuniary interest	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) ¹ [Tick or cross one box]	
Current zone/planning control [Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]	

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Proposed change of zone/planning control	
[Insert name of proposed LEP and identify	
proposed change of zone/planning control	
applying to the subject land]	
Effect of proposed change of zone/planning	
control on Councillor or associated person	
[Insert one of the following: "Appreciable	
financial gain" or "Appreciable financial loss"]	
, , , , , ,	

[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]

Councillor's signature

Date

[This form is to be retained by the Council's General Manager and included in full in the minutes of the meeting]

6. RELATED DOCUMENTS AND LEGISLATION

Legislation

- Local Government Act 1993 (NSW)
- Local Government (General) Regulation 2021 (NSW)
- Environmental Planning & Assessment Act 1979 (NSW)
- Work Health & Safety Act 2009 (NSW)
- Public Interest Disclosures Act 2022 (NSW)
- Government Information (Public Access) Act 2009 (NSW)
- Electoral Funding Act 2018 (NSW)
- Privacy & Personal Information Protection Act 1998 (NSW)
- Health Records & Information Privacy Act 2002 (NSW)
- State Records Act 1998 (NSW)

Council Policies

- GOV001 Gifts & Benefits Policy
- GOV002 Use of Communication Devices
- GOV004 Internal Reporting Policy
- GOV007 Privacy Management Policy
- GOV008 Public Access to Information Held by Council Policy

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- GOV010 Provision of Facilities & Payment of Expenses Policy
- GOV011 Councillor and Staff Interaction
- GOV022 Legislative Compliance Policy
- GOV023 Conflicts of Interest Policy
- WR007 Designated Officers of Council Policy

Council Document

- Legislative Compliance Framework
- Governance Framework
- Gifts and Benefits Register
- Conflict of Interest Register
- Privacy Management Plan
- Secondary Employment Policy (Operational)
- Records & Information Management Policy (Operational)

7. ATTACHMENTS

8. DOCUMENT APPROVAL

This Council Policy is the latest version of the official policy of the Wentworth Shire Council, as adopted by Council on Click or tap to enter a date.. All previous versions of this policy are null and void. This policy may be amended or revoked by Council at any time.

General Manager	Wentworth Shire Council	Date
Signed:		Click or tap to enter a date.

Title: GOV020	CODE OF CONDUCT POLICY		V1.0	Version date: XX/XX/XXXX
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Procedures For the Administration of Wentworth Shire Council's Code Of Conduct Policy

2025

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PART 1 INTRODUCTION

These procedures ("the Code Procedures") are prescribed for the administration of the *Model Code of Conduct for Local Councils in NSW* ("the Model Code of Conduct").

The Model Code of Conduct is made under section 440 of the *Local Government Act 1993* ("the Act") and the *Local Government (General) Regulation 2021* ("the Regulation"). Section 440 of the Act requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct.

The Model Code Procedures are made under section 440AA of the Act and the Regulation. Section 440AA of the Act requires every council (including county councils) and joint organisation to adopt procedures for the administration of their code of conduct that incorporate the provisions of the Model Code Procedures.

In adopting procedures for the administration of their adopted codes of conduct, councils and joint organisations may supplement the Model Code Procedures. However, provisions that are not consistent with those prescribed under the Model Code Procedures will have no effect.

Note: References in these procedures to councils are also to be taken as references to county councils and joint organisations.

Note: In adopting the Model Code Procedures, joint organisations should adapt them to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

Note: In adopting the Model Code Procedures, county councils should adapt them to substitute the term "chairperson" for "mayor" and "member" for "councillor".

Note: Parts 6, 7, 8 and 11 of these procedures apply only to the management of code of conduct complaints about councillors (including the mayor) or the general manager.

PART 2 DEFINITIONS

In these procedures the following terms have the following meanings:

Administrator an administrator of a council appointed under the

Act other than an administrator appointed under

section 66.

Code of conduct adopted under section 440 of the

Act.

Code of conduct complaint a complaint that is a code of conduct complaint for

the purposes of clauses 4.1 and 4.2 of these

procedures.

Complainant a person who makes a code of conduct complaint.

Complainant councillor a Councillor who makes a code of conduct complaint.

Complaints coordinator a person appointed by the General Manager under

these procedures as a complaints coordinator.

Conduct reviewer a person appointed under these procedures to

review allegations of breaches of the code of conduct

policy by Councillors or the General Manager.

Council includes county councils and joint organisations.

Council committee a committee established by Council comprising of

Councillors, staff or other persons that Council has delegated functions to and Council's Audit, Risk and

Improvement committee.

Council committee member a person other than a Councillor or member of staff

who is a member of a Council committee other than a wholly advisory committee, and a person other than a Councillor who is a member of Council's Audit,

Risk and Improvement committee.

Councillor any person elected or appointed to civic office,

including the Mayor, and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations

and chairpersons of joint organisations.

Council official any Councillor, member of staff, Administrator,

Council committee member, delegate of Council and, for the purposes of clause 2.16 of the Code of

Conduct Policy, Council adviser.

Delegate of council a person (other than a Councillor or member of staff)

or body, and the individual members of that body, to

whom a function of the Council is delegated.

External agency a state government agency such as, but not limited

to, the Office, the ICAC, the NSW Ombudsman or the

police.

General Manager includes the executive officer of a joint organisation.

ICAC the Independent Commission Against Corruption.

Joint organisation a joint organisation established under section 4000

of the Act.

The Act the Local Government Act 1993.

Mayor includes the chairperson of a county council or a joint

organisation.

Members of staff includes members of staff of county councils and

joint organisations.

the OLG the Office of Local Government.

Investigator a conduct reviewer.

The Regulation the Local Government (General) Regulation 2021.

Respondent a person whose conduct is the subject of

investigation by a conduct reviewer under these

procedures.

Wholly advisory

committee a council committee that the council has not

delegated any functions to.

PART 3 ADMINISTRATIVE FRAMEWORK

The establishment of a panel of conduct reviewers

- 3.1 Council must establish a panel of conduct reviewers.
- 3.2 Council may enter into an arrangement with one or more other councils to share a panel of conduct reviewers including through a joint organisation or another regional body associated with the councils.
- 3.3 The panel of conduct reviewers is to be established following a public expression of interest process.
- 3.4 An expression of interest for members of Council's panel of conduct reviewers must, at a minimum, be advertised locally and in the Sydney metropolitan area.
- 3.5 To be eligible to be a conduct reviewer, a person must, at a minimum, meet the following requirements:
 - a) an understanding of local government, and
 - b) knowledge of investigative processes including but not limited to procedural fairness requirements and the requirements of the *Public Interest Disclosures Act 2022*, and
 - c) knowledge and experience of one or more of the following:
 - i) investigations
 - ii) law
 - iii) public administration
 - iv) public sector ethics
 - v) alternative dispute resolution, and
 - d) meet the eligibility requirements for membership of a panel of conduct reviewers under clause 3.6.

- 3.6 A person is not eligible to be a conduct reviewer if they are:
 - a) a Councillor, or
 - b) a nominee for election as a Councillor, or
 - c) an administrator, or
 - d) an employee of Council, or
 - e) a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
 - f) a nominee for election as a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
 - g) a person who has a conviction for an indictable offence that is not an expired conviction.
- 3.7 A person is not precluded from being a member of Council's panel of conduct reviewers if they are a member of another council's panel of conduct reviewers.
- 3.8 An incorporated or other entity may be appointed to Council's panel of conduct reviewers where Council is satisfied that all the persons who will be undertaking the functions of a conduct reviewer on behalf of the entity meet the selection and eligibility criteria prescribed under this Part.
- 3.9 A panel of conduct reviewers established under this Part is to have a term of up to four years.
- 3.10 Council may terminate the panel of conduct reviewers at any time. Where a panel of conduct reviewers has been terminated, conduct reviewers who were members of the panel may continue to deal with any matter referred to them under these procedures prior to the termination of the panel until they have finalised their consideration of the matter.
- 3.11 When the term of the panel of conduct reviewers concludes or is terminated, Council must establish a new panel of conduct reviewers in accordance with the requirements of this Part.
- 3.12 A person who was a member of a previous panel of conduct reviewers established by Council may be a member of subsequent panels of conduct reviewers established by Council if they continue to meet the selection and eligibility criteria for membership of the panel.

The appointment of an internal ombudsman to a panel of conduct reviewers

- 3.13 Despite clause 3.6(d), an employee of Council who is the nominated internal ombudsman of one or more councils may be appointed to Council's panel of conduct reviewers with the OLG's consent.
- 3.14 To be appointed to Council's panel of conduct reviewers, an internal ombudsman must meet the qualification requirements for conduct reviewers prescribed under clause 3.5 as modified by the operation of clause 3.13.
- 3.15 An internal ombudsman appointed to Council's panel of conduct reviewers may also exercise the functions of Council's complaints coordinator. For the purposes of clause

- 6.1, an internal ombudsman who is Council's complaints coordinator and has been appointed to Council's panel of conduct reviewers, may either undertake a preliminary assessment and investigation of a matter referred to them under clauses 5.26 or 5.33 or refer the matter to another conduct reviewer in accordance with clause 6.2.
- 3.16 Clause 6.4(c) does not apply to an internal ombudsman appointed to Council's panel of conduct reviewers.

The appointment of complaints coordinators

- 3.17 The General Manager must appoint a member of staff of Council or another person (such as, but not limited to, a member of staff of another council or a member of staff of a joint organisation or other regional body associated with council), to act as a complaints coordinator. Where the complaints coordinator is a member of staff, the complaints coordinator should be a senior and suitably qualified member of staff.
- 3.18 The General Manager may appoint other members of staff or other persons (such as, but not limited to, members of staff of another council or members of staff of a joint organisation or other regional body associated with the council), to act as alternates to the complaints coordinator.
- 3.19 The General Manager must not undertake the role of complaints coordinator.
- 3.20 The person appointed as complaints coordinator or alternate complaints coordinator must also be a nominated disclosures coordinator appointed for the purpose of receiving and managing reports of wrongdoing under the *Public Interest Disclosures Act* 1994.
- 3.21 The role of the complaints coordinator is to:
 - a) coordinate the management of complaints made under Council's Code of Conduct Policy
 - b) liaise with and provide administrative support to a conduct reviewer
 - c) liaise with the OLG, and
 - d) arrange the annual reporting of code of conduct complaints statistics.

PART 4 HOW MAY CODE OF CONDUCT COMPLAINTS BE MADE?

What is a code of conduct complaint?

- 4.1 For the purpose of these procedures, a code of conduct complaint is a complaint that shows or tends to show conduct on the part of a Council official in connection with their role as a Council official or the exercise of their functions as a Council official that would constitute a breach of the standards of conduct prescribed under Council's Code of Conduct Policy if proven.
- 4.2 The following are not "code of conduct complaints" for the purposes of these procedures:
 - a) complaints about the standard or level of service provided by Council or a Council official;

- complaints that relate solely to the merits of a decision made by Council or a Council official or the exercise of a discretion by Council or a Council official:
- c) complaints about the policies or procedures of Council; or
- d) complaints about the conduct of a Council official arising from the exercise of their functions in good faith, whether or not involving error, that would not otherwise constitute a breach of the standards of conduct prescribed under Council's Code of Conduct Policy.
- 4.3 Only code of conduct complaints are to be dealt with under these procedures. Complaints that do not satisfy the definition of a code of conduct complaint are to be dealt with under Council's routine complaints management processes.

When must a code of conduct complaint be made?

- 4.4 A code of conduct complaint must be made within 3 months of the alleged conduct occurring or within three months of the complainant becoming aware of the alleged conduct.
- 4.5 A complaint made after 3 months may only be accepted if the General Manager or their delegate, or, in the case of a complaint about the General Manager, the Mayor or their delegate, is satisfied that the allegations are serious and compelling grounds exist for the matter to be dealt with under the Code of Conduct Policy.

<u>How may a code of conduct complaint about a Council official other than the General Manager</u> be made?

- 4.6 All code of conduct complaints other than those relating to the General Manager are to be made to the General Manager in writing. This clause does not operate to prevent a person from making a complaint to an external agency.
- 4.7 Where a code of conduct complaint about a Council official other than the General Manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.8 In making a code of conduct complaint about a Council official other than the General Manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.9 The General Manager or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.10 Notwithstanding clauses 4.6 and 4.7, where the General Manager becomes aware of a possible breach of Council's Code of Conduct Policy, they may initiate the process for the consideration of the matter under these procedures without a written complaint.

How may a code of conduct complaint about the General Manager be made?

- 4.11 Code of conduct complaints about the General Manager are to be made to the Mayor in writing. This clause does not operate to prevent a person from making a complaint about the General Manager to an external agency.
- 4.12 Where a code of conduct complaint about the General Manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.13 In making a code of conduct complaint about the General Manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.14 The Mayor or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.15 Notwithstanding clauses 4.11 and 4.12, where the Mayor becomes aware of a possible breach of Council's Code of Conduct Policy by the General Manager, they may initiate the process for the consideration of the matter under these procedures without a written complaint.

PART 5 HOW ARE CODE OF CONDUCT COMPLAINTS TO BE MANAGED?

Delegation by the General Manager and the Mayor of their functions under this Part

5.1 The General Manager or Mayor may delegate their functions under this Part to a member of staff or to a person or persons external to Council other than an external agency. References in this Part to the General Manager or Mayor are also to be taken to be references to their delegates.

Consideration of complaints by the General Manager and the Mayor

5.2 In exercising their functions under this Part, the General Manager and the Mayor may consider the complaint assessment criteria prescribed under clause 6.31.

What complaints may be declined at the outset?

- 5.3 Without limiting any other provision in these procedures, the General Manager or, in the case of a complaint about the General Manager, the Mayor, may decline to deal with a complaint under these procedures where they are satisfied that the complaint:
 - a) is not a code of conduct complaint, or
 - subject to clause 4.5, is not made within 3 months of the alleged conduct occurring or the complainant becoming aware of the alleged conduct, or
 - c) is trivial, frivolous, vexatious or not made in good faith, or
 - d) relates to a matter the substance of which has previously been considered and addressed by Council and does not warrant further action, or

e) is not made in a way that would allow the alleged conduct and any alleged breaches of Council's Code of Conduct Policy to be readily identified.

How are code of conduct complaints about staff (other than the General Manager) to be dealt with?

- 5.4 The General Manager is responsible for the management of code of conduct complaints about members of staff (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 2 of the Code of Conduct Policy) and for determining the outcome of such complaints.
- 5.5 The General Manager must refer code of conduct complaints about members of staff alleging a breach of the pecuniary interest provisions contained in Part 2 of the Code of Conduct Policy to the OLG.
- 5.6 The General Manager may decide to take no action in relation to a code of conduct complaint about a member of staff other than one requiring referral to the OLG under clause 5.5 where they consider that no action is warranted in relation to the complaint.
- 5.7 Where the General Manager decides to take no action in relation to a code of conduct complaint about a member of staff, the General Manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.8 Code of conduct complaints about members of staff must be managed in accordance with the relevant industrial instrument or employment contract and make provision for procedural fairness including the right of an employee to be represented by their union.
- 5.9 Sanctions for breaches of the Code of Conduct Policy by staff depend on the severity, scale and importance of the breach and must be determined in accordance with any relevant industrial instruments or contracts.

How are code of conduct complaints about delegates of Council, Council advisers and Council committee members to be dealt with?

- 5.10 The General Manager is responsible for the management of code of conduct complaints about delegates of Council and Council committee members (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 2 of the Code of Conduct Policy) and for determining the outcome of such complaints.
- 5.11 The General Manager must refer code of conduct complaints about Council advisers, delegates of Council and Council committee members alleging a breach of the pecuniary interest provisions contained in Part 2 of the Code of Conduct Policy to the OLG.
- 5.12 The General Manager may decide to take no action in relation to a code of conduct complaint about a delegate of Council or a Council committee member other than one requiring referral to the OLG under clause 5.11 where they consider that no action is warranted in relation to the complaint.

- 5.13 Where the General Manager decides to take no action in relation to a code of conduct complaint about a delegate of Council or a Council committee member, the General Manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.14 Where the General Manager considers it to be practicable and appropriate to do so, the General Manager may seek to resolve code of conduct complaints about delegates of Council or Council committee members, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of Council's Code of Conduct Policy.
- 5.15 Where the General Manager resolves a code of conduct complaint under clause 5.14 to the General Manager's satisfaction, the General Manager must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.16 Sanctions for breaches of the Code of Conduct Policy by delegates of Council and/or Council committee members depend on the severity, scale and importance of the breach and may include one or more of the following:
 - a) censure; or
 - requiring the person to apologise to any person or organisation adversely affected by the breach in such a time and form specified by the General Manager; or
 - c) prosecution for any breach of the law; or
 - d) removing or restricting the person's delegation; or
 - e) removing the person from membership of the relevant Council committee.
- 5.17 Prior to imposing a sanction against a delegate of Council or a Council committee member under clause 5.16, the General Manager or any person making enquiries on behalf of the General Manager must comply with the requirements of procedural fairness. In particular:
 - a) the substance of the allegation (including the relevant provision/s of Council's Code of Conduct Policy that the alleged conduct is in breach of) must be put to the person who is the subject of the allegation, and
 - b) the person must be given an opportunity to respond to the allegation, and
 - c) the General Manager must consider the person's response in deciding whether to impose a sanction under clause 5.16.

How are code of conduct complaints about administrators to be dealt with?

- 5.18 The General Manager must refer all code of conduct complaints about Administrators to the OLG for its consideration.
- 5.19 The General Manager must notify the complainant of the referral of their complaint in writing.

How are code of conduct complaints about Councillors to be dealt with?

- 5.20 The General Manager must refer the following code of conduct complaints about Councillors to the OLG:
 - a) complaints alleging a breach of the pecuniary interest provisions contained in Part 2 of the Code of Conduct Policy
 - b) complaints alleging a failure to comply with a requirement under the code of conduct to disclose and appropriately manage conflicts of interest arising from political donations (see section 328B of the Act)
 - c) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the Code of Conduct Policy contained in Part 7 of the code of conduct
 - d) complaints that are the subject of a special complaints management arrangement with the OLG under clause 5.49.
- 5.21 Where the General Manager refers a complaint to the OLG under clause 5.20, the General Manager must notify the complainant of the referral in writing.
- 5.22 The General Manager may decide to take no action in relation to a code of conduct complaint about a Councillor, other than one requiring referral to the OLG under clause 5.20, where they consider that no action is warranted in relation to the complaint.
- 5.23 Where the General Manager decides to take no action in relation to a code of conduct complaint about a Councillor, the General Manager must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.24 Where the General Manager considers it to be practicable and appropriate to do so, the General Manager may seek to resolve code of conduct complaints about Councillors, other than those requiring referral to the OLG under clause 5.20, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of Council's Code of Conduct Policy.
- 5.25 Where the General Manager resolves a code of conduct complaint under clause 5.24 to the General Manager's satisfaction, the General Manager must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.26 The General Manager must refer all code of conduct complaints about Councillors, other than those referred to the OLG under clause 5.20 or finalised under clause 5.23 or resolved under clause 5.24, to the complaints coordinator.

How are code of conduct complaints about the General Manager to be dealt with?

- 5.27 The Mayor must refer the following code of conduct complaints about the General Manager to the OLG:
 - a) complaints alleging a breach of the pecuniary interest provisions contained in Part 2 of the Code of Conduct Policy

- complaints alleging a breach of the provisions relating to the maintenance of the integrity of the Code of Conduct Policy contained in Part 7 of the Code of Conduct Policy
- c) complaints that are the subject of a special complaints management arrangement with the OLG under clause 5.49.
- 5.28 Where the Mayor refers a complaint to the OLG under clause 5.27, the Mayor must notify the complainant of the referral in writing.
- 5.29 The Mayor may decide to take no action in relation to a code of conduct complaint about the General Manager, other than one requiring referral to the OLG under clause 5.27, where they consider that no action is warranted in relation to the complaint.
- 5.30 Where the Mayor decides to take no action in relation to a code of conduct complaint about the General Manager, the Mayor must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.31 Where the Mayor considers it to be practicable and appropriate to do so, the Mayor may seek to resolve code of conduct complaints about the General Manager, other than those requiring referral to the OLG under clause 5.27, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of Council's code of conduct.
- 5.32 Where the Mayor resolves a code of conduct complaint under clause 5.31 to the Mayor's satisfaction, the Mayor must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.33 The Mayor must refer all code of conduct complaints about the General Manager, other than those referred to the OLG under clause 5.27 or finalised under clause 5.30 or resolved under clause 5.31, to the complaints coordinator.

How are complaints about both the General Manager and the Mayor to be dealt with?

- 5.34 Where the General Manager or Mayor receives a code of conduct complaint that alleges a breach of the code of conduct by both the General Manager and the Mayor, the General Manager or Mayor must either:
 - a) delegate their functions under this part with respect to the complaint to a member of staff other than the General Manager where the allegation is not serious, or to a person external to Council, or
 - b) refer the matter to the complaints coordinator under clause 5.26 and clause 5.33.

Referral of code of conduct complaints to external agencies

5.35 The General Manager, Mayor or a conduct reviewer may, at any time, refer a code of conduct complaint to an external agency for its consideration, where they consider such a referral is warranted.

- 5.36 The General Manager, Mayor or a conduct reviewer must report to the ICAC any matter that they suspect on reasonable grounds concerns or may concern corrupt conduct.
- 5.37 Where the General Manager, Mayor or conduct reviewer refers a complaint to an external agency under clause 5.35, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.
- 5.38 Referral of a matter to an external agency shall finalise consideration of the matter under these procedures unless Council is subsequently advised otherwise by the referral agency.

Disclosure of the identity of complainants

- 5.39 In dealing with matters under these procedures, information that identifies or tends to identify complainants is not to be disclosed unless:
 - a) the complainant consents in writing to the disclosure, or
 - b) it is generally known that the complainant has made the complaint as a result of the complainant having voluntarily identified themselves as the person who made the complaint, or
 - c) it is essential, having regard to procedural fairness requirements, that the identifying information be disclosed, or
 - d) a conduct reviewer is of the opinion that disclosure of the information is necessary to investigate the matter effectively, or
 - e) it is otherwise in the public interest to do so.
- 5.40 Clause 5.39 does not apply to code of conduct complaints made by Councillors about other Councillors or the General Manager.
- 5.41 Where a Councillor makes a code of conduct complaint about another Councillor or the General Manager, and the complainant Councillor considers that compelling grounds exist that would warrant information that identifies or tends to identify them as the complainant not to be disclosed, they may request in writing that such information not be disclosed.
- 5.42 A request made by a complainant Councillor under clause 5.41 must be made at the time they make a code of conduct complaint and must state the grounds upon which the request is made.
- 5.43 The General Manager or Mayor, and where the matter is referred to a conduct reviewer, the conduct reviewer, must consider a request made under clause 5.41 before disclosing information that identifies or tends to identify the complainant Councillor, but they are not obliged to comply with the request.
- 5.44 Where a complainant Councillor makes a request under clause 5.41, the General Manager or Mayor or, where the matter is referred to a conduct reviewer, the conduct reviewer, shall notify the Councillor in writing of their intention to disclose information that identifies or tends to identify them prior to disclosing the information.

Code of conduct complaints made as public interest disclosures

- 5.45 These procedures do not override the provisions of the *Public Interest Disclosures Act* 2022. Code of conduct complaints that are made as public interest disclosures under that Act are to be managed in accordance with the requirements of that Act, Council's Public Interest Disclosures Policy, and any guidelines issued by the NSW Ombudsman that relate to the management of public interest disclosures.
- 5.46 Where a Councillor makes a code of conduct complaint about another Councillor or the General Manager as a public interest disclosure, before the matter may be dealt with under these procedures, the complainant Councillor must consent in writing to the disclosure of their identity as the complainant. This clause was inserted when the PID Act 1994 was in force. Clause 5.45 describes how code of conduct complaints made as public interest disclosures are handled.
- 5.47 Where a complainant Councillor declines to consent to the disclosure of their identity as the complainant under clause 5.46, the General Manager or the Mayor must refer the complaint to the OLG for consideration. Such a referral must be made under section 26 of the *Public Interest Disclosures Act 1994*. This clause was inserted when the PID Act 1994 was in force. Clause 5.45 describes how code of conduct complaints made as public interest disclosures are handled.

Special complaints management arrangements

- 5.48 The General Manager may request in writing that the OLG enter into a special complaints management arrangement with Council in relation to code of conduct complaints made by or about a person or persons.
- 5.49 Where the OLG receives a request under clause 5.48, it may agree to enter into a special complaints management arrangement if it is satisfied that the number or nature of code of conduct complaints made by or about a person or persons has:
 - a) imposed an undue and disproportionate cost burden on Council's administration of its Code of Conduct Policy, or
 - b) impeded or disrupted the effective administration by Council of its Code of Conduct Policy, or
 - c) impeded or disrupted the effective functioning of Council.
- 5.50 A special complaints management arrangement must be in writing and must specify the following:
 - a) the code of conduct complaints the arrangement relates to, and
 - b) the period that the arrangement will be in force.
- 5.51 The OLG may, by notice in writing, amend or terminate a special complaints management arrangement at any time.
- 5.52 While a special complaints management arrangement is in force, an officer of the OLG (the assessing OLG officer) must undertake the preliminary assessment of the code of conduct complaints specified in the arrangement in accordance with the requirements of Part 6 of these procedures.

- 5.53 Where, following a preliminary assessment, the assessing OLG officer determines that a code of conduct complaint warrants investigation by a conduct reviewer, the assessing OLG officer shall notify the complaints coordinator in writing of their determination and the reasons for their determination. The complaints coordinator must comply with the recommendation of the assessing OLG officer.
- 5.54 Prior to the expiry of a special complaints management arrangement, the OLG may, at the request of the General Manager, review the arrangement to determine whether it should be renewed or amended.
- 5.55 A special complaints management arrangement shall expire on the date specified in the arrangement unless renewed under clause 5.54.

PART 6 PRELIMINARY ASSESSMENT OF CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS OR THE GENERAL MANAGER BY CONDUCT REVIEWERS

<u>Referral of code of conduct complaints about Councillors or the General Manager to conduct</u> reviewers

- 6.1 The complaints coordinator must refer all code of conduct complaints about Councillors or the General Manager that have not been referred to an external agency or declined or resolved by the General Manager, Mayor or their delegate and that have been referred to them under clauses 5.26 or 5.33, to a conduct reviewer within 21 days of receipt of the complaint by the General Manager or the Mayor.
- 6.2 For the purposes of clause 6.1, the complaints coordinator will refer a complaint to a conduct reviewer selected from:
 - a) a panel of conduct reviewers established by Council, or
 - b) a panel of conduct reviewers established by an organisation approved by the OLG.
- 6.3 In selecting a suitable conduct reviewer, the complaints coordinator may have regard to the qualifications and experience of members of the panel of conduct reviewers. Where the conduct reviewer is an incorporated or other entity, the complaints coordinator must also ensure that the person assigned to receive the referral on behalf of the entity meets the selection and eligibility criteria for conduct reviewers prescribed under Part 3 of these procedures.
- 6.4 A conduct reviewer must not accept the referral of a code of conduct complaint where:
 - a) they have a conflict of interest in relation to the matter referred to them, or
 - b) a reasonable apprehension of bias arises in relation to their consideration of the matter, or
 - c) they or their employer has entered into one or more contracts with Council (other than contracts relating to the exercise of their functions as a conduct reviewer) in the 2 years preceding the referral, and they or their employer have received or expect to receive payments under the contract or contracts of a value that, when aggregated, exceeds \$100,000, or
 - at the time of the referral, they or their employer are Council's legal service provider or are a member of a panel of legal service providers appointed by Council.

- 6.5 For the purposes of clause 6.4(a), a conduct reviewer will have a conflict of interest in a matter where a reasonable and informed person would perceive that they could be influenced by a private interest when carrying out their public duty (see clause 3.2 of the Code of Conduct Policy).
- 6.6 For the purposes of clause 6.4(b), a reasonable apprehension of bias arises where a fairminded observer might reasonably apprehend that the conduct reviewer might not bring an impartial and unprejudiced mind to the matter referred to the conduct reviewer.
- 6.7 Where the complaints coordinator refers a matter to a conduct reviewer, they will provide the conduct reviewer with a copy of the code of conduct complaint and any other information relevant to the matter held by Council, including any information about previous proven breaches and any information that would indicate that the alleged conduct forms part of an ongoing pattern of behaviour.
- 6.8 The complaints coordinator must notify the complainant in writing that the matter has been referred to a conduct reviewer, and advise which conduct reviewer the matter has been referred to.
- 6.9 Conduct reviewers must comply with these procedures in their consideration of matters that have been referred to them and exercise their functions in a diligent and timely manner.
- 6.10 The complaints coordinator may at any time terminate the referral of a matter to a conduct reviewer and refer the matter to another conduct reviewer where the complaints coordinator is satisfied that the conduct reviewer has failed to:
 - a) comply with these procedures in their consideration of the matter, or
 - comply with a lawful and reasonable request by the complaints coordinator, or
 - c) exercise their functions in a timely or satisfactory manner.
- 6.11 Where the complaints coordinator terminates a referral to a conduct reviewer under clause 6.10, they must notify the complainant and any other affected person in writing of their decision and the reasons for it and advise them which conduct reviewer the matter has been referred to instead.

<u>Preliminary assessment of code of conduct complaints about Councillors or the General</u> Manager by a conduct reviewer

- 6.12 The conduct reviewer is to undertake a preliminary assessment of a complaint referred to them by the complaints coordinator for the purposes of determining how the complaint is to be managed.
- 6.13 The conduct reviewer may determine to do one or more of the following in relation to a complaint referred to them by the complaints coordinator:
 - a) to take no action; or
 - b) to resolve the complaint by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal

- discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour; or
- c) to refer the matter back to the General Manager or, in the case of a complaint about the General Manager, the Mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour; or
- d) to refer the matter to an external agency; or
- e) to investigate the matter.
- 6.14 In determining how to deal with a matter under clause 6.13, the conduct reviewer must have regard to the complaint assessment criteria prescribed under clause 6.31.
- 6.15 The conduct reviewer may make such enquiries the conduct reviewer considers to be reasonably necessary to determine what options to exercise under clause 6.13.
- 6.16 The conduct reviewer may request the complaints coordinator to provide such additional information the conduct reviewer considers to be reasonably necessary to determine what options to exercise in relation to the matter under clause 6.13. The complaints coordinator will, as far as is reasonably practicable, supply any information requested by the conduct reviewer.
- 6.17 The conduct reviewer must refer to the OLG any complaints referred to them that should have been referred to the OLG under clauses 5.20 and 5.27.
- 6.18 The conduct reviewer must determine to take no action on a complaint that is not a code of conduct complaint for the purposes of these procedures.
- 6.19 The resolution of a code of conduct complaint under clause 6.13, paragraphs (b) or (c) is not to be taken as a determination that there has been a breach of Council's Code of Conduct Policy.
- 6.20 Where the conduct reviewer completes their preliminary assessment of a complaint by determining to exercise an option under clause 6.13, paragraphs (a), (b) or (c), they must provide the complainant with written notice of their determination and provide reasons for it, and this will finalise consideration of the matter under these procedures.
- 6.21 Where the conduct reviewer refers a complaint to an external agency, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.
- 6.22 The conduct reviewer may only determine to investigate a matter where they are satisfied as to the following:
 - a) that the complaint is a code of conduct complaint for the purposes of these procedures, and
 - that the alleged conduct is sufficiently serious to warrant the formal censure of a Councillor under section 440G of the Act or disciplinary action against the General Manager under their contract of employment if it were to be proven, and
 - c) that the matter is one that could not or should not be resolved by alternative means.

- 6.23 In determining whether a matter is sufficiently serious to warrant formal censure of a Councillor under section 440G of the Act or disciplinary action against the General Manager under their contract of employment, the conduct reviewer is to consider the following:
 - a) the harm or cost that the alleged conduct has caused to any affected individuals and/or Council;
 - b) the likely impact of the alleged conduct on the reputation of Council and public confidence in it;
 - c) whether the alleged conduct was deliberate or undertaken with reckless intent or negligence; and
 - d) any previous proven breaches by the person whose alleged conduct is the subject of the complaint and/or whether the alleged conduct forms part of an ongoing pattern of behaviour.
- 6.24 The conduct reviewer must complete their preliminary assessment of the complaint within 28 days of referral of the matter to them by the complaints coordinator and notify the complaints coordinator in writing of the outcome of their assessment.
- 6.25 The conduct reviewer is not obliged to give prior notice to or to consult with any person before making a determination in relation to their preliminary assessment of a complaint, except as may be specifically required under these procedures.

Referral back to the General Manager or Mayor for resolution

- 6.26 Where the conduct reviewer determines to refer a matter back to the General Manager or to the Mayor to be resolved by alternative and appropriate means, they must write to the General Manager or, in the case of a complaint about the General Manager, to the Mayor, recommending the means by which the complaint may be resolved.
- 6.27 The conduct reviewer must consult with the General Manager or Mayor prior to referring a matter back to them under clause 6.13(c).
- 6.28 The General Manager or Mayor may decline to accept the conduct reviewer's recommendation. In such cases, the conduct reviewer may determine to deal with the complaint by other means under clause 6.13.
- 6.29 Where the conduct reviewer refers a matter back to the General Manager or Mayor under clause 6.13(c), the General Manager or, in the case of a complaint about the General Manager, the Mayor, is responsible for implementing or overseeing the implementation of the conduct reviewer's recommendation.
- 6.30 Where the conduct reviewer refers a matter back to the General Manager or Mayor under clause 6.13(c), the General Manager, or, in the case of a complaint about the General Manager, the Mayor, must advise the complainant in writing of the steps taken to implement the conduct reviewer's recommendation once these steps have been completed.

Complaints assessment criteria

- 6.31 In undertaking the preliminary assessment of a complaint, the conduct reviewer must have regard to the following considerations:
 - a) whether the complaint is a code of conduct complaint for the purpose of these procedures;
 - b) whether the complaint has been made in a timely manner in accordance with clause 4.4, and if not, whether the allegations are sufficiently serious for compelling grounds to exist for the matter to be dealt with under Council's Code of Conduct Policy
 - c) whether the complaint is trivial, frivolous, vexatious or not made in good faith;
 - d) whether the complaint discloses prima facie evidence of conduct that, if proven, would constitute a breach of the Code of Conduct;
 - e) whether the complaint raises issues that would be more appropriately dealt with by an external agency;
 - f) whether there is or was an alternative and satisfactory means of redress available in relation to the conduct complained of;
 - g) whether the complaint is one that can be resolved by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour;
 - h) whether the issue/s giving rise to the complaint have previously been addressed or resolved;
 - i) any previous proven breaches of Council's Code of Conduct Policy;
 - j) whether the conduct complained of forms part of an ongoing pattern of behaviour;
 - k) whether there were mitigating circumstances giving rise to the conduct complained of;
 - the seriousness of the alleged conduct (having regard to the criteria specified in clause 6.23);
 - m) the significance of the conduct or the impact of the conduct for Council
 - n) how much time has passed since the alleged conduct occurred; and
 - o) such other considerations that the conduct reviewer considers may be relevant to the assessment of the complaint.

PART 7 INVESTIGATIONS OF CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS OR THE GENERAL MANAGER

What matters may a conduct reviewer investigate?

- 7.1 A conduct reviewer (hereafter referred to as an "investigator") may investigate a code of conduct complaint that has been referred to them by the complaints coordinator and any matters related to or arising from that complaint.
- 7.2 Where an investigator identifies further separate possible breaches of the Code of Conduct Policy that are not related to or do not arise from the code of conduct complaint that has been referred to them, they are to report the matters separately in writing to the General Manager, or, in the case of alleged conduct on the part of the General Manager, to the Mayor.

7.3 The General Manager or the Mayor or their delegate is to deal with a matter reported to them by an investigator under clause 7.2 as if it were a new code of conduct complaint in accordance with these procedures.

How are investigations to be commenced?

- 7.4 The investigator must at the outset of their investigation provide a written notice of investigation to the respondent. The notice of investigation must:
 - a) disclose the substance of the allegations against the respondent; and
 - b) advise of the relevant provisions of the code of conduct that apply to the alleged conduct; and
 - c) advise of the process to be followed in investigating the matter; and
 - d) advise the respondent of the requirement to maintain confidentiality; and
 - e) invite the respondent to make a written submission in relation to the matter within a period of not less than 14 days specified by the investigator in the notice; and
 - f) provide the respondent the opportunity to address the investigator on the matter within such reasonable time specified in the notice.
- 7.5 The respondent may, within 7 days of receipt of the notice of investigation, request in writing that the investigator provide them with such further information they consider necessary to assist them to identify the substance of the allegation against them. An investigator will only be obliged to provide such information that the investigator considers reasonably necessary for the respondent to identify the substance of the allegation against them.
- 7.6 An investigator may at any time prior to issuing a draft report, issue an amended notice of investigation to the respondent in relation to the matter referred to them.
- 7.7 Where an investigator issues an amended notice of investigation, they must provide the respondent with a further opportunity to make a written submission in response to the amended notice of investigation within a period of not less than 14 days specified by the investigator in the amended notice.
- 7.8 The investigator must also, at the outset of their investigation, provide written notice of the investigation to the complainant, the complaints coordinator and the General Manager, or in the case of a complaint about the General Manager, to the complainant, the complaints coordinator and the mayor. The notice must:
 - a) advise them of the matter the investigator is investigating; and
 - b) in the case of the notice to the complainant, advise them of the requirement to maintain confidentiality; and
 - c) invite the complainant to make a written submission in relation to the matter within a period of not less than 14 days specified by the investigator in the notice.

Written and oral submissions

7.9 Where the respondent or the complainant fails to make a written submission in relation to the matter within the period specified by the investigator in their notice of

- investigation or amended notice of investigation, the investigator may proceed to prepare their draft report without receiving such submissions.
- 7.10 The investigator may accept written submissions received outside the period specified in the notice of investigation or amended notice of investigation.
- 7.11 Prior to preparing a draft report, the investigator must give the respondent an opportunity to address the investigator on the matter being investigated. The respondent may do so in person or by telephone or other electronic means.
- 7.12 Where the respondent fails to accept the opportunity to address the investigator within the period specified by the investigator in the notice of investigation, the investigator may proceed to prepare a draft report without hearing from the respondent.
- 7.13 Where the respondent accepts the opportunity to address the investigator in person, they may have a support person or legal adviser in attendance. The support person or legal adviser will act in an advisory or support role to the respondent only. They must not speak on behalf of the respondent or otherwise interfere with or disrupt proceedings.
- 7.14 The investigator must consider all written and oral submissions made to them in relation to the matter.

How are investigations to be conducted?

- 7.15 Investigations are to be undertaken without undue delay.
- 7.16 Investigations are to be undertaken in the absence of the public and in confidence.
- 7.17 Investigators must make any such enquiries that may be reasonably necessary to establish the facts of the matter.
- 7.18 Investigators may seek such advice or expert guidance that may be reasonably necessary to assist them with their investigation or the conduct of their investigation.
- 7.19 An investigator may request that the complaints coordinator provide such further information that the investigator considers may be reasonably necessary for them to establish the facts of the matter. The complaints coordinator will, as far as is reasonably practicable, provide the information requested by the investigator.

Referral or resolution of a matter after the commencement of an investigation

- 7.20 At any time after an investigator has issued a notice of investigation and before they have issued their final report, an investigator may determine to:
 - a) resolve the matter by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour; or
 - b) refer the matter to the General Manager, or, in the case of a complaint about the General Manager, to the Mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling,

- training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour; or
- c) refer the matter to an external agency.
- 7.21 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they must do so in accordance with the requirements of Part 6 of these procedures relating to the exercise of these options at the preliminary assessment stage.
- 7.22 The resolution of a code of conduct complaint under clause 7.20, paragraphs (a) or (b) is not to be taken as a determination that there has been a breach of the Council's Code of Conduct Policy.
- 7.23 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they may by written notice to the respondent, the complainant, the complaints coordinator and the General Manager, or in the case of a complaint about the General Manager, to the respondent, the complainant, the complaints coordinator and the Mayor, discontinue their investigation of the matter.
- 7.24 Where the investigator discontinues their investigation of a matter under clause 7.23, this shall finalise the consideration of the matter under these procedures.
- 7.25 An investigator is not obliged to give prior notice to or to consult with any person before making a determination to exercise any of the options under clause 7.20 or to discontinue their investigation except as may be specifically required under these procedures.

Draft investigation reports

- 7.26 When an investigator has completed their enquiries and considered any written or oral submissions made to them in relation to a matter, they must prepare a draft of their proposed report.
- 7.27 The investigator must provide their draft report to the respondent and invite them to make a written submission in relation to it within a period of not less than 14 days specified by the investigator.
- 7.28 Where the investigator proposes to make adverse comment about any other person (an affected person) in their report, they must also provide the affected person with relevant extracts of their draft report containing such comment and invite the affected person to make a written submission in relation to it within a period of not less than 14 days specified by the investigator.
- 7.29 The investigator must consider written submissions received in relation to the draft report prior to finalising their report in relation to the matter.
- 7.30 The investigator may, after consideration of all written submissions received in relation to their draft report, make further enquiries into the matter. If, as a result of making further enquiries, the investigator makes any material change to their proposed report that makes new adverse comment about the respondent or an affected person, they

- must provide the respondent or affected person as the case may be with a further opportunity to make a written submission in relation to the new adverse comment.
- 7.31 Where the respondent or an affected person fails to make a written submission in relation to the draft report within the period specified by the investigator, the investigator may proceed to prepare and issue their final report without receiving such submissions.
- 7.32 The investigator may accept written submissions in relation to the draft report received outside the period specified by the investigator at any time prior to issuing their final report.

Final investigation reports

- 7.33 Where an investigator issues a notice of investigation, they must prepare a final report in relation to the matter unless the investigation is discontinued under clause 7.23.
- 7.34 An investigator must not prepare a final report in relation to the matter at any time before they have finalised their consideration of the matter in accordance with the requirements of these procedures.
- 7.35 The investigator's final report must:
 - a) make findings of fact in relation to the matter investigated, and,
 - b) make a determination that the conduct investigated either,
 - i. constitutes a breach of the Code of Conduct Policy, or
 - ii. does not constitute a breach of the Code of Conduct Policy, and
 - c) provide reasons for the determination.
- 7.36 At a minimum, the investigator's final report must contain the following information:
 - a) a description of the allegations against the respondent;
 - b) the relevant provisions of the Code of Conduct Policy that apply to the alleged conduct investigated;
 - a statement of reasons as to why the matter warranted investigation (having regard to the criteria specified in clause 6.23);
 - d) a statement of reasons as to why the matter was one that could not or should not be resolved by alternative means;
 - e) a description of any attempts made to resolve the matter by use of alternative means;
 - f) the steps taken to investigate the matter;
 - g) the facts of the matter;
 - h) the investigator's findings in relation to the facts of the matter and the reasons for those findings;
 - i) the investigator's determination and the reasons for that determination; and
 - j) any recommendations.
- 7.37 Where the investigator determines that the conduct investigated constitutes a breach of the Code of Conduct Policy, the investigator may recommend:
 - a) in the case of a breach by the General Manager, that disciplinary action be taken under the General Manager's contract of employment for the breach; or

- b) in the case of a breach by a Councillor, that the Councillor be formally censured for the breach under section 440G of the Act; or
- c) in the case of a breach by a Councillor, that the Council resolves as follows:
 - that the Councillor be formally censured for the breach under section 440G of the Act; and
 - ii. that the matter be referred to the OLG for further action under the misconduct provisions of the Act.
- 7.38 Where the investigator proposes to make a recommendation under clause 7.37(c), the investigator must first consult with the OLG on their proposed findings, determination and recommendation prior to finalising their report, and must take any comments by the OLG into consideration when finalising their report.
- 7.39 Where the investigator has determined that there has been a breach of the Code of Conduct Policy, the investigator may, in addition to making a recommendation under clause 7.37, recommend that Council revise any of its policies, practices or procedures.
- 7.40 Where the investigator determines that the conduct investigated does not constitute a breach of the Code of Conduct Policy, the investigator may recommend:
 - a) that the Council revise any of its policies, practices or procedures; or
 - b) that a person or persons undertake any training or other education.
- 7.41 The investigator must provide a copy of their report to the complaints coordinator and the respondent.
- 7.42 At the time the investigator provides a copy of their report to the complaints coordinator and the respondent, the investigator must provide the complainant with a written statement containing the following information:
 - a) the investigator's findings in relation to the facts of the matter and the reasons for those findings;
 - b) the investigator's determination and the reasons for that determination;
 - c) any recommendations; and
 - d) such other additional information that the investigator considers may be relevant.
- 7.43 Where the investigator has determined that there has not been a breach of the Code of Conduct Policy, the complaints coordinator must provide a copy of the investigator's report to the General Manager or, where the report relates to the General Manager's conduct, to the Mayor, and this will finalise consideration of the matter under these procedures.
- 7.44 Where the investigator has determined that there has been a breach of the Code of Conduct Policy and makes a recommendation under clause 7.37, the complaints coordinator must, where practicable, arrange for the investigator's report to be reported to the next ordinary Council meeting for Council's consideration, unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case the report must be reported to the first ordinary council meeting following the election.
- 7.45 Where it is apparent to the complaints coordinator that Council will not be able to form a quorum to consider the investigator's report, the complaints coordinator must refer

the investigator's report to the OLG for its consideration instead of reporting it to Council under clause 7.44.

Consideration of the final investigation report by Council

- 7.46 The role of Council in relation to a final investigation report is to impose a sanction if the investigator has determined that there has been a breach of the Code of Conduct Policy and has made a recommendation in their final report under clause 7.37.
- 7.47 Council is to close its meeting to the public to consider the final investigation report in cases where it is permitted to do so under section 10A of the Act.
- 7.48 Where the complainant is a Councillor, they must absent themselves from the meeting and take no part in any discussion or voting on the matter. The complainant Councillor may absent themselves without making any disclosure of interest in relation to the matter unless otherwise required to do so under the Code of Conduct Policy.
- 7.49 Prior to imposing a sanction, Council must provide the respondent with an opportunity to make a submission to Council. A submission may be made orally or in writing. The respondent is to confine their submission to addressing the investigator's recommendation.
- 7.50 Once the respondent has made their submission they must absent themselves from the meeting and, where they are a Councillor, take no part in any discussion or voting on the matter.
- 7.51 Council must not invite submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigator.
- 7.52 Prior to imposing a sanction, Council may by resolution:
 - a) request that the investigator make additional enquiries and/or provide additional information to it in a supplementary report, or
 - b) seek an opinion from the OLG in relation to the report.
- 7.53 Council may, by resolution, defer further consideration of the matter pending the receipt of a supplementary report from the investigator or an opinion from the OLG.
- 7.54 The investigator may make additional enquiries for the purpose of preparing a supplementary report.
- 7.55 Where the investigator prepares a supplementary report, they must provide copies to the complaints coordinator who shall provide a copy each to Council and the respondent.
- 7.56 The investigator is not obliged to notify or consult with any person prior to submitting the supplementary report to the complaints coordinator.
- 7.57 Council is only required to provide the respondent a further opportunity to make an oral or written submission on a supplementary report if the supplementary report contains new information that is adverse to them.

- 7.58 Council may by resolution impose one of the following sanctions on a respondent:
 - a) in the case of a breach by the General Manager, that disciplinary action be taken under the General Manager's contract of employment for the breach; or
 - b) in the case of a breach by a Councillor, that the Councillor be formally censured for the breach under section 440G of the Act; or
 - c) in the case of a breach by a Councillor:
 - that the Councillor be formally censured for the breach under section 440G of the Act, and
 - ii. that the matter be referred to the OLG for further action under the misconduct provisions of the Act.
- 7.59 Where Council censures a Councillor under section 440G of the Act, Council must specify in the censure resolution the grounds on which it is satisfied that the Councillor should be censured by disclosing in the resolution, the investigator's findings and determination and/or such other grounds that Council considers may be relevant or appropriate.
- 7.60 Council is not obliged to adopt the investigator's recommendation. Where Council proposes not to adopt the investigator's recommendation, Council must resolve not to adopt the recommendation and state in its resolution the reasons for its decision.
- 7.61 Where Council resolves not to adopt the investigator's recommendation, the complaints coordinator must notify the OLG of Council's decision and the reasons for it.

PART 8 OVERSIGHT AND RIGHTS OF REVIEW

The OLG's powers of review

- 8.1 The OLG may, at any time, whether or not in response to a request, review the consideration of a matter under Council's Code of Conduct Policy where it is concerned that a person has failed to comply with a requirement prescribed under these procedures or has misinterpreted or misapplied the standards of conduct prescribed under the Code of Conduct Policy in their consideration of a matter.
- 8.2 The OLG may direct any person, including Council, to defer taking further action in relation to a matter under consideration under Council's code of conduct pending the completion of its review. Any person the subject of a direction must comply with the direction.
- 8.3 Where the OLG undertakes a review of a matter under clause 8.1, it will notify the complaints coordinator and any other affected persons, of the outcome of the review.

Complaints about conduct reviewers

8.4 The General Manager or their delegate must refer code of conduct complaints about conduct reviewers to the OLG for its consideration.

- 8.5 The General Manager must notify the complainant of the referral of their complaint about the conduct reviewer in writing.
- 8.6 The General Manager must implement any recommendation made by the OLG as a result of its consideration of a complaint about a conduct reviewer.

Practice rulings

- 8.7 Where a respondent and an investigator are in dispute over a requirement under these procedures, either person may make a request in writing to the OLG to make a ruling on a question of procedure (a practice ruling).
- 8.8 Where the OLG receives a request in writing for a practice ruling, the OLG may provide notice in writing of its ruling and the reasons for it to the person who requested it and to the investigator, where that person is different.
- 8.9 Where the OLG makes a practice ruling, all parties must comply with it.
- 8.10 The OLG may decline to make a practice ruling. Where the OLG declines to make a practice ruling, it will provide notice in writing of its decision and the reasons for it to the person who requested it and to the investigator, where that person is different.

Review of decisions to impose sanctions

- 8.11 A person who is the subject of a sanction imposed under Part 7 of these procedures other than one imposed under clause 7.58, paragraph (c), may, within 28 days of the sanction being imposed, seek a review of the investigator's determination and recommendation by the OLG.
- 8.12 A review under clause 8.11 may be sought on the following grounds:
 - a) that the investigator has failed to comply with a requirement under these procedures; or
 - b) that the investigator has misinterpreted or misapplied the standards of conduct prescribed under the Code of Conduct Policy; or
 - c) that in imposing its sanction, Council has failed to comply with a requirement under these procedures.
- 8.13 A request for a review made under clause 8.11 must be made in writing and must specify the grounds upon which the person believes the investigator or Council has erred.
- 8.14 The OLG may decline to conduct a review, in cases where the grounds upon which the review is sought are not sufficiently specified.
- 8.15 The OLG may undertake a review of a matter without receiving a request under clause 8.11.
- 8.16 The OLG will undertake a review of the matter on the papers. However, the OLG may request that the complaints coordinator provide such further information that the OLG considers reasonably necessary for it to review the matter. The complaints coordinator must, as far as is reasonably practicable, provide the information requested by the OLG.

- 8.17 Where a person requests a review under clause 8.11, the OLG may direct Council to defer any action to implement a sanction. Council must comply with a direction to defer action by the OLG.
- 8.18 The OLG must notify the person who requested the review and the complaints coordinator of the outcome of the OLG's review in writing and the reasons for its decision. In doing so, the OLG may comment on any other matters the OLG considers to be relevant.
- 8.19 Where the OLG considers that the investigator or Council has erred, the OLG may recommend that a decision to impose a sanction under these procedures be reviewed. Where the OLG recommends that the decision to impose a sanction be reviewed:
 - a) the complaints coordinator must, where practicable, arrange for the OLG's determination to be tabled at the next ordinary Council meeting unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case it must be tabled at the first ordinary council meeting following the election, and
 - b) council must:
 - i. review its decision to impose the sanction; and
 - ii. consider the OLG's recommendation in doing so; and
 - iii. resolve to either rescind or reaffirm its previous resolution in relation to the matter.
- 8.20 Where, having reviewed its previous decision in relation to a matter under clause 8.19(b), Council resolves to reaffirm its previous decision, Council must state in its resolution its reasons for doing so.

PART 9 PROCEDURAL IRREGULARITIES

- 9.1 A failure to comply with these procedures does not, on its own, constitute a breach of the Code of Conduct Policy, except as may be otherwise specifically provided under the Code of Conduct Policy.
- 9.2 A failure to comply with these procedures will not render a decision made in relation to a matter invalid where:
 - a) the non-compliance is isolated and/or minor in nature; or
 - b) reasonable steps are taken to correct the non-compliance; or
 - c) reasonable steps are taken to address the consequences of the non-compliance.

PART 10 PRACTICE DIRECTIONS

- 10.1 The OLG may at any time issue a practice direction in relation to the application of these procedures.
- 10.2 The OLG will issue practice directions in writing, by circular to all councils.

10.3 All persons performing a function prescribed under these procedures must consider the OLG's practice directions when performing the function.

PART 11 REPORTING STATISTICS ON CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS AND THE GENERAL MANAGER

- 11.1 The complaints coordinator must arrange for the following statistics to be reported to Council within 3 months of the end of September of each year:
 - a) the total number of code of conduct complaints made about Councillors and the General Manager under the code of conduct in the year to September (the reporting period);
 - the number of code of conduct complaints referred to a conduct reviewer during the reporting period;
 - the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints;
 - d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period;
 - e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period;
 - f) the number of matters reviewed by the OLG during the reporting period and, without identifying particular matters, the outcome of the reviews; and
 - g) the total cost of dealing with code of conduct complaints made about Councillors and the General Manager during the reporting period, including staff costs.
- 11.2 Council is to provide the OLG with a report containing the statistics referred to in clause 11.1 within 3 months of the end of September of each year.

PART 12 CONFIDENTIALITY

- 12.1 Information about code of conduct complaints and the management and investigation of code of conduct complaints is to be treated as confidential and is not to be publicly disclosed except as may be otherwise specifically required or permitted under these procedures.
- 12.2 Where a complainant publicly discloses information on one or more occasions about a code of conduct complaint they have made or purported to make, the General Manager or their delegate may, with the consent of the OLG, determine that the complainant is to receive no further information about their complaint and any future code of conduct complaint they make or purport to make.
- 12.3 Prior to seeking the OLG's consent under clause 12.2, the General Manager or their delegate must give the complainant written notice of their intention to seek the OLG's consent, invite them to make a written submission within a period of not less than 14 days specified by the General Manager or their delegate, and consider any submission made by them.

- 12.4 In giving its consent under clause 12.2, the OLG must consider any submission made by the complainant to the General Manager or their delegate.
- 12.5 The General Manager or their delegate must give written notice of a determination made under clause 12.2 to:
 - a) the complainant;
 - b) the complaints coordinator
 - c) the OLG, and
 - d) any other person the General Manager or their delegate considers should be notified of the determination.
- 12.6 Any requirement under these procedures that a complainant is to be provided with information about a code of conduct complaint that they have made or purported to make, will not apply to a complainant the subject of a determination made by the General Manager or their delegate under clause 12.2.
- 12.7 Clause 12.6 does not override any entitlement a person may have to access to council information under the *Government Information (Public Access) Act 2009* or to receive information under the *Public Interest Disclosures Act 2022* in relation to a complaint they have made.



WENTWORTH SHIRE COUNCIL

CODE OF MEETING PRACTICE

(Policy GOV018, based on the 2021 Model Code of Meeting Practice)

GOV018 WSC Code of Meeting Practice (DOC/**/**)

WSC CODE OF MEETING PRACTICE

This Code of Meeting Practice is based on the 2021 Model Code of Meeting Practice for Local Councils in NSW.

ACCESS TO SERVICES

Main Administration Office

Wentworth Visitor Centre

Street Address: 61 Darling Street, Wentworth, NSW 2648

OFFICE HOURS Monday to Friday 8.30am to 5.00pm

Postal Address: PO Box 81, Wentworth, NSW 2648

Phone: 03 5027 5027 Fax: 03 5027 5000

Email: <u>council@wentworth.nsw.gov.au</u>
Website: <u>www.wentworth.nsw.gov.au</u>

Midway Service Centre

Street Address: Midway Drive, Buronga, NSW 2739

OFFICE HOURSMonday to Friday
9.00am to 5.00pm

Postal Address: PO Box 81, Wentworth, NSW 2648

Phone: 03 5027 5027 Fax: 03 5027 5000

Email: <u>council@wentworth.nsw.gov.au</u>
Website: <u>www.wentworth.nsw.gov.au</u>

DISCLAIMER

While every effort has been made to ensure the accuracy of the information in this publication, the Wentworth Shire Council expressly disclaims any liability to any person in respect of anything done or not done as a result of the contents of the publication or the data provided.

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GOV018 WSC Code of Meeting Practice (DOC/**/**)

1 INTRODUCTION

This Code of Meeting Practice is based on the Model Code of Meeting Practice for Local Councils in NSW (the Model Meeting Code) is made under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulation).

This code applies to all meetings of councils and committees of councils of which all the members are councillors (committees of council). Council committees whose members include persons other than councillors may adopt their own rules for meetings unless the council determines otherwise.

In accordance with the requirements of the Act councils must adopt a code of meeting practice that incorporates the mandatory provisions of the Model Meeting Code.

A council's adopted code of meeting practice may also incorporate the non-mandatory provisions of the Model Meeting Code and other supplementary provisions. However, a code of meeting practice adopted by a council must not contain provisions that are inconsistent with the mandatory provisions of this Model Meeting Code.

Additional provisions made by resolution of the Wentworth Shire Council have been inserted using bold italicised font *(bold italicised font)*.

A council and a committee of the council of which all the members are councillors must conduct its meetings in accordance with the code of meeting practice adopted by the council.

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2 MEETING PRINCIPLES

2.1 Council and committee meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the

Act.

Trusted: The community has confidence that councillors and staff act ethically and

make decisions in the interests of the whole community.

Respectful: Councillors, staff and meeting attendees treat each other with respect.

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to

the orderly conduct of the meeting.

3 BEFORE THE MEETING

Timing of ordinary council meetings

3.1 Not Applicable.

3.2 The council shall, by resolution, set the frequency, time, date and place of its ordinary meetings.

Note: Under section 365 of the Act, councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a council is required to meet each year under section 365A.

Note: Under section 396 of the Act, county councils are required to meet at least four (4) times each year.

Note: Under section 400T of the Act, boards of joint organisations are required to meet at least four (4) times each year, each in a different quarter of the year.

Extraordinary meetings

3.3 If the mayor receives a request in writing, signed by at least two (2) councillors, the mayor must call an extraordinary meeting of the council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The mayor can be one of the two councillors requesting the meeting.

Note: Clause 3.3 reflects section 366 of the Act.

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Notice to the public of council meetings

The council must give notice to the public of the time, date and place of each of its meetings, including extraordinary meetings and of each meeting of committees of the council.

Note: Clause 3.4 reflects section 9(1) of the Act.

- 3.5 For the purposes of clause 3.4, notice of a meeting of the council and of a committee of council is to be published before the meeting takes place. The notice must be published on the council's website, and in such other manner that the council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.
- 3.6 For the purposes of clause 3.4, notice of more than one (1) meeting may be given in the same notice.

Notice to councillors of ordinary council meetings

3.7 The general manager must send to each councillor, at least three (3) days before each meeting of the council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting.

Note: Clause 3.7 reflects section 367(1) of the Act.

The notice and the agenda for, and the business papers relating to, the meeting may be given to councillors in electronic form, but only if all councillors have facilities to access the notice, agenda and business papers in that form.

Note: Clause 3.8 reflects section 367(3) of the Act.

Notice to councillors of extraordinary meetings

3.9 Notice of less than three (3) days may be given to councillors of an extraordinary meeting of the council in cases of emergency.

Note: Clause 3.9 reflects section 367(2) of the Act.

Giving notice of business to be considered at council meetings

- 3.10 A councillor may give notice of any business they wish to be considered by the council at its next ordinary meeting by way of a notice of motion. To be included on the agenda of the meeting, the notice of motion must be in writing and must be submitted **seven (7)** business days before the meeting is to be held.
- 3.11 A councillor may, in writing to the general manager, request the withdrawal of a notice of motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.12 If the general manager considers that a notice of motion submitted by a councillor for consideration at an ordinary meeting of the council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the general manager may prepare a report in relation to the notice of motion for inclusion with the business papers for the meeting at which the notice of motion is to be considered by the council.

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3.13 Not Applicable

Questions with notice

- 3.14 A councillor may, by way of a notice submitted under clause 3.10, ask a question for response by the general manager about the performance or operations of the council.
- 3.15 A councillor is not permitted to ask a question with notice under clause 3.14 that comprises a complaint against the general manager or a member of staff of the council, or a question that implies wrongdoing by the general manager or a member of staff of the council.
- 3.16 The general manager or their nominee may respond to a question with notice submitted under clause 3.14 by way of a report included in the business papers for the relevant meeting of the council or orally at the meeting.

Agenda and business papers for ordinary meetings

- 3.17 The general manager must cause the agenda for a meeting of the council or a committee of the council to be prepared as soon as practicable before the meeting.
- 3.18 The general manager must ensure that the agenda for an ordinary meeting of the council states:
 - (a) all matters to be dealt with arising out of the proceedings of previous meetings of the council, and
 - (b) if the mayor is the chairperson any matter or topic that the chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.10.
- 3.19 Nothing in clause 3.18 limits the powers of the mayor to put a mayoral minute to a meeting under clause 9.6.
- 3.20 The general manager must not include in the agenda for a meeting of the council any business of which due notice has been given if, in the opinion of the general manager, the business is, or the implementation of the business would be, unlawful. The general manager must report, without giving details of the item of business, any such exclusion to the next meeting of the council.
- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the general manager, is likely to take place when the meeting is closed to the public, the general manager must ensure that the agenda of the meeting:
 - (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.21 reflects section 9(2A)(a) of the Act.

3.22 The general manager must ensure that the details of any item of business which, in the opinion of the general manager, is likely to be considered when the meeting is closed to the

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public, are included in a business paper provided to councillors for the meeting concerned. Such details must not be included in the business papers made available to the public, and must not be disclosed by a councillor or by any other person to another person who is not authorised to have that information.

Statement of ethical obligations

3.23 Business papers for all ordinary and extraordinary meetings of the council and committees of the council must contain a statement reminding councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the council's code of conduct to disclose and appropriately manage conflicts of interest.

Availability of the agenda and business papers to the public

3.24 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the council and committees of council, are to be published on the council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the council, at the relevant meeting and at such other venues determined by the council.

Note: Clause 3.24 reflects section 9(2) and (4) of the Act.

3.25 Clause 3.23 does not apply to the business papers for items of business that the general manager has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.25 reflects section 9(2A)(b) of the Act.

3.26 For the purposes of clause 3.23, copies of agendas and business papers must be published on the council's website and made available to the public at a time that is as close as possible to the time they are available to councillors.

Note: Clause 3.26 reflects section 9(3) of the Act.

3.27 A copy of an agenda, or of an associated business paper made available under clause 3.23, may in addition be given or made available in electronic form.

Note: Clause 3.27 reflects section 9(5) of the Act.

Agenda and business papers for extraordinary meetings

- 3.28 The general manager must ensure that the agenda for an extraordinary meeting of the council deals only with the matters stated in the notice of the meeting.
- 3.29 Despite clause 3.28, business may be considered at an extraordinary meeting of the council, even though due notice of the business has not been given, if:
 - (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.

- 3.30 A motion moved under clause 3.29(a) can be moved without notice but only after the business notified in the agenda for the extraordinary meeting has been dealt with.
- 3.31 Despite clauses 10.20–10.30, only the mover of a motion moved under clause 3.29(a) can speak to the motion before it is put.
- 3.32 A motion of dissent cannot be moved against a ruling of the chairperson under clause 3.29(b) on whether a matter is of great urgency.

Pre-meeting briefing sessions

- 3.33 Prior to each ordinary meeting of the council, the general manager may arrange a premeeting briefing session to brief councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for extraordinary meetings of the council and meetings of committees of the council.
- 3.34 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.35 Pre-meeting briefing sessions may be held by audio-visual link.
- 3.36 The general manager or a member of staff nominated by the general manager is to preside at pre-meeting briefing sessions.
- 3.37 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal council or committee meeting at which the item of business is to be considered.
- 3.38 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the councillor who made the declaration.

4 PUBLIC FORUMS

- 4.1 The council may hold a public forum prior to each ordinary meeting of the council for the purpose of hearing oral submissions from members of the public on items of business to be considered at the meeting. Public forums may also be held prior to extraordinary council meetings and meetings of committees of the council.
- 4.2 Public forums may be held by audio-visual link.
- 4.3 Public forums are to be chaired by the mayor or their nominee.
- 4.4 To speak at a public forum, a person must first make an application to the council via email to council@wentworth.nsw.gov.au Applications to speak at the public forum must be received by the close of business two (2) business days before the date on which the public forum is to be held, and must identify the item of business on the agenda of the council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the

- item. (EXAMPLE: for a meeting at 6.30pm on a Wednesday, notice is to be received by COB the Monday prior)
- 4.5 A person may apply to speak on no more than two (2) items of business on the agenda of the council meeting.
- 4.6 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.7 The general manager or their delegate may refuse an application to speak at a public forum. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 4.8 No more than three (3) speakers are to be permitted to speak 'for' or 'against' each item of business on the agenda for the council meeting.
- 4.9 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to address the council on the item of business. If the speakers are not able to agree on whom to nominate to address the council, the general manager or their delegate is to determine who will address the council at the public forum.
- 4.10 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the general manager or their delegate may, in consultation with the mayor or the mayor's nominated chairperson, increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the council to hear a fuller range of views on the relevant item of business.
- 4.11 Approved speakers at the public forum are to register with the council any written, visual or audio material to be presented in support of their address to the council at the public forum, and to identify any equipment needs two (2) business days before the public forum. The general manager or their delegate may refuse to allow such material to be presented.
- 4.12 The general manager or their delegate is to determine the order of speakers at the public forum.
- 4.13 Each speaker will be allowed three (3) minutes to address the council. This time is to be strictly enforced by the chairperson.
- 4.14 Speakers at public forums must not digress from the item on the agenda of the council meeting they have applied to address the council on. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.
- 4.15 A councillor (including the chairperson) may, through the chairperson, ask questions of a speaker following their address at a public forum. Questions put to a speaker must be direct, succinct and without argument.
- 4.16 Speakers are under no obligation to answer a question put under clause 4.15. Answers by the speaker, to each question are to be limited to one (1) minute.
- 4.17 Speakers at public forums cannot ask questions of the council, councillors or council staff.

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- 4.18 The general manager or their nominee may, with the concurrence of the chairperson, address the council for up to five (5) minutes in response to an address to the council at a public forum after the address and any subsequent questions and answers have been finalised.
- 4.19 Where an address made at a public forum raises matters that require further consideration by council staff, the general manager may recommend that the council defer consideration of the matter pending the preparation of a further report on the matters.
- 4.20 When addressing the council, speakers at public forums must comply with this code and all other relevant council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the council's code of conduct or making other potentially defamatory statements.
- 4.21 If the chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.20, the chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the chairperson's request, the chairperson may immediately require the person to stop speaking.
- 4.22 Clause 4.21 does not limit the ability of the chairperson to deal with disorderly conduct by speakers at public forums in accordance with the provisions of Part 15 of this code.
- 4.23 Where a speaker engages in conduct of the type referred to in clause 4.20, the general manager or their delegate may refuse further applications from that person to speak at public forums for such a period as the general manager or their delegate considers appropriate.
- 4.24 Councillors (including the mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a council or committee meeting. The council is to maintain a written record of all conflict of interest declarations made at public forums and how the conflict of interest was managed by the councillor who made the declaration.
 - Note 1: Public forums should not be held as part of a council or committee meeting. Council or committee meetings should be reserved for decision-making by the council or committee of council. Where a public forum is held as part of a council or committee meeting, it must be conducted in accordance with the other requirements of this code relating to the conduct of council and committee meetings.
 - Note 2: When a public forum is required to be held prior to a council meeting, the council meeting will be opened by the mayor at the advertised time, and then immediately adjourned for an allotted time for the purpose of conducting the public forum.
 - Note 3: A record will be kept within the council minutes detailing the adjournment of the meeting, the names of those who addressed council, and whether they spoke "for" or "against" the item of business. Additionally, the record will detail any conflicts of interest declared by councillors as per clause 4.23.

5 COMING TOGETHER

Attendance by councillors at meetings

5.1 All councillors must make reasonable efforts to attend meetings of the council and of committees of the council of which they are members.

Note: A councillor may not attend a meeting as a councillor (other than the first meeting of the council after the councillor is elected or a meeting at which the councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 A councillor cannot participate in a meeting of the council or of a committee of the council unless personally present at the meeting, unless permitted to attend the meeting by audiovisual link under this Code
- 5.3 Not Applicable
- Where a councillor is unable to attend one or more ordinary meetings of the council, the councillor should request that the council grant them a leave of absence from those meetings. This clause does not prevent a councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this code and the Act.
- 5.5 A councillor's request for leave of absence from council meetings should, if practicable, identify (by date) the meetings from which the councillor intends to be absent and the grounds upon which the leave of absence is being sought.

5.5a Requests as outlined in 5.5 can be made either in writing or via email, and must be received by the general manager at least four (4) hours prior to the commencement of the Ordinary Council meeting. A copy of the request is to be tabled by the general manager at the meeting.

5.5b Requests for Leave of Absence cannot be made by one councillor on behalf of another.

- 5.6 The council must act reasonably when considering whether to grant a councillor's request for a leave of absence.
- 5.7 A councillor's civic office will become vacant if the councillor is absent from three (3) consecutive ordinary meetings of the council without prior leave of the council, or leave granted by the council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.7 reflects section 234(1)(d) of the Act.

5.8 A councillor who intends to attend a meeting of the council despite having been granted a leave of absence should, if practicable, give the general manager at least two (2) days' notice of their intention to attend.

The quorum for a meeting

5.9 The quorum for a meeting of the council is a majority of the councillors of the council who hold office at that time and are not suspended from office.

Note: Clause 5.9 reflects section 368(1) of the Act.

5.10 Clause 5.9 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the council.

Note: Clause 5.10 reflects section 368(2) of the Act.

- 5.11 A meeting of the council must be adjourned if a quorum is not present:
 - (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.
- 5.12 In either case, the meeting must be adjourned to a time, date and place fixed:
 - (a) by the chairperson, or
 - (b) in the chairperson's absence, by the majority of the councillors present, or
 - (c) failing that, by the general manager.
- 5.13 The general manager must record in the council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the council, together with the names of the councillors present.
- 5.14 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of councillors, council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency or **because of localised civil unrest**, the mayor may, in consultation with the general manager and, as far as is practicable, with each councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the council's website and in such other manner that the council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.15 Where a meeting is cancelled under clause 5.14, the business to be considered at the meeting may instead be considered, where practicable, at the next ordinary meeting of the council or at an extraordinary meeting called under clause 3.3.

Meetings held by audio-visual link

A meeting of the council or a committee of the council may be held by audio-visual link where the mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of councillors and staff at risk. The mayor must make a determination under this clause in consultation with the general manager and, as far as is practicable, with each councillor.

- 5.17 Where the mayor determines under clause 5.16 that a meeting is to be held by audio-visual link, the general manager must:
 - (a) give written notice to all councillors that the meeting is to be held by audio-visual link, and
 - (b) take all reasonable steps to ensure that all councillors can participate in the meeting by audio-visual link, and
 - (c) cause a notice to be published on the council's website and in such other manner the general manager is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.
- 5.18 This code applies to a meeting held by audio-visual link under clause 5.16 in the same way it would if the meeting was held in person.

Note: Where a council holds a meeting by audio-visual link under clause 5.16, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by councillors at meetings by audio-visual link

- 5.19 Councillors may attend and participate in meetings of the council and committees of the council by audio-visual link with the approval of the council or the relevant committee.
- 5.20 A request by a councillor for approval to attend a meeting by audio-visual link must be made in writing to the general manager prior to the meeting in question and must provide reasons why the councillor will be prevented from attending the meeting in person.
- 5.21 Councillors may request approval to attend more than one meeting by audio-visual link. Where a councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.20.
- 5.22 The council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a councillor to attend a meeting by audiovisual link.
- 5.23 A councillor who has requested approval to attend a meeting of the council or a committee of the council by audio-visual link may participate in the meeting by audio-visual link until the council or committee determines whether to approve their request and is to be taken as present at the meeting. The councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.24 A decision whether to approve a request by a councillor to attend a meeting of the council or a committee of the council by audio-visual link must be made by a resolution of the council or the committee concerned. The resolution must state:
 - (a) the meetings the resolution applies to, and
 - (b) the reason why the councillor is being permitted to attend the meetings by audiovisual link where it is on grounds other than illness, disability, or caring responsibilities.
- 5.25 If the council or committee refuses a councillor's request to attend a meeting by audio-visual

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link, their link to the meeting is to be terminated.

- 5.26 A decision whether to approve a councillor's request to attend a meeting by audio-visual link is at the council's or the relevant committee's discretion. The council and committees of the council must act reasonably when considering requests by councillors to attend meetings by audio-visual link. However, the council and committees of the council are under no obligation to approve a councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the councillor to attend the meeting by these means.
- 5.27 The council and committees of the council may refuse a councillor's request to attend a meeting by audio-visual link where the council or committee is satisfied that the councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this code on one or more previous occasions they have attended a meeting of the council or a committee of the council by audio-visual link.
- 5.28 This code applies to a councillor attending a meeting by audio-visual link in the same way it would if the councillor was attending the meeting in person. Where a councillor is permitted to attend a meeting by audio-visual link under this code, they are to be taken as attending the meeting in person for the purposes of the code and will have the same voting rights as if they were attending the meeting in person.
- 5.29 A councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this code.
- 5.30 A councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the council or the committee into disrepute.

Entitlement of the public to attend council meetings

5.31 Everyone is entitled to attend a meeting of the council and committees of the council. The council must ensure that all meetings of the council and committees of the council are open to the public.

Note: Clause 5.31 reflects section 10(1) of the Act.

- 5.32 Clause 5.31 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.
- 5.33 A person (whether a councillor or another person) is not entitled to be present at a meeting of the council or a committee of the council if expelled from the meeting:
 - (a) by a resolution of the meeting, or
 - (b) by the person presiding at the meeting if the council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.33 reflects section 10(2) of the Act.

Note: If adopted, clauses 15.14 and 15.15 confer a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. If adopted, clause 15.14 authorises chairpersons to expel any person,

including a councillor, from a council or committee meeting. Alternatively, if adopted, clause 15.15 authorises chairpersons to expel persons other than councillors from a council or committee meeting.

Webcasting of meetings

- 5.34 Each meeting of the council or a committee of the council is to be recorded by means of an audio or audio-visual device.
- 5.35 At the start of each meeting of the council or a committee of the council, the chairperson must inform the persons attending the meeting that:
 - (a) the meeting is being recorded and made publicly available on the council's website, and
 - (b) persons attending the meeting should refrain from making any defamatory statements.
- 5.36 The recording of a meeting is to be made publicly available on the council's website:
 - (a) at the same time as the meeting is taking place, or
 - (b) as soon as practicable after the meeting
- 5.37 The recording of a meeting is to be made publicly available on the council's website for at least 12 months after the meeting.
- 5.38 Clauses 5.36 and 5.37 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

Note: Clause 5.34 – 5.38 reflection section 236 of the Regulation.

5.39 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

Attendance of the general manager and other staff at meetings

5.40 The general manager is entitled to attend, but not to vote at, a meeting of the council or a meeting of a committee of the council of which all of the members are councillors.

Note: Clause 5.40 reflects section 376(1) of the Act.

5.41 The general manager is entitled to attend a meeting of any other committee of the council and may, if a member of the committee, exercise a vote.

Note: Clause 5.41 reflects section 376(2) of the Act.

5.42 The general manager may be excluded from a meeting of the council or a committee while the council or committee deals with a matter relating to the standard of performance of the general manager or the terms of employment of the general manager.

Note: Clause 5.42 reflects section 376(3) of the Act.

5.43 The attendance of other council staff at a meeting, (other than as members of the public) shall be with the approval of the general manager.

5.44 The general manager and other council staff may attend meetings of the council and committees of the council by audio-visual link. Attendance by council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the general manager.

6 THE CHAIRPERSON

The chairperson at meetings

The mayor, or at the request of or in the absence of the mayor, the deputy mayor (if any) presides at meetings of the council.

Note: Clause 6.1 reflects section 369(1) of the Act.

6.2 If the mayor and the deputy mayor (if any) are absent, a councillor elected to chair the meeting by the councillors present presides at a meeting of the council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the chairperson in the absence of the mayor and deputy mayor

- 6.3 If no chairperson is present at a meeting of the council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a chairperson to preside at the meeting.
- 6.4 The election of a chairperson must be conducted:
 - (a) by the general manager or, in their absence, an employee of the council designated by the general manager to conduct the election, or
 - (b) by the person who called the meeting or a person acting on their behalf if neither the general manager nor a designated employee is present at the meeting, or if there is no general manager or designated employee.
- 6.5 If, at an election of a chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the chairperson is to be the candidate whose name is chosen by lot.
- 6.6 For the purposes of clause 6.5, the person conducting the election must:
 - (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
 - (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.
- The candidate whose name is on the drawn slip is the candidate who is to be the chairperson.
- 6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to have precedence

6.9 When the chairperson rises or speaks during a meeting of the council:

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- (a) any councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
- (b) every councillor present must be silent to enable the chairperson to be heard without interruption.

7 MODES OF ADDRESS

- 7.1 If the chairperson is the mayor, they are to be addressed as 'Mr Mayor' or 'Madam Mayor'.
- 7.2 Where the chairperson is not the mayor, they are to be addressed as either 'Mr Chairperson' or 'Madam Chairperson'.
- 7.3 A councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A council officer is to be addressed by their official designation or as Mr/Ms [surname].

8 ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

- 8.1 Not Applicable.
- The general order of business for an ordinary meeting of the council shall be: [councils may adapt the following order of business to meet their needs]
 - 01 Opening meeting
 - 02 Prayer or Acknowledgement of country
 - 03 Apologies and applications for a leave of absence or attendance by audio-visual link by councillors
 - 04 Confirmation of minutes
 - 05 Outstanding matters from previous meetings
 - 05 Disclosures of interests
 - 06 Mayoral and Councillor Reports (includes Mayoral minute(s))
 - 07 Reports of committees
 - 08 Reports to council
 - 09 Notices of motions/Questions with notice
 - 10 Confidential matters
 - 11 Conclusion of the meeting

8.2a The chairperson will determine whether to deliver a Prayer and an Acknowledgement of Country.

8.3 The order of business as fixed under clause 8.2 may be altered for a particular meeting of the council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: If adopted, Part 13 allows council to deal with items of business by exception.

8.4 Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 8.3 may speak to the motion before it is put.

9 CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that can be dealt with at a council meeting

- 9.1 The council must not consider business at a meeting of the council:
 - (a) unless a councillor has given notice of the business, as required by clause 3.10, and
 - (b) unless notice of the business has been sent to the councillors in accordance with clause3.7 in the case of an ordinary meeting or clause 3.9 in the case of an extraordinary meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
 - (a) is already before, or directly relates to, a matter that is already before the council, or
 - (b) is the election of a chairperson to preside at the meeting, or
 - (c) subject to clause 9.9, is a matter or topic put to the meeting by way of a mayoral minute, or
 - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a committee of the council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the council even though due notice of the business has not been given to the councillors if:
 - (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the chairperson to be of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the chairperson under clause 9.3(b).

Mayoral minutes

- 9.6 Subject to clause 9.9, if the mayor is the chairperson at a meeting of the council, the mayor may, by minute signed by the mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the council, or of which the council has official knowledge.
- 9.7 A mayoral minute, when put to a meeting, takes precedence over all business on the council's agenda for the meeting. The chairperson (but only if the chairperson is the mayor) may move the adoption of a mayoral minute without the motion being seconded.
- 9.8 A recommendation made in a mayoral minute put by the mayor is, so far as it is adopted by the council, a resolution of the council.
- 9.9 A mayoral minute must not be used to put without notice matters that are routine and not urgent, or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the council before the next scheduled ordinary meeting of the council.

9.10 Where a mayoral minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan, it **should** identify the source of funding for the expenditure that is the subject of the recommendation. If the mayoral minute does not identify a funding source, the council **may** defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the recommendation if adopted.

Staff reports

9.11 A recommendation made in a staff report is, so far as it is adopted by the council, a resolution of the council.

Reports of committees of council

- 9.12 The recommendations of a committee of the council are, so far as they are adopted by the council, resolutions of the council.
- 9.13 If in a report of a committee of the council distinct recommendations are made, the council may make separate decisions on each recommendation.

Questions

- 9.14 A question must not be asked at a meeting of the council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.10 and 3.14.
- 9.15 A councillor may, through the chairperson, put a question to another councillor about a matter on the agenda.
- 9.16 A councillor may, through the general manager, put a question to a council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the general manager at the direction of the general manager.
- 9.17 A councillor or council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a councillor or council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the council.
- 9.18 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.19 The chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a councillor or council employee.

10 RULES OF DEBATE

Motions to be seconded

10.1 Unless otherwise specified in this code, a motion or an amendment cannot be debated unless or until it has been seconded.

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Additional WSC provision to be read in conjunction with clause 10.1 10.1a Recommendations made in a staff report become a motion (and can then be debated) when the recommendation is both moved and seconded.

10.1b Alternatively, a staff report can be opened for debate when a councillor puts forward a lawful motion and that motion is seconded.

Notices of motion

- 10.2 A councillor who has submitted a notice of motion under clause 3.10 is to move the motion the subject of the notice of motion at the meeting at which it is to be considered.
- 10.3 If a councillor who has submitted a notice of motion under clause 3.10 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to councillors, the councillor may request the withdrawal of the motion when it is before the council.
- 10.4 In the absence of a councillor who has placed a notice of motion on the agenda for a meeting of the council:
 - (a) any other councillor may, with the leave of the chairperson, move the motion at the meeting, or
 - (b) the chairperson may defer consideration of the motion until the next meeting of the council.

Chairperson's duties with respect to motions

- 10.5 It is the duty of the chairperson at a meeting of the council to receive and put to the meeting any lawful motion that is brought before the meeting.
- 10.6 The chairperson must rule out of order any motion or amendment to a motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a motion or an amendment to a motion under clause 10.6, the chairperson is to give the mover an opportunity to clarify or amend the motion or amendment.
- 10.8 Any motion, amendment or other matter that the chairperson has ruled out of order is taken to have been lost.

Motions requiring the expenditure of funds

A motion or an amendment to a motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the motion. If the motion does not identify a funding source, the council must defer consideration of the matter, pending a report from the general manager on the availability of funds for implementing the motion if adopted.

Amendments to motions

- 10.10 An amendment to a motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a motion must relate to the matter being dealt with in the original motion before the council and must not be a direct negative of the original motion. An amendment to a motion which does not relate to the matter being dealt with in the original motion, or which is a direct negative of the original motion, must be ruled out of order by the chairperson.
- 10.12 The mover of an amendment is to be given the opportunity to explain any uncertainties in the proposed amendment before a seconder is called for.
- 10.13 If an amendment has been lost, a further amendment can be moved to the motion to which the lost amendment was moved, and so on, but no more than one (1) motion and one (1) proposed amendment can be before council at any one time.
- 10.14 While an amendment is being considered, debate must only occur in relation to the amendment and not the original motion. Debate on the original motion is to be suspended while the amendment to the original motion is being debated.
- 10.15 If the amendment is carried, it becomes the motion and is to be debated. If the amendment is lost, debate is to resume on the original motion.
- 10.16 An amendment may become the motion without debate or a vote where it is accepted by the councillor who moved the original motion.

Foreshadowed motions

- 10.17 A councillor may propose a foreshadowed motion in relation to the matter the subject of the original motion before the council, without a seconder during debate on the original motion. The foreshadowed motion is only to be considered if the original motion is lost or withdrawn and the foreshadowed motion is then moved and seconded. If the original motion is carried, the foreshadowed motion lapses.
- 10.18 Where an amendment has been moved and seconded, a councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.19 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the number and duration of speeches

10.20 A councillor who, during a debate at a meeting of the council, moves an original motion, has the right to speak on each amendment to the motion and a right of general reply to all observations that are made during the debate in relation to the motion, and any amendment to it at the conclusion of the debate before the motion (whether amended or not) is finally put.

- 10.21 A councillor, other than the mover of an original motion, has the right to speak once on the motion and once on each amendment to it.
- 10.22 A councillor must not, without the consent of the council, speak more than once on a motion or an amendment, or for longer than five (5) minutes at any one time.
- 10.23 Despite clause 10.22, the chairperson may permit a councillor who claims to have been misrepresented or misunderstood to speak more than once on a motion or an amendment, and for longer than five (5) minutes on that motion or amendment to enable the councillor to make a statement limited to explaining the misrepresentation or misunderstanding.
- 10.24 Despite clause 10.22, the council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.25 Despite clauses 10.20 and 10.21, a councillor may move that a motion or an amendment be now put:
 - (a) if the mover of the motion or amendment has spoken in favour of it and no councillor expresses an intention to speak against it, or
 - (b) if at least two (2) councillors have spoken in favour of the motion or amendment and at least two (2) councillors have spoken against it.
- 10.26 The chairperson must immediately put to the vote, without debate, a motion moved under clause 10.25. A seconder is not required for such a motion.
- 10.27 If a motion that the original motion or an amendment be now put is passed, the chairperson must, without further debate, put the original motion or amendment to the vote immediately after the mover of the original motion has exercised their right of reply under clause 10.20.
- 10.28 If a motion that the original motion or an amendment be now put is lost, the chairperson must allow the debate on the original motion or the amendment to be resumed.
- 10.29 All councillors must be heard without interruption and all other councillors must, unless otherwise permitted under this code, remain silent while another councillor is speaking.
- 10.30 Once the debate on a matter has concluded and a matter has been dealt with, the chairperson must not allow further debate on the matter.

11 VOTING

Voting entitlements of councillors

11.1 Each councillor is entitled to one (1) vote.

Note: Clause 11.1 reflects section 370(1) of the Act.

11.2 The person presiding at a meeting of the council has, in the event of an equality of votes, a second or casting vote.

Note: Clause 11.2 reflects section 370(2) of the Act.

- 11.3 Where the chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.
- 11.4 Not Applicable.

Voting at council meetings

- 11.5 A councillor who is present at a meeting of the council but who fails to vote on a motion put to the meeting is taken to have voted against the motion.
- 11.6 If a councillor who has voted against a motion put at a council meeting so requests, the general manager must ensure that the councillor's dissenting vote is recorded in the council's minutes.
- 11.7 The decision of the chairperson as to the result of a vote is final, unless the decision is immediately challenged and not fewer than two (2) councillors rise and call for a division.
- 11.8 When a division on a motion is called, the chairperson must ensure that the division takes place immediately. The general manager must ensure that the names of those who vote for the motion and those who vote against it are recorded in the council's minutes for the meeting.
- 11.9 When a division on a motion is called, any councillor who fails to vote will be recorded as having voted against the motion in accordance with clause 11.5 of this code.
- 11.10 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the council may resolve that the voting in any election by councillors for mayor or deputy mayor is to be by secret ballot.
- 11.11 Not Applicable.

Voting on planning decisions

- 11.12 The general manager must keep a register containing, for each planning decision made at a meeting of the council or a council committee (including, but not limited to a committee of the council), the names of the councillors who supported the decision and the names of any councillors who opposed (or are taken to have opposed) the decision.
- 11.13 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the council or a council committee.
- 11.14 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.15 Clauses 11.12–11.14 apply also to meetings that are closed to the public.

Note: Clauses 11.12-11.15 reflect section 375A of the Act.

Note: The requirements of clause 11.12 may be satisfied by maintaining a register of the minutes of each planning decision.

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12 COMMITTEE OF THE WHOLE

12.1 The council may resolve itself into a committee to consider any matter before the council.

Note: Clause 12.1 reflects section 373 of the Act.

12.2 All the provisions of this code relating to meetings of the council, so far as they are applicable, extend to and govern the proceedings of the council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.20–10.30 limit the number and duration of speeches.

- 12.3 The general manager or, in the absence of the general manager, an employee of the council designated by the general manager, is responsible for reporting to the council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full but any recommendations of the committee must be reported.
- 12.4 The council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the council's minutes. However, the council is not taken to have adopted the report until a motion for adoption has been made and passed.

13 DEALING WITH ITEMS BY EXCEPTION

- 13.1 The council or a committee of council may, at any time, resolve to adopt multiple items of business on the agenda together by way of a single resolution.
- 13.2 Before the council or committee resolves to adopt multiple items of business on the agenda together under clause 13.1, the chairperson must list the items of business to be adopted and ask councillors to identify any individual items of business listed by the chairperson that they intend to vote against the recommendation made in the business paper or that they wish to speak on.
- 13.3 The council or committee must not resolve to adopt any item of business under clause 13.1 that a councillor has identified as being one they intend to vote against the recommendation made in the business paper or to speak on.
- 13.4 Where the consideration of multiple items of business together under clause 13.1 involves a variation to the order of business for the meeting, the council or committee must resolve to alter the order of business in accordance with clause 8.3.
- 13.5 A motion to adopt multiple items of business together under clause 13.1 must identify each of the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.6 Items of business adopted under clause 13.1 are to be taken to have been adopted unanimously.
- 13.7 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the council's code of conduct.

14 CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which meetings can be closed to the public

- 14.1 The council or a committee of the council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
 - (a) personnel matters concerning particular individuals (other than councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the council, councillors, council staff or council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
 - (i) alleged contraventions of the council's code of conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

14.2 The council or a committee of the council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be considered when closing meetings to the public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
 - (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
 - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
 - (a) are substantial issues relating to a matter in which the council or committee is involved, and
 - (b) are clearly identified in the advice, and
 - (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

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14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

- 14.6 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.

Note: Clause 14.6 reflects section 10B(4) of the Act.

In deciding whether part of a meeting is to be closed to the public, the council or committee concerned must consider any relevant guidelines issued by the Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of likelihood of closure not required in urgent cases

- 14.8 Part of a meeting of the council, or of a committee of the council, may be closed to the public while the council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
 - (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - (b) the council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by members of the public

14.9 The council, or a committee of the 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.

Note: Clause 14.9 reflects section 10A(4) of the Act.

14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the council in the approved form. Applications must be received by close of business, two (2) business days before the meeting at which the matter is to be considered.
- 14.12 The general manager (or their delegate) may refuse an application made under clause 14.11. The general manager or their delegate must give reasons in writing for a decision to refuse an application.
- 14.13 No more than **three (3)** speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the general manager or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the general manager or their delegate is to determine who will make representations to the council.
- 14.15 The general manager (or their delegate) is to determine the order of speakers.
- 14.16 Where the council or a committee of the council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The chairperson is to permit no more than **three (3)** speakers to make representations in such order as determined by the chairperson.
- 14.17 Each speaker will be allowed **two (2)** minutes to make representations, and this time limit is to be strictly enforced by the chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the chairperson, the speaker will not be further heard.

Expulsion of non-councillors from meetings closed to the public

- 14.18 If a meeting or part of a meeting of the council or a committee of the council is closed to the public in accordance with section 10A of the Act and this code, any person who is not a councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.19 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Obligations of councillors attending meetings by audio-visual link

14.20 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public

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under section 10A of the Act.

Information to be disclosed in resolutions closing meetings to the public

- 14.21 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
 - (a) the relevant provision of section 10A(2) of the Act,
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.20 reflects section 10D of the Act.

Resolutions passed at closed meetings to be made public

- 14.22 If the council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.23 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 14.22 during a part of the meeting that is webcast.

15 KEEPING ORDER AT MEETINGS

Points of order

- 15.1 A councillor may draw the attention of the chairperson to an alleged breach of this code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The chairperson must suspend the business before the meeting and permit the councillor raising the point of order to state the provision of this code they believe has been breached. The chairperson must then rule on the point of order either by upholding it or by overruling it.

Questions of order

- 15.4 The chairperson, without the intervention of any other councillor, may call any councillor to order whenever, in the opinion of the chairperson, it is necessary to do so.
- 15.5 A councillor who claims that another councillor has committed an act of disorder, or is out of order, may call the attention of the chairperson to the matter.

- 15.6 The chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the council.
- 15.7 The chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of dissent

- 15.8 A councillor can, without notice, move to dissent from a ruling of the chairperson on a point of order or a question of order. If that happens, the chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this code, only the mover of a motion of dissent and the chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of disorder

- 15.11 A councillor commits an act of disorder if the councillor, at a meeting of the council or a committee of the council:
 - (a) contravenes the Act or Regulation or this code, or
 - (b) assaults or threatens to assault another councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the council or the committee, or addresses or attempts to address the council or the committee on such a motion, amendment or matter, or
 - (d) insults, makes unfavourable personal remarks about, or imputes improper motives to any other council official, or alleges a breach of the council's code of conduct, or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the council or the committee into disrepute.

Note: Clause 15.11 reflects section 182 of the Regulation.

- 15.12 The chairperson may require a councillor:
 - (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a) (b), or (e), or
 - (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
 - (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.11(d) and (e).

Note: Clause 15.12 reflects section 233 of the Regulation.

How disorder at a meeting may be dealt with

15.13 If disorder occurs at a meeting of the council, the chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the chair. The council, on reassembling, must, on a question put from the chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of councillors.

Expulsion from meetings

15.14 All chairpersons of meetings of the council and committees of the council are authorised under this code to expel any person, including any councillor, from a council or committee meeting, for the purposes of section 10(2)(b) of the Act.

Note: Clause 15.14 confers a standing authorisation on all chairpersons of meetings of the council and committees of the council to expel persons from meetings. Clause 15.14 authorises chairpersons to expel any person, including a councillor, from a council or committee meeting.

- 15.15 Not Applicable.
- 15.16 Clause 15.14 does not limit the ability of the council or a committee of the council to resolve to expel a person, including a councillor, from a council or committee meeting, under section 10(2)(a) of the Act.
- 15.17 A councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for having failed to comply with a requirement under clause 15.12. The expulsion of a councillor from the meeting for that reason does not prevent any other action from being taken against the councillor for the act of disorder concerned.

Note: Clause 15.17 reflects section 233(2) of the Regulation.

- 15.18 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.19 Where a councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.20 If a councillor or a member of the public fails to leave the place where a meeting of the council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the councillor or member of the public from that place and, if necessary, restrain the councillor or member of the public from re-entering that place for the remainder of the meeting.

How disorder by councillors attending meetings by audio-visual link may be dealt with

15.21 Where a councillor is attending a meeting by audio-visual link, the chairperson or a person authorised by the chairperson may mute the councillor's audio link to the meeting for the purposes of enforcing compliance with this code.

15.22 If a councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the chairperson of the meeting or a person authorised by the chairperson, may terminate the councillor's audio-visual link to the meeting.

Use of mobile phones and the unauthorised recording of meetings

- 15.23 Councillors, council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the council and committees of the council.
- 15.24 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording of the proceedings of a meeting of the council or a committee of the council without the prior authorisation of the council or the committee.
- 15.25 Without limiting clause 15.18, a contravention of clause 15.24 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.18. Any person who contravenes or attempts to contravene clause 15.22, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.26 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16 CONFLICTS OF INTEREST

- All councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the council and committees of the council in accordance with the council's code of conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the council's code of conduct. Where a councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the councillor's audio-visual link to the meeting must be suspended or terminated and the councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the council or committee, or at any time during which the council or committee is voting on the matter.

17 DECISIONS OF THE COUNCIL

Council decisions

17.1 A decision supported by a majority of the votes at a meeting of the council at which a quorum is present is a decision of the council.

Note: Clause 17.1 reflects section 371 of the Act in the case of councils and section 400T(8) in the case of joint organisations.

17.2 Decisions made by the council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering council decisions

17.3 A resolution passed by the council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.10.

Note: Clause 17.3 reflects section 372(1) of the Act.

17.4 If a notice of motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.4 reflects section 372(2) of the Act.

17.5 If a motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.10.

Note: Clause 17.5 reflects section 372(3) of the Act.

17.6 A notice of motion to alter or rescind a resolution, and a notice of motion which has the same effect as a motion which has been lost, must be signed by three (3) councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.6 reflects section 372(4) of the Act.

17.7 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.7 reflects section 372(5) of the Act.

17.8 The provisions of clauses 17.5–17.7 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.8 reflects section 372(7) of the Act.

- 17.9 A notice of motion submitted in accordance with clause 17.6 may only be withdrawn under clause 3.11 with the consent of all signatories to the notice of motion.
- 17.10 A notice of motion to alter or rescind a resolution relating to a development application must be submitted to the general manager no later **than the close of business on the second business day after** the meeting at which the resolution was adopted.
- 17.11 A motion to alter or rescind a resolution of the council may be moved on the report of a committee of the council and any such report must be recorded in the minutes of the meeting of the council.

Note: Clause 17.11 reflects section 372(6) of the Act.

- 17.12 Subject to clause 17.7, in cases of urgency, a motion to alter or rescind a resolution of the council may be moved at the same meeting at which the resolution was adopted, where:
 - (a) a notice of motion signed by three councillors is submitted to the chairperson, and
 - (b) a motion to have the motion considered at the meeting is passed, and
 - (c) the chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the council before the next scheduled ordinary meeting of the council.
- 17.13 A motion moved under clause 17.12(b) can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.12(b) can speak to the motion before it is put.
- 17.14 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.12(c).

Recommitting resolutions to correct an error

- 17.15 Despite the provisions of this Part, a councillor may, with the leave of the chairperson, move to recommit a resolution adopted at the same meeting:
 - (a) to correct any error, ambiguity or imprecision in the council's resolution, or
 - (b) to confirm the voting on the resolution.
- 17.16 In seeking the leave of the chairperson to move to recommit a resolution for the purposes of clause 17.15(a), the councillor is to propose alternative wording for the resolution.
- 17.17 The chairperson must not grant leave to recommit a resolution for the purposes of clause 17.15(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.18 A motion moved under clause 17.15 can be moved without notice. Despite clauses 10.20–10.30, only the mover of a motion referred to in clause 17.15 can speak to the motion before it is put.
- 17.19 A motion of dissent cannot be moved against a ruling by the chairperson under clause 17.15.
- 17.20 A motion moved under clause 17.15 with the leave of the chairperson cannot be voted on unless or until it has been seconded.

18 TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the council and committees of the council are to conclude no later than 11pm.
- 18.2 If the business of the meeting is unfinished at **11pm** the council or the committee may, by resolution, extend the time of the meeting.
- 18.3 If the business of the meeting is unfinished at **11pm** and the council does not resolve to extend the meeting, the chairperson must either:
 - (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the council, or
 - (b) adjourn the meeting to a time, date and place fixed by the chairperson.

- 18.4 Clause 18.3 does not limit the ability of the council or a committee of the council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the general manager must:
 - (a) individually notify each councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the council's website and in such other manner that the general manager is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19 AFTER THE MEETING

Minutes of meetings

19.1 The council is to keep full and accurate minutes of the proceedings of meetings of the council.

Note: Clause 19.1 reflects section 375(1) of the Act.

- 19.2 At a minimum, the general manager must ensure that the following matters are recorded in the council's minutes:
 - (a) the names of councillors attending a council meeting and whether they attended the meeting in person or by audio-visual link,
 - (b) details of each motion moved at a council meeting and of any amendments moved to it,
 - (c) the names of the mover and seconder of the motion or amendment,
 - (d) whether the motion or amendment was passed or lost, and
 - (e) such other matters specifically required under this code.
 - (f) details of a Point of Order raised at a council meeting. (to be read in conjunction with clauses 15.1-15.7)
- 19.3 The minutes of a council meeting must be confirmed at a subsequent meeting of the council.

Note: Clause 19.3 reflects section 375(2) of the Act.

- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 19.7 The confirmed minutes of a council meeting must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

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Access to correspondence and reports laid on the table at, or submitted to, a meeting

19.8 The council and committees of the council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

19.10 Clause 19.8 does not apply if the council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of decisions of the council

19.12 The general manager is to implement, without undue delay, lawful decisions of the council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20 COUNCIL COMMITTEES

Application of this Part

20.1 This Part only applies to committees of the council whose members are all councillors.

Council committees whose members are all councillors

- 20.2 The council may, by resolution, establish such committees as it considers necessary.
- A committee of the council is to consist of the mayor and such other councillors as are elected by the councillors or appointed by the council.
- 20.4 The quorum for a meeting of a committee of the council is to be:
 - (a) such number of members as the council decides, or
 - (b) if the council has not decided a number a majority of the members of the committee.

Functions of committees

The council must specify the functions of each of its committees when the committee is established, but may from time to time amend those functions.

Notice of committee meetings

- 20.6 The general manager must send to each councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:
 - (a) the time, date and place of the meeting, and
 - (b) the business proposed to be considered at the meeting.
- 20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at committee meetings

- 20.8 A committee member (other than the mayor) ceases to be a member of a committee if the committee member:
 - (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or
 - (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.
- 20.9 Clause 20.8 does not apply if all of the members of the council are members of the committee.

Non-members entitled to attend committee meetings

- 20.10 A councillor who is not a member of a committee of the council is entitled to attend, and to speak at a meeting of the committee. However, the councillor is not entitled:
 - (a) to give notice of business for inclusion in the agenda for the meeting, or
 - (b) to move or second a motion at the meeting, or
 - (c) to vote at the meeting.

Chairperson and deputy chairperson of council committees

- 20.11 The chairperson of each committee of the council must be:
 - (a) the mayor, or
 - (b) if the mayor does not wish to be the chairperson of a committee, a member of the committee elected by the council, or
 - (c) if the council does not elect such a member, a member of the committee elected by the committee.
- 20.12 The council may elect a member of a committee of the council as deputy chairperson of the committee. If the council does not elect a deputy chairperson of such a committee, the committee may elect a deputy chairperson.
- 20.13 If neither the chairperson nor the deputy chairperson of a committee of the council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting chairperson of the committee.

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20.14 The chairperson is to preside at a meeting of a committee of the council. If the chairperson is unable or unwilling to preside, the deputy chairperson (if any) is to preside at the meeting, but if neither the chairperson nor the deputy chairperson is able or willing to preside, the acting chairperson is to preside at the meeting.

<u>Procedure in committee meetings</u>

- 20.15 Subject to any specific requirements of this code, each committee of the council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the council unless the council or the committee determines otherwise in accordance with this clause.
- 20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the chairperson of the committee is to have a casting vote as well as an original vote unless the council or the committee determines otherwise in accordance with clause 20.15.
- 20.17 Not Applicable.
- 20.18 Voting at a council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of committee meetings to the public

- 20.19 The provisions of the Act and Part 14 of this code apply to the closure of meetings of committees of the council to the public in the same way they apply to the closure of meetings of the council to the public.
- 20.20 If a committee of the council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.21 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the chairperson under clause 20.20 during a part of the meeting that is webcast.

Disorder in committee meetings

20.22 The provisions of the Act and this code relating to the maintenance of order in council meetings apply to meetings of committees of the council in the same way as they apply to meetings of the council.

Minutes of council committee meetings

- 20.23 Each committee of the council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
 - (a) the names of councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,

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- (b) details of each motion moved at a meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this code.
- 20.24 Not Applicable.
- 20.25 The minutes of meetings of each committee of the council must be confirmed at a subsequent meeting of the committee.
- 20.26 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.29 The confirmed minutes of a meeting of a committee of the council must be published on the council's website. This clause does not prevent the council from also publishing unconfirmed minutes of meetings of committees of the council on its website prior to their confirmation.

21 IRREGULARITES

- 21.1 Proceedings at a meeting of a council or a council committee are not invalidated because of:
 - (a) a vacancy in a civic office, or
 - (b) a failure to give notice of the meeting to any councillor or committee member, or
 - (c) any defect in the election or appointment of a councillor or committee member, or
 - (d) a failure of a councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a council or committee meeting in accordance with the council's code of conduct, or
 - (e) a failure to comply with this code.

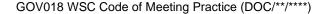
Note: Clause 21.1 reflects section 374 of the Act.

22 COUNCIL SEAL (WSC Provision)

Note: This section has been inserted by Wentworth Shire Council and follows the provisions contained within section 400 of the *Local Government (General) Regulation 2021*.

- 22.1 Council's seal will be used only for documents that relate to the business of council, and without limiting the use of the seal, will normally only include specifically:
 - a) the exercise by Council of its functions in relation to the purchase, exchange, leasing, disposal of, and otherwise dealing with, real property, or
 - b) executing a contract of employment for the General Manager, or

- c) completing agreements or contracts from state or federal government departments where they have requested the agreements or contracts be under seal, or
- d) entering into planning agreements.
- 22.2 Council's seal will not be used for documents such as references or certificates of service for Council employees.
- 22.3 The seal of a council must be kept by the mayor or the general manager, as the council determines. To this end, in December 2012 Council resolved that the seal be held by the Mayor, under lock and key, in the Mayoral Chamber.
- 22.4 The seal of a council may be affixed to a document only in the presence of:
 - a) the mayor and the general manager, or
 - b) at least one councillor (other than the mayor) and the general manager, or
 - c) the mayor and at least one other councillor, or
 - d) at least 2 councillors other than the mayor.
- 22.5 The affixing of a council seal to a document has no effect unless the persons who were present when the seal was affixed (being persons referred to in subclause (2)) attest by their signatures that the seal was affixed in their presence.
- 22.6 The seal of a council must not be affixed to a document unless the document relates to the business of the council and the council has resolved (by resolution specifically referring to the document) that the seal be so affixed.



23 DEFINITIONS

the Act	means the Local Government Act 1993
act of disorder	means an act of disorder as defined in clause 15.11 of this
	code
amendment	in relation to an original motion, means a motion moving
	an amendment to that motion
audio recorder	any device capable of recording speech
audio-visual link	means a facility that enables audio and visual
	communication between persons at different places
business day	means any day except Saturday or Sunday or any other day
	the whole or part of which is observed as a public holiday
	throughout New South Wales
chairperson	in relation to a meeting of the council – means the person
	presiding at the meeting as provided by section 369 of the
	Act and clauses 6.1 and 6.2 of this code, and
	in relation to a meeting of a committee – means the person
	presiding at the meeting as provided by clause 20.11 of this
	code
this code	means the council's adopted code of meeting practice
committee of the council	means a committee established by the council in
	accordance with clause 20.2 of this code (being a
	committee consisting only of councillors) or the council
	when it has resolved itself into committee of the whole
	under clause 12.1
council official	has the same meaning it has in the Model Code of Conduct
	for Local Councils in NSW
day	means calendar day
division	means a request by two councillors under clause 11.7 of
	this code requiring the recording of the names of the
	councillors who voted both for and against a motion
foreshadowed amendment	means a proposed amendment foreshadowed by a
	councillor under clause 10.18 of this code during debate on
	the first amendment
foreshadowed motion	means a motion foreshadowed by a councillor under clause
	10.17 of this code during debate on an original motion
open voting	means voting on the voices or by a show of hands or by a
	visible electronic voting system or similar means
planning decision	means a decision made in the exercise of a function of a
	council under the Environmental Planning and Assessment
	Act 1979 including any decision relating to a development
	application, an environmental planning instrument, a
	development control plan or a development contribution
	plan under that Act, but not including the making of an
	order under Division 9.3 of Part 9 of that Act
performance improvement order	means an order issued under section 438A of the Act
quorum	means the minimum number of councillors or committee
	members necessary to conduct a meeting
the Regulation	means the Local Government (General) Regulation 2021
webcast	a video or audio broadcast of a meeting transmitted across
	the internet either concurrently with the meeting or at a
	later time

GOV018 WSC Code of Meeting Practice (DOC/22/6981)

year	means the period beginning 1 July and ending the following
	30 June





GOV018 WSC Code of Meeting Practice (DOC/22/6981)

9.11 LAND ACQUISITION A65 GEORGE GORDON OVAL

File Number: RPT/24/404

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

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

protect its physical and natural environment

Strategy: 3.2 Ensure that community assets and public infrastructure are

well maintained

Summary

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

Recommendation

That Council

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

Detailed Report

Purpose

The purpose of the report is to commence the land acquisition of Lot 650 Deposited Plan 1298337 to fix the encroachment of the netball courts over a Western Murray Irrigation drainage reserve owned by the State of New South Wales (Crown Lands).

Background

In 2018 Council received funding to build additional netball courts at the George Gordon Oval Reserve. For safety reasons the courts were constructed end to end, however this alignment encroached a Western Murray Irrigation drainage reserve owned by Crown Lands, and privately owned freehold land.

Matters under consideration

The intention is to legitimise the encroachment of the netball courts which traverses over land owned by the State of New South Wales (Crown land) being a Western Murray Irrigation drainage reserve.

Legal, strategic, financial or policy implications

The acquisition of Lot 650 Deposited Plan 1298337 being part of the land within Lot 711 Deposited Plan 1213849 is listed in Schedule Four (co-existing native title) of the Barkandji Consent Determination - Barkandji # 8 Native Title Claim [2015] FCA 604 (Part A), which means the land has co-existing native title rights. Council as the acquiring authority will be responsible to pay:

- Compensation to the Barkandji Prescribed Body Corporate as determined by the NSW Valuer General or as otherwise agreed by negotiation
- Compensation of the market value of the land shared between the State of NSW (Crown Lands) and Barkandji Prescribed Body Corporate.

Council has identified a need to rectify the land tenure status by acquiring the land that will accommodate public recreational infrastructure integral to the use of the George Gordon Oval recreation reserve.

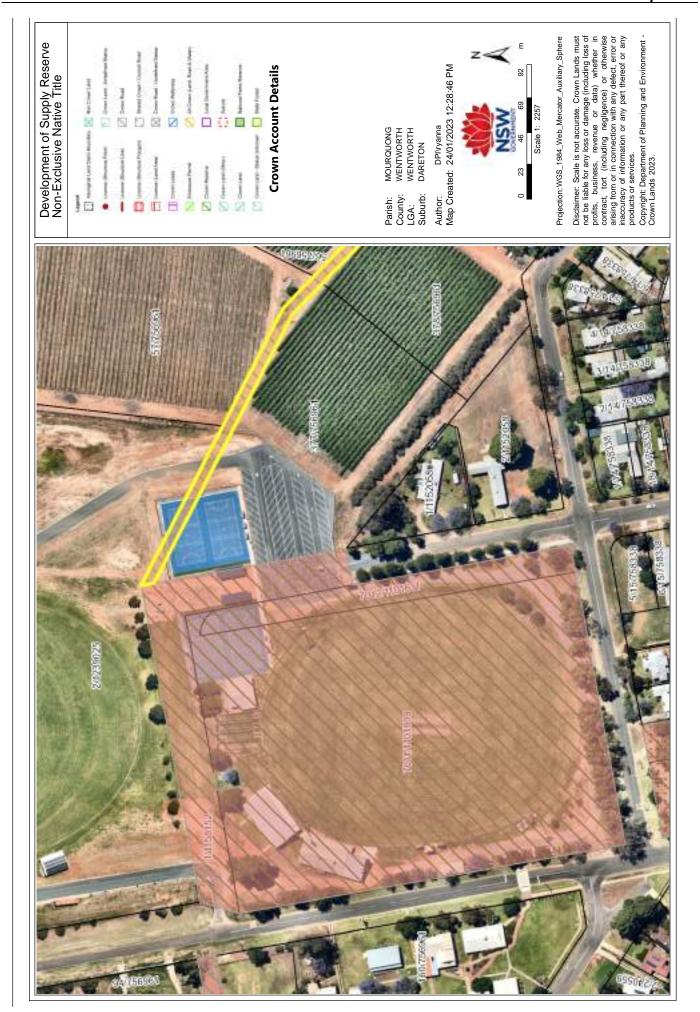
The acquisitions will be completed using the powers afforded to Council under the *Local Government Act 1993.*

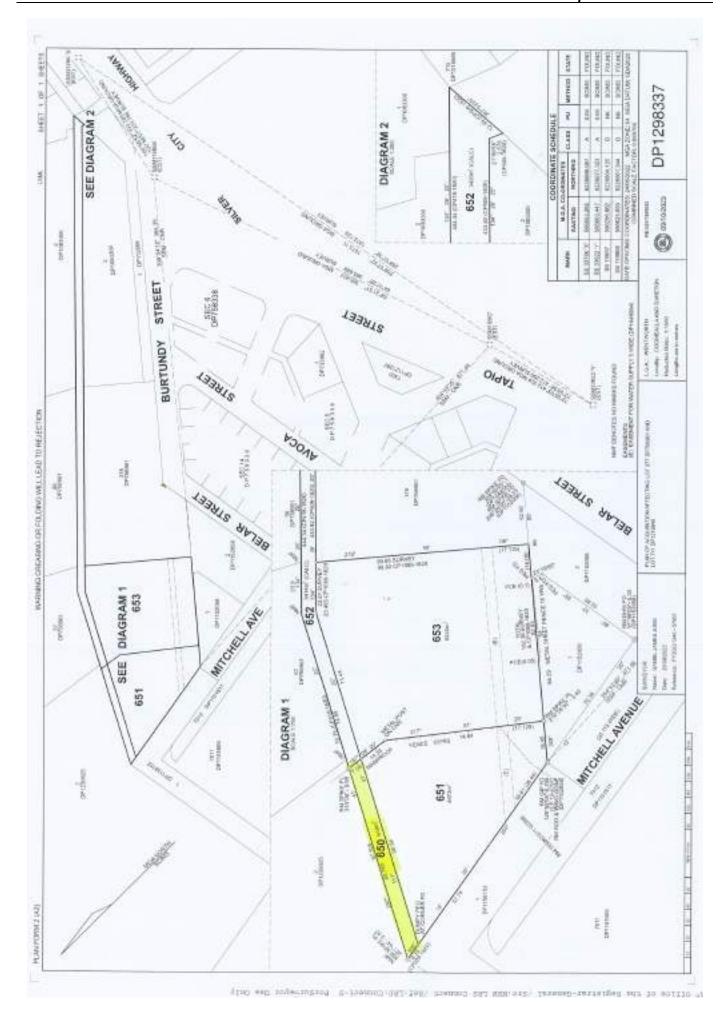
Conclusion

Having consideration to the content of this report it is concluded that the appropriate course of action is to approve the acquisition of the land upon which Councils public recreational infrastructure has been constructed.

Attachments

- 1. Netball Court Development U.
- 2. Deposited Plan 298337





9.12 DA2025/055 PERMANENT GROUP HOME 190 PITMAN AVENUE LOT 2 DP 1288183 BURONGA

File Number: RPT/25/264

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Georgie Martin - Cadet Planner

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

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

Summary

A development application (DA2025/055) was received by Council on 19 March 2025, for a permanent group home to be situated upon 190 Pitman Avenue Lot 2 DP 1288183, Buronga.

Under the Wentworth Local Environmental Plan (WLEP) 2011 and the State Environmental Planning Policy (Housing) 2021, this development is permitted with consent within the RU5 – Village zoning.

The application seeks development approval for the construction of a permanent group home which will be used for the accommodation of people with a disability under the NDIS Scheme. The building will consist of three bedrooms for people with disability and one bedroom for overnight assistance, with each bedroom having an ensuite. Other features of the permanent group home include an open plan kitchen, dining and living area, and an alfresco area. A single disabled car park has been provided within the garage.

The application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification 14 submissions were received by Council objecting to the proposed development.

The State Environmental Planning Policy (Housing) 2021 states that a consent authority must not refuse consent to the development for the purposes of a group home unless the consent authority has made an assessment of the community need for the group home.

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

Recommendation

That Council:

- 1. Approve subject to conditions DA2025/055 for a permanent group home to be located at 190 Pitman Avenue Lot 2, DP 1288183, Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Detailed Report

Purpose

The purpose of this report is to provide information to Council to determine Development Application DA2025/055, having consideration to the detail provided both within this report and the attachments provided.

Background

A Development Application was lodged with Council on 19 March 2025 seeking consent for a permanent group home on the subject lot.

The subject lot is in the RU5 Village zone under the *Wentworth Local Environmental Plan 2011* (WLEP 2011).

DA2025/055 was publicly notified as per Council Community Participation Plan for 14 days, with a total of 14 submissions objecting to the proposal received during this period. These submissions can be found under attached documents.

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

Refer to attachment 1 – Development Application

Refer to attachment 2 - Plans

Refer to attachment 3 – Statement of Environmental Effects

Matters under consideration

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

The proposed development was assessed and complies with relevant provisions of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 and the State Environmental Planning Policy (Housing) 2021.

The proposed development for a permanent group home is permitted with consent and meets the zone objectives of the RU5 – Village zone under the WLEP 2011.

Due to the zoning and WLEP 2011 mapping impacting the land, the development application was assessed against clauses 7.1 & 7.2. The development application was able to satisfy the matters for consideration under these clauses.

Due to the nature of the proposed development, it was assessed against Chapter 8 of the Wentworth Development Control Plan (DCP) 2011. The development complies with relevant provisions under this chapter.

The Wentworth Disability Inclusion Action Plan 2022 – 2026 is a requirement under the *Disability Inclusion Act 2014 (NSW)* (DIA / The Act). The Act required all NSW Local Government Areas to develop a Disability Inclusion Action Plan. Wentworth Shire Councils adopted plan states the following:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved

transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Public notification of the development application was conducted as per the Council Community Participation Plan for 14 days, whereby any submission received must at a minimum provide the following:

- Clearly identify the matter to which the submission relates,
- State the grounds for any support or objection expressed in the submission,
- Include appropriate contact details

Summary of concerns raised in submissions:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area
- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,
- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Response from Assessing Officer to concerns raised is as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy – Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.

- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is
 no planning strategy for specialised housing, only the Housing SEPP, which permits
 these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as detailed in assessment above will need to occur and this will fall to compliance with any approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.

Based on the assessment of the application, it is determined that the proposed development is compliant with relevant objectives of the RU5 – Village zoning under the WLEP 2011. The proposed development meets the relevant provisions of the Wentworth DCP 2011 and is consistent with planning matters for consideration of the WLEP 2011. The proposed development complies with matters for consideration under the *State Environmental Planning Policies – Biodiversity & Conservation (2021) and Housing (2021)*.

Refer to attachment 4 – Submissions (objections)

Refer to attachment 5 – Submissions (supportive)

Refer to attachment 6 – 4.15 Assessment report

Refer to attachment 7 - Conditions of Consent

Options

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

Approve Development Application DA2025/055 subject to conditions.

Legal, strategic, financial or policy implications

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

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

Conclusion

Having consideration of the consent of this report it is concluded that the appropriate course of action is to approve DA2025/055 subject to conditions.

Attachments

- 1. Development Application (Under Separate Cover) ⇒
- 2. Site Plans (Under Separate Cover) ⇒
- 3. Statement of Environmental Effects !
- 4. Submissions (Objections) (Under Separate Cover)⇒
- 5. Submissions (Supportive) (Under Separate Cover)⇒
- 6. 4.15 Assessment
- 7. Conditions of Consent





EXECUTIVE

SUMMARY

Proposal	Construction of a Permanent Group Home	
Street Address	190 Pitman Avenue, Buronga	
Formal Land Description	Lot 2 in Deposited Plan 1288183	
Zone	RU5 – Village	
Relevant State Environmental Planning Policies	SEPP (Housing) 2021 – Chapter 3, Part 2 Group Homes – Clause 62	







SUBJECT SITE AND

SURROUNDING AREA

The subject site comprises one parcel of land commonly known as 190 Pitman Avenue, Buronga, and more formally as Lot 2 in Deposited Plan 1288183. The site is rectangular in shape and is relatively flat. It has an area of 885 square metres (sqm) and a frontage of approx. 17 metres (m) to Pitman Avenue. The site is currently vacant, but all reticulated services are available. There are two sewerage easements traversing the site along the front and rear boundaries. No heritage or cultural sensitivities affect the land and there are no natural hazards or environmental sensitivities including native vegetation.

The site is situated within a new stage of Midway Estate, comprising a mixture of established homes and vacant land, consistent with the characteristics of a developing area.

An aerial image of the site and surrounding area as well as site photos are contained on the following pages.





JACKSON PLANNING

Aerial Image of the Site and Surrounding Area



Figure 1: Subject site and surrounding area (Source: Landchecker Sept 2024)

Site Photos



Figure 2: View of site from Pitman Avenue





JACKSON PLANNING



Figure 3: View of the site from the east



Figure 4: View of the site from the south





JACKSON PLANNING



Figure 5: View of the site from the west







PROPOSAL

DESCRIPTION

This application is for the construction of a Permanent Group Home, as summarised under the following points:

- The proposed Permanent Group Home will be used to accommodate people with a disability on a permanent basis under the NDIS Scheme. The plans have been assessed and certified by an accredited SDA assessor.
- The building is single storey and contains three bedrooms for people with a
 disability and one bedroom for on-site overnight assistance. Each bedroom has
 an ensuite and other internal features include an open plan kitchen, dining and
 living area, separate living area, separate bathroom, European laundry, alfresco
 and single garage.
- The external appearance of the building is contemporary with brick wall cladding and corrugated Colorbond iron roof cladding.
- The building has a maximum height of 4.8m above natural ground.
- One car parking space (to disabled parking standards) can be accommodated within the garage and one car parking space can be accommodated within the driveway.
- A new crossover is proposed to provide access to the garage.
- Approximately 500sqm of the site is private open space and approx. 480sqm can be landscaped.
- The development will be connected to all reticulated services, with the exception of gas.







PLANNING

CONTROLS AND ASSESSMENT

Wentworth Local Environmental Plan 2011 (LEP)

The Subject site is within the RU5 - Village

The objectives of the zone are:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

The proposed Permanent Group Home is located within a recently released stage of the Midway Estate and will provide for residential diversity in an appropriate location. The building will provide much needed housing for people with a disability and is compatible with existing residential development in the surrounding area. The building has been designed to be energy efficient and is appropriately located so as not to unreasonably impact on the adjoining land. As such, the proposal supports the objectives of the RU5 zone.

Wentworth Development Control Plan

Chapter 2 - Plan Objectives

The following General Development Objectives are relevant to this application:

 Residential land is to be developed with the creation of neighbourhoods comprising a range of housing styles and densities to cater for a diverse demographical profile of the local government area.







• Residential growth shall be promoted in areas identified as urban release area.

The following Locality Objectives for Buronga and Gol Gol are relevant to this application:

- A safe, convenient and attractive neighbourhoods that meet the diverse and changing needs of the community and offers a wide choice of housing, leisure, local employment opportunities and associated community and commercial facilities.
- A site responsive approach to urban development that supports and enhances the context in which it is located, strengthens local character and identity, and promotes a sense of community.

In addition to this, Section 2.2 - Social and Community outlines that:

The proposed future development of Buronga and Gol Gol will result in an increased demand for additional community infrastructure. This includes:

- Expansion of the range of community facilities and services;
- Improvement of public transport links within and external to the area;
- Provision of additional government and health services; aged care services; child care facilities and education/training services; and
- Promotion of community image and events including sport and recreation.

It is clear that the proposal is supported by the objectives of the Wentworth Development Control Plan which indicate that there is a strong need for diverse housing to provide for the changing needs of the community. The proposed Permanent Group Home will provide much needed accommodation for people with a disability and is of a high standard.

Chapter 3 - General Development Controls

5 Vehicular Access and Parking

This development control aims to provide sufficient and convenient parking for residents, visitors and service vehicles; to ensure vehicular and pedestrian safety and to encourage access design to form part of the overall landscape design. The relevant subclauses are discussed below.







5.1 Parking Layout, Servicing and Manoeuvring

The proposed car parks will be located in the garage and driveway, which is typical for car parking in a residential setting.

5.2 Specific Land Use Requirements

The following car parking requirements apply to the proposal:

 Housing for older people or people with a disability – Refer to State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004.

The SEPP referenced in the DCP no longer exists. Two car parking spaces are provided for the proposed Permanent Group Home which complies with Schedule 2 (17) of the State Environmental Planning Policy (Housing) 2021.

Chapter 4 - Residential Development Controls

4.1.1 Site Context and Analysis

The plans submitted with this application demonstrate how the proposed development responds to site specific conditions and the site has been described in detail previously in this report. The site is within a recently released stage of the Midway Estate which contains vacant land and existing dwellings of a similar size, scale and sitting. The site does not have any specific constraints and the topography is relatively flat.

4.1.2 Streetscapes

The proposed building will have a positive impact on the streetscape. A number of habitable room windows overlook the street to provide for casual surveillance. The proposed garage occupies only a small portion of the frontage and is setback behind the main façade of the building. The building has a clearly identified entry from the street and has been designed to be energy efficient. The external materials and colours of the building will complement existing dwellings in the broader area which have external materials and colours that vary considerably.







4.1.3 Front Setback

The building has a front setback of 8m which complies with this control.

4.1.4 Side setbacks and Corner Lot Setbacks

The side setbacks of the proposed building are 3.25m from the western boundary and 3.2m from the eastern boundary (combined total exceeding 4.5m), which complies with this Control.

4.1.5 Rear setbacks

The proposed building is located 19.11m from the rear boundary, which meets this Control.

4.1.6. Walls on Boundaries

Not applicable. No walls on boundaries are proposed.

4.1.7 Building heights and overshadowing

The proposed building is unlikely to overshadow the private open space of any existing and future dwellings on adjoining lots as it is single storey and has relatively generous boundary setbacks.

4.1.8 Site Coverage

The site coverage is approximately 29%, although it is noted that this control only applies to single dwelling houses and dual occupancies.

4.1.9 Private Open Space

At approximately 500sqm, private open space is well in excess of the 40sqm minimum requirement. There is an area of secluded private open space at the rear of the building also well in excess of 25sqm, with a minimum dimension of 3m accessed from the main living area.







4.1.10 Energy Efficiency and Solar access

Appropriate solar access and energy efficiency is achieved given the orientation of the site and distance between windows and boundaries. A BASIX is not required as a standard residential dwelling is not proposed.

4.1.11 Daylight to existing windows

The proposed building will not impact daylight to existing dwellings as there are generous side and rear setbacks and the building is single storey.

4.1.12 North-facing windows

Not applicable – there are no existing north facing windows within 3m of the boundary.

4.1.13 Overlooking

Not applicable – the proposed building is single storey and will not be notably raised above existing surface levels. A 1.8m high solid boundary fence will provide for privacy between lots.

4.1.14 Fencing and Retaining Walls

No fences or retaining walls are proposed as part of this application. The boundary fence will be made to comply with the SEPP Exempt and Complying Development Codes 2008 (Part 2, Subdivision 17).

4.1.15 Car Parking and Vehicle Access

Car parking has been discussed previously.

4.1.16 Cut and Fill

As the site is relatively flat, only minimal earthworks are anticipated and will not exceed 0.3m of cut or fill.







State Environmental Planning Polices (SEPP)

SEPP (Housing) 2021 - Chapter 3, Part 2 Group Homes - Clause 62

This Clause contains requirements for consent authorities when determining Development Applications.

General Assessment

Visual Impacts

Please refer to DCP assessment.

Open Space

Please refer to DCP assessment.

Overshadowing and Privacy

Please refer to DCP assessment.

Noise

Only standard domestic mechanical plant will be associated with the proposed building, which will emit noise typical for a residential area.

Erosion Control Measures

No specific erosion control measures are considered necessary for this development. Any minor earthworks will be appropriately battered and retained (if necessary).

Economic and Social Impacts

The proposed building will contribute to the social wellbeing of the Buronga township by providing suitably designed housing to accommodate disabled persons. It also contributes to investment in the Buronga/Gol Gol Area.







Environmental Benefits

Due to the nature of this development, no significant environmental benefits are envisaged.

Disabled Access

The proposed building has been designed to comply with all disabled access standards and the plans have been assessed and certified by an accredited SDA assessor.

Security, Site Facilities and Safety

Not applicable for this application.

Waste Management

Standard domestic waste services will be provided by Council.

National Construction Code

The National Construction Code will be assessed as part of the Construction Certificate process by a Building Surveyor.

Traffic

The proposed building will result in standard domestic travel within the existing road network. This would have been anticipated and accounted for when the existing road was designed.

Stormwater/flooding

The site is not subject to any identified natural hazards and stormwater will be directed to the legal point of discharge.







CONCLUSION

This report demonstrates that the proposal is consistent with the relevant provisions of the Wentworth Local Environmental Plan 2011 and the Wentworth DCP.

The proposed Permanent Group Home is appropriate for the site as it:

- Supports the objectives of the Zone RU5 Village;
- Is appropriately located on the subject site;
- Will have an acceptable impact on the locality in terms of amenity and visual dominance; and
- Will not result in any detrimental impacts on the environment.

It is considered that the proposal is worthy of support, and it is therefore respectfully requested that the Wentworth Shire Council grant Development Consent for the construction of a Permanent Group Home as described in this report at 190 Pitman Avenue, Buronga.







Health & Planning Department 61 Darling Street

61 Darling Street PO Box 81

WENTWORTH NSW 2648

Tel: 03 5027 5027

council@wentworth.nsw.gov.au

DA Assessment Report Section 4.15 Evaluation

Environmental Planning & Assessment Act 1979 as amended

File Reference: DA2025/055 & PAN 518938

Property Title & Address: 190 Pitman Avenue Lot 2 DP 1288183 Buronga P561/04402

Property owner(s): SUPAVET SPV FOUR PTY LTD

Applicant(s):JACKSON PLANNING – Matt JacksonProposal:Permanent Group Home with garage

Previous DAs: N/A

Cost of proposed development: \$715,513.06

SITE AND SURROUNDING DEVELOPMENT

The subject site comprises of Lot 2 DP 1288183, 190 Pitman Avenue, Buronga. The lot has an area of $885m^2$ and connects to Sturt Highway to the South through Midway Drive, connecting through to the developing locality within the Midway area and surrounding locality.

The subject site is zoned within the RU5 – Village zone under the Wentworth Local Environmental Plan (WLEP) 2011. The subject site is a rectangular shaped lot with no vegetation removal proposed as site was recently cleared during the subdivision process. The lot is not impacted by easements or environmental factors.

The site is not within the bushfire prone, flood way or flood planning, terrestrial biodiversity, wetlands, or urban release mapped area and contains no known heritage constraints.

DESCRIPTION OF PROPOSAL

The proposal seeks development consent for the construction of a single storey dwelling with garage to be utilised as a permanent group home, which will provide accommodation for people on NDIS plans with ongoing disabilities as per the NDIS requirements. The dwelling is proposed to accommodate three participants and one overnight assistance personnel. The lot has a total area of 885m² with the dwelling proposed to have a floor area of 256.58m², broken down into the following:

Dwelling: 209.31m² – Garage: 28.17m² – Alfresco: 16.20m² – Porch: 2.89m².

One car parking space suitable for disability requirements is provided within the garage, with a standard parking space accommodated within the driveway area.

HISTORY RELEVANT TO THE DEVELOPMENT APPLICATION

N/A

SECTION 4.15-MATTERS FOR CONSIDERATION

(1) The provisions of any environmental planning instrument and development control plan

State Environmental Planning Policy (Biodiversity & Conservation) 2021

The proposed development is proposed to be located upon on a lot that is under 1ha in size and clear of vegetation following previous subdivision. No native vegetation is to be removed for construction, with no impact to any potential habitat for fauna. The site is not known koala habitat, as such, no assessment required against Chapters 3 or 4. The proposed development is not located within close proximity to the river of other waterbody, and as such, no assessment is required against Chapter 5.

State Environmental Planning Policy (Housing) 2021

Clause 60 (a) does not identify the land zoning of RU5 as a prescribed zone suitable for group home development, however, clause 60 (b) states that any other zone under an environmental planning instrument were dwelling houses may be carried out with consent is categorised as a prescribed zone.

The RU5 – Village zone under the WLEP 2011 lists dwelling houses as permitted with consent.

Clause 61 identifies that the proposed group home is permitted with consent as it is proposed on land zoned RU5 – Village under the WLEP 2011. In terms of the hierarchy of legislation, the SEPP overrides the WLEP 2011 in terms of any inconsistency as per section 3.28 of the EP&A Act.

Under clause 62 a consent authority (Council) must not:

- refuse a group development unless an assessment of the community need has been done
- Impose a condition of consent specifically because a development is a group home.

State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX Certificate has not been provided as it is not required due to the proposed development being class 3 under the Building Code of Australia.

Further, as it is assumed that the development will be certified as a Class 3 building under the BCA at the construction stage, in line with the *Comprehensive Guide to BASIX*, a BASIX Certificate is not needed.

Wentworth Local Environmental Plan (LEP) 2011

The proposed development of a permanent group home for the provision of accommodation for participants within the NDIS scheme is permitted with consent and meets the zone objectives of the RU5 – Village zoning under the Wentworth Local Environmental Plan (WLEP) 2011, under which the subject site is located. The main supportive objective is to provide for a range of land uses, services and facilities that are associated with a rural village. The development of a NDIS based permanent group home will allow for services for those with disabilities to live mostly independently with assistance.

Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

A group home meets the definition of a dwelling as follows:

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

Group home means a permanent group home or a transitional group home. Group homes are a type of **residential accommodation**.

Group home (permanent) or **permanent group home** means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which <u>State Environmental Planning Policy (Housing) 2021</u>, Chapter 3, Part 5 applies.

Clause 7.1 Earthworks

Any earthworks will be conditioned and form part of the approval.

Clause 7.2 Essential Services

Connection of services has been made possible during the previous subdivision of the development site.

Wentworth Development Control Plan (DCP) 2011

The proposed development is acceptable against the relevant provisions of the Wentworth Development Control Plan (DCP) 2011 as outlined in the table below.

Wentworth	Chapter 8	Acceptable	Not	N/A	Reason
DCP			Acceptable		
	5.1.1 Site context	X			Positioning of the proposed building on site makes use of available land while leaving space for private open space and providing suitable access for residents of the permanent group home facility. Materials used will compliment other structures in the surrounding area.
	5.1.2 Streetscape	х			The proposed building will be in keeping with few existing developments in the area with windows facing the street for casual surveillance and a garage setback from the facade of the main portion of the building. It is anticipated that future development in the area will be similar and compatible with this DA.
	5.1.3 Front Setback	х			8m – meets
	5.1.4 Side setbacks	Х			East: 3.25m – meets West: 3.2m – meets
	5.1.5 Rear setback	Х			19.11m – meets
	5.1.6 Walls on Boundaries			Х	N/A as no walls on boundaries
	5.1.7 Building heights and overshadowing			X	N/A as not a two-storey building

5.1.8 Site Coverage	Х		Proposed development does not cover more than 60% of site (48% approx.)
5.1.9 Private open space	Х		Ample room for private open space available
5.1.10 Energy & solar access	X		Proposed development meets requirements of the Energy Efficiency Compliance Assessment
5.1.11 Daylight to existing windo	X ws		No impact anticipated from the single storey building to surrounding neighbours.
5.1.12 North facing windows		x	N/A as no north facing windows existing within 3m of boundary.
5.1.13 Overlooking		Х	N/A as development approval is for a single storey building
5.1.14 Fencing and retaining walls		x	N/A approval not for fencing or retaining walls
5.1.15 Car parking an vehicle access	d X		The site provides for one (1) disability access car parking spaces within the garage as per requirements under the Housing SEPP one space within the garage and another singular space is provided in the driveway of the proposed development site. Access to the site is provided via a crossover to council standards to be detailed within conditions of consent. Two parking spaces in total, one being to disability standards.
5.1.16 Cut and fill	X		Earthworks will be conditioned as part of approval

Development Control	WDCP 2011 requirement for RU5 Village zone	Proposed Permanent Group Home	
Front setback	6m minimum	8m	
West side setback	1m minimum	3.25m	
East side setback	1m minimum	3.2m	
Rear setback	3m minimum	19.11m	

(2) The provisions of any draft environmental planning instrument

There is no Division 3.4 draft environmental planning instrument that affect the proposed development. (Post 1 July 2009 LEP amendments).

(3) Any matters prescribed by regulations

There are no further matters prescribed by regulations.

(4) The likely impacts of the development

There are no likely impacts from the proposal as discussed in the table below.

	10131	TOITI	tile p	roposal as discussed in the table below.
Impact item				Comment
(insert an 'x' in the				
relevant section)		ble		
	<u>e</u>	Not acceptable	Not relevant	
	Acceptable	cek	lev	
	eb	: ac	t re	
	Acc	Not	Not	
Context and setting	Х			The proposed permanent group home building will look similar in
				external design to the few existing residential developments in the
				immediate area
Public domain &	Х			The proposed permanent group home building meets the required
Streetscape				setbacks as provided and justified in assessment above (DCP)
			Х	Not part of this application
Landscaping			^	
Stormwater	Х			Discharge to legal point of Councils stormwater system to be
				conditioned
Heritage	Х			None on site
Soils & Soils Erosion	Х			Earthworks and erosion control to be conditioned as part of
				approval
Air and microclimate	Х			No officet from proposed development outliningted
Air and microclimate	X			No effect from proposed development anticipated
Water Resources	Х			Noted – development located adequate distance from water
				sources
Biodiversity (Flora &	Х			As the site was cleared of any vegetation during the subdivision
Fauna)				process – no effect on existing flora or fauna,
Land Resources	Х			None known at this site
Utilities	Х			Utilities are available to the property
Access & Parking	Х			Adequate access and parking are available to the site,
Access & Farking	^			development provides disability parking space as per
				requirements in line with Housing SEPP and
Roads & Traffic	Х			Increase to area anticipated during construction with slight
Nouus & Truffic	^			increase as new residents move into the completed building
Solar Access and Energy	Х			Will be required to meet energy requirements of Part J1 of the BCA
Efficiency	^			Will be required to inect chergy requirements of raitiff of the BCA
			Х	Not relevant as surrounding land vacant and single storay
Overshadowing			^	Not relevant as surrounding land vacant and single storey development
Privacy & Overlooking			Х	Not relevant as single storey building
Flooding			X	Not in flood planning area
			^	· · ·
Bushfire Prone Area			Χ	Property not within bushfire prone land
Noise	Х			Only significant increase anticipated during construction, then
				residential noise ongoing
Technological hazards	Х			No known hazards on site or anticipated
Safety, Security & Crime	Х			No detrimental effects anticipated from development in this
Prevention				location. Windows facing street will provide casual surveillance
				-
Social and Economic	Х			No detrimental effects anticipated
Impacts				

The NDIS outlines high physical support SDA housing as housing that includes a high level of physical access for people who need very high levels of support. For example, you may need a ceiling hoist, backup power supply, or home automation and communication technology.

Further, level of functioning is defined as:

Active participants by Level of Function

"The umbrella term for any or all of body functions, body structures, activities and participation. Level of function indicates the impact a participant's disability has on how a person is able to perform tasks and actions in a life area, as represented by a 'severity score' 'High functioning' indicates lower service and support requirements with a lower severity score, and 'low functioning' indicates higher service and support requirements with a higher severity score."

Image 1: Snip showing five bands of low level of function. (*Explore data NDIS*. https://dataresearch.ndis.gov.au/explore-data current as of 22 April 2025).

The number of active participants as at the end of the selected quarter. Those who have been determined eligible and have an approved plan. (There are also cases where a participant's plan has expired and a new plan has not formally commenced, but they have not exited the Scheme. These individuals are also counted as active participants.) (?) Metric Active participants Average committed support Average payments Table Graph. Period LGA State/Territory **Level of Function Active participants** Q2 FY24/25 Wentworth (A), NSW 9 (Medium) < 11 QZ FYZ4/25 Wentworth (A), NSW 10 (Medium) 27 Q2 FY24/25 Wentworth (A), NSW 11 (Low) <11 Q2 FY24/25 Wentworth (A), N5W 1.8 12 (Low) Q2 FY24/25 Wentworth (A), NSW 13 (Low) <11 Wentworth (A), N5W Q2 FY24/25 14 (Low) < 11 Q2 FY24/25 Wentworth (A), NSW 15 (Low) < 11 Q2 FY24/25 Wentworth (A), NSW Missing < 11

If we take < 11 to mean there are roughly ten participants in the associated (low) band, the above image then identifies that the five bands total 68 participants. This therefore identifies that there is a population with requirements for higher servicing and support requirements, being low functioning and having a higher severity score.

Low functioning participants as per the level of functioning definition require higher levels of support.

From the same dataset (as taken from the above website on the same date), there are 198 active participants who have been deemed eligible and have an approved plan under the NDIS. This dataset

does not encompass all of those with disabilities that require support within the Wentworth LGA, indicating there may be more not accounted for as they are not active participants or are waiting for availability.

From the above 198 active participants, none have approved plans encompassing SIL / SDA.

The Inquiry Report: Own Motion Inquiry into Aspects of Supported Accommodation (NDIS Quality and Safeguards Commission, January 2023)

The above report states the following on page 23:

- a suburban house (SDA or otherwise) where a group of people with disability live together, each with their own bedroom (sometimes with ensuite), sharing a common living room, kitchen, bathroom and garden, and with an area of the house used as office space for staff.
- a number of suburban houses (as above) located in relatively close proximity to each other, sometimes with direct links between each of the houses (for example through a garden gate), with a team leader or manager overseeing supports across the network.

This reinforces the ability for SDA dwellings to be located in close proximity to one another.

Wentworth Disability Inclusion Action Plan 2022 - 2026

The Wentworth Disability Inclusion Action Plan 2022-2026 has a focus area that directly identifies housing for those with disabilities – 2; Livable Communities which states the following: Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing.

The plan, in line with the identified focus area aims to attribute to the positive experience of those with a disability, their families and supporters, through access to community places, buildings and events.

As there are currently no SDA housing facilities within the LGA, the proposal to develop them is in line with the Disability Inclusion Action Plan with the aim of providing housing, eliminating the barrier of housing access to those that require it.

Further, the following are direct quotes from the plan:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built

environment and advocate for improved transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Approach to characterization and permissibility under LEPs

It needs to be noted that the development of Permanent Group Homes is permitted under legislation, both the Wentworth Local Environmental Plan 2011 and the State Environmental Planning Policy (Housing).

The case of *Botany Bay City Council v Pet Carriers International PTY Limited* [2013] NSWLEC 147 reiterates that land use tables within LEPs can use many means by which to define what development is permissible by identifying either *nominate* or *innominate* purposes.

His Honor, Preston CJ, stated the following:

A nominate purpose is one which the environmental planning instrument expressly nominates by name as being within one of the three classifications. Hence, the land use table for a zone may nominate particular categories of purposes of development as being within the classifications of development that may be carried out without consent, development that may be carried out with consent, or development that is prohibited.

An innominate purpose is one which the environmental planning instrument does not nominate by name as being within one of the three classifications, but rather identifies as falling within a particular classification by reason of it not being nominated in other classifications; it is development other than development in the other classifications. Hence, the land use table for a zone may classify as prohibited development, development for a purpose other than a purpose nominated as being able to be carried out without consent or with consent.

In the case of permanent group homes, as they are not directly identified within the RU5 – Village zoning as an independent type of development but fall under "any other development not specified in items 2 or 4", they are therefore innominate and permissible with consent.

(Compatibility Test) Project Venture Developments Pty Ltd v Pittwater Council [2005]

There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale, or appearance, though as the difference in these attributes increases, harmony is harder to achieve.

The physical impacts, such as noise, overlooking, overshadowing, and constraining development potential, can be assessed with relative objectivity. In contrast, to decide whether or not a new building appears to be in harmony with its surroundings is a more subjective task. Analysing the existing context and then testing the proposal against it can, however, reduce the degree of subjectivity.

For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment. In some areas, planning instruments or urban design studies have already described the urban character. In others (the majority of cases), the character needs to be defined as part of a proposal's

assessment. The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks, and landscaping. In special areas, such as conservation areas, architectural style and materials are also contributors to character.

In order to test whether a proposal is compatible with its context, two questions should be asked.

- Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites. (Test One)
- Is the proposal's appearance in harmony with the buildings around it and the character of the street? (Test two)

Test One:

The proposal of a permanent group home, being constructed as a dwelling, does not constitute any physical impacts on the surrounding development. The surrounding development consists of dwellings with outbuildings.

Physical impacts will not occur as the development design is that of similar size, scale and sitting to existing development in the immediate and surrounding area. The applicant has identified the permanent group homes to have external materials and colouring that complements existing dwellings in the surrounding area.

It should be noted that Wendy Court itself, where the main streetscape occurs, has minimal development existing, being two dwellings and an allotment with an outbuilding.

There will be no issues regarding side setbacks as a physical constraint, as setbacks adhere to requirements under the Wentworth Development Control Plan, some rear setbacks do not meet requirements, but it should be noted that habitable building space does not encroach the setbacks, only alfresco areas that are open in design. Front setbacks may not meet the required 6m, however, as discussed in the DCP assessment, in newly developed areas, setbacks from the front boundary can be accepted at 4.5m for RU5 – Village zoned land.

Test Two:

The proposal of a permanent group home will be in harmony with the development within the estate area. Permanent group homes are designed as and meet definitions of dwellings, which is the main development in the estate area and will not alter the harmonic design, rather increasing development in the area and encouraging use of the RU5 – Village zoning whereby a range of services and facilities need to be available, including disability accommodation for the impacted community members.

Harmony is often defined as "the quality of a pleasing and consistent whole", with the permanent group homes not causing impact as the development will be that of dwellings in a residential area attributing to the existing use and character of the estate. Impact to Summer Drive through harmonious development should not be impacted due to separating fences and differing streetscapes (existing development vs minimally existing development).

The permanent group homes will be of the same design, therefore harmonious to themselves and attributing to consistency of the area.

The permanent group homes are dwellings and will not impact the character of the area. The use of each dwelling is subject to residential purposes such as long term accommodation, which is provided through the group homes. The use of existing dwellings in the area is no different to the accommodation purposes of the group homes, with additional assistance for the residents of the group homes required.

New Century Developments Pty Limited v Baulkham Hills Shire Council [2003] NSWLEC 154 revised - 5/09/2003 (social impact, large number of objectors, character and amenity of area).

The above caselaw provides examples of amenity, reiterates development characteristics and any further associated issues, as well as substance of community responses to proposed development.

"(61) In circumstances such as the present case, however, the consent authority must not blindly accept the subjective fears and concerns expressed in the public submissions. Whilst such views must be taken into consideration, there must be evidence that can be objectively assessed before a finding can be made of an adverse effect upon the amenity of the area... the views of residents of the area, those views will be accorded little, if any, weight if there is no objective, specific, concrete, observable likely consequence of the establishment of the proposed use."

The above quote from the caselaw states plainly that evidence must be provided for submissions to be assessed. Council cannot take submissions with little to no planning grounds as having an adverse impact to the development of what is defined legally as a permanent group home under the WLEP 2011.

There are no specific issues raised in submissions received regarding the proposed group home development.

Submissions received as objections rather centre around the use of the development and those that would use it, however, this is not for Council to mandate as we are not the managing authority, only the consent authority. Submissions referenced the following:

- Property valuation
- Proximity of group homes to each other
- Behaviour concerns of NDIS participants
- Potential for property damage
- Disturbances caused by NDIS participants
- Location of group homes in locality for NDIS participant access to services
- Lack of Council transparency
- Concerns for the childcare centre in proximity to proposed group homes
- No need for further group home development

"(64) The assessment of the specific objections raised by the local residents shows that the concerns raised by them, objectively assessed, must be afforded little weight. As is shown by the consideration of the specific objections, discussed above, they appear to have little basis in fact."

Th above quote from the caselaw states that if concerns have been assessed based on the objectives (mainly directed at NDIS management and use of the proposed group home dwelling – therefore not specific legislative <u>planning grounds</u>), then submissions **must** be afforded little weight, therefore not considered as little fact is apparent.

"(71) In summary, I have concluded that the proposed development would be compatible with the rural residential character of the area and would not have an adverse impact on the amenity of the area, including social impact. While I recognise that there is strong community opposition to the proposal and that the residents have real fears, these fears must have foundation and a rational basis, which in this case is absent."

The above quote from the caselaw states that the ultimate outcome of the case as decided by the Judge, was that the proposed development was compatible with the character of the existing area and would not have an impact on the amenity of the area. Community opposition was recognised but the concerns were found to have no foundation or rational basis (planning grounds).

In relation to the proposed group home, no planning grounds for the proposal are seen, merely concerned community members referencing issues relative to unjustified fears based on the use of the development. No foundation (fundamentals of planning legislation) are presented by submitters, as addressed by Council.

Understanding the Local Impact of New Residential Development: a Pilot Study Christine Whitehead and Emma Sagor with Ann Edge and Bruce Walker LSE London April 2015

The report identifies that opposition to new dwelling development is driven by local communities feeling that they will gain little benefit from new dwellings and that negative impacts may arise, such as infrastructure pressure and lack of services, as well as residential valuation impacts.

The report solidifies and states that planning literature does not often and is not required to, address impacts to housing valuation or pricing as this is not directly related to planning decisions which are assessed against relevant legislation, as well as broader economic, environmental, and social factors.

Further Information of Relevance

The 2019 Issues Paper – Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) focuses on group homes as a form of accommodation where supports are provided for four (4) to six (6) long-term residents with a disability. The proposed group home under assessment is for residential accommodation of up to three people

This Issues Paper states plainly that all building work (in regard to group homes) must comply with requirements under the Building Code of Australia (BCA), this is a consideration for the construction certificate and certification stage of the development.

Further, the Issues Paper also states that group homes are defined under the NDIS Rules 2016 as "houses that are (or will be enrolled) to house four to five long-term residents... typically classified as Building Class 1(b)(i) or 3 under the Building Code of Australia."

As per the document *Understanding the NCC – Building Classifications* published by the NCC, a Class 1b building is a boarding house, guest house or hostel that has a floor area less than 300 m2 and ordinarily has less than 12 people living in it, and Class 3 buildings are a common place of long term or transient living for a number of unrelated people.

The 2020 Issues Paper – Overview of responses to Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) identifies the following on page seven (7) under Potential good practice in group homes:

- Role of group homes is conditional upon providing residents wit control and choice over their location,
- Group homes can promote inclusion and social connection,
- Research suggests smaller group homes of two to three residents is usually better,
- Factors such as organizational structure, staff training and person centred support contributes to better quality of life in group homes.

Maple Community Services (https://maplecommunity.com.au/advantages-of-group-housing-for-adults-with-disabilities/) is a disability provider with an accessible online platform, this platform provides a page identifying the advantages of group housing for adults with disabilities, points from the website as follows:

- Independence opportunity to manage routines and take responsibility within a supportive and structured environment.
- Specialised care on site or readily available support workers can provide the required approaches to individual needs ensuring each level of care for each resident is maintained.
- Safety and security increased safety measures are present in group homes, as well as emergency support systems, thus ensuring safety of the residents.
- Social inclusion opportunities to participate in activities, outings and community engagement creating meaningful relationships in home and community.
- Small scale group homes often limit number of residents to keep a personalized and supportive environment.
- Privacy each resident has their own bedroom for privacy and personal space.
- Accessibility group homes are designed to accommodate mobility and accessibility needs.

The Australian Institute of Health and Welfare (AIHW) under *Housing* states the following on their website:

Housing plays a major role in the health and wellbeing of people with disability, by providing shelter, safety and security. The availability of affordable, sustainable and appropriate housing helps people with disability to participate in the social, economic and community aspects of everyday life.

Australia's Disability Strategy 2021 – 2031 is Australia's national disability policy framework, setting out plans for the continual improvement of the lives of people with disability in Australia over a decade.

This strategy includes a designated chapter for *Inclusive Homes and Communities*, with the outcome to provide people with a disability the opportunity to live in inclusive, accessible, and well-designed homes and communities.

Under this chapter, *Policy Priority 2: Housing is accessible and people with disability have choice and control about where they live, who they live with, and who comes into their home* relays the importance of increasing availability of accessible housing to allow for users to have a choice on where to live, who to live with and enables people with disability to socialise and connect with neighbours, friends and family.

Monash Universities publication Adaptable Housing for People with Disability in Australia: A Scoping Study states the following:

Given the increasing prevalence of disability, an estimated 60% of homes will, at some point, be occupied by a person with disability or injury, and 90% will have a visitor with disability or injury.

Few homes are designed to directly suit or be adaptable to the needs of people with disability, causing a mismatch between people with disability and their homes:

- 4.9% of Australians with disability have moved because of a health reason (compared to only 0.6% of people without disability)
- 16% are dissatisfied with their homes.

Wentworth Local Environmental Plan 2011

The WLEP 2011 provides the following definition for permanent group homes: group home (permanent) or permanent group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged

It should be noted that the plans provided by the applicant indicate "NDIS High Physical Support SDA" with design considering wider doorways, ceiling hoists, accessible parking (garage), and ensuites tailored for required needs (rails etc.), with an adjustable bench in the kitchen.

The people anticipated to use these dwellings are those with disabilities, and not those who are socially disadvantaged, however, Council are not the management authority and cannot dictate who will utilize these developments.

(5) The suitability of the site for development

The site is suitable for the proposed permanent group home building as it is not anticipated to have any adverse impact on the locality; however, 14 submissions were received. The proposed development is permitted within the RU5 – Village zoning area under the Wentworth Local Environmental Plan 2011. The development provides the area with greater flexibility in housing and facilitates options for people with a disability under the NIDS scheme to become independent within the community, while receiving care when required. The character and use of the proposed development is consistent with other proposed developments in the immediate area.

(6) Any submissions made in accordance with this Act or Regulation

The application was notified for 14 days as per the Wentworth Community Participation Plan. 14 total submissions (13 unique) were received objecting to the application within the notification period.

The following list identifies concerns raised within the submissions received:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area
- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,
- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,

Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Regards,

Council Officer Comment:

There have been no planning grounds of concern raised through submissions made during the 14-day public exhibition period. Concerns identified have been assessed as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy – Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.
- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is no planning strategy for specialised housing, only the Housing SEPP, which permits these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as detailed in assessment above will need to occur and this will fall to compliance with any approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.

Item 9.12 - Attachment 6 4.15 Assessment







(7) The public interest

The proposed development is consistent with public interest as it will have no detrimental effect on the surrounding area.

Social impact equates to the consequences that people experience when a new proposal for development will alter their known environment. This could be through acoustic, amenity, way of life, health and wellbeing, and property impacts. Submissions in regard to the proposed group home have shown that the development proposed is seen as a concern to the surrounding community.

The social impacts as identified by concerned residents in submissions for the proposed group home (singular development on a singular allotment) are not linked to the development of a permanent group home, instead, are aligned with the users and management authority of the group home following construction. No noise, amenity, traffic or other detrimental impacts are envisaged from a, by definition, permanent group home in a residentially established area.

Approval of the proposed group home would benefit the disabled community of the shire, which under the Disability Inclusion Action Plan (2022 -2026), housing is a provision that needs to occur and is heavily identified. Although the population requiring this accommodation may not encompass a wider community, the housing type is beneficial to the expanding Buronga / Gol Gol and wider areas of the entire shire and is also important being a border community. A total of 13 submissions objecting to the development were received during the exhibition period, however matters raised were similar in nature with no detrimental planning concerns raised. Most concerns are specific to management and users of group homes in general, or the infrastructure of the area that would have been considered during the subdivision stage. It is worth noting that nearly all submissions state that the submitter recognises the need for the housing type in the shire.

The Land and Environment Court in New Century Developments Pty Limited v Baulkham Hills Shire Council (2003) 127 LGERA 303; [2003] NSWLEC 154 (New Century) at [60] adjudged that a development that causes such great offence to a large portion of the community that it ought to be refused amounts to a detrimental social impact.

However, at [62] the case law identifies that fears or concerns without rational or justified foundations are not matters which, by themselves, can be considered as an amenity or social impact pursuant to s 79C(1) (now s 4.15) of the EP&A Act. Where there is no evidence to support a rational fear, it will not be relevant and be of the basis that community members have altered their everyday actions and thoughts based on the concept of the use of permanent group homes, therefore are seen due to unjustified fears, in this case, whereby broad assumptions have been made about the use of permanent group homes.

In this case Council received 14 objections to the DA from residents living nearby and from within the broader urban area. The objections principally related to impacts to property value, childcare proximity, disturbances from residents of proposed group homes, lack of facilities in the area, proximity of group homes to each other, insufficient infrastructure to support high-needs users, impact of living in the area for NDIS participants, potential for traffic increase and property damage from users.

Assessment of social impacts relating to the proposed development of a permanent group home needs to be based on fact and evidence, not community perceptions or potential unjustified fears. It

needs to be reiterated that the assessment and approval or refusal of a development application is to be made under the planning legislation.

The social impacts as perceived by local residents are noted and have been addressed through conditions of consent or general assessment. Council cannot dictate who utilises the group home upon completion and following issuance of an occupation certificate as long as users are those permitted under the definition of permanent group home. Residents of the area seem to hold unjustified fears of those from within the disabled community who would be using the group homes for impacts to their lives and everyday activities.

At the February and March Council Meetings (2025) members of the public gallery spoke against the development of group home "clusters", citing isolation of potential residents, heightened noise and vehicular impacts, minimised liveability of the wider community, emergency vehicle access and availability, NDIS requirements and reports that are not indicative of town planning requirements, DCP non-compliance, and the institutionalisation of NDIS participants. The abovementioned have been considered in the assessment and are not considered detrimental social impacts as they are perceived impacts or unjustified concerns, with no reference to applicant supplied assessment material. Concerns have been adequately given weight where required in line with provided substance of submissions. Submissions and voiced concerns have not been of strict planning grounds and can be viewed as unjust when referencing the disabled community.

The development of a permanent group home, defined under the WLEP 2011 as a dwelling, is not anticipated to create negative social impacts on the locality. The specific users are not for Council to mandate through the development approval processes. A combination of abovementioned impacts will not lead to negative impacts or experiences in the area. The development of a permanent group home, in a residential area with minimal development as per this assessment should be greatly considered for aesthetic and crime prevention (CPED) purposes. The more houses/development in a subdivision, street facing windows and cars around development, all attribute to making an area safer both through surveillance and lively areas.

On balance, the proposed permanent group home in a land zoning supporting group homes under both the WLEP 2011 and the Housing SEPP 2021, the benefits to the disabled community and no negative impact anticipated to the social streetscape or overall amenity of the area, when weighted against the minimal substance of the submissions, does not justly warrant refusal of this development application.

Should concerns arise from the permanent group home operation, Council will properly investigate and take compliance action as needed to matters within our jurisdiction.

COMMENTS FROM COUNCIL INTERNAL DEPARTMENTS

Department	Referred Y/N	Comments
Building	Υ	BCA Classification: 3 and 10a
		Comments
		 No building comments relevant to the
		determination of a DA.
		Approval under S68 of the Local Government Act must be
		obtained prior to the issue of a Construction Certificate in
		relation to:
		 Carrying out of water supply work.

		Carrying out sewerage work.
		Connection to Sewer.
Subdivision Engineer	N	
Roads & Engineering	N	
Finance & Policy	N	
Heritage Advisor	N	
Environmental Health	N	
Local Laws	N	
Floodplain Mgt Committee	N	
Sustainable Infrastructure	N	

CONCLUSIONS

- 1. General comments:
- 2. The proposal satisfies the points for consideration listed under Section 4.15 <u>part b, c, d and e</u> of the *Environmental Planning and Assessment Act*.
- 3. The proposal occurs on land zoned RU5 Village. The proposal is not considered to have detrimental impact on the site and surrounds.
- 4. The proposal is consistent with the Wentworth Shire Development Control Plan (Dec 2011). The proposal meets Chapter 8 of the provisions set out in the Wentworth Development Control Plan 2011.
- 5. The proposed permanent group home accords with the relevant objectives and provisions of the State Environmental Planning Policy (Biodiversity & Conservation) 2021 and State Environmental Planning Policy (Housing) 2021.
- 6. There is no draft local environmental plan affecting the proposed development.

Recommendation:

Approve the application subject to conditions

Delegate report author	Delegated approval and endorsement
Signature:	Signature:
Georgie Martin	
Cadet Planning Officer	
Date: 29/04/2025	Date:



Health & Planning Department 61 Darling Street PO Box 81 WENTWORTH NSW 2648

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

TEMPLATE CONDITIONS

DA2025/055 PERMANENT GROUP HOME WITH GARAGE 190 PITMAN AVENUE LOT 2 DP 1288183 BURONGA

GENERAL CONDITIONS

1. Approved development

Approval is for a permanent group home with garage.

Condition reason: To ensure all parties are aware of the approved development.

2. Approved Plans and Documentation

The development shall be in accordance with the following plans, documentation and recommendations made there in:

- **Site Plan** by Intrend Design & Drafting PTY LTD; Job No: 24-675; Sheet No: 2 of 5; Date: 24/04/24.
- **Floor Plan** by Intrend Design & Drafting PTY LTD; Job No: 24-675; Sheet No: 3 of 5; Date: 24/04/24.
- Elevations (N & S) by Intrend Design & Drafting PTY LTD; Job No: 24-675; Sheet No: 4 of 5;
 Date: 24/04/24.
- Elevations (E & W) by Intrend Design & Drafting PTY LTD; Job No: 24-675; Sheet No: 5 of 5; Date: 24/04/24.

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

3. Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989

- It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
- It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be

carried out by the consent commences.

- 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.
- 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
- 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
- 6. This section does not apply-
 - a. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
 - b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.

4. Erection of signs

- 1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
- 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out:
 - a. showing the name, address and telephone number of the principal certifier for the work, and
 - b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.
- 3. The sign must be
 - a. maintained while the building work, subdivision work or demolition work is being carried out, and
 - b. removed when the work has been completed.
- 4. This section does not apply in relation to
 - a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
 - b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

5. Lapsing of Approval

Without the further consent of the Wentworth Shire Council, in writing, this permit shall lapse

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BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

7.	7.12 Contribution
	Before the issue of the relevant construction certificate, the applicant must pay a total contribution of \$7155.13 as calculated at the date of this consent to Wentworth Shire Council pursuant to the adopted Section 7.12 Development Contributions Plan.
	Note: The total amount payable may be adjusted at the time payment is made per clause 3.10 of the Section 7.12 Development Contributions Plan.
	Condition reason: To ensure the 7.12 Developer Contributions are paid.
8.	Access Point Before the issue of a Construction Certificate, the beneficiary of this consent must build a driveway crossing for the subject land (if one doesn't exist) to Council standards. Access during construction shall only be through the driveway crossing of the subject land.
	Condition reason: To control vehicular movement on road crossings.
9.	Building Material The proposed building/s and structure/s shall be clad in an approved non-reflective material e.g. Colourbond.
	Condition reason: To ensure the materials of the building not impact the visual amenity of the surrounding character of the area.
10.	Construction Site Management Plan Before the issue of a construction certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:
	 location and materials for protective fencing and hoardings to the perimeter on the site provisions for public safety
	pedestrian and vehicular site access points and construction activity zones

- details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
- protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites) and trees in adjoining public domain
- details of any bulk earthworks to be carried out
- location of site storage areas and sheds
- equipment used to carry out all works
- a garbage container with a tight-fitting lid
- dust, noise and vibration control measures
- location of temporary toilets.

The applicant must ensure a copy of the approved construction site management plan is kept on-site at all times during construction.

Condition reason: To ensure construction works are adequately managed to protect the surrounding amenity.

11. Erosion and Sediment Control

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:

- the guidelines set out in the NSW Department of Housing manual Managing Urban Stormwater: Soils and Construction Certificate (the Blue Book), and
- the 'Do it Right On-Site, Soil and Water Management for the Construction Industry';
 (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The applicant must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.

Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.

12. Fire Safety Schedule

Prior to the issue of a Construction Certificate, pursuant to Part 10 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended) a Fire Safety Schedule is to be submitted to the Principal Certifying Authority. The Fire Safety Schedule must include matters prescribed in clause 79 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended).

Condition reason: To ensure compliance with Fire Safety requirements.

13. Long Service Levy

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that the person liable pays the long service levy as calculated at the operational date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

Condition reason: To ensure the long service levy is paid.

14. Payment of Security Deposits

This condition applies to all construction works \$25,001 and above.

Before the commencement of any works on the site or the issue of a construction certificate, the beneficiary of this consent must make all of the following payments to Council and provide written evidence of these payments to the certifier:

Infrastructure Bond (Security Deposit):	\$3,000.00	
Infrastructure Protection Permit Fee (includes inspections)	\$232.00	

The payments will be used for the cost of:

- making good any damage caused to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates,
- completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and
- any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.

The Infrastructure Bond will be returned on completion of the construction of the proposed development, subject to no damage being done to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates. The owner / developer is to arrange an inspection with an Officer of Wentworth Shire Council before any work commences on site. Any damage incurred to Council infrastructure will be repaired at the owners / developers expense and the balance of the Infrastructure Bond will be returned to the owner / developer on completion of the construction.

Note: The inspection fee includes Councils fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the Roads Act 1993). The amount payable must be in accordance with councils fees and charges at the payment date.

Condition reason: To ensure any damage to public infrastructure is rectified and public works can be created.

15. **Plumbing and Drainage**

Before issuance of the Construction Certificate, a Plumbing and Drainage Application under Section 68 of the Local Government Act NSW 1993 is to be submitted to and approved by Council before any plumbing and drainage works (water and sewerage).

Note: All stormwater from the site is to be directed towards a legal point of discharge. All plumbing and drainage work is to be carried out by a plumber and drainer, or other authorised

	person, licensed with the New South Wales Department of Fair Trading.
	Condition reason: To ensure plumbing and drainage works are carried out appropriately.
16.	Road reserve landscaping Lawn must be used for landscaping within the road reserve. Any other form of landscaping in the road reserve must be approved by Council.
	Condition Reason: To ensure appropriate landscaping is used in road reserve.
17.	Utilities and services - water and sewerage Raw water, filtered water and sewerage are available and are to be connected to Councils services. Dual water supply lines are to be provided from the front boundary of the property. One line is to convey filtered water to all fittings within the building and the other line to convey unfiltered water to all fittings outside the building i.e. garden taps, etc. A separate application is to be made to Council for approval to connect to Council's water mains prior to commencing any plumbing and drainage work. Condition reason: To ensure relevant utility and service providers requirements are provided to the certifier.
18.	Waste management plan Before the issue of a construction certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier: Details the following:
	 the contact details of the person(s) removing the waste an estimate of the waste (type and quantity) and whether the waste is expected to be reused, recycled or go to landfill the address of the disposal location(s) where the waste is to be taken The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction. Condition reason: To ensure resource recovery is promoted and local.
19.	Works in Road Reserve A Road Opening Permit is required from the Wentworth Shire Council prior to any works or excavation within the road reserve including but not limited to: water tapping, sewer, driveway crossings, tree planting or removal etc. Please contact Councils Roads & Engineering Department on Tel: (03) 5027 5027 to arrange a permit.
	Condition reason: To control development in the road reserve.

BEFORE BUILDING WORK COMMENCES

20. Construction Certificates and Appointment of Principal Certifier

Prior to the commencement of any building works, the following requirements must be complied with

- A Construction Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning & Damp; Assessment Act 1979,
- A Principal Certifier must be appointed, and Council must be notified in writing of the appointment irrespective of whether Council or a Registered Certifier is appointed; and notify Council in writing of their intention to commence work (at least two [2] days' notice is required).

Condition reason: To ensure building works complies with relevant legislation and other codes.

21. Contractor details notification

The certifying authority must advise Council, in writing of:

- 1. The name and contractor licence number of the licensee who has been contracted to do or intends to do the work, or
- 2. The name and permit of the owner-builder who intends to do the work.

If these arrangements are changed, or if a contract is entered into for the work to be done by a different licensee, Council must be immediately informed.

Condition reason: To ensure building work is carried out by licensed contractor.

22. Dial before you dig

Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary.

Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individuals responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities."

Condition reason: To ensure existing infrastructure is identified.

23. Erosion and sediment controls in place

Before the commencement of any site or building work, the developer must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by Council) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).

Condition reason: To ensure runoff and site debris do not impact local stormwater systems and waterways.

24.	Notice of commencement of works Subject to approval to commence works two days before any site works, building or demolition begins, the beneficiary of this consent must: 1. Forward to Council notice of commencement of work and appointment of Principal Certifying Authority. 2. Notify the adjoining owners that work will commence.
	 Notify the adjoining owners that work will commence. Condition reason: To provide notification of works commencing.
25.	Rubbish/Waste Management Throughout the construction period, from commencement of work, a suitable rubbish containment structure is to be located on site and utilised.
	Condition reason: To ensure the construction site is kept clean and safe at all times.
26.	Storage of materials Throughout the construction period, from commencement of work, the storage of materials is not permitted on footpaths, roadways or in reserves. Rubbish and building materials must be contained on the site.
	Condition reason: To ensure the construction materials are stored on site in a tidy & safe manner.
27.	Toilet facilities Toilet facilities are to be provided on or in the vicinity of the building site. The toilet must be connected to a public sewer, or if connection to a public sewer is not practicable, an approved chemical closet. The toilet facility must be installed on-site prior to the commencement of any other work.
	Condition reason: To ensure workers and contractors have access to amenities on site.
28.	Tree protection measures Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place.
	Condition reason: To protect and retain trees.

DURING BUILDING WORK

29.	Approved Plans A copy of the stamped approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on site for the duration of site works and be made available upon request to either the Council or other Government Agencies. Condition reason: To ensure all parties are aware of the approved works to be conducted.
30.	Construction noise While work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise,

when measured at any lot boundary of the property where the construction is being carried out.

Condition reason: To protect the amenity of the neighbourhood.

31. Contamination discovered during works

If during works on the land comprising the lot, the land is found to be contaminated, within the meaning of the Contaminated Land Management Act 1997:

- all works must stop immediately, and
- the Environment Protection Authority and the council must be notified of the contamination.
- Land is found to be contaminated for the purposes of this condition if the principal certifying authority knows or reasonably suspects the land is contaminated.

Note: Depending on the nature and level of the contamination, remediation of the land may be required before further work can continue.

Condition reason: To ensure contaminated land is managed appropriately.

32. Cut and fill (if applicable)

While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- All excavated material removed from the site must be classified in accordance with the EPAs
 Waste Classification Guidelines before it is disposed of at an approved waste management
 facility and the classification and the volume of material removed must be reported to the
 principal certifier.
- All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.

Condition reason: To ensure soil removal & replacement meets requirements.

33. Encroachment of easements

No works are to encroach over any easements.

Condition reason: To ensure works are not carried out over easements.

34. Hours of work

The developer must ensure that building work, demolition or vegetation removal is only carried out between:

- 7.00am to 6.00pm on Monday to Friday
- 8.00am to 1.00pm on Saturdays

The developer must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

	Note: Any variation to the hours of work requires Councils approval.
	Condition reason: To protect the amenity of the surrounding area.
35.	Implementation of site management plans While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan and the erosion and sediment control plan are implemented at all times. The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request. Condition reason: To ensure the required site management measures are implemented during
	construction.
36.	Natural drainage Any works undertaken in the subject land including building and filling shall not cause alteration to the previous drainage in the subject land or adjacent land. Any remedies required to discharge drainage water caused to be accumulated by the works associated with this permit shall be the responsibility of the beneficiary of this consent.
	Condition reason: To ensure natural drainage is maintained where possible.
37.	Procedure for critical stage inspections While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.
	Condition reason: To require approval to proceed with building work following each critical stage inspection.
38.	Responsibility for changes to public infrastructure While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).
	Condition reason: To ensure payment of approved changes to public infrastructure.
39.	Security fencing An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project
	Condition reason: To ensure the site is secured during construction.
40.	Tree protection While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with:
	The construction site management plan

2. The relevant requirements of any Australian Standard for the protection of trees on development sites

This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

Condition reason: To protect trees during site works.

41. Uncovering relics or Aboriginal objects

While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

- "relic" means any deposit, artefact, object or material evidence that: (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - a) is of State or local heritage significance; and
- "Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

Condition reason: To ensure protection of objects of potential significance during works.

42. Waste management

While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contact details of the person(s) who removed the waste
- The waste carrier vehicle registration
- The date and time of waste collection
- A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill
- The address of the disposal location(s) where the waste was taken
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.

Condition reason: To require records to be provided, during construction, documenting that

waste is appropriately handled.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

43. Completion of landscape and tree works

Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree-works, including pruning in accordance with AS 4373-2007 Pruning of amenity trees and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.

Condition reason: To ensure the approved landscaping works have been completed before occupation, in accordance with the approved landscaping plan(s).

44. Completion of public utility services

Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority. Before the issue of the occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.

Condition reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.

45. Fire Safety Certificate

Prior to the issue of the occupation certificate, a Fire Safety Certificate must be issued in accordance with Part 11 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Condition reason: To ensure fire safety requirements have been met.

46. **Occupation Certificate**

The building shall not be occupied or used until an Occupation Certificate is issued either by council or by an accredited certifier.

Condition reason: To ensure development is accredited.

47. Removal of waste upon completion

Before the issue of an occupation certificate, the principal certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the principal certifier.

Before the issue of a partial occupation certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the principal certifier's satisfaction.

Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.

48. Repair of infrastructure

Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.

Note: If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.

Condition reason: To ensure any damage to public infrastructure is rectified.

OCCUPATION AND ONGOING USE 49. Additional structures No additional structures are to be built or installed on the site without permission from the Wentworth Shire Council. **Condition reason:** To ensure only approved work is carried out 50. Amenity of the neighbourhood The operation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products. Condition reason: To ensure the amenity of the neighbourhood is not compromised unreasonably. 51. Maintenance of wastewater and stormwater treatment device During occupation and ongoing use of the building, the beneficiary of this consent must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective. **Condition reason:** To protect sewerage and stormwater systems. 52. Ongoing use – permanent group home with garage The proposed garage cannot be used for habitation. **Condition reason:** To ensure appropriate use as per approval. 53. Release of securities / bonds

When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held. Council may use part, or all of the securities held to complete the works to its satisfaction if the works do not meet Councils requirements.

Condition reason: To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction.

9.13 DA2025/056 PERMANENT GROUP HOME 11 WENDY COURT LOT 11 DP 1288183 BURONGA

File Number: RPT/25/265

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Georgie Martin - Cadet Planner

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

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

Summary

A development application (DA2025/056) was received by Council on 19 March 2025, for a permanent group home to be situated upon 11 Wendy Court Lot 11 DP 1288183 Buronga.

Under the Wentworth Local Environmental Plan (WLEP) 2011 and the State Environmental Planning Policy (Housing) 2021, this development is permitted with consent within the RU5 – Village zoning.

The application seeks development approval for the construction of a permanent group home which will be used for the accommodation of people with a disability under the NDIS Scheme. The building will consist of three bedrooms for people with disability and one bedroom for overnight assistance, with each bedroom having an ensuite. Other features of the permanent group home include an open plan kitchen, dining and living area, and an alfresco area. A single disabled car park has been provided within the garage.

The application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification 14 submissions were received by Council objecting to the proposed development.

The State Environmental Planning Policy (Housing) 2021 states that a consent authority must not refuse consent to the development for the purposes of a group home unless the consent authority has made an assessment of the community need for the group home.

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

Recommendation

That Council:

- 1. Approve subject to conditions DA2025/056 for a permanent group home to be located at 11 Wendy Court Lot 11 DP 1288183 Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Detailed Report

Purpose

The purpose of this report is to provide information to Council to determine Development Application DA2025/056, having consideration to the detail provided both within this report and the attachments provided.

Background

A Development Application was lodged with Council on 19 March 2025 seeking consent for a permanent group home on the subject lot.

The subject lot is in the RU5 Village zone under the *Wentworth Local Environmental Plan 2011* (WLEP 2011).

DA2025/056 was publicly notified as per Council Community Participation Plan for 14 days, with a total of 14 submissions objecting to the proposal received during this period. These submissions can be found under attached documents.

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

Refer to attachment 1 – Development Application

Refer to attachment 2 - Plans

Refer to attachment 3 – Statement of Environmental Effects

Matters under consideration

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

The proposed development was assessed and complies with relevant provisions of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 and the State Environmental Planning Policy (Housing) 2021.

The proposed development for a permanent group home is permitted with consent and meets the zone objectives of the RU5 – Village zone under the WLEP 2011.

Due to the zoning and WLEP 2011 mapping impacting the land, the development application was assessed against clauses 7.1 & 7.2. The development application was able to satisfy the matters for consideration under these clauses.

Due to the nature of the proposed development, it was assessed against Chapter 8 of the Wentworth Development Control Plan (DCP) 2011. The development complies with relevant provisions under this chapter.

The Wentworth Disability Inclusion Action Plan 2022 – 2026 is a requirement under the *Disability Inclusion Act 2014 (NSW)* (DIA / The Act). The Act required all NSW Local Government Areas to develop a Disability Inclusion Action Plan. Wentworth Shire Councils adopted plan states the following:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved

transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Public notification of the development application was conducted as per the Council Community Participation Plan for 14 days, whereby any submission received must at a minimum provide the following:

- Clearly identify the matter to which the submission relates,
- State the grounds for any support or objection expressed in the submission,
- Include appropriate contact details

Summary of concerns raised in submissions:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area
- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,
- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Response from Assessing Officer to concerns raised is as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy – Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.

- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is
 no planning strategy for specialised housing, only the Housing SEPP, which permits
 these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as detailed in assessment above will need to occur and this will fall to compliance with any approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.

Based on the assessment of the application, it is determined that the proposed development is compliant with relevant objectives of the RU5 – Village zoning under the WLEP 2011. The proposed development meets the relevant provisions of the Wentworth DCP 2011 and is consistent with planning matters for consideration of the WLEP 2011. The proposed development complies with matters for consideration under the *State Environmental Planning Policies – Biodiversity & Conservation (2021) and Housing (2021)*.

Refer to attachment 4 – Submissions (objections)

Refer to attachment 5 – Submissions (supportive)

Refer to attachment 6 – 4.15 Assessment report

Refer to attachment 7 – Conditions of Consent

Options

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

Approve Development Application DA2025/056 subject to conditions.

Legal, strategic, financial or policy implications

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

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

Conclusion

Having consideration of the consent of this report it is concluded that the appropriate course of action is to approve DA2025/056 subject to conditions.

Attachments

- 1. Development Application (Under Separate Cover) ⇒
- 2. Site Plans (Under Separate Cover)⇒
- 3. Statement of Environmental Effects !
- 4. Submissions (objections) (Under Separate Cover)⇒
- 5. Submissions (supportive) (Under Separate Cover) ⇒
- 6. 4.15 Assessment Report

 ...
- 7. Conditions of Consent





EXECUTIVE

SUMMARY

Proposal	Construction of a Permanent Group Home
Street Address	11 Wendy Court, Buronga
Formal Land Description	Lot 11 in Deposited Plan 1288183
Zone	RU5 – Village
Relevant State Environmental Planning Policies	SEPP (Housing) 2021 – Chapter 3, Part 2 Group Homes – Clause 62







SUBJECT SITE AND

SURROUNDING AREA

The subject site comprises one parcel of land commonly known as 11 Wendy Court, Buronga, and more formally as Lot 11 in Deposited Plan 1288183. The site is rectangular in shape and is relatively flat. It has an area of 665 square metres (sqm) and a frontage of 18.5 metres (m) to Wendy Court. The site is currently vacant, but all reticulated services are available. No heritage or cultural sensitivities affect the land and there are no natural hazards or environmental sensitivities including native vegetation.

The site is situated within a new stage of Midway Estate, which comprises vacant land and several newly constructed dwellings.

An aerial image of the site and surrounding area as well as site photos are contained on the following pages.

Aerial Image of the Site and Surrounding Area



Figure 1: Subject site and surrounding area (Source: Landchecker Jun 2024)







Site Photos



Figure 2: View of site from Wendy Court



Figure 3: View of the site from the east







PROPOSAL

DESCRIPTION

This application is for the construction of a Permanent Group Home, as summarised under the following points:

- The proposed Permanent Group Home will be used to accommodate people with a disability on a permanent basis under the NDIS Scheme. The plans have been assessed and certified by an accredited SDA assessor.
- The building is single storey and contains three bedrooms for people with a
 disability and one bedroom for on-site overnight assistance. Each bedroom has
 an ensuite and other internal features include an open plan kitchen, dining and
 living area, separate living area, separate bathroom, European laundry, alfresco
 and single garage.
- The external appearance of the building is contemporary with brick wall cladding and corrugated Colorbond iron roof cladding.
- The building has a maximum height of 4.8m above natural ground.
- One car parking space (to disabled parking standards) can be accommodated within the garage and one car parking space can be accommodated within the driveway.
- A new crossover is proposed to provide access to the double garage.
- Approximately 300sqm of the site is private open space and approx. 290sqm can be landscaped.
- The development will be connected to all reticulated services, with the exception of gas.







PLANNING

CONTROLS AND ASSESSMENT

Wentworth Local Environmental Plan 2011 (LEP)

The Subject site is within the RU5 - Village

The objectives of the zone are:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

The proposed Permanent Group Home is located within a recently released stage of the Midway Estate and will provide for residential diversity in an appropriate location. The building will provide much needed housing for people with a disability and is compatible with existing residential development in the surrounding area. The building has been designed to be energy efficient and is appropriately located so as not to unreasonably impact on the adjoining land. As such, the proposal supports the objectives of the RU5 zone.

Wentworth Development Control Plan

Chapter 2 – Plan Objectives

The following General Development Objectives are relevant to this application:

 Residential land is to be developed with the creation of neighbourhoods comprising a range of housing styles and densities to cater for a diverse demographical profile of the local government area.







• Residential growth shall be promoted in areas identified as urban release area.

The following Locality Objectives for Buronga and Gol Gol are relevant to this application:

- A safe, convenient and attractive neighbourhoods that meet the diverse and changing needs of the community and offers a wide choice of housing, leisure, local employment opportunities and associated community and commercial facilities.
- A site responsive approach to urban development that supports and enhances the context in which it is located, strengthens local character and identity, and promotes a sense of community.

In addition to this, Section 2.2 - Social and Community outlines that:

The proposed future development of Buronga and Gol Gol will result in an increased demand for additional community infrastructure. This includes:

- Expansion of the range of community facilities and services;
- Improvement of public transport links within and external to the area;
- Provision of additional government and health services; aged care services; child care facilities and education/training services; and
- Promotion of community image and events including sport and recreation.

It is clear that the proposal is supported by the objectives of the Wentworth Development Control Plan which indicate that there is a strong need for diverse housing to provide for the changing needs of the community. The proposed Permanent Group Home will provide much needed accommodation for people with a disability and is of a high construction standard.

Chapter 3 - General Development Controls

5 Vehicular Access and Parking

This development control aims to provide sufficient and convenient parking for residents, visitors and service vehicles; to ensure vehicular and pedestrian safety and to encourage access design to form part of the overall landscape design. The relevant subclauses are discussed below.







5.1 Parking Layout, Servicing and Manoeuvring

The proposed car parks will be located in the garage and driveway, which is typical for car parking in a residential setting.

5.2 Specific Land Use Requirements

The following car parking requirements apply to the proposal:

 Housing for older people or people with a disability – Refer to State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004.

The SEPP referenced in the DCP no longer exists. Two car parking spaces are provided for the proposed Permanent Group Home which complies with Schedule 2 (17) of the State Environmental Planning Policy (Housing) 2021.

Chapter 4 - Residential Development Controls

4.1.1 Site Context and Analysis

The plans submitted with this application demonstrate how the proposed development responds to site specific conditions and the site has been described in detail previously in this report. The site is within a recently released stage of the Midway Estate which contains vacant land and existing dwellings of a similar size, scale and sitting. The site does not have any specific constraints and the topography is relatively flat.

4.1.2 Streetscapes

The proposed building will have a positive impact on the streetscape. A number of habitable room windows overlook the street to provide for casual surveillance. The proposed garage occupies only a small portion of the frontage and is setback behind the main façade of the building. The building has a clearly identified entry from the street and has been designed to be energy efficient. The external materials and colours will complement existing dwellings in the broader area which have external materials and colours that vary considerably.







4.1.3 Front Setback

The building has a front setback of 4.5m, which is less than the 6m sought within the Wentworth DCP. It is worth noting that 4.5m is a commonly accepted front setback in developing areas and is the minimum requirement to meet the CDC criteria. The recently constructed dwelling on the opposite side of the street has a front setback of 4.5m. As such, the proposed front setback is considered to be acceptable and will not bring rise to any character or streetscape related issues.

4.1.4 Side setbacks and Corner Lot Setbacks

The side setbacks of the proposed building are 4m from the northern boundary and 3.95m from the southern boundary (combined total exceeding 4.5m), which complies with this Control.

4.1.5 Rear setbacks

The proposed building is located 6.49m from the rear boundary, which meets this Control.

4.1.6. Walls on Boundaries

Not applicable. No walls on boundaries are proposed.

4.1.7 Building heights and overshadowing

The proposed building is unlikely to overshadow the private open space of future dwellings on adjoining lots as it is single storey and has relatively generous boundary setbacks.

4.1.8 Site Coverage

The site coverage is approximately 38%, although it is noted that this control only applies to single dwelling houses and dual occupancies.

4.1.9 Private Open Space

At approximately 300sqm, private open space is well in excess of the 40sqm minimum requirement. There is an area of secluded private open space at the rear of the building







also well in excess of 25sqm, with a minimum dimension of 3m accessed from the main living area.

4.1.10 Energy Efficiency and Solar access

Appropriate solar access and energy efficiency is achieved given the orientation of the site and distance between windows and boundaries. A BASIX is not required as a standard residential dwelling is not proposed.

4.1.11 Daylight to existing windows

The proposed building will not impact daylight to existing dwellings as the adjoining land is vacant.

4.1.12 North-facing windows

Not applicable – there are no existing north facing windows within 3m of the boundary.

4.1.13 Overlooking

Not applicable – the proposed building is single storey and will not be notably raised above existing surface levels. A 1.8m high solid boundary fence will provide for privacy between lots.

4.1.14 Fencing and Retaining Walls

No fences or retaining walls are proposed as part of this application. The boundary fence will be made to comply with the SEPP Exempt and Complying Development Codes 2008 (Part 2, Subdivision 17).

4.1.15 Car Parking and Vehicle Access

Car parking has been discussed previously.

4.1.16 Cut and Fill

As the site is relatively flat, only minimal earthworks are anticipated and will not exceed 0.3m of cut or fill.







State Environmental Planning Polices (SEPP)

SEPP (Housing) 2021 - Chapter 3, Part 2 Group Homes - Clause 62

This Clause contains requirements for consent authorities when determining Development Applications.

General Assessment

Visual Impacts

Please refer to DCP assessment.

Open Space

Please refer to DCP assessment.

Overshadowing and Privacy

Please refer to DCP assessment.

Noise

Only standard domestic mechanical plant will be associated with the proposed building, which will emit noise typical for a residential area.

Erosion Control Measures

No specific erosion control measures are considered necessary for this development. Any minor earthworks will be appropriately battered and retained (if necessary).

Economic and Social Impacts

The proposed building will contribute to the social wellbeing of the Buronga township by providing suitably designed housing to accommodate disabled persons. It also contributes to investment in the Buronga/Gol Gol Area.







Environmental Benefits

Due to the nature of this development, no significant environmental benefits are envisaged.

Disabled Access

The proposed building has been designed to comply with all disabled access standards and the plans have been assessed and certified by an accredited SDA assessor.

Security, Site Facilities and Safety

Not applicable for this application.

Waste Management

Standard domestic waste services will be provided by Council.

National Construction Code

The National Construction Code will be assessed as part of the Construction Certificate process by a Building Surveyor.

Traffic

The proposed building will result in standard domestic travel within the existing road network. This would have been anticipated and accounted for in the design of the subdivision.

Stormwater/flooding

The site is not subject to any identified natural hazards and stormwater will be directed to the legal point of discharge.







CONCLUSION

This report demonstrates that the proposal is consistent with the relevant provisions of the Wentworth Local Environmental Plan 2011 and the Wentworth DCP.

The proposed Permanent Group Home is appropriate for the site as it:

- Supports the objectives of the Zone RU5 Village;
- Is appropriately located on the subject site;
- Will have an acceptable impact on the locality in terms of amenity and visual dominance; and
- Will not result in any detrimental impacts on the environment.

It is considered that the proposal is worthy of support, and it is therefore respectfully requested that the Wentworth Shire Council grant Development Consent for the construction of a Permanent Group Home as described in this report at 11 Wendy Court, Buronga.







Health & Planning Department 61 Darling Street PO Box 81

WENTWORTH NSW 2648

Tel: 03 5027 5027

council@wentworth.nsw.gov.au

DA Assessment Report Section 4.15 Evaluation

Environmental Planning & Assessment Act 1979 as amended

File Reference: DA2025/056 & PAN 518926

Property Title & Address: 11 Wendy Court Lot 11 DP 1288183 Buronga P561/04411

SUPAVEST SPV FOUR PTY LTD Property owner(s):

Applicant(s): JACKSON PLANNING - Matt Jackson **Proposal:** Permanent Group Home with garage

Previous DAs: N/A

Cost of proposed development: \$715,513.05

SITE AND SURROUNDING DEVELOPMENT

The subject site comprises of Lot 11 DP 1288183, 11 Wendy Court, Buronga. The lot has an area of 665m² and connects to Midway Drive, connecting through to the developing locality within the Midway area and surrounding locality.

The subject site is zoned within the RU5 - Village zone under the Wentworth Local Environmental Plan (WLEP) 2011. The subject site is a rectangular shaped lot with no vegetation removal proposed as site was recently cleared during the subdivision process. The lot is not impacted by easements or environmental factors.

The site is not within the bushfire prone, flood way or flood planning, terrestrial biodiversity, wetlands, or urban release mapped area and contains no known heritage constraints.

DESCRIPTION OF PROPOSAL

The proposal seeks development consent for the construction of a single storey dwelling with garage to be utilised as a permanent group home, which will provide accommodation for people on NDIS plans with ongoing disabilities as per the NDIS requirements. The dwelling is proposed to accommodate three participants and one overnight assistance personnel. The lot has a total area of 665m² with the dwelling proposed to have a floor area of 256.58m², broken down into the following:

Dwelling: 209.31m² – Garage: 28.17m² – Alfresco: 16.20m² – Porch: 2.89m².

One car parking space suitable for disability requirements is provided within the garage, with a standard parking space accommodated within the driveway area.

HISTORY RELEVANT TO THE DEVELOPMENT APPLICATION

N/A

SECTION 4.15-MATTERS FOR CONSIDERATION

(1) The provisions of any environmental planning instrument and development control plan

State Environmental Planning Policy (Biodiversity & Conservation) 2021

The proposed development is proposed to be located upon on a lot that is under 1ha in size and clear of vegetation following previous subdivision. No native vegetation is to be removed for construction, with no impact to any potential habitat for fauna. The site is not known koala habitat, as such, no

assessment required against Chapters 3 or 4. The proposed development is not located within close proximity to the river of other waterbody, and as such, no assessment is required against Chapter 5.

State Environmental Planning Policy (Housing) 2021

Clause 60 (a) does not identify the land zoning of RU5 as a prescribed zone suitable for group home development, however, clause 60 (b) states that any other zone under an environmental planning instrument were dwelling houses may be carried out with consent is categorised as a prescribed zone.

The RU5 – Village zone under the WLEP 2011 lists dwelling houses as permitted with consent.

Clause 61 identifies that the proposed group home is permitted with consent as it is proposed on land zoned RU5 – Village under the WLEP 2011. In terms of the hierarchy of legislation, the SEPP overrides the WLEP 2011 in terms of any inconsistency as per section 3.28 of the EP&A Act.

Under clause 62 a consent authority (Council) must not:

- refuse a group development unless an assessment of the community need has been done
- Impose a condition of consent specifically because a development is a group home.

State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX Certificate has not been provided as it is not required due to the proposed development being class 3 under the Building Code of Australia.

Further, as it is assumed that the development will be certified as a Class 3 building under the BCA at the construction stage, in line with the *Comprehensive Guide to BASIX*, a BASIX Certificate is not needed.

Wentworth Local Environmental Plan (LEP) 2011

The proposed development of a permanent group home for the provision of accommodation for participants within the NDIS scheme is permitted with consent and meets the zone objectives of the RU5 – Village zoning under the Wentworth Local Environmental Plan (WLEP) 2011, under which the subject site is located. The main supportive objective is to provide for a range of land uses, services and facilities that are associated with a rural village. The development of a NDIS based permanent group home will allow for services for those with disabilities to live mostly independently with assistance.

Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

A group home meets the definition of a dwelling as follows:

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

Group home means a permanent group home or a transitional group home. Group homes are a type of **residential accommodation**.

Group home (permanent) or **permanent group home** means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which <u>State Environmental Planning Policy (Housing) 2021</u>, Chapter 3, Part 5 applies.

Clause 7.1 Earthworks

Any earthworks will be conditioned and form part of the approval.

Clause 7.2 Essential Services

Connection of services has been made possible during the previous subdivision of the development site.

Wentworth Development Control Plan (DCP) 2011

The proposed development is acceptable against the relevant provisions of the Wentworth Development Control Plan (DCP) 2011 as outlined in the table below.

Wentworth DCP	Chapter 8	Acceptable	Not Acceptable	N/A	Reason
	5.1.1 Site context	X	·		Positioning of the proposed building on site makes use of available land while leaving space for private open space and providing suitable access for residents of the permanent group home facility. Materials used will compliment other structures in the surrounding area.
	5.1.2 Streetscape	x			The proposed building will be in keeping with few existing developments in the area with windows facing the street for casual surveillance and a garage setback from the facade of the main portion of the building. It is anticipated that future development in the area will be similar and compatible with this DA.
	5.1.3 Front Setback		Х		4.5m – does not meet
	5.1.4 Side setbacks	Х			Northern: 4m – meets Southern: 3.95m – meets
	5.1.5 Rear setback	Х			6.49m – meets
	5.1.6 Walls on Boundaries			х	N/A as no walls on boundaries

5.1.7 Building heights and overshadowing)	x	N/A as not a two-storey building
5.1.8 Site Coverage	Х			Proposed development does not cover more than 60% of site (48% approx.)
5.1.9 Private open space	Х			Ample room for private open space available
5.1.10 Energy & solar access	Х			Proposed development meets requirements of the Energy Efficiency Compliance Assessment
5.1.11 Daylight to existing windows	X			No impact anticipated from the single storey building to surrounding neighbours.
5.1.12 North facing windows		>	X	N/A as no existing north facing windows within 3m of boundary.
5.1.13 Overlooking		_	X	N/A as development approval is for a single storey building
5.1.14 Fencing and retaining walls		,	X	N/A approval not for fencing or retaining walls
5.1.15 Car parking and vehicle access	X			The site provides for one (1) disability access car parking spaces within the garage as per requirements under the Housing SEPP one space within the garage and another singular space is provided in the driveway of the proposed development site. Access to the site is provided via a crossover to council standards to be detailed within conditions of consent. Two parking spaces in total, one being to disability standards.
5.1.16 Cut and fill	Х			Earthworks will be conditioned as part of approval

Development Control	WDCP 2011 requirement for RU5 Village zone	Proposed Permanent Group Home
Front setback	6m minimum	4.5m
North side setback	1m minimum	4m
South side setback	1m minimum	3.95m
Rear setback	3m minimum	6.49m

The front setback does not meet DCP requirements of 6m, being only 4.5m, however, many new developments in newly subdivided areas are utilising a front setback of only 4.5m to allow better use of allotment space. Additionally, other developments in the surrounding area have front setbacks under the required 6m, even down to 3m.

(2) The provisions of any draft environmental planning instrument

There is no Division 3.4 draft environmental planning instrument that affect the proposed development. (Post 1 July 2009 LEP amendments).

(3) Any matters prescribed by regulations

There are no further matters prescribed by regulations.

(4) The likely impacts of the development

There are no likely impacts from the proposal as discussed in the table below.

Impact item		c p	. 5 6 5	Comment
(insert an 'x' in the				Comment
relevant section)		e		
reterant section,	4.	Not acceptable	nt	
	Acceptable	ept	Not relevant	
	ota	၁၁	ele	
	[es]	t a	t r	
		ž	ž	
Context and setting	X			The proposed permanent group home building will look similar in
				external design to the few existing residential developments in the
				immediate area
Public domain &	X			The proposed permanent group home building meets the required
Streetscape				setbacks as provided and justified in assessment above (DCP)
Landscaping			X	Not part of this application
			4	
Stormwater	X			Discharge to legal point of Councils stormwater system to be conditioned
Heritage	X			None on site
Soils & Soils Erosion	X			Earthworks and erosion control to be conditioned as part of
				approval
Air and microclimate	X			No effect from proposed development anticipated
Water Resources	X			Noted development located adequate distance from vistance sources
water Resources	Λ			Noted – development located adequate distance from water sources
Biodiversity (Flora &	X			As the site was alread of any vacatation during the subdivision
• `	Λ			As the site was cleared of any vegetation during the subdivision
Fauna)	3 7			process – no effect on existing flora or fauna,
Land Resources	X			None known at this site
Utilities	X			Utilities are available to the property
Access & Parking	X			Adequate access and parking are available to the site, development
	-			provides disability parking space as per requirements in line with
				Housing SEPP and
Roads & Traffic	X			Increase to area anticipated during construction with slight increase
				as new residents move into the completed building
Solar Access and Energy	X			Will be required to meet energy requirements of Part J1 of the BCA
Efficiency				20 1
Overshadowing			X	Not relevant as surrounding land vacant and single storey
O CI SHARO WING			4.	development
Privacy & Overlooking			X	Not relevant as single storey building
Flooding			X	Not in flood planning area
Bushfire Prone Area			X	Property not within bushfire prone land
Dustille Flotte Alea	<u> </u>		Λ	rroporty not within ousling profit fand

Noise	X	Only significant increase anticipated during construction, then residential noise ongoing
Technological hazards	X	No known hazards on site or anticipated
Safety, Security & Crime Prevention		No detrimental effects anticipated from development in this location. Windows facing street will provide casual surveillance
Social and Economic Impacts	X	No detrimental effects anticipated

The NDIS outlines high physical support SDA housing as housing that includes a high level of physical access for people who need very high levels of support. For example, you may need a ceiling hoist, backup power supply, or home automation and communication technology.

Further, level of functioning is defined as:

Active participants by Level of Function

"The umbrella term for any or all of body functions, body structures, activities and participation. Level of function indicates the impact a participant's disability has on how a person is able to perform tasks and actions in a life area, as represented by a 'severity score' 'High functioning' indicates lower service and support requirements with a lower severity score, and 'low functioning' indicates higher service and support requirements with a higher severity score."

Image 1: Snip showing five bands of low level of function. (*Explore data NDIS*. https://dataresearch.ndis.gov.au/explore-data current as of 22 April 2025).

The number of active participants as at the end of the selected quarter. Those who have been determined eligible and have an approved plan. (There are also cases where a participant's plan has expired and a new plan has not formally commenced, but they have not exited the Scheme. These individuals are also counted as active participants.) (?) Metric Active participants Average committed support Average payments Graph Table Period LGA State/Territory **Active participants Level of Function** Q2 FY24/25 Wentworth (A), NSW <11 9 (Medium) QZ FYZ4/25 Wentworth (A), N5W 10 (Medium) 27 Q2 FY24/25 Wentworth (A), NSW 11 (Low) <11 Q2 FY24/25 Wentworth (A), NSW 12 (Low) 18 Q2 FY24/25 Wentworth (A), NSW 13 (Low) <11 Q2 FY24/25 Wentworth (A), N5W 14 (Low) < 11 Q2 FY24/25 Wentworth (A), NSW 15 (Low) < 11 Q2 FYZ4/25 Wentworth (A), NSW Missing < 11

If we take < 11 to mean there are roughly ten participants in the associated (low) band, the above image then identifies that the five bands total 68 participants. This therefore identifies that there is a

population with requirements for higher servicing and support requirements, being low functioning and having a higher severity score.

Low functioning participants as per the level of functioning definition require higher levels of support.

From the same dataset (as taken from the above website on the same date), there are 198 active participants who have been deemed eligible and have an approved plan under the NDIS. This dataset does not encompass all of those with disabilities that require support within the Wentworth LGA, indicating there may be more not accounted for as they are not active participants or are waiting for availability.

From the above 198 active participants, none have approved plans encompassing SIL / SDA.

The Inquiry Report: Own Motion Inquiry into Aspects of Supported Accommodation (NDIS Quality and Safeguards Commission, January 2023)

The above report states the following on page 23:

- a suburban house (SDA or otherwise) where a group of people with disability live together, each with their own bedroom (sometimes with ensuite), sharing a common living room, kitchen, bathroom and garden, and with an area of the house used as office space for staff.
- a number of suburban houses (as above) located in relatively close proximity to each other, sometimes with direct links between each of the houses (for example through a garden gate), with a team leader or manager overseeing supports across the network.

This reinforces the ability for SDA dwellings to be located in close proximity to one another.

Wentworth Disability Inclusion Action Plan 2022 - 2026

The Wentworth Disability Inclusion Action Plan 2022-2026 has a focus area that directly identifies housing for those with disabilities – 2; Livable Communities which states the following: Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing.

The plan, in line with the identified focus area aims to attribute to the positive experience of those with a disability, their families and supporters, through access to community places, buildings and events.

As there are currently no SDA housing facilities within the LGA, the proposal to develop them is in line with the Disability Inclusion Action Plan with the aim of providing housing, eliminating the barrier of housing access to those that require it.

Further, the following are direct quotes from the plan:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Approach to characterization and permissibility under LEPs

It needs to be noted that the development of Permanent Group Homes is permitted under legislation, both the Wentworth Local Environmental Plan 2011 and the State Environmental Planning Policy (Housing).

The case of *Botany Bay City Council v Pet Carriers International PTY Limited* [2013] NSWLEC 147 reiterates that land use tables within LEPs can use many means by which to define what development is permissible by identifying either *nominate* or *innominate* purposes.

His Honor, Preston CJ, stated the following:

A nominate purpose is one which the environmental planning instrument expressly nominates by name as being within one of the three classifications. Hence, the land use table for a zone may nominate particular categories of purposes of development as being within the classifications of development that may be carried out without consent, development that may be carried out with consent, or development that is prohibited.

An innominate purpose is one which the environmental planning instrument does not nominate by name as being within one of the three classifications, but rather identifies as falling within a particular classification by reason of it not being nominated in other classifications; it is development other than development in the other classifications. Hence, the land use table for a zone may classify as prohibited development, development for a purpose other than a purpose nominated as being able to be carried out without consent or with consent.

In the case of permanent group homes, as they are not directly identified within the RU5 – Village zoning as an independent type of development but fall under "any other development not specified in items 2 or 4", they are therefore innominate and permissible with consent.

(Compatibility Test) Project Venture Developments Pty Ltd v Pittwater Council [2005]

There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale, or appearance, though as the difference in these attributes increases, harmony is harder to achieve.

The physical impacts, such as noise, overlooking, overshadowing, and constraining development potential, can be assessed with relative objectivity. In contrast, to decide whether or not a new building appears to be in harmony with its surroundings is a more subjective task. Analysing the

existing context and then testing the proposal against it can, however, reduce the degree of subjectivity.

For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment. In some areas, planning instruments or urban design studies have already described the urban character. In others (the majority of cases), the character needs to be defined as part of a proposal's assessment. The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks, and landscaping. In special areas, such as conservation areas, architectural style and materials are also contributors to character.

In order to test whether a proposal is compatible with its context, two questions should be asked.

- Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites. (Test One)
- Is the proposal's appearance in harmony with the buildings around it and the character of the street? (Test two)

Test One:

The proposal of a permanent group home, being constructed as a dwelling, does not constitute any physical impacts on the surrounding development. The surrounding development consists of dwellings with outbuildings.

Physical impacts will not occur as the development design is that of similar size, scale and sitting to existing development in the immediate and surrounding area. The applicant has identified the permanent group homes to have external materials and colouring that complements existing dwellings in the surrounding area.

It should be noted that Wendy Court itself, where the main streetscape occurs, has minimal development existing, being two dwellings and an allotment with an outbuilding.

There will be no issues regarding side setbacks as a physical constraint, as setbacks adhere to requirements under the Wentworth Development Control Plan, some rear setbacks do not meet requirements, but it should be noted that habitable building space does not encroach the setbacks, only alfresco areas that are open in design. Front setbacks may not meet the required 6m, however, as discussed in the DCP assessment, in newly developed areas, setbacks from the front boundary can be accepted at 4.5m for RU5 – Village zoned land.

Test Two:

The proposal of a permanent group home will be in harmony with the development within the estate area. Permanent group homes are designed as and meet definitions of dwellings, which is the main development in the estate area and will not alter the harmonic design, rather increasing development in the area and encouraging use of the RU5 – Village zoning whereby a range of services and facilities need to be available, including disability accommodation for the impacted community members.

Harmony is often defined as "the quality of a pleasing and consistent whole", with the permanent group homes not causing impact as the development will be that of dwellings in a residential area attributing to the existing use and character of the estate. Impact to Summer Drive through

harmonious development should not be impacted due to separating fences and differing streetscapes (existing development vs minimally existing development).

The permanent group homes will be of the same design, therefore harmonious to themselves and attributing to consistency of the area.

The permanent group homes are dwellings and will not impact the character of the area. The use of each dwelling is subject to residential purposes such as long term accommodation, which is provided through the group homes. The use of existing dwellings in the area is no different to the accommodation purposes of the group homes, with additional assistance for the residents of the group homes required.

New Century Developments Pty Limited v Baulkham Hills Shire Council [2003] NSWLEC 154 revised - 5/09/2003 (social impact, large number of objectors, character and amenity of area).

The above caselaw provides examples of amenity, reiterates development characteristics and any further associated issues, as well as substance of community responses to proposed development.

"(61) In circumstances such as the present case, however, the consent authority must not blindly accept the subjective fears and concerns expressed in the public submissions. Whilst such views must be taken into consideration, there must be evidence that can be objectively assessed before a finding can be made of an adverse effect upon the amenity of the area... the views of residents of the area, those views will be accorded little, if any, weight if there is no objective, specific, concrete, observable likely consequence of the establishment of the proposed use."

The above quote from the caselaw states plainly that evidence must be provided for submissions to be assessed. Council cannot take submissions with little to no planning grounds as having an adverse impact to the development of what is defined legally as a permanent group home under the WLEP 2011.

There are no specific issues raised in submissions received regarding the proposed group home development.

Submissions received as objections rather centre around the use of the development and those that would use it, however, this is not for Council to mandate as we are not the managing authority, only the consent authority. Submissions referenced the following:

- Property valuation
- Proximity of group homes to each other
- Behaviour concerns of NDIS participants
- Potential for property damage
- Disturbances caused by NDIS participants
- Location of group homes in locality for NDIS participant access to services
- Lack of Council transparency
- Concerns for the childcare centre in proximity to proposed group homes
- No need for further group home development

"(64) The assessment of the specific objections raised by the local residents shows that the concerns raised by them, objectively assessed, must be afforded little weight. As is shown by the consideration of the specific objections, discussed above, they appear to have little basis in fact."

Th above quote from the caselaw states that if concerns have been assessed based on the objectives (mainly directed at NDIS management and use of the proposed group home dwelling – therefore not specific legislative <u>planning grounds</u>), then submissions **must** be afforded little weight, therefore not considered as little fact is apparent.

"(71) In summary, I have concluded that the proposed development would be compatible with the rural residential character of the area and would not have an adverse impact on the amenity of the area, including social impact. While I recognise that there is strong community opposition to the proposal and that the residents have real fears, these fears must have foundation and a rational basis, which in this case is absent."

The above quote from the caselaw states that the ultimate outcome of the case as decided by the Judge, was that the proposed development was compatible with the character of the existing area and would not have an impact on the amenity of the area. Community opposition was recognised but the concerns were found to have no foundation or rational basis (planning grounds).

In relation to the proposed group home, no planning grounds for the proposal are seen, merely concerned community members referencing issues relative to unjustified fears based on the use of the development. No foundation (fundamentals of planning legislation) are presented by submitters, as addressed by Council.

Understanding the Local Impact of New Residential Development: a Pilot Study Christine Whitehead and Emma Sagor with Ann Edge and Bruce Walker LSE London April 2015

The report identifies that opposition to new dwelling development is driven by local communities feeling that they will gain little benefit from new dwellings and that negative impacts may arise, such as infrastructure pressure and lack of services, as well as residential valuation impacts.

The report solidifies and states that planning literature does not often and is not required to, address impacts to housing valuation or pricing as this is not directly related to planning decisions which are assessed against relevant legislation, as well as broader economic, environmental, and social factors.

Further Information of Relevance

The 2019 Issues Paper – Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) focuses on group homes as a form of accommodation where supports are provided for four (4) to six (6) long-term residents with a disability. The proposed group home under assessment is for residential accommodation of up to three people

This Issues Paper states plainly that all building work (in regard to group homes) must comply with requirements under the Building Code of Australia (BCA), this is a consideration for the construction certificate and certification stage of the development.

Further, the Issues Paper also states that group homes are defined under the NDIS Rules 2016 as "houses that are (or will be enrolled) to house four to five long-term residents... typically classified as Building Class 1(b)(i) or 3 under the Building Code of Australia."

As per the document *Understanding the NCC – Building Classifications* published by the NCC, a Class 1b building is a *boarding house*, *guest house or hostel that has a floor area less than 300 m2 and*

ordinarily has less than 12 people living in it, and Class 3 buildings are a common place of long term or transient living for a number of unrelated people.

The 2020 Issues Paper – Overview of responses to Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) identifies the following on page seven (7) under Potential good practice in group homes:

- Role of group homes is conditional upon providing residents with control and choice over their location,
- Group homes can promote inclusion and social connection,
- Research suggests smaller group homes of two to three residents is usually better,
- Factors such as organizational structure, staff training and person centred support contributes to better quality of life in group homes.

Maple Community Services (https://maplecommunity.com.au/advantages-of-group-housing-for-adults-with-disabilities/) is a disability provider with an accessible online platform, this platform provides a page identifying the advantages of group housing for adults with disabilities, points from the website as follows:

- Independence opportunity to manage routines and take responsibility within a supportive and structured environment.
- Specialised care on site or readily available support workers can provide the required approaches to individual needs ensuring each level of care for each resident is maintained.
- Safety and security increased safety measures are present in group homes, as well as emergency support systems, thus ensuring safety of the residents.
- Social inclusion opportunities to participate in activities, outings and community engagement creating meaningful relationships in home and community.
- Small scale group homes often limit number of residents to keep a personalized and supportive environment.
- Privacy each resident has their own bedroom for privacy and personal space.
- Accessibility group homes are designed to accommodate mobility and accessibility needs.

The Australian Institute of Health and Welfare (AIHW) under *Housing* states the following on their website:

Housing plays a major role in the health and wellbeing of people with disability, by providing shelter, safety and security. The availability of affordable, sustainable and appropriate housing helps people with disability to participate in the social, economic and community aspects of everyday life.

Australia's Disability Strategy 2021 – 2031 is Australia's national disability policy framework, setting out plans for the continual improvement of the lives of people with disability in Australia over a decade.

This strategy includes a designated chapter for *Inclusive Homes and Communities*, with the outcome to provide people with a disability the opportunity to live in inclusive, accessible, and well-designed homes and communities.

Under this chapter, *Policy Priority 2: Housing is accessible and people with disability have choice and control about where they live, who they live with, and who comes into their home* relays the importance of increasing availability of accessible housing to allow for users to have a choice on where to live, who to live with and enables people with disability to socialise and connect with neighbours, friends and family.

Monash Universities publication Adaptable Housing for People with Disability in Australia: A Scoping Study states the following:

Given the increasing prevalence of disability, an estimated 60% of homes will, at some point, be occupied by a person with disability or injury, and 90% will have a visitor with disability or injury.

Few homes are designed to directly suit or be adaptable to the needs of people with disability, causing a mismatch between people with disability and their homes:

- 4.9% of Australians with disability have moved because of a health reason (compared to only 0.6% of people without disability)
- 16% are dissatisfied with their homes.

Wentworth Local Environmental Plan 2011

The WLEP 2011 provides the following definition for permanent group homes: group home (permanent) or permanent group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged

It should be noted that the plans provided by the applicant indicate "NDIS High Physical Support SDA" with design considering wider doorways, ceiling hoists, accessible parking (garage), and ensuites tailored for required needs (rails etc.), with an adjustable bench in the kitchen.

The people anticipated to use these dwellings are those with disabilities, and not those who are socially disadvantaged, however, Council are not the management authority and cannot dictate who will utilize these developments.

(5) The suitability of the site for development

The site is suitable for the proposed permanent group home building as it is not anticipated to have any adverse impact on the locality; however, 14 submissions were received. The proposed development is permitted within the RU5 – Village zoning area under the Wentworth Local Environmental Plan 2011. The development provides the area with greater flexibility in housing and facilitates options for people with a disability under the NIDS scheme to become independent within the community, while receiving care when required. The character and use of the proposed development is consistent with other proposed developments in the immediate area.

(6) Any submissions made in accordance with this Act or Regulation

The application was notified for 14 days as per the Wentworth Community Participation Plan. 14 total submissions (13 unique) were received objecting to the application within the notification period.

The following list identifies concerns raised within the submissions received:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes

- Increased noise and traffic levels in the area
- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,
- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Regards,

Council Officer Comment:

There have been no planning grounds of concern raised through submissions made during the 14-day public exhibition period. Concerns identified have been assessed as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.
- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is no planning strategy for specialised housing, only the Housing SEPP, which permits these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as detailed in assessment above will need to occur and this will fall to compliance with any approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.







(7) The public interest

The proposed development is consistent with public interest as it will have no detrimental effect on the surrounding area.

Social impact equates to the consequences that people experience when a new proposal for development will alter their known environment. This could be through acoustic, amenity, way of life, health and wellbeing, and property impacts. Submissions in regard to the proposed group home have shown that the development proposed is seen as a concern to the surrounding community.

The social impacts as identified by concerned residents in submissions for the proposed group home (singular development on a singular allotment) are not linked to the development of a permanent group home, instead, are aligned with the users and management authority of the group home following construction. No noise, amenity, traffic or other detrimental impacts are envisaged from a, by definition, permanent group home in a residentially established area.

Approval of the proposed group home would benefit the disabled community of the shire, which under the Disability Inclusion Action Plan (2022 -2026), housing is a provision that needs to occur and is heavily identified. Although the population requiring this accommodation may not encompass a wider community, the housing type is beneficial to the expanding Buronga / Gol Gol and wider areas of the entire shire and is also important being a border community. A total of 14 submissions objecting to the development were received during the exhibition period, however matters raised were similar in nature with no detrimental planning concerns raised. Most concerns are specific to management and users of group homes in general, or the infrastructure of the area that would have been considered during the subdivision stage. It is worth noting that nearly all submissions state that the submitter recognises the need for the housing type in the shire.

The Land and Environment Court in New Century Developments Pty Limited v Baulkham Hills Shire Council (2003) 127 LGERA 303; [2003] NSWLEC 154 (New Century) at [60] adjudged that a development that causes such great offence to a large portion of the community that it ought to be refused amounts to a detrimental social impact.

However, at [62] the case law identifies that fears or concerns without rational or justified foundations are not matters which, by themselves, can be considered as an amenity or social impact pursuant to s 79C(1) (now s 4.15) of the EP&A Act. Where there is no evidence to support a rational fear, it will not be relevant and be of the basis that community members have altered their everyday actions and thoughts based on the concept of the use of permanent group homes, therefore are seen due to unjustified fears, in this case, whereby broad assumptions have been made about the use of permanent group homes.

In this case Council received 14 objections to the DA from residents living nearby and from within the broader urban area. The objections principally related to impacts to property value, childcare proximity, disturbances from residents of proposed group homes, lack of facilities in the area, proximity of group homes to each other, insufficient infrastructure to support high-needs users, impact of living in the area for NDIS participants, potential for traffic increase and property damage from users.

Assessment of social impacts relating to the proposed development of a permanent group home needs to be based on fact and evidence, not community perceptions or potential unjustified fears. It

needs to be reiterated that the assessment and approval or refusal of a development application is to be made under the planning legislation.

The social impacts as perceived by local residents are noted and have been addressed through conditions of consent or general assessment. Council cannot dictate who utilises the group home upon completion and following issuance of an occupation certificate as long as users are those permitted under the definition of permanent group home. Residents of the area seem to hold unjustified fears of those from within the disabled community who would be using the group homes for impacts to their lives and everyday activities.

At the February and March Council Meetings (2025) members of the public gallery spoke against the development of group home "clusters", citing isolation of potential residents, heightened noise and vehicular impacts, minimised liveability of the wider community, emergency vehicle access and availability, NDIS requirements and reports that are not indicative of town planning requirements, DCP non-compliance, and the institutionalisation of NDIS participants. The abovementioned have been considered in the assessment and are not considered detrimental social impacts as they are perceived impacts or unjustified concerns, with no reference to applicant supplied assessment material. Concerns have been adequately given weight where required in line with provided substance of submissions. Submissions and voiced concerns have not been of strict planning grounds and can be viewed as unjust when referencing the disabled community.

The development of a permanent group home, defined under the WLEP 2011 as a dwelling, is not anticipated to create negative social impacts on the locality. The specific users are not for Council to mandate through the development approval processes. A combination of abovementioned impacts will not lead to negative impacts or experiences in the area. The development of a permanent group home, in a residential area with minimal development as per this assessment should be greatly considered for aesthetic and crime prevention (CPED) purposes. The more houses/development in a subdivision, street facing windows and cars around development, all attribute to making an area safer both through surveillance and lively areas.

On balance, the proposed permanent group home in a land zoning supporting group homes under both the WLEP 2011 and the Housing SEPP 2021, the benefits to the disabled community and no negative impact anticipated to the social streetscape or overall amenity of the area, when weighted against the minimal substance of the submissions, does not justly warrant refusal of this development application.

Should concerns arise from the permanent group home operation, Council will properly investigate and take compliance action as needed to matters within our jurisdiction.

COMMENTS FROM COUNCIL INTERNAL DEPARTMENTS

Department	Referred Y/N	Comments	
Building	Υ	BCA Classification: 3 and 10a	
		Comments	
		 No building comments relevant to the 	
		determination of a DA.	
		Approval under S68 of the Local Government Act must be	
		obtained prior to the issue of a Construction Certificate in	
		relation to:	
		 Carrying out of water supply work. 	

		Carrying out sewerage work.
		Connection to Sewer.
Subdivision Engineer	N	
Roads & Engineering	N	
Finance & Policy	N	
Heritage Advisor	N	
Environmental Health	N	
Local Laws	N	
Floodplain Mgt Committee	N	
Sustainable Infrastructure	N	

CONCLUSIONS

- 1. General comments:
- 2. The proposal satisfies the points for consideration listed under Section 4.15 <u>part b, c, d and e</u> of the *Environmental Planning and Assessment Act*.
- 3. The proposal occurs on land zoned RU5 Village. The proposal is not considered to have detrimental impact on the site and surrounds.
- 4. The proposal is consistent with the Wentworth Shire Development Control Plan (Dec 2011). The proposal meets Chapter 8 of the provisions set out in the Wentworth Development Control Plan 2011.
- 5. The proposed permanent group home accords with the relevant objectives and provisions of the State Environmental Planning Policy (Biodiversity & Conservation) 2021 and State Environmental Planning Policy (Housing) 2021.
- 6. There is no draft local environmental plan affecting the proposed development.

Recommendation:

Approve the application subject to conditions

Delegate report author	Delegated approval and endorsement
Signature:	Signature:
Georgie Martin	George Kenende
Cadet Planning Officer	Acting Director Health & Planning
Date: 29/04/2025	Date:



Health & Planning Department 61 Darling Street PO Box 81 WENTWORTH NSW 2648

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

TEMPLATE CONDITIONS

DA2025/056 PERMANENT GROUP HOME WITH GARAGE 11 WENDY COURT LOT 11 DP 1288183 BURONGA

GENERAL CONDITIONS

1. Approved development

Approval is for a permanent group home with garage.

Condition reason: To ensure all parties are aware of the approved development.

2. Approved Plans and Documentation

The development shall be in accordance with the following plans, documentation and recommendations made there in:

- **Site Plan** by Intrend Design & Drafting PTY LTD; Job No: 24-684; Sheet No: 2 of 5; Date: 17/09/24.
- **Floor Plan** by Intrend Design & Drafting PTY LTD; Job No: 24-684; Sheet No: 3 of 5; Date: 17/09/24.
- Elevations (W & E) by Intrend Design & Drafting PTY LTD; Job No: 24-684; Sheet No: 4 of 5;
 Date: 17/09/24.
- Elevations (N & S) by Intrend Design & Drafting PTY LTD; Job No: 24-684; Sheet No: 5 of 5; Date: 17/09/24.

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

3. Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989

- It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
- It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be

carried out by the consent commences.

- 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.
- 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
- 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
- 6. This section does not apply-
 - a. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
 - b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.

4. Erection of signs

- 1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
- 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out:
 - a. showing the name, address and telephone number of the principal certifier for the work, and
 - b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.
- 3. The sign must be
 - a. maintained while the building work, subdivision work or demolition work is being carried out, and
 - b. removed when the work has been completed.
- 4. This section does not apply in relation to
 - a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
 - b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

5. Lapsing of Approval

Without the further consent of the Wentworth Shire Council, in writing, this permit shall lapse

	and have no force or effect unless the use or development hereby permitted is physically
	commenced within 5 years of the date of this permit.
	Condition reason: Ensure everyone is aware of the lapsing of the approval.
6.	Works outside the property boundary
	This development consent does not authorise works outside the property boundaries on adjoining
	lands.
	Condition reason: To ensure all approved works occur within the property boundaries.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

7.	7.12 Contribution
	Before the issue of the relevant construction certificate, the applicant must pay a total contribution of \$7155.13 as calculated at the date of this consent to Wentworth Shire Council pursuant to the adopted Section 7.12 Development Contributions Plan.
	Note: The total amount payable may be adjusted at the time payment is made per clause 3.10 of the Section 7.12 Development Contributions Plan.
	Condition reason: To ensure the 7.12 Developer Contributions are paid.
8.	Access Point Before the issue of a Construction Certificate, the beneficiary of this consent must build a driveway crossing for the subject land (if one doesn't exist) to Council standards. Access during construction shall only be through the driveway crossing of the subject land.
	Condition reason: To control vehicular movement on road crossings.
9.	Building Material The proposed building/s and structure/s shall be clad in an approved non-reflective material e.g. Colourbond.
	Condition reason: To ensure the materials of the building not impact the visual amenity of the surrounding character of the area.
10.	Construction Site Management Plan Before the issue of a construction certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:
	 location and materials for protective fencing and hoardings to the perimeter on the site provisions for public safety pedestrian and vehicular site access points and construction activity zones
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- details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
- protective measures for on-site tree preservation (including in accordance with AS 4970-2009
 Protection of trees on development sites) and trees in adjoining public domain
- details of any bulk earthworks to be carried out
- location of site storage areas and sheds
- equipment used to carry out all works
- a garbage container with a tight-fitting lid
- dust, noise and vibration control measures
- location of temporary toilets.

The applicant must ensure a copy of the approved construction site management plan is kept onsite at all times during construction.

Condition reason: To ensure construction works are adequately managed to protect the surrounding amenity.

11. Erosion and Sediment Control

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:

- the guidelines set out in the NSW Department of Housing manual Managing Urban Stormwater: Soils and Construction Certificate (the Blue Book), and
- the 'Do it Right On-Site, Soil and Water Management for the Construction Industry'; (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The applicant must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.

Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.

12. Fire Safety Schedule

Prior to the issue of a Construction Certificate, pursuant to Part 10 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended) a Fire Safety Schedule is to be submitted to the Principal Certifying Authority. The Fire Safety Schedule must include matters prescribed in clause 79 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended).

Condition reason: To ensure compliance with Fire Safety requirements.

13. Long Service Levy

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that the person liable pays the long service levy as calculated at the operational date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

Condition reason: To ensure the long service levy is paid.

14. Payment of Security Deposits

This condition applies to all construction works \$25,001 and above.

Before the commencement of any works on the site or the issue of a construction certificate, the beneficiary of this consent must make all of the following payments to Council and provide written evidence of these payments to the certifier:

Infrastructure Bond (Security Deposit):	\$3,000.00	
Infrastructure Protection Permit Fee (includes inspections)	\$232.00	

The payments will be used for the cost of:

- making good any damage caused to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates,
- completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and
- any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.

The Infrastructure Bond will be returned on completion of the construction of the proposed development, subject to no damage being done to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates. The owner / developer is to arrange an inspection with an Officer of Wentworth Shire Council before any work commences on site. Any damage incurred to Council infrastructure will be repaired at the owners / developers expense and the balance of the Infrastructure Bond will be returned to the owner / developer on completion of the construction.

Note: The inspection fee includes Councils fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the Roads Act 1993). The amount payable must be in accordance with councils fees and charges at the payment date.

Condition reason: To ensure any damage to public infrastructure is rectified and public works can be created.

15. Plumbing and Drainage

Before issuance of the Construction Certificate, a Plumbing and Drainage Application under Section 68 of the Local Government Act NSW 1993 is to be submitted to and approved by Council before any plumbing and drainage works (water and sewerage).

Note: All stormwater from the site is to be directed towards a legal point of discharge. All plumbing and drainage work is to be carried out by a plumber and drainer, or other authorised person,

licensed with the New South Wales Department of Fair Trading. **Condition reason:** To ensure plumbing and drainage works are carried out appropriately. 16. Road reserve landscaping Lawn must be used for landscaping within the road reserve. Any other form of landscaping in the road reserve must be approved by Council. **Condition Reason:** To ensure appropriate landscaping is used in road reserve. 17. Utilities and services - water and sewerage Raw water, filtered water and sewerage are available and are to be connected to Councils services. Dual water supply lines are to be provided from the front boundary of the property. One line is to convey filtered water to all fittings within the building and the other line to convey unfiltered water to all fittings outside the building i.e. garden taps, etc. A separate application is to be made to Council for approval to connect to Council's water mains prior to commencing any plumbing and drainage work. Condition reason: To ensure relevant utility and service providers requirements are provided to the certifier. 18. Waste management plan Before the issue of a construction certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier: Details the following: the contact details of the person(s) removing the waste an estimate of the waste (type and quantity) and whether the waste is expected to reused, recycled or go to landfill the address of the disposal location(s) where the waste is to be taken The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction. **Condition reason:** To ensure resource recovery is promoted and local. 19. **Works in Road Reserve** A Road Opening Permit is required from the Wentworth Shire Council prior to any works or excavation within the road reserve including but not limited to: water tapping, sewer, driveway crossings, tree planting or removal etc. Please contact Councils Roads & Engineering Department on Tel: (03) 5027 5027 to arrange a permit. **Condition reason:** To control development in the road reserve.

BEFORE BUILDING WORK COMMENCES

20. Construction Certificates and Appointment of Principal Certifier

Prior to the commencement of any building works, the following requirements must be complied with

- A Construction Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning & Damp; Assessment Act 1979,
- A Principal Certifier must be appointed, and Council must be notified in writing of the appointment irrespective of whether Council or a Registered Certifier is appointed; and notify Council in writing of their intention to commence work (at least two [2] days' notice is required).

Condition reason: To ensure building works complies with relevant legislation and other codes.

21. Contractor details notification

The certifying authority must advise Council, in writing of:

- 1. The name and contractor licence number of the licensee who has been contracted to do or intends to do the work, or
- 2. The name and permit of the owner-builder who intends to do the work.

If these arrangements are changed, or if a contract is entered into for the work to be done by a different licensee, Council must be immediately informed.

Condition reason: To ensure building work is carried out by licensed contractor.

22. Dial before you dig

Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary.

Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individuals responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities."

Condition reason: To ensure existing infrastructure is identified.

23. Erosion and sediment controls in place

Before the commencement of any site or building work, the developer must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by Council) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).

Condition reason: To ensure runoff and site debris do not impact local stormwater systems and waterways.

24.	 Notice of commencement of works Subject to approval to commence works two days before any site works, building or demolition begins, the beneficiary of this consent must: Forward to Council notice of commencement of work and appointment of Principal Certifying Authority. Notify the adjoining owners that work will commence. Condition reason: To provide notification of works commencing.
25.	Rubbish/Waste Management Throughout the construction period, from commencement of work, a suitable rubbish containment structure is to be located on site and utilised. Condition reason: To ensure the construction site is kept clean and safe at all times.
26.	Storage of materials Throughout the construction period, from commencement of work, the storage of materials is not permitted on footpaths, roadways or in reserves. Rubbish and building materials must be contained on the site. Condition reason: To ensure the construction materials are stored on site in a tidy & safe manner.
27.	Toilet facilities Toilet facilities are to be provided on or in the vicinity of the building site. The toilet must be connected to a public sewer, or if connection to a public sewer is not practicable, an approved chemical closet. The toilet facility must be installed on-site prior to the commencement of any other work. Condition reason: To ensure workers and contractors have access to amenities on site.
28.	Tree protection measures Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place. Condition reason: To protect and retain trees.

DURING BUILDING WORK

29.	Approved Plans A copy of the stamped approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on site for the duration of site works and be made available upon request to either the Council or other Government Agencies. Condition reason: To ensure all parties are aware of the approved works to be conducted.
30.	Construction noise While work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise,

when measured at any lot boundary of the property where the construction is being carried out.

Condition reason: To protect the amenity of the neighbourhood.

31. Contamination discovered during works

If during works on the land comprising the lot, the land is found to be contaminated, within the meaning of the Contaminated Land Management Act 1997:

- all works must stop immediately, and
- the Environment Protection Authority and the council must be notified of the contamination.
- Land is found to be contaminated for the purposes of this condition if the principal certifying authority knows or reasonably suspects the land is contaminated.

Note: Depending on the nature and level of the contamination, remediation of the land may be required before further work can continue.

Condition reason: To ensure contaminated land is managed appropriately.

32. Cut and fill (if applicable)

While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- All excavated material removed from the site must be classified in accordance with the EPAs
 Waste Classification Guidelines before it is disposed of at an approved waste management
 facility and the classification and the volume of material removed must be reported to the
 principal certifier.
- All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.

Condition reason: To ensure soil removal & replacement meets requirements.

33. **Encroachment of easements**

No works are to encroach over any easements.

Condition reason: To ensure works are not carried out over easements.

34. Hours of work

The developer must ensure that building work, demolition or vegetation removal is only carried out between:

- 7.00am to 6.00pm on Monday to Friday
- 8.00am to 1.00pm on Saturdays

The developer must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

	Note: Any variation to the hours of work requires Councils approval.
	Condition reason: To protect the amenity of the surrounding area.
35.	Implementation of site management plans While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan and the erosion and sediment control plan are implemented at all times. The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.
	Condition reason: To ensure the required site management measures are implemented during construction.
36.	Natural drainage Any works undertaken in the subject land including building and filling shall not cause alteration to the previous drainage in the subject land or adjacent land. Any remedies required to discharge drainage water caused to be accumulated by the works associated with this permit shall be the responsibility of the beneficiary of this consent.
	Condition reason: To ensure natural drainage is maintained where possible.
37.	Procedure for critical stage inspections While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.
	Condition reason: To require approval to proceed with building work following each critical stage inspection.
38.	Responsibility for changes to public infrastructure While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).
	Condition reason: To ensure payment of approved changes to public infrastructure.
39.	Security fencing An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project
	Condition reason: To ensure the site is secured during construction.
40.	Tree protection While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with:
	The construction site management plan

2. The relevant requirements of any Australian Standard for the protection of trees on development sites

This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

Condition reason: To protect trees during site works.

41. Uncovering relics or Aboriginal objects

While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

- "relic" means any deposit, artefact, object or material evidence that: (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - a) is of State or local heritage significance; and
- "Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

Condition reason: To ensure protection of objects of potential significance during works.

42. Waste management

While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contact details of the person(s) who removed the waste
- The waste carrier vehicle registration
- The date and time of waste collection
- A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill
- The address of the disposal location(s) where the waste was taken
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.

Condition reason: To require records to be provided, during construction, documenting that

waste is appropriately handled.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

43. Completion of landscape and tree works

Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree-works, including pruning in accordance with AS 4373-2007 Pruning of amenity trees and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.

Condition reason: To ensure the approved landscaping works have been completed before occupation, in accordance with the approved landscaping plan(s).

44. Completion of public utility services

Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority. Before the issue of the occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.

Condition reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.

45. Fire Safety Certificate

Prior to the issue of the occupation certificate, a Fire Safety Certificate must be issued in accordance with Part 11 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Condition reason: To ensure fire safety requirements have been met.

46. **Occupation Certificate**

The building shall not be occupied or used until an Occupation Certificate is issued either by council or by an accredited certifier.

Condition reason: To ensure development is accredited.

47. Removal of waste upon completion

Before the issue of an occupation certificate, the principal certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the principal certifier.

Before the issue of a partial occupation certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the principal certifier's satisfaction.

Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.

48. Repair of infrastructure

Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.

Note: If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.

Condition reason: To ensure any damage to public infrastructure is rectified.

OCCUPATION AND ONGOING USE

49. Additional structures No additional structures are to be built or installed on the site without permission from the Wentworth Shire Council. **Condition reason:** To ensure only approved work is carried out 50. Amenity of the neighbourhood The operation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products. Condition reason: To ensure the amenity of the neighbourhood is not compromised unreasonably. 51. Maintenance of wastewater and stormwater treatment device During occupation and ongoing use of the building, the beneficiary of this consent must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective. **Condition reason:** To protect sewerage and stormwater systems. 52. Ongoing use – permanent group home with garage The proposed garage cannot be used for habitation. **Condition reason:** To ensure appropriate use as per approval. 53. Release of securities / bonds When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held. Council may use part, or all of the securities held to complete the works to its satisfaction if the works do not meet Councils requirements. Condition reason: To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction.

9.14 DA2025/057 PERMANENT GROUP HOME 8 MIDWAY DRIVE LOT 2 DP 1302556 BURONGA

File Number: RPT/25/266

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Georgie Martin - Cadet Planner

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

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

Summary

A development application (DA2025/057) was received by Council on 19 March 2025, for a permanent group home to be situated upon 8 Midway Drive Lot 2 DP 1302556 Buronga.

Under the Wentworth Local Environmental Plan (WLEP) 2011 and the State Environmental Planning Policy (Housing) 2021, this development is permitted with consent within the RU5 – Village zoning.

The application seeks development approval for the construction of a permanent group home which will be used for the accommodation of people with a disability under the NDIS Scheme. The building will consist of three bedrooms for people with disability and one bedroom for overnight assistance, with each bedroom having an ensuite. Other features of the permanent group home include an open plan kitchen, dining and living area, and an alfresco area. A single disabled car park has been provided within the garage.

The application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification 14 submissions were received by Council objecting to the proposed development.

The State Environmental Planning Policy (Housing) 2021 states that a consent authority must not refuse consent to the development for the purposes of a group home unless the consent authority has made an assessment of the community need for the group home.

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

Recommendation

That Council:

- 1. Approve subject to conditions DA2025/057 for a permanent group home to be located at 8 Midway Drive Lot 2, DP 1302556, Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Detailed Report

Purpose

The purpose of this report is to provide information to Council to determine Development Application DA2025/057, having consideration to the detail provided both within this report and the attachments provided.

Background

A Development Application was lodged with Council on 19 March 2025 seeking consent for a permanent group home on the subject lot.

The subject lot is in the RU5 Village zone under the *Wentworth Local Environmental Plan 2011* (WLEP 2011).

DA2025/057 was publicly notified as per Council Community Participation Plan for 14 days, with a total of 14 submissions objecting to the proposal received during this period. These submissions can be found under attached documents.

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

Refer to attachment 1 – Development Application

Refer to attachment 2 - Plans

Refer to attachment 3 – Statement of Environmental Effects

Matters under consideration

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

The proposed development was assessed and complies with relevant provisions of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 and the State Environmental Planning Policy (Housing) 2021.

The proposed development for a permanent group home is permitted with consent and meets the zone objectives of the RU5 – Village zone under the WLEP 2011.

Due to the zoning and WLEP 2011 mapping impacting the land, the development application was assessed against clauses 7.1 & 7.2. The development application was able to satisfy the matters for consideration under these clauses.

Due to the nature of the proposed development, it was assessed against Chapter 8 of the Wentworth Development Control Plan (DCP) 2011. The development complies with relevant provisions under this chapter.

The Wentworth Disability Inclusion Action Plan 2022 – 2026 is a requirement under the *Disability Inclusion Act 2014 (NSW)* (DIA / The Act). The Act required all NSW Local Government Areas to develop a Disability Inclusion Action Plan. Wentworth Shire Councils adopted plan states the following:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved

transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Public notification of the development application was conducted as per the Council Community Participation Plan for 14 days, whereby any submission received must at a minimum provide the following:

- Clearly identify the matter to which the submission relates,
- State the grounds for any support or objection expressed in the submission,
- Include appropriate contact details

Summary of concerns raised in submissions:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area
- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,
- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Response from Assessing Officer to concerns raised is as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy – Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.

- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is
 no planning strategy for specialised housing, only the Housing SEPP, which permits
 these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as detailed in assessment above will need to occur and this will fall to compliance with any approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.

Based on the assessment of the application, it is determined that the proposed development is compliant with relevant objectives of the RU5 – Village zoning under the WLEP 2011. The proposed development meets the relevant provisions of the Wentworth DCP 2011 and is consistent with planning matters for consideration of the WLEP 2011. The proposed development complies with matters for consideration under the *State Environmental Planning Policies – Biodiversity & Conservation (2021) and Housing (2021)*.

Refer to attachment 4 – Submissions (objections)

Refer to attachment 5 – Submissions (supportive)

Refer to attachment 6 – 4.15 Assessment report

Refer to attachment 7 – Conditions of Consent

Options

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

Approve Development Application DA2025/057 subject to conditions.

Legal, strategic, financial or policy implications

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

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

Conclusion

Having consideration of the consent of this report it is concluded that the appropriate course of action is to approve DA2025/057 subject to conditions.

Attachments

- 1. Development Application (Under Separate Cover) ⇒
- 2. Site Plans (Under Separate Cover) ⇒
- 3. Statement of Environmental Effects !
- 4. Submissions (objections) (Under Separate Cover)⇒
- 5. Submissions (supportive) (Under Separate Cover)⇒
- 6. 4.15 Assessment Report

 ...
- 7. Conditions of Consent





EXECUTIVE

SUMMARY

Proposal	Construction of a Permanent Group Home
Street Address	8 Midway Drive, Buronga
Formal Land Description	Lot 2 in Deposited Plan 1302556
Zone	RU5 - Village
Relevant State Environmental Planning Policies	SEPP (Housing) 2021 – Chapter 3, Part 2 Group Homes – Clause 62







SUBJECT SITE AND

SURROUNDING AREA

The subject site comprises one parcel of land commonly known as 8 Midway Drive, Buronga, and more formally as Lot 2 in Deposited Plan 1302556. The site is rectangular in shape and is relatively flat. It has an area of 766 square metres (sqm) and a frontage of 23.11m Midway Drive. The site is currently vacant, but all reticulated services are available. No heritage or cultural sensitivities affect the land and there are no natural hazards or environmental sensitivities including native vegetation.

The site is situated within an early stage of Midway Estate, which comprises vacant land, established dwellings, offices, vacant commercial premises and a community centre.

An aerial image of the site and surrounding area as well as site photos are contained on the following pages.

Aerial Image of the Site and Surrounding Area



Figure 1: Subject site and surrounding area (Source: Landchecker Sept 2024)





Site Photos



Figure 2: View of site from Midway Drive



Figure 3: View of the site from the north





JACKSON PLANNING

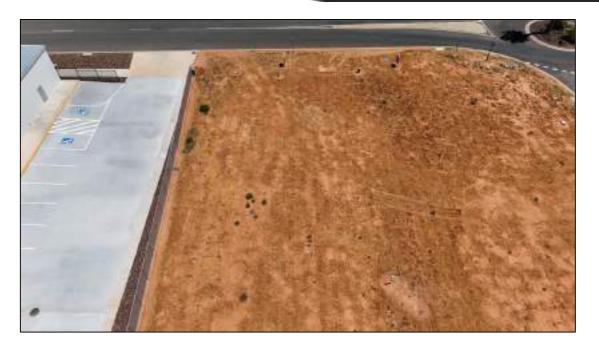


Figure 4: View of the site from the east



Figure 5: View of the site from the south







PROPOSAL

DESCRIPTION

This application is for the construction of a Permanent Group Home, as summarised under the following points:

- The proposed Permanent Group Home will be used to accommodate people with a disability on a permanent basis under the NDIS Scheme. The plans have been assessed and certified by an accredited SDA assessor.
- The building is single storey and contains three bedrooms for people with a
 disability and one bedroom for on-site overnight assistance. Each bedroom has
 an ensuite and other internal features include an open plan kitchen, dining and
 living area, separate living area, separate bathroom, European laundry, alfresco
 and single garage.
- The external appearance of the building is contemporary with brick wall cladding and corrugated Colorbond iron roof cladding.
- The building has a maximum height of 4.8m above natural ground.
- One car parking space (to disabled parking standards) can be accommodated within the garage and one car parking space can be accommodated within the driveway.
- A new crossover is proposed to provide access to the double garage.
- Approximately 440sqm of the site is private open space and approx. 426sqm can be landscaped.
- The development will be connected to all reticulated services, with the exception of gas.







PLANNING

CONTROLS AND ASSESSMENT

Wentworth Local Environmental Plan 2011 (LEP)

The Subject site is within the RU5 - Village

The objectives of the zone are:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

The proposed Permanent Group Home is located within an earlier stage of the Midway Estate and will provide for residential diversity in an appropriate location. The building will provide much needed housing for people with a disability and is compatible with existing residential development in the surrounding area. The building has been designed to be energy efficient and is appropriately located so as not to unreasonably impact on the adjoining land. As such, the proposal supports the objectives of the RU5 zone.

Wentworth Development Control Plan

Chapter 2 - Plan Objectives

The following General Development Objectives are relevant to this application:

 Residential land is to be developed with the creation of neighbourhoods comprising a range of housing styles and densities to cater for a diverse demographical profile of the local government area.







• Residential growth shall be promoted in areas identified as urban release area.

The following Locality Objectives for Buronga and Gol Gol are relevant to this application:

- A safe, convenient and attractive neighbourhoods that meet the diverse and changing needs of the community and offers a wide choice of housing, leisure, local employment opportunities and associated community and commercial facilities.
- A site responsive approach to urban development that supports and enhances the context in which it is located, strengthens local character and identity, and promotes a sense of community.

In addition to this, Section 2.2 - Social and Community outlines that:

The proposed future development of Buronga and Gol Gol will result in an increased demand for additional community infrastructure. This includes:

- Expansion of the range of community facilities and services;
- Improvement of public transport links within and external to the area;
- Provision of additional government and health services; aged care services; child care facilities and education/training services; and
- Promotion of community image and events including sport and recreation.

It is clear that the proposal is supported by the objectives of the Wentworth Development Control Plan which indicate that there is a strong need for diverse housing to provide for the changing needs of the community. The proposed Permanent Group Home will provide much needed accommodation for people with a disability and is of a high construction standard.

Chapter 3 - General Development Controls

5 Vehicular Access and Parking

This development control aims to provide sufficient and convenient parking for residents, visitors and service vehicles; to ensure vehicular and pedestrian safety and to encourage access design to form part of the overall landscape design. The relevant subclauses are discussed below.







5.1 Parking Layout, Servicing and Manoeuvring

The proposed car parks will be located in the garage and driveway, which is typical for car parking in a residential setting.

5.2 Specific Land Use Requirements

The following car parking requirements apply to the proposal:

 Housing for older people or people with a disability – Refer to State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004.

The SEPP referenced in the DCP no longer exists. Two car parking spaces are provided for the proposed Permanent Group Home which complies with Schedule 2 (17) of the State Environmental Planning Policy (Housing) 2021.

Chapter 4 - Residential Development Controls

4.1.1 Site Context and Analysis

The plans submitted with this application demonstrate how the proposed development responds to site specific conditions and the site has been described in detail previously in this report. The site is within an earlier stage of the Midway Estate which contains vacant land and existing dwellings of a similar size, scale and sitting. The site does not have any specific constraints and the topography is relatively flat.

4.1.2 Streetscapes

The proposed building will have a positive impact on the streetscape. A number of habitable room windows overlook the street to provide for casual surveillance. The proposed garage occupies only a small portion of the frontage and is setback behind the main façade of the building. The building has a clearly identified entry from the street and has been designed to be energy efficient. The external materials and colours will complement existing dwellings in the broader area which have external materials and colours that vary considerably.







4.1.3 Front Setback

The building has a front setback of 4.5m, which is less than the 6m sought within the Wentworth DCP. It is worth noting that 4.5m is a commonly accepted front setback in developing areas and is the minimum requirement to meet the CDC criteria. There are no existing dwellings on abutting allotments and as such, the proposed front setback is considered to be acceptable and will not bring rise to any character or streetscape related issues.

4.1.4 Side setbacks and Corner Lot Setbacks

The side setbacks of the proposed building are 4.3m from the north boundary and 8.26m from the south boundary, which complies with this Control.

4.1.5 Rear setbacks

The proposed building is located 5.5m from the rear boundary, which meets this Control.

4.1.6. Walls on Boundaries

Not applicable. No walls on boundaries are proposed.

4.1.7 Building heights and overshadowing

The proposed building is unlikely to overshadow the private open space of future dwellings on adjoining lots as it is single storey and has relatively generous boundary setbacks.

4.1.8 Site Coverage

The site coverage is approximately 32%, although it is noted that this control only applies to single dwelling houses and dual occupancies.

4.1.9 Private Open Space

At approximately 440sqm, private open space is well in excess of the 40sqm minimum requirement. There is an area of secluded private open space at the rear of the building also well in excess of 25sqm, with a minimum dimension of 3m accessed from the main living area.







4.1.10 Energy Efficiency and Solar access

Appropriate solar access and energy efficiency is achieved given the orientation of the site and distance between windows and boundaries. A BASIX is not required as a standard residential dwelling is not proposed.

4.1.11 Daylight to existing windows

The proposed building will not impact daylight to existing dwellings as the adjoining land is vacant.

4.1.12 North-facing windows

Not applicable – there are no existing north facing windows within 3m of the boundary.

4.1.13 Overlooking

Not applicable – the proposed building is single storey and will not be notably raised above existing surface levels. A 1.8m high solid boundary fence will provide for privacy between lots.

4.1.14 Fencing and Retaining Walls

No fences or retaining walls are proposed as part of this application. The boundary fence will be made to comply with the SEPP Exempt and Complying Development Codes 2008 (Part 2, Subdivision 17).

4.1.15 Car Parking and Vehicle Access

Car parking has been discussed previously.

4.1.16 Cut and Fill

As the site is relatively flat, only minimal earthworks are anticipated and will not exceed 0.3m of cut or fill.







State Environmental Planning Polices (SEPP)

SEPP (Housing) 2021 - Chapter 3, Part 2 Group Homes - Clause 62

This Clause contains requirements for consent authorities when determining Development Applications.

General Assessment

Visual Impacts

Please refer to DCP assessment.

Open Space

Please refer to DCP assessment.

Overshadowing and Privacy

Please refer to DCP assessment.

Noise

Only standard domestic mechanical plant will be associated with the proposed building, which will emit noise typical for a residential area.

Erosion Control Measures

No specific erosion control measures are considered necessary for this development. Any minor earthworks will be appropriately battered and retained (if necessary).

Economic and Social Impacts

The proposed building will contribute to the social wellbeing of the Buronga township by providing suitably designed housing to accommodate disabled persons. It also contributes to investment in the Buronga/Gol Gol Area.







Environmental Benefits

Due to the nature of this development, no significant environmental benefits are envisaged.

Disabled Access

The proposed building has been designed to comply with all disabled access standards and the plans have been assessed and certified by an accredited SDA assessor.

Security, Site Facilities and Safety

Not applicable for this application.

Waste Management

Standard domestic waste services will be provided by Council.

National Construction Code

The National Construction Code will be assessed as part of the Construction Certificate process by a Building Surveyor.

Traffic

The proposed building will result in standard domestic travel within the existing road network. This would have been anticipated and accounted for in the design of the subdivision.

Stormwater/flooding

The site is not subject to any identified natural hazards and stormwater will be directed to the legal point of discharge.







CONCLUSION

This report demonstrates that the proposal is consistent with the relevant provisions of the Wentworth Local Environmental Plan 2011 and the Wentworth DCP.

The proposed Permanent Group Home is appropriate for the site as it:

- Supports the objectives of the Zone RU5 Village;
- Is appropriately located on the subject site;
- Will have an acceptable impact on the locality in terms of amenity and visual dominance; and
- Will not result in any detrimental impacts on the environment.

It is considered that the proposal is worthy of support, and it is therefore respectfully requested that the Wentworth Shire Council grant Development Consent for the construction of a Permanent Group Home as described in this report at 8 Midway Drive, Buronga.







Health & Planning Department

61 Darling Street PO Box 81

WENTWORTH NSW 2648

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

DA Assessment Report Section 4.15 Evaluation

Environmental Planning & Assessment Act 1979 as amended

File Reference: DA2025/057 & PAN 519044

Property Title & Address: 8 Midway Drive Lot 2 DP 1302556 Buronga P511/5702

Property owner(s):SUPAVEST SPV FOUR PTY LTDApplicant(s):JACKSON PLANNING – Matt JacksonProposal:Permanent Group Home with garage

Previous DAs: N/A

Cost of proposed development: \$715,513.05

SITE AND SURROUNDING DEVELOPMENT

The subject site comprises of Lot 2 DP 1302556, 8 Midway Drive, Buronga. The lot has an area of 809m² and connects to Sturt Highway to the South, connecting through to the developing locality within the Midway area and surrounding locality.

The subject site is zoned within the RU5 – Village zone under the Wentworth Local Environmental Plan (WLEP) 2011. The subject site is a rectangular shaped lot with no vegetation removal proposed as site was recently cleared during the subdivision process. The lot is not impacted by easements or environmental factors.

The site is not within the bushfire prone, flood way or flood planning, terrestrial biodiversity, wetlands, or urban release mapped area and contains no known heritage constraints.

DESCRIPTION OF PROPOSAL

The proposal seeks development consent for the construction of a single storey dwelling with garage to be utilised as a permanent group home, which will provide accommodation for people on NDIS plans with ongoing disabilities as per the NDIS requirements. The dwelling is proposed to accommodate three participants and one overnight assistance personnel. The lot has a total area of 809m² with the dwelling proposed to have a floor area of 256.58m², broken down into the following:

Dwelling: 209.31m² – Garage: 28.17m² – Alfresco: 16.20m² – Porch: 2.89m².

One car parking space suitable for disability requirements is provided within the garage, with a standard parking space accommodated within the driveway area.

HISTORY RELEVANT TO THE DEVELOPMENT APPLICATION

N/A

SECTION 4.15-MATTERS FOR CONSIDERATION

(1) The provisions of any environmental planning instrument and development control plan

State Environmental Planning Policy (Biodiversity & Conservation) 2021

The proposed development is proposed to be located upon on a lot that is under 1ha in size and clear of vegetation following previous subdivision. No native vegetation is to be removed for construction, with no impact to any potential habitat for fauna. The site is not known koala habitat, as such, no assessment required against Chapters 3 or 4. The proposed development is not located within close proximity to the river of other waterbody, and as such, no assessment is required against Chapter 5.

State Environmental Planning Policy (Housing) 2021

Clause 60 (a) does not identify the land zoning of RU5 as a prescribed zone suitable for group home development, however, clause 60 (b) states that any other zone under an environmental planning instrument were dwelling houses may be carried out with consent is categorised as a prescribed zone.

The RU5 – Village zone under the WLEP 2011 lists dwelling houses as permitted with consent.

Clause 61 identifies that the proposed group home is permitted with consent as it is proposed on land zoned RU5 – Village under the WLEP 2011. In terms of the hierarchy of legislation, the SEPP overrides the WLEP 2011 in terms of any inconsistency as per section 3.28 of the EP&A Act.

Under clause 62 a consent authority (Council) must not:

- refuse a group development unless an assessment of the community need has been done
- Impose a condition of consent specifically because a development is a group home.

State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX Certificate has not been provided as it is not required due to the proposed development being class 3 under the Building Code of Australia.

Further, as it is assumed that the development will be certified as a Class 3 building under the BCA at the construction stage, in line with the *Comprehensive Guide to BASIX*, a BASIX Certificate is not needed.

Wentworth Local Environmental Plan (LEP) 2011

The proposed development of a permanent group home for the provision of accommodation for participants within the NDIS scheme is permitted with consent and meets the zone objectives of the RU5 – Village zoning under the Wentworth Local Environmental Plan (WLEP) 2011, under which the subject site is located. The main supportive objective is to provide for a range of land uses, services and facilities that are associated with a rural village. The development of a NDIS based permanent group home will allow for services for those with disabilities to live mostly independently with assistance.

Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

A group home meets the definition of a dwelling as follows:

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

Group home means a permanent group home or a transitional group home. Group homes are a type of **residential accommodation**.

Group home (permanent) or permanent group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which <u>State Environmental Planning Policy (Housing) 2021</u>, Chapter 3, Part 5 applies.

Clause 7.1 Earthworks

Any earthworks will be conditioned and form part of the approval.

Clause 7.2 Essential Services

Connection of services has been made possible during the previous subdivision of the development site.

Wentworth Development Control Plan (DCP) 2011

The proposed development is acceptable against the relevant provisions of the Wentworth Development Control Plan (DCP) 2011 as outlined in the table below.

Wentworth DCP	Chapter 8	Acceptable	Not Acceptable	N/A	Reason
БСР	5.1.1 Site context	х	Acceptable		Positioning of the proposed building on site makes use of available land while leaving space for private open space and providing suitable access for residents of the permanent group home facility. Materials used will compliment other structures in the surrounding area.
	5.1.2 Streetscape	Х			The proposed building will be in keeping with few existing developments in the area with windows facing the street for casual surveillance and a garage setback from the facade of the main portion of the building. It is anticipated that future development in the area will be similar and compatible with this DA.
	5.1.3 Front Setback		х		4.5m – does not meet
	5.1.4 Side setbacks	Х			Southern: 8.26m – meets Northern: 4.3m – meets
	5.1.5 Rear setback	X			5.5m – meets
	5.1.6 Walls on Boundaries			Х	N/A as no walls on boundaries
	5.1.7 Building heights and overshadowing			х	N/A as not a two-storey building

5.1.8 Site Coverage	X		Proposed development does not cover more than 60% of site (48% approx.)
5.1.9 Private open space	Х		Ample room for private open space available
5.1.10 Energy & solar access	X		Proposed development meets requirements of the Energy Efficiency Compliance Assessment
5.1.11 Daylight to existing window	X s		No impact anticipated from the single storey building to surrounding neighbours.
5.1.12 North facing windows		x	N/A as no existing north facing windows within 3m of boundary.
5.1.13 Overlooking		X	N/A as development approval is for a single storey building
5.1.14 Fencing and retaining walls		x	N/A approval not for fencing or retaining walls
5.1.15 Car parking and vehicle access	x		The site provides for one (1) disability access car parking spaces within the garage as per requirements under the Housing SEPP one space within the garage and another singular space is provided in the driveway of the proposed development site. Access to the site is provided via a crossover to council standards to be detailed within conditions of consent. Two parking spaces in total, one being to disability standards.
5.1.16 Cut and fill	X		Earthworks will be conditioned as part of approval

Development Control	WDCP 2011 requirement for RU5 Village zone	Proposed Permanent Group Home
Front setback	6m minimum	4.5m
North side setback	1m minimum	4.3m
South side setback	1m minimum	8.26m
Rear setback	3m minimum	5.5m

The front setback does not meet DCP requirements of 6m, being only 4.5m, however, many new developments in newly subdivided areas are utilising a front setback of only 4.5m to allow better use of allotment space. Additionally, other developments in the surrounding area have front setbacks under the required 6m, even down to 3m.

(2) The provisions of any draft environmental planning instrument

There is no Division 3.4 draft environmental planning instrument that affect the proposed development. (Post 1 July 2009 LEP amendments).

(3) Any matters prescribed by regulations

There are no further matters prescribed by regulations.

(4) The likely impacts of the development

There are no likely impacts from the proposal as discussed in the table below.

Impact item			- 1	Comment
(insert an ' x ' in the				
relevant section)		le		
	le le	tab	ant	
	ab	cep	leva	
	ept	ac	rel	
	Acceptable	Not acceptable	Not relevant	
Context and setting	X		<u> </u>	The proposed permanent group home building will look similar in
				external design to the few existing residential developments in the
				immediate area
Public domain &	X			The proposed permanent group home building meets the required
Streetscape				setbacks as provided and justified in assessment above (DCP)
Landscaping			X	Not part of this application
Stormwater	X			Discharge to legal point of Councils stormwater system to be
				conditioned
Heritage	X			None on site
Soils & Soils Erosion	X			Earthworks and erosion control to be conditioned as part of
				approval
Air and microclimate	X			No effect from proposed development anticipated
7 III and intercentiate	7.			Two effect from proposed development underputed
Water Resources	X			Noted – development located adequate distance from water sources
Biodiversity (Flora &	X			As the site was cleared of any vegetation during the subdivision
Fauna)				process – no effect on existing flora or fauna,
Land Resources	X			None known at this site
Utilities	X			Utilities are available to the property
Access & Parking	X			Adequate access and parking are available to the site, development
5				provides disability parking space as per requirements in line with
				Housing SEPP and
Roads & Traffic	X			Increase to area anticipated during construction with slight increase
				as new residents move into the completed building
Solar Access and Energy Efficiency	X			Will be required to meet energy requirements of Part J1 of the BCA
Overshadowing			X	Not relevant as surrounding land vacant and single storey
				development
Privacy & Overlooking			X	Not relevant as single storey building
Flooding			X	Not in flood planning area
Bushfire Prone Area			X	Property not within bushfire prone land
Noise	X			Only significant increase anticipated during construction, then
				residential noise ongoing
Technological hazards	X			No known hazards on site or anticipated

Safety, Security & Crime Prevention	X	No detrimental effects anticipated from development in this location. Windows facing street will provide casual surveillance
Social and Economic Impacts	X	No detrimental effects anticipated

The NDIS outlines high physical support SDA housing as housing that includes a high level of physical access for people who need very high levels of support. For example, you may need a ceiling hoist, backup power supply, or home automation and communication technology.

Further, level of functioning is defined as:

"The umbrella term for any or all of body functions, body structures, activities and participation. Level of function indicates the impact a participant's disability has on how a person is able to perform tasks and actions in a life area, as represented by a 'severity score' 'High functioning' indicates lower service and support requirements with a lower severity score, and 'low functioning' indicates higher service and support requirements with a higher severity score."

Image 1: Snip showing five bands of low level of function. (*Explore data NDIS*. https://dataresearch.ndis.gov.au/explore-data current as of 22 April 2025).

Active participants by Level of Function The number of active participants as at the end of the selected quarter. Those who have been determined eligible and have an approved plan. (There are also cases where a participant's plan has expired and a new plan has not formally commenced, but they have not exited the Scheme. These individuals are also counted as active participants.) Metric Active participants Average committed support Average payments Graph Tab

Period	LGA	State/Territory	Level of Function	Active participants
Q2 FY24/25	Wentworth (A), NSW		9 (Medium)	< 11
QZ FYZ4/25	Wentworth (A), N5W		10 (Medium)	27
Q2 FY24/25	Wentworth (A), NSW		11 (Low)	< 11
QZ FYZ4/Z5	Wentworth (A), N5W		12 (Low)	3.8
Q2 FY24/25	Wentworth (A), NSW		13 (Low)	<11
Q2 FY24/25	Wentworth (A), N5W		14 (Low)	<11
Q2 FY24/25	Wentworth (A), NSW		15 (Low)	<11
Q2 FYZ4/25	Wentworth (A), N5W		Missing	< 11



If we take < 11 to mean there are roughly ten participants in the associated (low) band, the above image then identifies that the five bands total 68 participants. This therefore identifies that there is a population with requirements for higher servicing and support requirements, being low functioning and having a higher severity score.

Low functioning participants as per the level of functioning definition require higher levels of support.

From the same dataset (as taken from the above website on the same date), there are 198 active participants who have been deemed eligible and have an approved plan under the NDIS. This dataset does not encompass all of those with disabilities that require support within the Wentworth LGA, indicating there may be more not accounted for as they are not active participants or are waiting for availability.

From the above 198 active participants, none have approved plans encompassing SIL / SDA.

The Inquiry Report: Own Motion Inquiry into Aspects of Supported Accommodation (NDIS Quality and Safeguards Commission, January 2023)

The above report states the following on page 23:

- a suburban house (SDA or otherwise) where a group of people with disability live together, each with their own bedroom (sometimes with ensuite), sharing a common living room, kitchen, bathroom and garden, and with an area of the house used as office space for staff.
- a number of suburban houses (as above) located in relatively close proximity to each other, sometimes with direct links between each of the houses (for example through a garden gate), with a team leader or manager overseeing supports across the network.

This reinforces the ability for SDA dwellings to be located in close proximity to one another.

Wentworth Disability Inclusion Action Plan 2022 - 2026

The Wentworth Disability Inclusion Action Plan 2022-2026 has a focus area that directly identifies housing for those with disabilities – 2; Livable Communities which states the following: Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing.

The plan, in line with the identified focus area aims to attribute to the positive experience of those with a disability, their families and supporters, through access to community places, buildings and events.

As there are currently no SDA housing facilities within the LGA, the proposal to develop them is in line with the Disability Inclusion Action Plan with the aim of providing housing, eliminating the barrier of housing access to those that require it.

Further, the following are direct quotes from the plan:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the

intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Approach to characterization and permissibility under LEPs

It needs to be noted that the development of Permanent Group Homes is permitted under legislation, both the Wentworth Local Environmental Plan 2011 and the State Environmental Planning Policy (Housing).

The case of *Botany Bay City Council v Pet Carriers International PTY Limited* [2013] NSWLEC 147 reiterates that land use tables within LEPs can use many means by which to define what development is permissible by identifying either *nominate* or *innominate* purposes.

His Honor, Preston CJ, stated the following:

A nominate purpose is one which the environmental planning instrument expressly nominates by name as being within one of the three classifications. Hence, the land use table for a zone may nominate particular categories of purposes of development as being within the classifications of development that may be carried out without consent, development that may be carried out with consent, or development that is prohibited.

An innominate purpose is one which the environmental planning instrument does not nominate by name as being within one of the three classifications, but rather identifies as falling within a particular classification by reason of it not being nominated in other classifications; it is development other than development in the other classifications. Hence, the land use table for a zone may classify as prohibited development, development for a purpose other than a purpose nominated as being able to be carried out without consent or with consent.

In the case of permanent group homes, as they are not directly identified within the RU5 – Village zoning as an independent type of development but fall under "any other development not specified in items 2 or 4", they are therefore innominate and permissible with consent.

(Compatibility Test) Project Venture Developments Pty Ltd v Pittwater Council [2005]

There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale, or appearance, though as the difference in these attributes increases, harmony is harder to achieve.

The physical impacts, such as noise, overlooking, overshadowing, and constraining development potential, can be assessed with relative objectivity. In contrast, to decide whether or not a new building appears to be in harmony with its surroundings is a more subjective task. Analysing the existing context and then testing the proposal against it can, however, reduce the degree of subjectivity.

For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment. In some areas, planning instruments or urban design studies have already described the urban character. In others (the majority of cases), the character needs to be defined as part of a proposal's assessment. The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks, and landscaping. In special areas, such as conservation areas, architectural style and materials are also contributors to character.

In order to test whether a proposal is compatible with its context, two questions should be asked.

- Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites. (Test One)
- Is the proposal's appearance in harmony with the buildings around it and the character of the street? (Test two)

Test One:

The proposal of a permanent group home, being constructed as a dwelling, does not constitute any physical impacts on the surrounding development. The surrounding development consists of dwellings with outbuildings.

Physical impacts will not occur as the development design is that of similar size, scale and sitting to existing development in the immediate and surrounding area. The applicant has identified the permanent group homes to have external materials and colouring that complements existing dwellings in the surrounding area.

It should be noted that Wendy Court itself, where the main streetscape occurs, has minimal development existing, being two dwellings and an allotment with an outbuilding.

There will be no issues regarding side setbacks as a physical constraint, as setbacks adhere to requirements under the Wentworth Development Control Plan, some rear setbacks do not meet requirements, but it should be noted that habitable building space does not encroach the setbacks, only alfresco areas that are open in design. Front setbacks may not meet the required 6m, however, as discussed in the DCP assessment, in newly developed areas, setbacks from the front boundary can be accepted at 4.5m for RU5 – Village zoned land.

Test Two:

The proposal of a permanent group home will be in harmony with the development within the estate area. Permanent group homes are designed as and meet definitions of dwellings, which is the main development in the estate area and will not alter the harmonic design, rather increasing development in the area and encouraging use of the RU5 – Village zoning whereby a range of services and facilities need to be available, including disability accommodation for the impacted community members.

Harmony is often defined as "the quality of a pleasing and consistent whole", with the permanent group homes not causing impact as the development will be that of dwellings in a residential area attributing to the existing use and character of the estate. Impact to Summer Drive through harmonious development should not be impacted due to separating fences and differing streetscapes (existing development vs minimally existing development).

The permanent group homes will be of the same design, therefore harmonious to themselves and attributing to consistency of the area.

The permanent group homes are dwellings and will not impact the character of the area. The use of each dwelling is subject to residential purposes such as long term accommodation, which is provided through the group homes. The use of existing dwellings in the area is no different to the accommodation purposes of the group homes, with additional assistance for the residents of the group homes required.

New Century Developments Pty Limited v Baulkham Hills Shire Council [2003] NSWLEC 154 revised - 5/09/2003 (social impact, large number of objectors, character and amenity of area).

The above caselaw provides examples of amenity, reiterates development characteristics and any further associated issues, as well as substance of community responses to proposed development.

"(61) In circumstances such as the present case, however, the consent authority must not blindly accept the subjective fears and concerns expressed in the public submissions. Whilst such views must be taken into consideration, there must be evidence that can be objectively assessed before a finding can be made of an adverse effect upon the amenity of the area... the views of residents of the area, those views will be accorded little, if any, weight if there is no objective, specific, concrete, observable likely consequence of the establishment of the proposed use."

The above quote from the caselaw states plainly that evidence must be provided for submissions to be assessed. Council cannot take submissions with little to no planning grounds as having an adverse impact to the development of what is defined legally as a permanent group home under the WLEP 2011.

There are no specific issues raised in submissions received regarding the proposed group home development.

Submissions received as objections rather centre around the use of the development and those that would use it, however, this is not for Council to mandate as we are not the managing authority, only the consent authority. Submissions referenced the following:

- Property valuation
- Proximity of group homes to each other
- Behaviour concerns of NDIS participants
- Potential for property damage
- Disturbances caused by NDIS participants
- Location of group homes in locality for NDIS participant access to services
- Lack of Council transparency
- Concerns for the childcare centre in proximity to proposed group homes
- No need for further group home development

"(64) The assessment of the specific objections raised by the local residents shows that the concerns raised by them, objectively assessed, must be afforded little weight. As is shown by the consideration of the specific objections, discussed above, they appear to have little basis in fact."

Th above quote from the caselaw states that if concerns have been assessed based on the objectives (mainly directed at NDIS management and use of the proposed group home dwelling – therefore not specific legislative <u>planning grounds</u>), then submissions **must** be afforded little weight, therefore not considered as little fact is apparent.

"(71) In summary, I have concluded that the proposed development would be compatible with the rural residential character of the area and would not have an adverse impact on the amenity of the area, including social impact. While I recognise that there is strong community opposition to the proposal and that the residents have real fears, these fears must have foundation and a rational basis, which in this case is absent."

The above quote from the caselaw states that the ultimate outcome of the case as decided by the Judge, was that the proposed development was compatible with the character of the existing area and would not have an impact on the amenity of the area. Community opposition was recognised but the concerns were found to have no foundation or rational basis (planning grounds).

In relation to the proposed group home, no planning grounds for the proposal are seen, merely concerned community members referencing issues relative to unjustified fears based on the use of the development. No foundation (fundamentals of planning legislation) are presented by submitters, as addressed by Council.

Understanding the Local Impact of New Residential Development: a Pilot Study Christine Whitehead and Emma Sagor with Ann Edge and Bruce Walker LSE London April 2015

The report identifies that opposition to new dwelling development is driven by local communities feeling that they will gain little benefit from new dwellings and that negative impacts may arise, such as infrastructure pressure and lack of services, as well as residential valuation impacts.

The report solidifies and states that planning literature does not often and is not required to, address impacts to housing valuation or pricing as this is not directly related to planning decisions which are assessed against relevant legislation, as well as broader economic, environmental, and social factors.

Further Information of Relevance

The 2019 Issues Paper – Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) focuses on group homes as a form of accommodation where supports are provided for four (4) to six (6) long-term residents with a disability. The proposed group home under assessment is for residential accommodation of up to three people

This Issues Paper states plainly that all building work (in regard to group homes) must comply with requirements under the Building Code of Australia (BCA), this is a consideration for the construction certificate and certification stage of the development.

Further, the Issues Paper also states that group homes are defined under the NDIS Rules 2016 as "houses that are (or will be enrolled) to house four to five long-term residents... typically classified as Building Class 1(b)(i) or 3 under the Building Code of Australia."

As per the document *Understanding the NCC – Building Classifications* published by the NCC, a Class 1b building is a *boarding house, guest house or hostel that has a floor area less than 300 m2 and ordinarily has less than 12 people living in it,* and Class 3 buildings *are a common place of long term or transient living for a number of unrelated people.*

The 2020 Issues Paper – Overview of responses to Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) identifies the following on page seven (7) under Potential good practice in group homes:

- Role of group homes is conditional upon providing residents wit control and choice over their location,
- Group homes can promote inclusion and social connection,
- Research suggests smaller group homes of two to three residents is usually better,
- Factors such as organizational structure, staff training and person centred support contributes to better quality of life in group homes.

Maple Community Services (https://maplecommunity.com.au/advantages-of-group-housing-for-adults-with-disabilities/) is a disability provider with an accessible online platform, this platform provides a page identifying the advantages of group housing for adults with disabilities, points from the website as follows:

- Independence opportunity to manage routines and take responsibility within a supportive and structured environment.
- Specialised care on site or readily available support workers can provide the required approaches to individual needs ensuring each level of care for each resident is maintained.
- Safety and security increased safety measures are present in group homes, as well as emergency support systems, thus ensuring safety of the residents.
- Social inclusion opportunities to participate in activities, outings and community engagement creating meaningful relationships in home and community.
- Small scale group homes often limit number of residents to keep a personalized and supportive environment.
- Privacy each resident has their own bedroom for privacy and personal space.
- Accessibility group homes are designed to accommodate mobility and accessibility needs.

The Australian Institute of Health and Welfare (AIHW) under *Housing* states the following on their website:

Housing plays a major role in the health and wellbeing of people with disability, by providing shelter, safety and security. The availability of affordable, sustainable and appropriate housing helps people with disability to participate in the social, economic and community aspects of everyday life.

Australia's Disability Strategy 2021 – 2031 is Australia's national disability policy framework, setting out plans for the continual improvement of the lives of people with disability in Australia over a decade.

This strategy includes a designated chapter for *Inclusive Homes and Communities*, with the outcome to provide people with a disability the opportunity to live in inclusive, accessible, and well-designed homes and communities.

Under this chapter, *Policy Priority 2: Housing is accessible and people with disability have choice and control about where they live, who they live with, and who comes into their home* relays the importance of increasing availability of accessible housing to allow for users to have a choice on where to live, who to live with and enables people with disability to socialise and connect with neighbours, friends and family.

Monash Universities publication Adaptable Housing for People with Disability in Australia: A Scoping Study states the following:

Given the increasing prevalence of disability, an estimated 60% of homes will, at some point, be occupied by a person with disability or injury, and 90% will have a visitor with disability or injury.

Few homes are designed to directly suit or be adaptable to the needs of people with disability, causing a mismatch between people with disability and their homes:

- 4.9% of Australians with disability have moved because of a health reason (compared to only 0.6% of people without disability)
- 16% are dissatisfied with their homes.

Wentworth Local Environmental Plan 2011

The WLEP 2011 provides the following definition for permanent group homes: group home (permanent) or permanent group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged

It should be noted that the plans provided by the applicant indicate "NDIS High Physical Support SDA" with design considering wider doorways, ceiling hoists, accessible parking (garage), and ensuites tailored for required needs (rails etc.), with an adjustable bench in the kitchen.

The people anticipated to use these dwellings are those with disabilities, and not those who are socially disadvantaged, however, Council are not the management authority and cannot dictate who will utilize these developments.

(5) The suitability of the site for development

The site is suitable for the proposed permanent group home building as it is not anticipated to have any adverse impact on the locality; however, 14 submissions were received. The proposed development is permitted within the RU5 – Village zoning area under the Wentworth Local Environmental Plan 2011. The development provides the area with greater flexibility in housing and facilitates options for people with a disability under the NIDS scheme to become independent within the community, while receiving care when required. The character and use of the proposed development is consistent with other proposed developments in the immediate area.

(6) Any submissions made in accordance with this Act or Regulation

The application was notified for 14 days as per the Wentworth Community Participation Plan. 14 total submissions (13 unique) were received objecting to the application within the notification period.

The following list identifies concerns raised within the submissions received:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area

- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,
- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Regards,

Council Officer Comment:

There have been no planning grounds of concern raised through submissions made during the 14-day public exhibition period. Concerns identified have been assessed as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy – Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.
- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is no planning strategy for specialised housing, only the Housing SEPP, which permits these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as detailed in assessment above will need to occur and this will fall to compliance with any approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.







(7) The public interest

The proposed development is consistent with public interest as it will have no detrimental effect on the surrounding area.

Social impact equates to the consequences that people experience when a new proposal for development will alter their known environment. This could be through acoustic, amenity, way of life, health and wellbeing, and property impacts. Submissions in regard to the proposed group home have shown that the development proposed is seen as a concern to the surrounding community.

The social impacts as identified by concerned residents in submissions for the proposed group home (singular development on a singular allotment) are not linked to the development of a permanent group home, instead, are aligned with the users and management authority of the group home following construction. No noise, amenity, traffic or other detrimental impacts are envisaged from a, by definition, permanent group home in a residentially established area.

Approval of the proposed group home would benefit the disabled community of the shire, which under the Disability Inclusion Action Plan (2022 -2026), housing is a provision that needs to occur and is heavily identified. Although the population requiring this accommodation may not encompass a wider community, the housing type is beneficial to the expanding Buronga / Gol Gol and wider areas of the entire shire and is also important being a border community. A total of 14 submissions objecting to the development were received during the exhibition period, however matters raised were similar in nature with no detrimental planning concerns raised. Most concerns are specific to management and users of group homes in general, or the infrastructure of the area that would have been considered during the subdivision stage. It is worth noting that nearly all submissions state that the submitter recognises the need for the housing type in the shire.

The Land and Environment Court in New Century Developments Pty Limited v Baulkham Hills Shire Council (2003) 127 LGERA 303; [2003] NSWLEC 154 (New Century) at [60] adjudged that a development that causes such great offence to a large portion of the community that it ought to be refused amounts to a detrimental social impact.

However, at [62] the case law identifies that fears or concerns without rational or justified foundations are not matters which, by themselves, can be considered as an amenity or social impact pursuant to s 79C(1) (now s 4.15) of the EP&A Act. Where there is no evidence to support a rational fear, it will not be relevant and be of the basis that community members have altered their everyday actions and thoughts based on the concept of the use of permanent group homes, therefore are seen due to unjustified fears, in this case, whereby broad assumptions have been made about the use of permanent group homes.

In this case Council received 14 objections to the DA from residents living nearby and from within the broader urban area. The objections principally related to impacts to property value, childcare proximity, disturbances from residents of proposed group homes, lack of facilities in the area, proximity of group homes to each other, insufficient infrastructure to support high-needs users, impact of living in the area for NDIS participants, potential for traffic increase and property damage from users.

Assessment of social impacts relating to the proposed development of a permanent group home needs to be based on fact and evidence, not community perceptions or potential unjustified fears. It

needs to be reiterated that the assessment and approval or refusal of a development application is to be made under the planning legislation.

The social impacts as perceived by local residents are noted and have been addressed through conditions of consent or general assessment. Council cannot dictate who utilises the group home upon completion and following issuance of an occupation certificate as long as users are those permitted under the definition of permanent group home. Residents of the area seem to hold unjustified fears of those from within the disabled community who would be using the group homes for impacts to their lives and everyday activities.

At the February and March Council Meetings (2025) members of the public gallery spoke against the development of group home "clusters", citing isolation of potential residents, heightened noise and vehicular impacts, minimised liveability of the wider community, emergency vehicle access and availability, NDIS requirements and reports that are not indicative of town planning requirements, DCP non-compliance, and the institutionalisation of NDIS participants. The abovementioned have been considered in the assessment and are not considered detrimental social impacts as they are perceived impacts or unjustified concerns, with no reference to applicant supplied assessment material. Concerns have been adequately given weight where required in line with provided substance of submissions. Submissions and voiced concerns have not been of strict planning grounds and can be viewed as unjust when referencing the disabled community.

The development of a permanent group home, defined under the WLEP 2011 as a dwelling, is not anticipated to create negative social impacts on the locality. The specific users are not for Council to mandate through the development approval processes. A combination of abovementioned impacts will not lead to negative impacts or experiences in the area. The development of a permanent group home, in a residential area with minimal development as per this assessment should be greatly considered for aesthetic and crime prevention (CPED) purposes. The more houses/development in a subdivision, street facing windows and cars around development, all attribute to making an area safer both through surveillance and lively areas.

On balance, the proposed permanent group home in a land zoning supporting group homes under both the WLEP 2011 and the Housing SEPP 2021, the benefits to the disabled community and no negative impact anticipated to the social streetscape or overall amenity of the area, when weighted against the minimal substance of the submissions, does not justly warrant refusal of this development application.

Should concerns arise from the permanent group home operation, Council will properly investigate and take compliance action as needed to matters within our jurisdiction.

COMMENTS FROM COUNCIL INTERNAL DEPARTMENTS

Department	Referred Y/N	Comments
Building	Υ	BCA Classification: 3 and 10a
		Comments
		 No building comments relevant to the
		determination of a DA.
		Approval under S68 of the Local Government Act must be
		obtained prior to the issue of a Construction Certificate in
		relation to:
		 Carrying out of water supply work.

		Carrying out sewerage work.
		Connection to Sewer.
Subdivision Engineer	N	
Roads & Engineering	N	
Finance & Policy	N	
Heritage Advisor	N	
Environmental Health	N	
Local Laws	N	
Floodplain Mgt Committee	N	
Sustainable Infrastructure	N	

CONCLUSIONS

- 1. General comments:
- 2. The proposal satisfies the points for consideration listed under Section 4.15 <u>part b, c, d and e</u> of the *Environmental Planning and Assessment Act*.
- 3. The proposal occurs on land zoned RU5 Village. The proposal is not considered to have detrimental impact on the site and surrounds.
- 4. The proposal is consistent with the Wentworth Shire Development Control Plan (Dec 2011). The proposal meets Chapter 8 of the provisions set out in the Wentworth Development Control Plan 2011.
- 5. The proposed permanent group home accords with the relevant objectives and provisions of the State Environmental Planning Policy (Biodiversity & Conservation) 2021 and State Environmental Planning Policy (Housing) 2021.
- 6. There is no draft local environmental plan affecting the proposed development.

Recommendation:

Approve the application subject to conditions

Delegate report author	Delegated approval and endorsement
Signature:	Signature:
Georgie Martin	
Cadet Planning Officer	
Date: 29/04/2025	Date:



Health & Planning Department 61 Darling Street PO Box 81

WENTWORTH NSW 2648

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

TEMPLATE CONDITIONS

DA2025/057 PERMANENT GROUP HOME WITH GARAGE LOT 2 DP 1302556 8 MIDWAY DRIVE BURONGA

GENERAL CONDITIONS

1. Approved development

Approval is for a permanent group home with garage.

Condition reason: To ensure all parties are aware of the approved development.

2. Approved Plans and Documentation

The development shall be in accordance with the following plans, documentation and recommendations made there in:

- **Site Plan** by Intrend Design & Drafting PTY LTD; Job No: 24-660; Sheet No: 2 of 5; Date: 10/04/24.
- **Floor Plan** by Intrend Design & Drafting PTY LTD; Job No: 24-660; Sheet No: 3 of 5; Date: 10/04/24.
- Elevations (W & E) by Intrend Design & Drafting PTY LTD; Job No: 24-660; Sheet No: 2 of 5;
 Date: 10/04/24.
- Elevations (N & S) by Intrend Design & Drafting PTY LTD; Job No: 24-660; Sheet No: 2 of 5;
 Date: 10/04/24.

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

3. Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989

- 1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
- It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be

carried out by the consent commences.

- 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.
- 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
- 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
- 6. This section does not apply-
 - a. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
 - b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.

4. Erection of signs

- 1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
- 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out:
 - a. showing the name, address and telephone number of the principal certifier for the work, and
 - b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.
- 3. The sign must be
 - a. maintained while the building work, subdivision work or demolition work is being carried out, and
 - b. removed when the work has been completed.
- 4. This section does not apply in relation to
 - a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
 - b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

5. Lapsing of Approval

Without the further consent of the Wentworth Shire Council, in writing, this permit shall lapse

	and have no force or effect unless the use or development hereby permitted is physical commenced within 5 years of the date of this permit.				
	Condition reason: Ensure everyone is aware of the lapsing of the approval.				
6.	Works outside the property boundary				
	This development consent does not authorise works outside the property boundaries on adjoining				
	lands.				
	Condition reason: To ensure all approved works occur within the property boundaries.				

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

·							
7.	Access Point						
	Before the issue of a Construction Certificate, the beneficiary of this consent must build a driveway						
	crossing for the subject land (if one doesn't exist) to Council standards.						
	Access during construction shall only be through the driveway crossing of the subject land.						
	Condition reason: To control vehicular movement on road crossings.						
8.	Building Material						
	The proposed building/s and structure/s shall be clad in an approved non-reflective material e.g. Colourbond.						
	Condition reason: To ensure the materials of the building not impact the visual amenity of the surrounding character of the area.						
9.	Construction Site Management Plan						
J.	Before the issue of a construction certificate, the applicant must ensure a construction site						
	management plan is prepared before it is provided to and approved by the certifier. The plan must						
	include the following matters:						
	 location and materials for protective fencing and hoardings to the perimeter on the site 						
	provisions for public safety						
	pedestrian and vehicular site access points and construction activity zones						
	details of construction traffic management, including proposed truck movements to and from						
	the site and estimated frequency of those movements, and measures to preserve pedestrian						
	safety in the vicinity of the site						
	 protective measures for on-site tree preservation (including in accordance with AS 4970-2009 						
	Protection of trees on development sites) and trees in adjoining public domain						
	details of any bulk earthworks to be carried out						
	location of site storage areas and sheds						
	equipment used to carry out all works<						
	a garbage container with a tight-fitting lid						
	dust, noise and vibration control measures						
	location of temporary toilets.						
<u> </u>	- location of temporary tolicis.						

The applicant must ensure a copy of the approved construction site management plan is kept onsite at all times during construction.

Condition reason: To ensure construction works are adequately managed to protect the surrounding amenity.

10. Erosion and Sediment Control

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:

- the guidelines set out in the NSW Department of Housing manual Managing Urban Stormwater: Soils and Construction Certificate (the Blue Book), and
- the 'Do it Right On-Site, Soil and Water Management for the Construction Industry'; (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The applicant must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.

Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.

11. Fire Safety Schedule

Prior to the issue of a Construction Certificate, pursuant to Part 10 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended) a Fire Safety Schedule is to be submitted to the Principal Certifying Authority. The Fire Safety Schedule must include matters prescribed in clause 79 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended).

Condition reason: To ensure compliance with Fire Safety requirements.

12. Long Service Levy

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that the person liable pays the long service levy as calculated at the operational date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

Condition reason: To ensure the long service levy is paid.

13. Payment of Security Deposits

This condition applies to all construction works \$25,001 and above.

Before the commencement of any works on the site or the issue of a construction certificate, the beneficiary of this consent must make all of the following payments to Council and provide written evidence of these payments to the certifier:

		. :
Infrastructure Bond (Security Deposit):	\$3,000.00	
		.

Infrastructure Protection Permit Fee (includes	\$232.00	
inspections)		

The payments will be used for the cost of:

- making good any damage caused to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates,
- completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and
- any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.

The Infrastructure Bond will be returned on completion of the construction of the proposed development, subject to no damage being done to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates. The owner / developer is to arrange an inspection with an Officer of Wentworth Shire Council before any work commences on site. Any damage incurred to Council infrastructure will be repaired at the owners / developers expense and the balance of the Infrastructure Bond will be returned to the owner / developer on completion of the construction.

Note: The inspection fee includes Councils fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the Roads Act 1993). The amount payable must be in accordance with councils fees and charges at the payment date.

Condition reason: To ensure any damage to public infrastructure is rectified and public works can be created.

14. Plumbing and Drainage

Before issuance of the Construction Certificate, a Plumbing and Drainage Application under Section 68 of the Local Government Act NSW 1993 is to be submitted to and approved by Council before any plumbing and drainage works (water and sewerage).

Note: All stormwater from the site is to be directed towards a legal point of discharge. All plumbing and drainage work is to be carried out by a plumber and drainer, or other authorised person, licensed with the New South Wales Department of Fair Trading.

Condition reason: To ensure plumbing and drainage works are carried out appropriately.

15. Road reserve landscaping

Lawn must be used for landscaping within the road reserve. Any other form of landscaping in the road reserve must be approved by Council.

Condition Reason: To ensure appropriate landscaping is used in road reserve.

16. Utilities and services - water and sewerage

Raw water, filtered water and sewerage are available and are to be connected to Councils services. Dual water supply lines are to be provided from the front boundary of the property. One line is to

convey filtered water to all fittings within the building and the other line to convey unfiltered water to all fittings outside the building i.e. garden taps, etc. A separate application is to be made to Council for approval to connect to Council's water mains prior to commencing any plumbing and drainage work.

Condition reason: To ensure relevant utility and service providers requirements are provided to the certifier.

17. Waste management plan

Before the issue of a construction certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:

Details the following:

- the contact details of the person(s) removing the waste
- an estimate of the waste (type and quantity) and whether the waste is expected to be
- reused, recycled or go to landfill
- the address of the disposal location(s) where the waste is to be taken

The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction.

Condition reason: To ensure resource recovery is promoted and local.

18. Works in Road Reserve

A Road Opening Permit is required from the Wentworth Shire Council prior to any works or excavation within the road reserve including but not limited to: water tapping, sewer, driveway crossings, tree planting or removal etc.

Please contact Councils Roads & Engineering Department on Tel: (03) 5027 5027 to arrange a permit.

Condition reason: To control development in the road reserve.

BEFORE BUILDING WORK COMMENCES

19. Construction Certificates and Appointment of Principal Certifier

Prior to the commencement of any building works, the following requirements must be complied with

- A Construction Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning & Damp; Assessment Act 1979,
- A Principal Certifier must be appointed, and Council must be notified in writing of the
 appointment irrespective of whether Council or a Registered Certifier is appointed; and notify
 Council in writing of their intention to commence work (at least two [2] days' notice is
 required).

Condition reason: To ensure building works complies with relevant legislation and other codes. 20. **Contractor details notification** The certifying authority must advise Council, in writing of: 1. The name and contractor licence number of the licensee who has been contracted to do or intends to do the work, or 2. The name and permit of the owner-builder who intends to do the work. If these arrangements are changed, or if a contract is entered into for the work to be done by a different licensee, Council must be immediately informed. **Condition reason:** To ensure building work is carried out by licensed contractor. 21. Dial before you dig Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individuals responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities." **Condition reason:** To ensure existing infrastructure is identified. 22. Erosion and sediment controls in place Before the commencement of any site or building work, the developer must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by Council) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site). Condition reason: To ensure runoff and site debris do not impact local stormwater systems and waterways. 23. Notice of commencement of works Subject to approval to commence works two days before any site works, building or demolition begins, the beneficiary of this consent must: 1. Forward to Council notice of commencement of work and appointment of Principal Certifying Authority. 2. Notify the adjoining owners that work will commence. Condition reason: To provide notification of works commencing. 24. **Rubbish/Waste Management** Throughout the construction period, from commencement of work, a suitable rubbish

	containment structure is to be located on site and utilised.		
	Condition reason: To ensure the construction site is kept clean and safe at all times.		
25.	Storage of materials Throughout the construction period, from commencement of work, the storage of materials is not permitted on footpaths, roadways or in reserves. Rubbish and building materials must be contained on the site. Condition reason: To ensure the construction materials are stored on site in a tidy & safe manner.		
26.	Toilet facilities Toilet facilities are to be provided on or in the vicinity of the building site. The toilet must be connected to a public sewer, or if connection to a public sewer is not practicable, an approved chemical closet. The toilet facility must be installed on-site prior to the commencement of any other work.		
	Condition reason: To ensure workers and contractors have access to amenities on site.		
27.	Tree protection measures Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place.		
	Condition reason: To protect and retain trees.		

DURING BUILDING WORK

	
28.	Approved Plans A copy of the stamped approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on site for the duration of site works and be made available upon request to either the Council or other Government Agencies. Condition reason: To ensure all parties are aware of the approved works to be conducted.
29.	Construction noise While work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out. Condition reason: To protect the amenity of the neighbourhood.
30.	Contamination discovered during works If during works on the land comprising the lot, the land is found to be contaminated, within the meaning of the Contaminated Land Management Act 1997: • all works must stop immediately, and • the Environment Protection Authority and the council must be notified of the contamination. • Land is found to be contaminated for the purposes of this condition if the principal

certifying authority knows or reasonably suspects the land is contaminated.

Note: Depending on the nature and level of the contamination, remediation of the land may be required before further work can continue.

Condition reason: To ensure contaminated land is managed appropriately.

31. Cut and fill (if applicable)

While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- All excavated material removed from the site must be classified in accordance with the EPAs
 Waste Classification Guidelines before it is disposed of at an approved waste management
 facility and the classification and the volume of material removed must be reported to the
 principal certifier.
- All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.

Condition reason: To ensure soil removal & replacement meets requirements.

32. **Encroachment of easements**

No works are to encroach over any easements.

Condition reason: To ensure works are not carried out over easements.

33. Hours of work

The developer must ensure that building work, demolition or vegetation removal is only carried out between:

- 7.00am to 6.00pm on Monday to Friday
- 8.00am to 1.00pm on Saturdays

The developer must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Councils approval.

Condition reason: To protect the amenity of the surrounding area.

34. Implementation of site management plans

While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan and the erosion and sediment control plan are implemented at all times. The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.

	Condition reason: To ensure the required site management measures are implemented during construction.
35.	Natural drainage Any works undertaken in the subject land including building and filling shall not cause alteration to the previous drainage in the subject land or adjacent land. Any remedies required to discharge drainage water caused to be accumulated by the works associated with this permit shall be the responsibility of the beneficiary of this consent. Condition reason: To ensure natural drainage is maintained where possible.
36.	Procedure for critical stage inspections While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.
	Condition reason: To require approval to proceed with building work following each critical stage inspection.
37.	Responsibility for changes to public infrastructure While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).
	Condition reason: To ensure payment of approved changes to public infrastructure.
38.	Security fencing An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project Condition reason: To ensure the site is secured during construction.
39.	Tree protection While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with: 1. The construction site management plan 2. The relevant requirements of any Australian Standard for the protection of trees on development sites This includes maintaining adequate soil grades and ensuring all machinery, builders refuse,
	spoil and materials remain outside tree protection zones. Condition reason: To protect trees during site works.
40.	Uncovering relics or Aboriginal objects While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage

Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

- "relic" means any deposit, artefact, object or material evidence that: (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - a) is of State or local heritage significance; and
- "Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

Condition reason: To ensure protection of objects of potential significance during works.

41. Waste management

While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contact details of the person(s) who removed the waste
- The waste carrier vehicle registration
- The date and time of waste collection
- A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill
- The address of the disposal location(s) where the waste was taken
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.

Condition reason: To require records to be provided, during construction, documenting that waste is appropriately handled.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

42. Completion of landscape and tree works

Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree-works, including pruning in accordance with AS 4373-2007 Pruning of amenity trees and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.

Condition reason: To ensure the approved landscaping works have been completed before occupation, in accordance with the approved landscaping plan(s).

43. Completion of public utility services

Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority. Before the issue of the occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.

Condition reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.

44. Fire Safety Certificate

Prior to the issue of the occupation certificate, a Fire Safety Certificate must be issued in accordance with Part 11 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Condition reason: To ensure fire safety requirements have been met.

45. **Occupation Certificate**

The building shall not be occupied or used until an Occupation Certificate is issued either by council or by an accredited certifier.

Condition reason: To ensure development is accredited.

46. Removal of waste upon completion

Before the issue of an occupation certificate, the principal certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the principal certifier.

Before the issue of a partial occupation certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the principal certifier's satisfaction.

Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.

47. Repair of infrastructure

Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.

Note: If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.

Condition reason: To ensure any damage to public infrastructure is rectified.

OCCUPATION AND ONGOING USE

48.	Additional structures No additional structures are to be built or installed on the site without permission from the Wentworth Shire Council. Condition reason: To ensure only approved work is carried out
49.	Amenity of the neighbourhood The operation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products. Condition reason: To ensure the amenity of the neighbourhood is not compromised unreasonably.
50.	Maintenance of wastewater and stormwater treatment device During occupation and ongoing use of the building, the beneficiary of this consent must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective.
51.	Condition reason: To protect sewerage and stormwater systems. Ongoing use – permanent group home with garage The proposed garage cannot be used for habitation. Condition reason: To ensure appropriate use as per approval.
52.	Release of securities / bonds When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held. Council may use part, or all of the securities held to complete the works to its satisfaction if the works do not meet Councils requirements. Condition reason: To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction.

9.15 DA2025/058 PERMANENT GROUP HOME 12 WENDY COURT LOT 21 DP 1288183 BURONGA

File Number: RPT/25/267

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Georgie Martin - Cadet Planner

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

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

Summary

A development application (DA2025/058) was received by Council on 19 March 2025, for a permanent group home to be situated upon 12 Wendy Court Lot 21 DP 1288183 Buronga.

Under the Wentworth Local Environmental Plan (WLEP) 2011 and the State Environmental Planning Policy (Housing) 2021, this development is permitted with consent within the RU5 – Village zoning.

The application seeks development approval for the construction of a permanent group home which will be used for the accommodation of people with a disability under the NDIS Scheme. The building will consist of three bedrooms for people with disability and one bedroom for overnight assistance, with each bedroom having an ensuite. Other features of the permanent group home include an open plan kitchen, dining and living area, and an alfresco area. A single disabled car park has been provided within the garage.

The application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification 14 submissions were received by Council objecting to the proposed development.

The State Environmental Planning Policy (Housing) 2021 states that a consent authority must not refuse consent to the development for the purposes of a group home unless the consent authority has made an assessment of the community need for the group home.

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

Recommendation

That Council:

- 1. Approve subject to conditions DA2025/058 for a permanent group home to be located at 12 Wendy Court Lot 21 DP 1288183 Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Detailed Report

Purpose

The purpose of this report is to provide information to Council to determine Development Application DA2025/058, having consideration to the detail provided both within this report and the attachments provided.

Background

A Development Application was lodged with Council on 19 March 2025 seeking consent for a permanent group home on the subject lot.

The subject lot is in the RU5 Village zone under the *Wentworth Local Environmental Plan 2011* (WLEP 2011).

DA2025/058 was publicly notified as per Council Community Participation Plan for 14 days, with a total of 14 submissions objecting to the proposal received during this period. These submissions can be found under attached documents.

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

Refer to attachment 1 – Development Application

Refer to attachment 2 - Plans

Refer to attachment 3 – Statement of Environmental Effects

Matters under consideration

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

The proposed development was assessed and complies with relevant provisions of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 and the State Environmental Planning Policy (Housing) 2021.

The proposed development for a permanent group home is permitted with consent and meets the zone objectives of the RU5 – Village zone under the WLEP 2011.

Due to the zoning and WLEP 2011 mapping impacting the land, the development application was assessed against clauses 7.1 & 7.2. The development application was able to satisfy the matters for consideration under these clauses.

Due to the nature of the proposed development, it was assessed against Chapter 8 of the Wentworth Development Control Plan (DCP) 2011. The development complies with relevant provisions under this chapter.

The Wentworth Disability Inclusion Action Plan 2022 – 2026 is a requirement under the *Disability Inclusion Act 2014 (NSW)* (DIA / The Act). The Act required all NSW Local Government Areas to develop a Disability Inclusion Action Plan. Wentworth Shire Councils adopted plan states the following:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved

transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Public notification of the development application was conducted as per the Council Community Participation Plan for 14 days, whereby any submission received must at a minimum provide the following:

- Clearly identify the matter to which the submission relates,
- State the grounds for any support or objection expressed in the submission,
- Include appropriate contact details

Summary of concerns raised in submissions:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area
- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,
- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Response from Assessing Officer to concerns raised is as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy – Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.

- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is
 no planning strategy for specialised housing, only the Housing SEPP, which permits
 these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as detailed in assessment above will need to occur and this will fall to compliance with any approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.

Based on the assessment of the application, it is determined that the proposed development is compliant with relevant objectives of the RU5 – Village zoning under the WLEP 2011. The proposed development meets the relevant provisions of the Wentworth DCP 2011 and is consistent with planning matters for consideration of the WLEP 2011. The proposed development complies with matters for consideration under the *State Environmental Planning Policies – Biodiversity & Conservation (2021) and Housing (2021)*.

Refer to attachment 4 – Submissions (objections)

Refer to attachment 5 – Submissions (supportive)

Refer to attachment 6 – 4.15 Assessment report

Refer to attachment 7 – Conditions of Consent

Options

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

Approve Development Application DA2025/058 subject to conditions.

Legal, strategic, financial or policy implications

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

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

Conclusion

Having consideration of the consent of this report it is concluded that the appropriate course of action is to approve DA2025/058 subject to conditions.

Attachments

- 1. Development Application (Under Separate Cover) ⇒
- 2. Site Plans (Under Separate Cover) ⇒
- 3. Statement of Environmental Effects !
- 4. Submissions (objections) (Under Separate Cover)⇒
- 5. Submissions (supportive) (Under Separate Cover)⇒
- 6. 4.15 Assessment Report

 ...
- 7. Conditions of Consent





EXECUTIVE

SUMMARY

Proposal	Construction of a Permanent Group Home
Street Address	12 Wendy Court, Buronga
Formal Land Description	Lot 21 in Deposited Plan 1288183
Zone	RU5 - Village
Relevant State Environmental Planning Policies	SEPP (Housing) 2021 – Chapter 3, Part 2 Group Homes – Clause 62







SUBJECT SITE AND

SURROUNDING AREA

The subject site comprises one parcel of land commonly known as 12 Wendy Court, Buronga, and more formally as Lot 21 in Deposited Plan 1288183. The site is rectangular in shape and is relatively flat. It has an area of 665 square metres (sqm) and a frontage of 18.5 metres (m) to Wendy Court. The site is currently vacant, but all reticulated services are available. No heritage or cultural sensitivities affect the land and there are no natural hazards or environmental sensitivities including native vegetation.

The site is situated within a new stage of Midway Estate, which comprises vacant land and several newly constructed dwellings.

An aerial image of the site and surrounding area as well as site photos are contained on the following pages.

Aerial Image of the Site and Surrounding Area



Figure 1: Subject site and surrounding area (Source: Landchecker Sept 2024)







Site Photos



Figure 2: View of site from Wendy Court



Figure 3: View of the site from the south



JACKSON PLANNING



Figure 4: View of the site from the west



Figure 5: View of the site from the north







PROPOSAL

DESCRIPTION

This application is for the construction of a Permanent Group Home, as summarised under the following points:

- The proposed Permanent Group Home will be used to accommodate people with a disability on a permanent basis under the NDIS Scheme. The plans have been assessed and certified by an accredited SDA assessor.
- The building is single storey and contains three bedrooms for people with a
 disability and one bedroom for on-site overnight assistance. Each bedroom has
 an ensuite and other internal features include an open plan kitchen, dining and
 living area, separate living area, separate bathroom, European laundry, alfresco
 and single garage.
- The external appearance of the building is contemporary with brick wall cladding and corrugated Colorbond iron roof cladding.
- The building has a maximum height of 4.8m above natural ground.
- One car parking space (to disabled parking standards) can be accommodated within the garage and one car parking space can be accommodated within the driveway.
- A new crossover is proposed to provide access to the garage.
- Approximately 300sqm of the site is private open space and approx. 290sqm can be landscaped.
- The development will be connected to all reticulated services, with the exception of gas.







PLANNING

CONTROLS AND ASSESSMENT

Wentworth Local Environmental Plan 2011 (LEP)

The Subject site is within the RU5 - Village

The objectives of the zone are:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

The proposed Permanent Group Home is located within a recently released stage of the Midway Estate and will provide for residential diversity in an appropriate location. The building will provide much needed housing for people with a disability and is compatible with existing residential development in the surrounding area. The building has been designed to be energy efficient and is appropriately located so as not to unreasonably impact on the adjoining land. As such, the proposal supports the objectives of the RU5 zone.

Wentworth Development Control Plan

Chapter 2 – Plan Objectives

The following General Development Objectives are relevant to this application:

 Residential land is to be developed with the creation of neighbourhoods comprising a range of housing styles and densities to cater for a diverse demographical profile of the local government area.







• Residential growth shall be promoted in areas identified as urban release area.

The following Locality Objectives for Buronga and Gol Gol are relevant to this application:

- A safe, convenient and attractive neighbourhoods that meet the diverse and changing needs of the community and offers a wide choice of housing, leisure, local employment opportunities and associated community and commercial facilities.
- A site responsive approach to urban development that supports and enhances the context in which it is located, strengthens local character and identity, and promotes a sense of community.

In addition to this, Section 2.2 - Social and Community outlines that:

The proposed future development of Buronga and Gol Gol will result in an increased demand for additional community infrastructure. This includes:

- Expansion of the range of community facilities and services;
- Improvement of public transport links within and external to the area;
- Provision of additional government and health services; aged care services; child care facilities and education/training services; and
- Promotion of community image and events including sport and recreation.

It is clear that the proposal is supported by the objectives of the Wentworth Development Control Plan which indicate that there is a strong need for diverse housing to provide for the changing needs of the community. The proposed Permanent Group Home will provide much needed accommodation for people with a disability and is of a high construction standard.

Chapter 3 - General Development Controls

5 Vehicular Access and Parking

This development control aims to provide sufficient and convenient parking for residents, visitors and service vehicles; to ensure vehicular and pedestrian safety and to encourage access design to form part of the overall landscape design. The relevant subclauses are discussed below.







5.1 Parking Layout, Servicing and Manoeuvring

The proposed car parks will be located in the garage and driveway, which is typical for car parking in a residential setting.

5.2 Specific Land Use Requirements

The following car parking requirements apply to the proposal:

 Housing for older people or people with a disability – Refer to State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004.

The SEPP referenced in the DCP no longer exists. Two car parking spaces are provided for the proposed Permanent Group Home which complies with Schedule 2 (17) of the State Environmental Planning Policy (Housing) 2021.

Chapter 4 - Residential Development Controls

4.1.1 Site Context and Analysis

The plans submitted with this application demonstrate how the proposed development responds to site specific conditions and the site has been described in detail previously in this report. The site is within a recently released stage of the Midway Estate which contains vacant land and existing dwellings of a similar size, scale and sitting. The site does not have any specific constraints and the topography is relatively flat.

4.1.2 Streetscapes

The proposed building will have a positive impact on the streetscape. A number of habitable room windows overlook the street to provide for casual surveillance. The proposed garage occupies only a small portion of the frontage and is setback behind the main façade of the building. The building has a clearly identified entry from the street and has been designed to be energy efficient. The external materials and colours will complement existing dwellings in the broader area which have external materials and colours that vary considerably.







4.1.3 Front Setback

The building has a front setback of 4.5m, which is less than the 6m sought within the Wentworth DCP. It is worth noting that 4.5m is a commonly accepted front setback in developing areas and is the minimum requirement to meet the CDC criteria. The front setback of the recently constructed dwelling on the adjoining allotment to the north has a front setback close of 4.5m. As such, the proposed front setback is consistent with this and will not bring rise to any character or streetscape related issues.

4.1.4 Side setbacks and Corner Lot Setbacks

The side setbacks of the proposed building are 3.95m from the northern boundary and 4m from the southern boundary (combined total exceeding 4.5m), which complies with this Control.

4.1.5 Rear setbacks

The proposed building is located 6.48m from the rear boundary, which meets this Control.

4.1.6. Walls on Boundaries

Not applicable. No walls on boundaries are proposed.

4.1.7 Building heights and overshadowing

The proposed building is unlikely to overshadow the private open space of future dwellings on adjoining lots as it is single storey and has relatively generous boundary setbacks. The existing dwelling is located to the north and will not be impacted by overshadowing.

4.1.8 Site Coverage

The site coverage is approximately 38%, although it is noted that this control only applies to single dwelling houses and dual occupancies.

4.1.9 Private Open Space

At over 300sqm, private open space is well in excess of the 40sqm minimum requirement. There is an area of secluded private open space at the rear of the building







also well in excess of 25sqm, with a minimum dimension of 3m accessed from the main living area.

4.1.10 Energy Efficiency and Solar access

Appropriate solar access and energy efficiency is achieved given the orientation of the site and distance between windows and boundaries. A BASIX is not required as a standard residential dwelling is not proposed.

4.1.11 Daylight to existing windows

The proposed building will not impact daylight to existing dwellings as there are generous side and rear setbacks and the building is single storey.

4.1.12 North-facing windows

Not applicable – there are no existing north facing windows within 3m of the boundary.

4.1.13 Overlooking

Not applicable – the proposed building is single storey and will not be notably raised above existing surface levels. A 1.8m high solid boundary fence will provide for privacy between lots.

4.1.14 Fencing and Retaining Walls

No fences or retaining walls are proposed as part of this application. The boundary fence will be made to comply with the SEPP Exempt and Complying Development Codes 2008 (Part 2, Subdivision 17).

4.1.15 Car Parking and Vehicle Access

Car parking has been discussed previously.

4.1.16 Cut and Fill

As the site is relatively flat, only minimal earthworks are anticipated and will not exceed 0.3m of cut or fill.







State Environmental Planning Polices (SEPP)

SEPP (Housing) 2021 - Chapter 3, Part 2 Group Homes - Clause 62

This Clause contains requirements for consent authorities when determining Development Applications.

General Assessment

Visual Impacts

Please refer to DCP assessment.

Open Space

Please refer to DCP assessment.

Overshadowing and Privacy

Please refer to DCP assessment.

Noise

Only standard domestic mechanical plant will be associated with the proposed building, which will emit noise typical for a residential area.

Erosion Control Measures

No specific erosion control measures are considered necessary for this development. Any minor earthworks will be appropriately battered and retained (if necessary).

Economic and Social Impacts

The proposed building will contribute to the social wellbeing of the Buronga township by providing suitably designed housing to accommodate disabled persons. It also contributes to investment in the Buronga/Gol Gol Area.







Environmental Benefits

Due to the nature of this development, no significant environmental benefits are envisaged.

Disabled Access

The proposed building has been designed to comply with all disabled access standards and the plans have been assessed and certified by an accredited SDA assessor.

Security, Site Facilities and Safety

Not applicable for this application.

Waste Management

Standard domestic waste services will be provided by Council.

National Construction Code

The National Construction Code will be assessed as part of the Construction Certificate process by a Building Surveyor.

Traffic

The proposed building will result in standard domestic travel within the existing road network. This would have been anticipated and accounted for in the design of the subdivision.

Stormwater/flooding

The site is not subject to any identified natural hazards and stormwater will be directed to the legal point of discharge.







CONCLUSION

This report demonstrates that the proposal is consistent with the relevant provisions of the Wentworth Local Environmental Plan 2011 and the Wentworth DCP.

The proposed Permanent Group Home is appropriate for the site as it:

- Supports the objectives of the Zone RU5 Village;
- Is appropriately located on the subject site;
- Will have an acceptable impact on the locality in terms of amenity and visual dominance; and
- Will not result in any detrimental impacts on the environment.

It is considered that the proposal is worthy of support, and it is therefore respectfully requested that the Wentworth Shire Council grant Development Consent for the construction of a Permanent Group Home as described in this report at 12 Wendy Court, Buronga.







Health & Planning Department 61 Darling Street PO Box 81

WENTWORTH NSW 2648

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

DA Assessment Report Section 4.15 Evaluation

Environmental Planning & Assessment Act 1979 as amended

File Reference: DA2025/058 & PAN - 518914

Property Title & Address: 12 Wendy Court Lot 21 DP 1288183 Buronga P561/04421

Property owner(s): SUPAVEST SPV FOUR PTY LTD

Applicant(s):JACKSON PLANNING – Matt JacksonProposal:Permanent Group Home with garage

Previous DAs: N/A

Cost of proposed development: \$ 715,513.05

SITE AND SURROUNDING DEVELOPMENT

The subject site comprises of Lot 21 DP 1288183, 12 Wendy Court, Buronga. The lot has an area of 665m^2 and connects to Sturt Highway to the South through Midway Drive, connecting through to the developing locality within the Midway area and surrounding locality.

The subject site is zoned within the RU5 – Village zone under the Wentworth Local Environmental Plan (WLEP) 2011. The subject site is a rectangular shaped lot with no vegetation removal proposed as site was recently cleared during the subdivision process. The lot is not impacted by easements or environmental factors.

The site is not within the bushfire prone, flood way or flood planning, terrestrial biodiversity, wetlands, or urban release mapped area and contains no known heritage constraints.

DESCRIPTION OF PROPOSAL

The proposal seeks development consent for the construction of a single storey dwelling with garage to be utilised as a permanent group home, which will provide accommodation for people on NDIS plans with ongoing disabilities as per the NDIS requirements. The dwelling is proposed to accommodate three participants and one overnight assistance personnel. The lot has a total area of 665m^2 with the dwelling proposed to have a floor area of 256.58m^2 , broken down into the following:

Dwelling: 209.31m² – Garage: 28.17m² – Alfresco: 16.20m² – Porch: 2.89m².

One car parking space suitable for disability requirements is provided within the garage, with a standard parking space accommodated within the driveway area.

HISTORY RELEVANT TO THE DEVELOPMENT APPLICATION

N/A

SECTION 4.15-MATTERS FOR CONSIDERATION

(1) The provisions of any environmental planning instrument and development control plan

State Environmental Planning Policy (Biodiversity & Conservation) 2021

The proposed development is proposed to be located upon on a lot that is under 1ha in size and clear of vegetation following previous subdivision. No native vegetation is to be removed for construction, with no impact to any potential habitat for fauna. The site is not known koala habitat, as such, no assessment required against Chapters 3 or 4. The proposed development is not located within close proximity to the river of other waterbody, and as such, no assessment is required against Chapter 5.

State Environmental Planning Policy (Housing) 2021

Clause 60 (a) does not identify the land zoning of RU5 as a prescribed zone suitable for group home development, however, clause 60 (b) states that any other zone under an environmental planning instrument were dwelling houses may be carried out with consent is categorised as a prescribed zone.

The RU5 – Village zone under the WLEP 2011 lists dwelling houses as permitted with consent.

Clause 61 identifies that the proposed group home is permitted with consent as it is proposed on land zoned RU5 – Village under the WLEP 2011. In terms of the hierarchy of legislation, the SEPP overrides the WLEP 2011 in terms of any inconsistency as per section 3.28 of the EP&A Act.

Under clause 62 a consent authority (Council) must not:

- refuse a group development unless an assessment of the community need has been done
- Impose a condition of consent specifically because a development is a group home.

State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX Certificate has not been provided as it is not required due to the proposed development being class 3 under the Building Code of Australia.

Further, as it is assumed that the development will be certified as a Class 3 building under the BCA at the construction stage, in line with the *Comprehensive Guide to BASIX*, a BASIX Certificate is not needed.

Wentworth Local Environmental Plan (LEP) 2011

The proposed development of a permanent group home for the provision of accommodation for participants within the NDIS scheme is permitted with consent and meets the zone objectives of the RU5 – Village zoning under the Wentworth Local Environmental Plan (WLEP) 2011, under which the subject site is located. The main supportive objective is to provide for a range of land uses, services and facilities that are associated with a rural village. The development of a NDIS based permanent group home will allow for services for those with disabilities to live mostly independently with assistance.

Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

A group home meets the definition of a dwelling as follows:

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

Group home means a permanent group home or a transitional group home. Group homes are a type of **residential accommodation**.

Group home (permanent) or permanent group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which <u>State Environmental Planning Policy (Housing) 2021</u>, Chapter 3, Part 5 applies.

Clause 7.1 Earthworks

Any earthworks will be conditioned and form part of the approval.

Clause 7.2 Essential Services

Connection of services has been made possible during the previous subdivision of the development site.

Wentworth Development Control Plan (DCP) 2011

The proposed development is acceptable against the relevant provisions of the Wentworth Development Control Plan (DCP) 2011 as outlined in the table below.

Wentworth	Chapter 8	Acceptable	Not	N/A	Reason
DCP			Acceptable		
	5.1.1 Site context	х			Positioning of the proposed building on site makes use of available land while leaving space for private open space and providing suitable access for residents of the permanent group home facility. Materials used will compliment other structures in the surrounding area.
	5.1.2 Streetscape	х			The proposed building will be in keeping with few existing developments in the area with windows facing the street for casual surveillance and a garage setback from the facade of the main portion of the building. It is anticipated that future development in the area will be similar and compatible with this DA.
	5.1.3 Front Setback		X		4.5m – does not meet
	5.1.4 Side setbacks	X			Southern: 4m – meets Northern: 3.95m – meets
	5.1.5 Rear setback	Х			6.48m – meets
	5.1.6 Walls on Boundaries			X	N/A as no walls on boundaries
	5.1.7 Building heights and overshadowing			X	N/A as not a two-storey building

5.1.8 Site Coverage	Х		Proposed development does not cover more than 60% of site (48% approx.)
5.1.9 Private open space	Х		Ample room for private open space available
5.1.10 Energy & solar access	Х		Proposed development meets requirements of the Energy Efficiency Compliance Assessment
5.1.11 Daylight to existing windows	Х		No impact anticipated from the single storey building to surrounding neighbours.
5.1.12 North facing windows		X	N/A as no existing north facing windows within 3m of boundary.
5.1.13 Overlooking		X	N/A as development approval is for a single storey building
5.1.14 Fencing and retaining walls		x	N/A approval not for fencing or retaining walls
5.1.15 Car parking and vehicle access	X		The site provides for one (1) disability access car parking spaces within the garage as per requirements under the Housing SEPP one space within the garage and another singular space is provided in the driveway of the proposed development site. Access to the site is provided via a crossover to council standards to be detailed within conditions of consent. Two parking spaces in total, one being to disability standards.
5.1.16 Cut and fill	Х		Earthworks will be conditioned as part of approval

Development Control	WDCP 2011 requirement for RU5 Village zone	Proposed Permanent Group Home
Front setback	6m minimum	4.5m
North side setback	1m minimum	3.95m
South side setback	1m minimum	4m
Rear setback	3m minimum	6.48m

The front setback does not meet DCP requirements of 6m, being only 4.5m, however, many new developments in newly subdivided areas are utilising a front setback of only 4.5m to allow better use of allotment space. Additionally, other developments in the surrounding area have front setbacks under the required 6m, even down to 3m.

(2) The provisions of any draft environmental planning instrument

There is no Division 3.4 draft environmental planning instrument that affect the proposed development. (Post 1 July 2009 LEP amendments).

(3) Any matters prescribed by regulations

There are no further matters prescribed by regulations.

(4) The likely impacts of the development

There are no likely impacts from the proposal as discussed in the table below.

Impact item			- -	Comment
(insert an ' x ' in the				
relevant section)		le		
	<u>e</u>	tab	ınt	
	ap	cep	leva	
	ebt	ac	re	
	Acceptable	Not acceptable	Not relevant	
Context and setting	X	A	P	The proposed permanent group home building will look similar in
				external design to the few existing residential developments in the
				immediate area
Public domain &	X			The proposed permanent group home building meets the required
Streetscape				setbacks as provided and justified in assessment above (DCP)
Landscaping			X	Not part of this application
Stormwater	X			Discharge to legal point of Councils stormwater system to be
				conditioned
Heritage	X			None on site
Soils & Soils Erosion	X			Earthworks and erosion control to be conditioned as part of
				approval
Air and microclimate	X			No effect from proposed development anticipated
Thi and intercentiate	2.			Two effect from proposed development underputed
Water Resources	X			Noted – development located adequate distance from water sources
Biodiversity (Flora &	X			As the site was cleared of any vegetation during the subdivision
Fauna)				process – no effect on existing flora or fauna,
Land Resources	X			None known at this site
Utilities	X			Utilities are available to the property
Access & Parking	X			Adequate access and parking are available to the site, development
Ü				provides disability parking space as per requirements in line with
				Housing SEPP and
Roads & Traffic	X			Increase to area anticipated during construction with slight increase
				as new residents move into the completed building
Solar Access and Energy Efficiency	X			Will be required to meet energy requirements of Part J1 of the BCA
Overshadowing			X	Not relevant as surrounding land vacant and single storey
				development
Privacy & Overlooking			X	Not relevant as single storey building
Flooding			X	Not in flood planning area
Bushfire Prone Area			X	Property not within bushfire prone land
Noise	X			Only significant increase anticipated during construction, then
				residential noise ongoing
Technological hazards	X			No known hazards on site or anticipated

Safety, Security & Crime Prevention	X	No detrimental effects anticipated from development in this location. Windows facing street will provide casual surveillance
Social and Economic Impacts	X	No detrimental effects anticipated

The NDIS outlines high physical support SDA housing as housing that includes a high level of physical access for people who need very high levels of support. For example, you may need a ceiling hoist, backup power supply, or home automation and communication technology.

Further, level of functioning is defined as:

Active participants by Level of Function

"The umbrella term for any or all of body functions, body structures, activities and participation. Level of function indicates the impact a participant's disability has on how a person is able to perform tasks and actions in a life area, as represented by a 'severity score' 'High functioning' indicates lower service and support requirements with a lower severity score, and 'low functioning' indicates higher service and support requirements with a higher severity score."

Image 1: Snip showing five bands of low level of function. (*Explore data NDIS*. https://dataresearch.ndis.gov.au/explore-data current as of 22 April 2025).

The number of active participants as at the end of the selected quarter. Those who have been determined eligible and have an approved plan. (There are also cases where a participant's plan has expired and a new plan has not formally commenced, but they have not exited the Scheme. These individuals are also counted as active participants.) (?) Metric Active participants Average committed support Average payments Graph Table Period LGA State/Territory **Level of Function Active participants** Q2 FY24/25 Wentworth (A), NSW 9 (Medium) < 11 QZ FYZ4/25 Wentworth (A), N5W 10 (Medium) 27 Q2 FY24/25 Wentworth (A), NSW 11 (Low) <11 Q2 FY24/25 Wentworth (A), N5W 12 (Low) 18 Q2 FY24/25 Wentworth (A), NSW 13 (Low) < 11 Q2 FY24/25 Wentworth (A), N5W 14 (Low) < 11 Q2 FY24/25 Wentworth (A), NSW 15 (Low) < 11 Q2 FY24/25 Wentworth (A), N5W Missing < 11

If we take < 11 to mean there are roughly ten participants in the associated (low) band, the above image then identifies that the five bands total 68 participants. This therefore identifies that there is a population with requirements for higher servicing and support requirements, being low functioning and having a higher severity score.

Low functioning participants as per the level of functioning definition require higher levels of support.

From the same dataset (as taken from the above website on the same date), there are 198 active participants who have been deemed eligible and have an approved plan under the NDIS. This dataset does not encompass all of those with disabilities that require support within the Wentworth LGA, indicating there may be more not accounted for as they are not active participants or are waiting for availability.

From the above 198 active participants, none have approved plans encompassing SIL / SDA.

The Inquiry Report: Own Motion Inquiry into Aspects of Supported Accommodation (NDIS Quality and Safeguards Commission, January 2023)

The above report states the following on page 23:

- a suburban house (SDA or otherwise) where a group of people with disability live together, each with their own bedroom (sometimes with ensuite), sharing a common living room, kitchen, bathroom and garden, and with an area of the house used as office space for staff.
- a number of suburban houses (as above) located in relatively close proximity to each other, sometimes with direct links between each of the houses (for example through a garden gate), with a team leader or manager overseeing supports across the network.

This reinforces the ability for SDA dwellings to be located in close proximity to one another.

Wentworth Disability Inclusion Action Plan 2022 – 2026

The Wentworth Disability Inclusion Action Plan 2022-2026 has a focus area that directly identifies housing for those with disabilities – 2; Livable Communities which states the following: Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing.

The plan, in line with the identified focus area aims to attribute to the positive experience of those with a disability, their families and supporters, through access to community places, buildings and events.

As there are currently no SDA housing facilities within the LGA, the proposal to develop them is in line with the Disability Inclusion Action Plan with the aim of providing housing, eliminating the barrier of housing access to those that require it.

Further, the following are direct quotes from the plan:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the

intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Approach to characterization and permissibility under LEPs

It needs to be noted that the development of Permanent Group Homes is permitted under legislation, both the Wentworth Local Environmental Plan 2011 and the State Environmental Planning Policy (Housing).

The case of *Botany Bay City Council v Pet Carriers International PTY Limited* [2013] NSWLEC 147 reiterates that land use tables within LEPs can use many means by which to define what development is permissible by identifying either *nominate* or *innominate* purposes.

His Honor, Preston CJ, stated the following:

A nominate purpose is one which the environmental planning instrument expressly nominates by name as being within one of the three classifications. Hence, the land use table for a zone may nominate particular categories of purposes of development as being within the classifications of development that may be carried out without consent, development that may be carried out with consent, or development that is prohibited.

An innominate purpose is one which the environmental planning instrument does not nominate by name as being within one of the three classifications, but rather identifies as falling within a particular classification by reason of it not being nominated in other classifications; it is development other than development in the other classifications. Hence, the land use table for a zone may classify as prohibited development, development for a purpose other than a purpose nominated as being able to be carried out without consent or with consent.

In the case of permanent group homes, as they are not directly identified within the RU5 – Village zoning as an independent type of development but fall under "any other development not specified in items 2 or 4", they are therefore innominate and permissible with consent.

(Compatibility Test) Project Venture Developments Pty Ltd v Pittwater Council [2005]

There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale, or appearance, though as the difference in these attributes increases, harmony is harder to achieve.

The physical impacts, such as noise, overlooking, overshadowing, and constraining development potential, can be assessed with relative objectivity. In contrast, to decide whether or not a new building appears to be in harmony with its surroundings is a more subjective task. Analysing the existing context and then testing the proposal against it can, however, reduce the degree of subjectivity.

For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment. In some areas, planning instruments or urban design studies have already described the urban character. In others (the majority of cases), the character needs to be defined as part of a proposal's assessment. The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks, and landscaping. In special areas, such as conservation areas, architectural style and materials are also contributors to character.

In order to test whether a proposal is compatible with its context, two questions should be asked.

- Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites. (Test One)
- Is the proposal's appearance in harmony with the buildings around it and the character of the street? (Test two)

Test One:

The proposal of a permanent group home, being constructed as a dwelling, does not constitute any physical impacts on the surrounding development. The surrounding development consists of dwellings with outbuildings.

Physical impacts will not occur as the development design is that of similar size, scale and sitting to existing development in the immediate and surrounding area. The applicant has identified the permanent group homes to have external materials and colouring that complements existing dwellings in the surrounding area.

It should be noted that Wendy Court itself, where the main streetscape occurs, has minimal development existing, being two dwellings and an allotment with an outbuilding.

There will be no issues regarding side setbacks as a physical constraint, as setbacks adhere to requirements under the Wentworth Development Control Plan, some rear setbacks do not meet requirements, but it should be noted that habitable building space does not encroach the setbacks, only alfresco areas that are open in design. Front setbacks may not meet the required 6m, however, as discussed in the DCP assessment, in newly developed areas, setbacks from the front boundary can be accepted at 4.5m for RU5 – Village zoned land.

Test Two:

The proposal of a permanent group home will be in harmony with the development within the estate area. Permanent group homes are designed as and meet definitions of dwellings, which is the main development in the estate area and will not alter the harmonic design, rather increasing development in the area and encouraging use of the RU5 – Village zoning whereby a range of services and facilities need to be available, including disability accommodation for the impacted community members.

Harmony is often defined as "the quality of a pleasing and consistent whole", with the permanent group homes not causing impact as the development will be that of dwellings in a residential area attributing to the existing use and character of the estate. Impact to Summer Drive through harmonious development should not be impacted due to separating fences and differing streetscapes (existing development vs minimally existing development).

The permanent group homes will be of the same design, therefore harmonious to themselves and attributing to consistency of the area.

The permanent group homes are dwellings and will not impact the character of the area. The use of each dwelling is subject to residential purposes such as long term accommodation, which is provided through the group homes. The use of existing dwellings in the area is no different to the accommodation purposes of the group homes, with additional assistance for the residents of the group homes required.

New Century Developments Pty Limited v Baulkham Hills Shire Council [2003] NSWLEC 154 revised - 5/09/2003 (social impact, large number of objectors, character and amenity of area).

The above caselaw provides examples of amenity, reiterates development characteristics and any further associated issues, as well as substance of community responses to proposed development.

"(61) In circumstances such as the present case, however, the consent authority must not blindly accept the subjective fears and concerns expressed in the public submissions. Whilst such views must be taken into consideration, there must be evidence that can be objectively assessed before a finding can be made of an adverse effect upon the amenity of the area... the views of residents of the area, those views will be accorded little, if any, weight if there is no objective, specific, concrete, observable likely consequence of the establishment of the proposed use."

The above quote from the caselaw states plainly that evidence must be provided for submissions to be assessed. Council cannot take submissions with little to no planning grounds as having an adverse impact to the development of what is defined legally as a permanent group home under the WLEP 2011.

There are no specific issues raised in submissions received regarding the proposed group home development.

Submissions received as objections rather centre around the use of the development and those that would use it, however, this is not for Council to mandate as we are not the managing authority, only the consent authority. Submissions referenced the following:

- Property valuation
- Proximity of group homes to each other
- Behaviour concerns of NDIS participants
- Potential for property damage
- Disturbances caused by NDIS participants
- Location of group homes in locality for NDIS participant access to services
- Lack of Council transparency
- Concerns for the childcare centre in proximity to proposed group homes
- No need for further group home development

"(64) The assessment of the specific objections raised by the local residents shows that the concerns raised by them, objectively assessed, must be afforded little weight. As is shown by the consideration of the specific objections, discussed above, they appear to have little basis in fact."

Th above quote from the caselaw states that if concerns have been assessed based on the objectives (mainly directed at NDIS management and use of the proposed group home dwelling – therefore not

specific legislative <u>planning grounds</u>), then submissions **must** be afforded little weight, therefore not considered as little fact is apparent.

"(71) In summary, I have concluded that the proposed development would be compatible with the rural residential character of the area and would not have an adverse impact on the amenity of the area, including social impact. While I recognise that there is strong community opposition to the proposal and that the residents have real fears, these fears must have foundation and a rational basis, which in this case is absent."

The above quote from the caselaw states that the ultimate outcome of the case as decided by the Judge, was that the proposed development was compatible with the character of the existing area and would not have an impact on the amenity of the area. Community opposition was recognised but the concerns were found to have no foundation or rational basis (planning grounds).

In relation to the proposed group home, no planning grounds for the proposal are seen, merely concerned community members referencing issues relative to unjustified fears based on the use of the development. No foundation (fundamentals of planning legislation) are presented by submitters, as addressed by Council.

Understanding the Local Impact of New Residential Development: a Pilot Study Christine Whitehead and Emma Sagor with Ann Edge and Bruce Walker LSE London April 2015

The report identifies that opposition to new dwelling development is driven by local communities feeling that they will gain little benefit from new dwellings and that negative impacts may arise, such as infrastructure pressure and lack of services, as well as residential valuation impacts.

The report solidifies and states that planning literature does not often and is not required to, address impacts to housing valuation or pricing as this is not directly related to planning decisions which are assessed against relevant legislation, as well as broader economic, environmental, and social factors.

Further Information of Relevance

The 2019 Issues Paper – Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) focuses on group homes as a form of accommodation where supports are provided for four (4) to six (6) long-term residents with a disability. The proposed group home under assessment is for residential accommodation of up to three people

This Issues Paper states plainly that all building work (in regard to group homes) must comply with requirements under the Building Code of Australia (BCA), this is a consideration for the construction certificate and certification stage of the development.

Further, the Issues Paper also states that group homes are defined under the NDIS Rules 2016 as "houses that are (or will be enrolled) to house four to five long-term residents... typically classified as Building Class 1(b)(i) or 3 under the Building Code of Australia."

As per the document *Understanding the NCC – Building Classifications* published by the NCC, a Class 1b building is a *boarding house, guest house or hostel that has a floor area less than 300 m2 and ordinarily has less than 12 people living in it, and Class 3 buildings are a common place of long term or transient living for a number of unrelated people.*

The 2020 Issues Paper – Overview of responses to Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) identifies the following on page seven (7) under Potential good practice in group homes:

- Role of group homes is conditional upon providing residents wit control and choice over their location,
- Group homes can promote inclusion and social connection,
- Research suggests smaller group homes of two to three residents is usually better,
- Factors such as organizational structure, staff training and person centred support contributes to better quality of life in group homes.

Maple Community Services (https://maplecommunity.com.au/advantages-of-group-housing-for-adults-with-disabilities/) is a disability provider with an accessible online platform, this platform provides a page identifying the advantages of group housing for adults with disabilities, points from the website as follows:

- Independence opportunity to manage routines and take responsibility within a supportive and structured environment.
- Specialised care on site or readily available support workers can provide the required approaches to individual needs ensuring each level of care for each resident is maintained.
- Safety and security increased safety measures are present in group homes, as well as emergency support systems, thus ensuring safety of the residents.
- Social inclusion opportunities to participate in activities, outings and community engagement creating meaningful relationships in home and community.
- Small scale group homes often limit number of residents to keep a personalized and supportive environment.
- Privacy each resident has their own bedroom for privacy and personal space.
- Accessibility group homes are designed to accommodate mobility and accessibility needs.

The Australian Institute of Health and Welfare (AIHW) under *Housing* states the following on their website:

Housing plays a major role in the health and wellbeing of people with disability, by providing shelter, safety and security. The availability of affordable, sustainable and appropriate housing helps people with disability to participate in the social, economic and community aspects of everyday life.

Australia's Disability Strategy 2021 – 2031 is Australia's national disability policy framework, setting out plans for the continual improvement of the lives of people with disability in Australia over a decade.

This strategy includes a designated chapter for *Inclusive Homes and Communities*, with the outcome to provide people with a disability the opportunity to live in inclusive, accessible, and well-designed homes and communities.

Under this chapter, *Policy Priority 2: Housing is accessible and people with disability have choice and control about where they live, who they live with, and who comes into their home* relays the importance of increasing availability of accessible housing to allow for users to have a choice on where to live, who to live with and enables people with disability to socialise and connect with neighbours, friends and family.

Monash Universities publication Adaptable Housing for People with Disability in Australia: A Scoping Study states the following:

Given the increasing prevalence of disability, an estimated 60% of homes will, at some point, be occupied by a person with disability or injury, and 90% will have a visitor with disability or injury.

Few homes are designed to directly suit or be adaptable to the needs of people with disability, causing a mismatch between people with disability and their homes:

- 4.9% of Australians with disability have moved because of a health reason (compared to only 0.6% of people without disability)
- 16% are dissatisfied with their homes.

Wentworth Local Environmental Plan 2011

The WLEP 2011 provides the following definition for permanent group homes: group home (permanent) or permanent group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged

It should be noted that the plans provided by the applicant indicate "NDIS High Physical Support SDA" with design considering wider doorways, ceiling hoists, accessible parking (garage), and ensuites tailored for required needs (rails etc.), with an adjustable bench in the kitchen.

The people anticipated to use these dwellings are those with disabilities, and not those who are socially disadvantaged, however, Council are not the management authority and cannot dictate who will utilize these developments.

(5) The suitability of the site for development

The site is suitable for the proposed permanent group home building as it is not anticipated to have any adverse impact on the locality; however, 14 submissions were received. The proposed development is permitted within the RU5 — Village zoning area under the Wentworth Local Environmental Plan 2011. The development provides the area with greater flexibility in housing and facilitates options for people with a disability under the NIDS scheme to become independent within the community, while receiving care when required. The character and use of the proposed development is consistent with other proposed developments in the immediate area.

(6) Any submissions made in accordance with this Act or Regulation

The application was notified for 14 days as per the Wentworth Community Participation Plan. 14 total submissions (13 unique) were received objecting to the application within the notification period.

The following list identifies concerns raised within the submissions received:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area

- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,
- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Regards,

Council Officer Comment:

There have been no planning grounds of concern raised through submissions made during the 14-day public exhibition period. Concerns identified have been assessed as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.
- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is no planning strategy for specialised housing, only the Housing SEPP, which permits these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as
 detailed in assessment above will need to occur and this will fall to compliance with any
 approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.







(7) The public interest

The proposed development is consistent with public interest as it will have no detrimental effect on the surrounding area.

Social impact equates to the consequences that people experience when a new proposal for development will alter their known environment. This could be through acoustic, amenity, way of life, health and wellbeing, and property impacts. Submissions in regard to the proposed group home have shown that the development proposed is seen as a concern to the surrounding community.

The social impacts as identified by concerned residents in submissions for the proposed group home (singular development on a singular allotment) are not linked to the development of a permanent group home, instead, are aligned with the users and management authority of the group home following construction. No noise, amenity, traffic or other detrimental impacts are envisaged from a, by definition, permanent group home in a residentially established area.

Approval of the proposed group home would benefit the disabled community of the shire, which under the Disability Inclusion Action Plan (2022 -2026), housing is a provision that needs to occur and is heavily identified. Although the population requiring this accommodation may not encompass a wider community, the housing type is beneficial to the expanding Buronga / Gol Gol and wider areas of the entire shire and is also important being a border community. A total of 13 submissions objecting to the development were received during the exhibition period, however matters raised were similar in nature with no detrimental planning concerns raised. Most concerns are specific to management and users of group homes in general, or the infrastructure of the area that would have been considered during the subdivision stage. It is worth noting that nearly all submissions state that the submitter recognises the need for the housing type in the shire.

The Land and Environment Court in New Century Developments Pty Limited v Baulkham Hills Shire Council (2003) 127 LGERA 303; [2003] NSWLEC 154 (New Century) at [60] adjudged that a development that causes such great offence to a large portion of the community that it ought to be refused amounts to a detrimental social impact.

However, at [62] the case law identifies that fears or concerns without rational or justified foundations are not matters which, by themselves, can be considered as an amenity or social impact pursuant to s 79C(1) (now s 4.15) of the EP&A Act. Where there is no evidence to support a rational fear, it will not be relevant and be of the basis that community members have altered their everyday actions and thoughts based on the concept of the use of permanent group homes, therefore are seen due to unjustified fears, in this case, whereby broad assumptions have been made about the use of permanent group homes.

In this case Council received 14 objections to the DA from residents living nearby and from within the broader urban area. The objections principally related to impacts to property value, childcare proximity, disturbances from residents of proposed group homes, lack of facilities in the area, proximity of group homes to each other, insufficient infrastructure to support high-needs users, impact of living in the area for NDIS participants, potential for traffic increase and property damage from users.

Assessment of social impacts relating to the proposed development of a permanent group home needs to be based on fact and evidence, not community perceptions or potential unjustified fears. It

needs to be reiterated that the assessment and approval or refusal of a development application is to be made under the planning legislation.

The social impacts as perceived by local residents are noted and have been addressed through conditions of consent or general assessment. Council cannot dictate who utilises the group home upon completion and following issuance of an occupation certificate as long as users are those permitted under the definition of permanent group home. Residents of the area seem to hold unjustified fears of those from within the disabled community who would be using the group homes for impacts to their lives and everyday activities.

At the February and March Council Meetings (2025) members of the public gallery spoke against the development of group home "clusters", citing isolation of potential residents, heightened noise and vehicular impacts, minimised liveability of the wider community, emergency vehicle access and availability, NDIS requirements and reports that are not indicative of town planning requirements, DCP non-compliance, and the institutionalisation of NDIS participants. The abovementioned have been considered in the assessment and are not considered detrimental social impacts as they are perceived impacts or unjustified concerns, with no reference to applicant supplied assessment material. Concerns have been adequately given weight where required in line with provided substance of submissions. Submissions and voiced concerns have not been of strict planning grounds and can be viewed as unjust when referencing the disabled community.

The development of a permanent group home, defined under the WLEP 2011 as a dwelling, is not anticipated to create negative social impacts on the locality. The specific users are not for Council to mandate through the development approval processes. A combination of abovementioned impacts will not lead to negative impacts or experiences in the area. The development of a permanent group home, in a residential area with minimal development as per this assessment should be greatly considered for aesthetic and crime prevention (CPED) purposes. The more houses/development in a subdivision, street facing windows and cars around development, all attribute to making an area safer both through surveillance and lively areas.

On balance, the proposed permanent group home in a land zoning supporting group homes under both the WLEP 2011 and the Housing SEPP 2021, the benefits to the disabled community and no negative impact anticipated to the social streetscape or overall amenity of the area, when weighted against the minimal substance of the submissions, does not justly warrant refusal of this development application.

Should concerns arise from the permanent group home operation, Council will properly investigate and take compliance action as needed to matters within our jurisdiction.

COMMENTS FROM COUNCIL INTERNAL DEPARTMENTS

Department	Referred Y/N	Comments
Building	Υ	BCA Classification: 3 and 10a
		Comments
		 No building comments relevant to the
		determination of a DA.
		Approval under S68 of the Local Government Act must be
		obtained prior to the issue of a Construction Certificate in
		relation to:
		 Carrying out of water supply work.

		Carrying out sewerage work.
		Connection to Sewer.
Subdivision Engineer	N	
Roads & Engineering	N	
Finance & Policy	N	
Heritage Advisor	N	
Environmental Health	N	
Local Laws	N	
Floodplain Mgt Committee	N	
Sustainable Infrastructure	N	

CONCLUSIONS

- 1. General comments:
- 2. The proposal satisfies the points for consideration listed under Section 4.15 <u>part b, c, d and e</u> of the *Environmental Planning and Assessment Act*.
- 3. The proposal occurs on land zoned RU5 Village. The proposal is not considered to have detrimental impact on the site and surrounds.
- 4. The proposal is consistent with the Wentworth Shire Development Control Plan (Dec 2011). The proposal meets Chapter 8 of the provisions set out in the Wentworth Development Control Plan 2011.
- 5. The proposed permanent group home accords with the relevant objectives and provisions of the State Environmental Planning Policy (Biodiversity & Conservation) 2021 and State Environmental Planning Policy (Housing) 2021.
- 6. There is no draft local environmental plan affecting the proposed development.

Recommendation:

Approve the application subject to conditions

Delegate report author	Delegated approval and endorsement
Signature:	Signature:
Georgie Martin	George Kenende
Cadet Planning Officer	Acting Director Health & Planning
Date: 29/04/2025	Date:



Health & Planning Department 61 Darling Street PO Box 81 WENTWORTH NSW 2648

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

TEMPLATE CONDITIONS

DA2025/058 PERMANENT GROUP HOME WITH GARAGE LOT 21 DP 1288183 12 WENDY COURT BURONGA

GENERAL CONDITIONS

	GENERAL CONDITIONS
1.	Approved development
	Approval is for a permanent group home with garage.
	Condition reason: To ensure all parties are aware of the approved development.
2.	Approved Plans and Documentation
	The development shall be in accordance with the following plans, documentation and recommendations made there in:
	• Site Plan by Intrend Design & Drafting PTY LTD; Job No: 24-686; Sheet No: 2 of 5; Date: 03/05/24.
	• Floor Plan by Intrend Design & Drafting PTY LTD; Job No: 24-686; Sheet No: 3 of 5; Date: 03/05/24.
	• Elevations (W & E) by Intrend Design & Drafting PTY LTD; Job No: 24-686; Sheet No: 4 of 5; Date: 03/05/24.
	• Elevations (N & S) by Intrend Design & Drafting PTY LTD; Job No: 24-686; Sheet No: 2 of 5; Date: 03/05/24.
	In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.
	Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.
	Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.
3.	Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989
	 It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
	2. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act

1989, Part 6 that a contract of insurance is in force before building work authorised to be

carried out by the consent commences.

- 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.
- 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
- 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
- 6. This section does not apply-
 - a. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
 - b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.

4. Erection of signs

- 1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
- 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out:
 - a. showing the name, address and telephone number of the principal certifier for the work, and
 - b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.
- 3. The sign must be
 - a. maintained while the building work, subdivision work or demolition work is being carried out, and
 - b. removed when the work has been completed.
- 4. This section does not apply in relation to
 - a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
 - b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

5. Lapsing of Approval

Without the further consent of the Wentworth Shire Council, in writing, this permit shall lapse

	and have no force or effect unless the use or development hereby permitted is physically
	commenced within 5 years of the date of this permit.
	Condition reason: Ensure everyone is aware of the lapsing of the approval.
6.	Works outside the property boundary
	This development consent does not authorise works outside the property boundaries on adjoining
	lands.
	Condition reason: To ensure all approved works occur within the property boundaries.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

7.	7.12 Contribution
	Before the issue of the relevant construction certificate, the applicant must pay a total contribution of \$7155.13 as calculated at the date of this consent to Wentworth Shire Council pursuant to the adopted Section 7.12 Development Contributions Plan.
	Note: The total amount payable may be adjusted at the time payment is made per clause 3.10 of the Section 7.12 Development Contributions Plan.
	Condition reason: To ensure the 7.12 Developer Contributions are paid.
8.	Access Point Before the issue of a Construction Certificate, the beneficiary of this consent must build a driveway crossing for the subject land (if one doesn't exist) to Council standards. Access during construction shall only be through the driveway crossing of the subject land.
	Condition reason: To control vehicular movement on road crossings.
9.	Building Material The proposed building/s and structure/s shall be clad in an approved non-reflective material e.g. Colourbond.
	Condition reason: To ensure the materials of the building not impact the visual amenity of the surrounding character of the area.
10.	Construction Site Management Plan Before the issue of a construction certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:
	 location and materials for protective fencing and hoardings to the perimeter on the site provisions for public safety
	pedestrian and vehicular site access points and construction activity zones

- details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
- protective measures for on-site tree preservation (including in accordance with AS 4970-2009
 Protection of trees on development sites) and trees in adjoining public domain
- details of any bulk earthworks to be carried out
- location of site storage areas and sheds
- equipment used to carry out all works
- a garbage container with a tight-fitting lid
- dust, noise and vibration control measures
- location of temporary toilets.

The applicant must ensure a copy of the approved construction site management plan is kept onsite at all times during construction.

Condition reason: To ensure construction works are adequately managed to protect the surrounding amenity.

11. Erosion and Sediment Control

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:

- the guidelines set out in the NSW Department of Housing manual Managing Urban Stormwater: Soils and Construction Certificate (the Blue Book), and
- the 'Do it Right On-Site, Soil and Water Management for the Construction Industry'; (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The applicant must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.

Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.

12. Fire Safety Schedule

Prior to the issue of a Construction Certificate, pursuant to Part 10 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended) a Fire Safety Schedule is to be submitted to the Principal Certifying Authority. The Fire Safety Schedule must include matters prescribed in clause 79 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended).

Condition reason: To ensure compliance with Fire Safety requirements.

13. Long Service Levy

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that the person liable pays the long service levy as calculated at the operational date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

Condition reason: To ensure the long service levy is paid.

14. Payment of Security Deposits

This condition applies to all construction works \$25,001 and above.

Before the commencement of any works on the site or the issue of a construction certificate, the beneficiary of this consent must make all of the following payments to Council and provide written evidence of these payments to the certifier:

Infrastructure Bond (Security Deposit):	\$3,000.00	
Infrastructure Protection Permit Fee (includes inspections)	\$232.00	

The payments will be used for the cost of:

- making good any damage caused to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates,
- completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and
- any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.

The Infrastructure Bond will be returned on completion of the construction of the proposed development, subject to no damage being done to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates. The owner / developer is to arrange an inspection with an Officer of Wentworth Shire Council before any work commences on site. Any damage incurred to Council infrastructure will be repaired at the owners / developers expense and the balance of the Infrastructure Bond will be returned to the owner / developer on completion of the construction.

Note: The inspection fee includes Councils fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the Roads Act 1993). The amount payable must be in accordance with councils fees and charges at the payment date.

Condition reason: To ensure any damage to public infrastructure is rectified and public works can be created.

15. Plumbing and Drainage

Before issuance of the Construction Certificate, a Plumbing and Drainage Application under Section 68 of the Local Government Act NSW 1993 is to be submitted to and approved by Council before any plumbing and drainage works (water and sewerage).

Note: All stormwater from the site is to be directed towards a legal point of discharge. All plumbing and drainage work is to be carried out by a plumber and drainer, or other authorised person,

licensed with the New South Wales Department of Fair Trading. **Condition reason:** To ensure plumbing and drainage works are carried out appropriately. 16. Road reserve landscaping Lawn must be used for landscaping within the road reserve. Any other form of landscaping in the road reserve must be approved by Council. **Condition Reason:** To ensure appropriate landscaping is used in road reserve. 17. Utilities and services - water and sewerage Raw water, filtered water and sewerage are available and are to be connected to Councils services. Dual water supply lines are to be provided from the front boundary of the property. One line is to convey filtered water to all fittings within the building and the other line to convey unfiltered water to all fittings outside the building i.e. garden taps, etc. A separate application is to be made to Council for approval to connect to Council's water mains prior to commencing any plumbing and drainage work. Condition reason: To ensure relevant utility and service providers requirements are provided to the certifier. 18. Waste management plan Before the issue of a construction certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier: Details the following: the contact details of the person(s) removing the waste an estimate of the waste (type and quantity) and whether the waste is expected to reused, recycled or go to landfill the address of the disposal location(s) where the waste is to be taken The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction. **Condition reason:** To ensure resource recovery is promoted and local. 19. **Works in Road Reserve** A Road Opening Permit is required from the Wentworth Shire Council prior to any works or excavation within the road reserve including but not limited to: water tapping, sewer, driveway crossings, tree planting or removal etc. Please contact Councils Roads & Engineering Department on Tel: (03) 5027 5027 to arrange a permit. **Condition reason:** To control development in the road reserve.

BEFORE BUILDING WORK COMMENCES

20. Construction Certificates and Appointment of Principal Certifier

Prior to the commencement of any building works, the following requirements must be complied with

- A Construction Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning & Damp; Assessment Act 1979,
- A Principal Certifier must be appointed, and Council must be notified in writing of the appointment irrespective of whether Council or a Registered Certifier is appointed; and notify Council in writing of their intention to commence work (at least two [2] days' notice is required).

Condition reason: To ensure building works complies with relevant legislation and other codes.

21. Contractor details notification

The certifying authority must advise Council, in writing of:

- 1. The name and contractor licence number of the licensee who has been contracted to do or intends to do the work, or
- 2. The name and permit of the owner-builder who intends to do the work.

If these arrangements are changed, or if a contract is entered into for the work to be done by a different licensee, Council must be immediately informed.

Condition reason: To ensure building work is carried out by licensed contractor.

22. Dial before you dig

Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary.

Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individuals responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities."

Condition reason: To ensure existing infrastructure is identified.

23. Erosion and sediment controls in place

Before the commencement of any site or building work, the developer must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by Council) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).

Condition reason: To ensure runoff and site debris do not impact local stormwater systems and waterways.

24.	 Notice of commencement of works Subject to approval to commence works two days before any site works, building or demolition begins, the beneficiary of this consent must: Forward to Council notice of commencement of work and appointment of Principal Certifying Authority. Notify the adjoining owners that work will commence. Condition reason: To provide notification of works commencing.
25.	Rubbish/Waste Management Throughout the construction period, from commencement of work, a suitable rubbish containment structure is to be located on site and utilised. Condition reason: To ensure the construction site is kept clean and safe at all times.
26.	Storage of materials Throughout the construction period, from commencement of work, the storage of materials is not permitted on footpaths, roadways or in reserves. Rubbish and building materials must be contained on the site. Condition reason: To ensure the construction materials are stored on site in a tidy & safe manner.
27.	Toilet facilities Toilet facilities are to be provided on or in the vicinity of the building site. The toilet must be connected to a public sewer, or if connection to a public sewer is not practicable, an approved chemical closet. The toilet facility must be installed on-site prior to the commencement of any other work. Condition reason: To ensure workers and contractors have access to amenities on site.
28.	Tree protection measures Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place. Condition reason: To protect and retain trees.

DURING BUILDING WORK

29.	Approved Plans A copy of the stamped approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on site for the duration of site works and be made available upon request to either the Council or other Government Agencies. Condition reason: To ensure all parties are aware of the approved works to be conducted.
30.	Construction noise While work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise,

when measured at any lot boundary of the property where the construction is being carried out.

Condition reason: To protect the amenity of the neighbourhood.

31. Contamination discovered during works

If during works on the land comprising the lot, the land is found to be contaminated, within the meaning of the Contaminated Land Management Act 1997:

- all works must stop immediately, and
- the Environment Protection Authority and the council must be notified of the contamination.
- Land is found to be contaminated for the purposes of this condition if the principal certifying authority knows or reasonably suspects the land is contaminated.

Note: Depending on the nature and level of the contamination, remediation of the land may be required before further work can continue.

Condition reason: To ensure contaminated land is managed appropriately.

32. Cut and fill (if applicable)

While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- All excavated material removed from the site must be classified in accordance with the EPAs
 Waste Classification Guidelines before it is disposed of at an approved waste management
 facility and the classification and the volume of material removed must be reported to the
 principal certifier.
- All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.

Condition reason: To ensure soil removal & replacement meets requirements.

33. **Encroachment of easements**

No works are to encroach over any easements.

Condition reason: To ensure works are not carried out over easements.

34. Hours of work

The developer must ensure that building work, demolition or vegetation removal is only carried out between:

- 7.00am to 6.00pm on Monday to Friday
- 8.00am to 1.00pm on Saturdays

The developer must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

	Note: Any variation to the hours of work requires Councils approval.
	Condition reason: To protect the amenity of the surrounding area.
35.	Implementation of site management plans While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan and the erosion and sediment control plan are implemented at all times. The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.
	Condition reason: To ensure the required site management measures are implemented during construction.
36.	Natural drainage Any works undertaken in the subject land including building and filling shall not cause alteration to the previous drainage in the subject land or adjacent land. Any remedies required to discharge drainage water caused to be accumulated by the works associated with this permit shall be the responsibility of the beneficiary of this consent.
	Condition reason: To ensure natural drainage is maintained where possible.
37.	Procedure for critical stage inspections While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.
	Condition reason: To require approval to proceed with building work following each critical stage inspection.
38.	Responsibility for changes to public infrastructure While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).
	Condition reason: To ensure payment of approved changes to public infrastructure.
39.	Security fencing An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project
	Condition reason: To ensure the site is secured during construction.
40.	Tree protection While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with:
	The construction site management plan

2. The relevant requirements of any Australian Standard for the protection of trees on development sites

This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

Condition reason: To protect trees during site works.

41. Uncovering relics or Aboriginal objects

While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

- "relic" means any deposit, artefact, object or material evidence that: (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - a) is of State or local heritage significance; and
- "Aboriginal object" means any deposit, object or material evidence (not being a handicraft
 made for sale) relating to the Aboriginal habitation of the area that comprises New South
 Wales, being habitation before or concurrent with (or both) the occupation of that area by
 persons of non-Aboriginal extraction and includes Aboriginal remains.

Condition reason: To ensure protection of objects of potential significance during works.

42. Waste management

While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contact details of the person(s) who removed the waste
- The waste carrier vehicle registration
- The date and time of waste collection
- A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill
- The address of the disposal location(s) where the waste was taken
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.

Condition reason: To require records to be provided, during construction, documenting that

waste is appropriately handled.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

43. Completion of landscape and tree works

Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree-works, including pruning in accordance with AS 4373-2007 Pruning of amenity trees and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.

Condition reason: To ensure the approved landscaping works have been completed before occupation, in accordance with the approved landscaping plan(s).

44. Completion of public utility services

Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority. Before the issue of the occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.

Condition reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.

45. Fire Safety Certificate

Prior to the issue of the occupation certificate, a Fire Safety Certificate must be issued in accordance with Part 11 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Condition reason: To ensure fire safety requirements have been met.

46. **Occupation Certificate**

The building shall not be occupied or used until an Occupation Certificate is issued either by council or by an accredited certifier.

Condition reason: To ensure development is accredited.

47. Removal of waste upon completion

Before the issue of an occupation certificate, the principal certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the principal certifier.

Before the issue of a partial occupation certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the principal certifier's satisfaction.

Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.

48. Repair of infrastructure

Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.

Note: If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.

Condition reason: To ensure any damage to public infrastructure is rectified.

OCCUPATION AND ONGOING USE 49. Additional structures No additional structures are to be built or installed on the site without permission from the Wentworth Shire Council. **Condition reason:** To ensure only approved work is carried out 50. Amenity of the neighbourhood The operation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products. Condition reason: To ensure the amenity of the neighbourhood is not compromised unreasonably. 51. Maintenance of wastewater and stormwater treatment device During occupation and ongoing use of the building, the beneficiary of this consent must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective. **Condition reason:** To protect sewerage and stormwater systems. 52. Ongoing use – permanent group home with garage The proposed garage cannot be used for habitation. **Condition reason:** To ensure appropriate use as per approval. 53. Release of securities / bonds When Council receives an occupation certificate from the principal certifier, the applicant may

When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held. Council may use part, or all of the securities held to complete the works to its satisfaction if the works do not meet Councils requirements.

Condition reason: To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction.

9.16 DA2025/059 PERMANENT GROUP HOME 6 BROADSTOCK COURT LOT 4 DP 1302556 BURONGA

File Number: RPT/25/272

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Georgie Martin - Cadet Planner

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

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

Summary

A development application (DA2025/059) was received by Council on 19 March 2025, for a permanent group home to be situated upon 6 Broadstock Court Lot 4 DP 1302556 Buronga.

Under the Wentworth Local Environmental Plan (WLEP) 2011 and the State Environmental Planning Policy (Housing) 2021, this development is permitted with consent within the RU5 – Village zoning.

The application seeks development approval for the construction of a permanent group home which will be used for the accommodation of people with a disability under the NDIS Scheme. The building will consist of three bedrooms for people with disability and one bedroom for overnight assistance, with each bedroom having an ensuite. Other features of the permanent group home include an open plan kitchen, dining and living area, and an alfresco area. A single disabled car park has been provided within the garage.

The application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification 14 submissions were received by Council objecting to the proposed development.

The State Environmental Planning Policy (Housing) 2021 states that a consent authority must not refuse consent to the development for the purposes of a group home unless the consent authority has made an assessment of the community need for the group home.

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

Recommendation

That Council:

- 1. Approve subject to conditions DA2025/059 for a permanent group home to be located at 6 Broadstock Court Lot 4 DP 1302556 Buronga.
- Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Detailed Report

<u>Purpose</u>

The purpose of this report is to provide information to Council to determine Development Application DA2025/059, having consideration to the detail provided both within this report and the attachments provided.

Background

A Development Application was lodged with Council on 19 March 2025 seeking consent for a permanent group home on the subject lot.

The subject lot is in the RU5 Village zone under the *Wentworth Local Environmental Plan 2011* (WLEP 2011).

DA2025/059 was publicly notified as per Council Community Participation Plan for 14 days, with a total of 14 submissions objecting to the proposal received during this period. These submissions can be found under attached documents.

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

Refer to attachment 1 – Development Application

Refer to attachment 2 - Plans

Refer to attachment 3 – Statement of Environmental Effects

Matters under consideration

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

The proposed development was assessed and complies with relevant provisions of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 and the State Environmental Planning Policy (Housing) 2021.

The proposed development for a permanent group home is permitted with consent and meets the zone objectives of the RU5 – Village zone under the WLEP 2011.

Due to the zoning and WLEP 2011 mapping impacting the land, the development application was assessed against clauses 7.1 & 7.2. The development application was able to satisfy the matters for consideration under these clauses.

Due to the nature of the proposed development, it was assessed against Chapter 8 of the Wentworth Development Control Plan (DCP) 2011. The development complies with relevant provisions under this chapter.

The Wentworth Disability Inclusion Action Plan 2022 – 2026 is a requirement under the *Disability Inclusion Act 2014 (NSW)* (DIA / The Act). The Act required all NSW Local Government Areas to develop a Disability Inclusion Action Plan. Wentworth Shire Councils adopted plan states the following:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved

transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Public notification of the development application was conducted as per the Council Community Participation Plan for 14 days, whereby any submission received must at a minimum provide the following:

- Clearly identify the matter to which the submission relates,
- State the grounds for any support or objection expressed in the submission,
- Include appropriate contact details

Summary of concerns raised in submissions:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area
- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,
- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Response from Assessing Officer to concerns raised is as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy – Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.

- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is
 no planning strategy for specialised housing, only the Housing SEPP, which permits
 these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as detailed in assessment above will need to occur and this will fall to compliance with any approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.

Based on the assessment of the application, it is determined that the proposed development is compliant with relevant objectives of the RU5 – Village zoning under the WLEP 2011. The proposed development meets the relevant provisions of the Wentworth DCP 2011 and is consistent with planning matters for consideration of the WLEP 2011. The proposed development complies with matters for consideration under the *State Environmental Planning Policies – Biodiversity & Conservation (2021) and Housing (2021)*.

Refer to attachment 4 – Submissions (objections)

Refer to attachment 5 – Submissions (supportive)

Refer to attachment 6 – 4.15 Assessment report

Refer to attachment 7 – Conditions of Consent

Options

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

Approve Development Application DA2025/059 subject to conditions.

Legal, strategic, financial or policy implications

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

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

Conclusion

Having consideration of the consent of this report it is concluded that the appropriate course of action is to approve DA2025/059 subject to conditions.

Attachments

- 1. Development Application (Under Separate Cover)⇒
- 2. Site Plans (Under Separate Cover) ⇒
- 3. Statement of Environmental Effects !
- 4. Submissions (objections) (Under Separate Cover)⇒
- 5. Submissions (supportive) (Under Separate Cover)⇒
- 6. 4.15 Assessment Report

 ...
- 7. Conditions of Consent





EXECUTIVE

SUMMARY

Proposal	Construction of a Permanent Group Home
Street Address	6 Broadstock Court, Buronga
Formal Land Description	Lot 4 in Deposited Plan 1302556
Zone	RU5 - Village
Relevant State Environmental Planning Policies	SEPP (Housing) 2021 – Chapter 3, Part 2 Group Homes – Clause 62







SUBJECT SITE AND

SURROUNDING AREA

The subject site comprises one parcel of land commonly known as 6 Broadstock Court, Buronga, and more formally as Lot 4 in Deposited Plan 1302556. The site is rectangular in shape and is relatively flat. It has an area of 826 square metres (sqm) and a frontage of 18 metres (m) to Broadstock Court. The site is currently vacant, but all reticulated services are available. No heritage or cultural sensitivities affect the land and there are no natural hazards or environmental sensitivities including native vegetation.

The site is situated within an early stage of Midway Estate, which comprises vacant land, established dwellings, offices, vacant commercial premises and a community centre.

An aerial image of the site and surrounding area as well as site photos are contained on the following pages.

Aerial Image of the Site and Surrounding Area



Figure 1: Subject site and surrounding area (Source: Landchecker Sept 2024)







Site Photos



Figure 2: View of site from Broadstock Court



Figure 3: View of the site from the east





JACKSON PLANNING



Figure 4: View of the site from the south



Figure 5: View of the site from the west







PROPOSAL

DESCRIPTION

This application is for the construction of a Permanent Group Home, as summarised under the following points:

- The proposed Permanent Group Home will be used to accommodate people with a disability on a permanent basis under the NDIS Scheme. The plans have been assessed and certified by an accredited SDA assessor.
- The building is single storey and contains three bedrooms for people with a
 disability and one bedroom for on-site overnight assistance. Each bedroom has
 an ensuite and other internal features include an open plan kitchen, dining and
 living area, separate living area, separate bathroom, European laundry, alfresco
 and single garage.
- The external appearance of the building is contemporary with brick wall cladding and corrugated Colorbond iron roof cladding.
- The building has a maximum height of 4.8m above natural ground.
- One car parking space (to disabled parking standards) can be accommodated within the garage and one car parking space can be accommodated within the driveway.
- A new crossover is proposed to provide access to the double garage.
- Approximately 500sqm of the site is private open space and approx. 450sqm can be landscaped.
- The development will be connected to all reticulated services, with the exception of gas.







PLANNING

CONTROLS AND ASSESSMENT

Wentworth Local Environmental Plan 2011 (LEP)

The Subject site is within the RU5 - Village

The objectives of the zone are:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

The proposed Permanent Group Home is located within an early stage of the Midway Estate and will provide for residential diversity in an appropriate location. The building will provide much needed housing for people with a disability and is compatible with existing residential development in the surrounding area. The building has been designed to be energy efficient and is appropriately located so as not to unreasonably impact on the adjoining land. As such, the proposal supports the objectives of the RU5 zone.

Wentworth Development Control Plan

Chapter 2 – Plan Objectives

The following General Development Objectives are relevant to this application:

 Residential land is to be developed with the creation of neighbourhoods comprising a range of housing styles and densities to cater for a diverse demographical profile of the local government area.







• Residential growth shall be promoted in areas identified as urban release area.

The following Locality Objectives for Buronga and Gol Gol are relevant to this application:

- A safe, convenient and attractive neighbourhoods that meet the diverse and changing needs of the community and offers a wide choice of housing, leisure, local employment opportunities and associated community and commercial facilities.
- A site responsive approach to urban development that supports and enhances the context in which it is located, strengthens local character and identity, and promotes a sense of community.

In addition to this, Section 2.2 - Social and Community outlines that:

The proposed future development of Buronga and Gol Gol will result in an increased demand for additional community infrastructure. This includes:

- Expansion of the range of community facilities and services;
- Improvement of public transport links within and external to the area;
- Provision of additional government and health services; aged care services; child care facilities and education/training services; and
- Promotion of community image and events including sport and recreation.

It is clear that the proposal is supported by the objectives of the Wentworth Development Control Plan which indicate that there is a strong need for diverse housing to provide for the changing needs of the community. The proposed Permanent Group Home will provide much needed accommodation for people with a disability and is of a high construction standard.

Chapter 3 - General Development Controls

5 Vehicular Access and Parking

This development control aims to provide sufficient and convenient parking for residents, visitors and service vehicles; to ensure vehicular and pedestrian safety and to encourage access design to form part of the overall landscape design. The relevant subclauses are discussed below.







5.1 Parking Layout, Servicing and Manoeuvring

The proposed car parks will be located in the garage and driveway, which is typical for car parking in a residential setting.

5.2 Specific Land Use Requirements

The following car parking requirements apply to the proposal:

 Housing for older people or people with a disability – Refer to State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004.

The SEPP referenced in the DCP no longer exists. Two car parking spaces are provided for the proposed Permanent Group Home which complies with Schedule 2 (17) of the State Environmental Planning Policy (Housing) 2021.

Chapter 4 - Residential Development Controls

4.1.1 Site Context and Analysis

The plans submitted with this application demonstrate how the proposed development responds to site specific conditions and the site has been described in detail previously in this report. The site is within an earlier stage of the Midway Estate which contains vacant land and existing dwellings of a similar size, scale and sitting. The site does not have any specific constraints, and the topography is relatively flat.

4.1.2 Streetscapes

The proposed building will have a positive impact on the streetscape. A number of habitable room windows overlook the street to provide for casual surveillance. The proposed garage occupies only a small portion of the frontage and is setback behind the main façade of the building. The building has a clearly identified entry from the street and has been designed to be energy efficient. The external materials and colours will complement existing dwellings in the broader area which have external materials and colours that vary considerably.







4.1.3 Front Setback

The building has a front setback of 4.5m, which is less than the 6m sought within the Wentworth DCP. It is worth noting that 4.5m is a commonly accepted front setback in developing areas and is the minimum requirement to meet the CDC criteria. The existing dwellings on the opposite side of the street have a front setback less than 4.5m. As such, the proposed front setback is considered to be acceptable and will not bring rise to any character or streetscape related issues.

4.1.4 Side setbacks and Corner Lot Setbacks

The side setbacks of the proposed building are 4m from the east boundary and 3.4m from the west boundary (combined total exceeding 4.5m), which complies with this Control.

4.1.5 Rear setbacks

The proposed building is located 16.46m from the rear boundary, which meets this Control.

4.1.6. Walls on Boundaries

Not applicable. No walls on boundaries are proposed.

4.1.7 Building heights and overshadowing

The proposed building is unlikely to overshadow the private open space of future dwellings on adjoining lots as it is single storey and has relatively generous boundary setbacks.

4.1.8 Site Coverage

The site coverage is approximately 31%, although it is noted that this control only applies to single dwelling houses and dual occupancies.

4.1.9 Private Open Space

At approximately 500sqm, private open space is well in excess of the 40sqm minimum requirement. There is an area of secluded private open space at the rear of the dwelling







also well in excess of 25sqm, with a minimum dimension of 3m accessed from the main living area.

4.1.10 Energy Efficiency and Solar access

Appropriate solar access and energy efficiency is achieved given the orientation of the site and distance between windows and boundaries. A BASIX is not required as a standard residential dwelling is not proposed.

4.1.11 Daylight to existing windows

The proposed building will not impact daylight to existing dwellings as the adjoining land is vacant.

4.1.12 North-facing windows

Not applicable – there are no existing north facing windows within 3m of the boundary.

4.1.13 Overlooking

Not applicable – the proposed building is single storey and will not be notably raised above existing surface levels. A 1.8m high solid boundary fence will provide for privacy between lots.

4.1.14 Fencing and Retaining Walls

No fences or retaining walls are proposed as part of this application. The boundary fence will be made to comply with the SEPP Exempt and Complying Development Codes 2008 (Part 2, Subdivision 17).

4.1.15 Car Parking and Vehicle Access

Car parking has been discussed previously.

4.1.16 Cut and Fill

As the site is relatively flat, only minimal earthworks are anticipated and will not exceed 0.3m of cut or fill.







State Environmental Planning Polices (SEPP)

SEPP (Housing) 2021 - Chapter 3, Part 2 Group Homes - Clause 62

This Clause contains requirements for consent authorities when determining Development Applications.

General Assessment

Visual Impacts

Please refer to DCP assessment.

Open Space

Please refer to DCP assessment.

Overshadowing and Privacy

Please refer to DCP assessment.

Noise

Only standard domestic mechanical plant will be associated with the proposed building, which will emit noise typical for a residential area.

Erosion Control Measures

No specific erosion control measures are considered necessary for this development. Any minor earthworks will be appropriately battered and retained (if necessary).

Economic and Social Impacts

The proposed building will contribute to the social wellbeing of the Buronga township by providing suitably designed housing to accommodate disabled persons. It also contributes to investment in the Buronga/Gol Gol Area.







Environmental Benefits

Due to the nature of this development, no significant environmental benefits are envisaged.

Disabled Access

The proposed building has been designed to comply with all disabled access standards and the plans have been assessed and certified by an accredited SDA assessor.

Security, Site Facilities and Safety

Not applicable for this application.

Waste Management

Standard domestic waste services will be provided by Council.

National Construction Code

The National Construction Code will be assessed as part of the Construction Certificate process by a Building Surveyor.

Traffic

The proposed building will result in standard domestic travel within the existing road network. This would have been anticipated and accounted for in the design of the subdivision.

Stormwater/flooding

The site is not subject to any identified natural hazards and stormwater will be directed to the legal point of discharge.







CONCLUSION

This report demonstrates that the proposal is consistent with the relevant provisions of the Wentworth Local Environmental Plan 2011 and the Wentworth DCP.

The proposed Permanent Group Home is appropriate for the site as it:

- Supports the objectives of the Zone RU5 Village;
- Is appropriately located on the subject site;
- Will have an acceptable impact on the locality in terms of amenity and visual dominance; and
- Will not result in any detrimental impacts on the environment.

It is considered that the proposal is worthy of support, and it is therefore respectfully requested that the Wentworth Shire Council grant Development Consent for the construction of a Permanent Group Home as described in this report at 6 Broadstock Court, Buronga.







Health & Planning Department 61 Darling Street PO Box 81

WENTWORTH NSW 2648

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

DA Assessment Report Section 4.15 Evaluation

Environmental Planning & Assessment Act 1979 as amended

File Reference: DA2025/059 & PAN 518909

Property Title & Address: 6 Broadstock Court Lot 4 DP 1302556 Buronga

P511/5704

Property owner(s): SUPAVEST SPV FIVE PTY LTD

Applicant(s): JACKSON PLANNING – Matt Jackson **Proposal:** Permanent Group Home with garage

Previous DAs: N/A

Cost of proposed development: \$715,513.05

SITE AND SURROUNDING DEVELOPMENT

The subject site comprises of Lot 4 DP 1302556, 6 Broadstock Court, Buronga. The lot has an area of 826m² and connects to Sturt Highway to the South through Midway Drive, connecting through to the developing locality within the Midway area and surrounding locality.

The subject site is zoned within the RU5 – Village zone under the Wentworth Local Environmental Plan (WLEP) 2011. The subject site is a rectangular shaped lot with no vegetation removal proposed as site was recently cleared during the subdivision process. The lot is not impacted by easements or environmental factors.

The site is not within the bushfire prone, flood way or flood planning, terrestrial biodiversity, wetlands, or urban release mapped area and contains no known heritage constraints.

DESCRIPTION OF PROPOSAL

The proposal seeks development consent for the construction of a single storey dwelling with garage to be utilised as a permanent group home, which will provide accommodation for people on NDIS plans with ongoing disabilities as per the NDIS requirements. The dwelling is proposed to accommodate three participants and one overnight assistance personnel. The lot has a total area of 826m² with the dwelling proposed to have a floor area of 256.58m², broken down into the following:

Dwelling: 209.31m² – Garage: 28.17m² – Alfresco: 16.20m² – Porch: 2.89m².

One car parking space suitable for disability requirements is provided within the garage, with a standard parking space accommodated within the driveway area.

HISTORY RELEVANT TO THE DEVELOPMENT APPLICATION

N/A

SECTION 4.15-MATTERS FOR CONSIDERATION

(1) The provisions of any environmental planning instrument and development control plan

State Environmental Planning Policy (Biodiversity & Conservation) 2021

The proposed development is proposed to be located upon on a lot that is under 1ha in size and clear of vegetation following previous subdivision. No native vegetation is to be removed for construction, with no impact to any potential habitat for fauna. The site is not known koala habitat, as such, no assessment required against Chapters 3 or 4. The proposed development is not located within close proximity to the river of other waterbody, and as such, no assessment is required against Chapter 5.

State Environmental Planning Policy (Housing) 2021

Clause 60 (a) does not identify the land zoning of RU5 as a prescribed zone suitable for group home development, however, clause 60 (b) states that any other zone under an environmental planning instrument were dwelling houses may be carried out with consent is categorised as a prescribed zone.

The RU5 – Village zone under the WLEP 2011 lists dwelling houses as permitted with consent.

Clause 61 identifies that the proposed group home is permitted with consent as it is proposed on land zoned RU5 – Village under the WLEP 2011. In terms of the hierarchy of legislation, the SEPP overrides the WLEP 2011 in terms of any inconsistency as per section 3.28 of the EP&A Act.

Under clause 62 a consent authority (Council) must not:

- refuse a group development unless an assessment of the community need has been done
- Impose a condition of consent specifically because a development is a group home.

State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX Certificate has not been provided as it is not required due to the proposed development being class 3 under the Building Code of Australia.

Further, as it is assumed that the development will be certified as a Class 3 building under the BCA at the construction stage, in line with the *Comprehensive Guide to BASIX*, a BASIX Certificate is not needed.

Wentworth Local Environmental Plan (LEP) 2011

The proposed development of a permanent group home for the provision of accommodation for participants within the NDIS scheme is permitted with consent and meets the zone objectives of the RU5 – Village zoning under the Wentworth Local Environmental Plan (WLEP) 2011, under which the subject site is located. The main supportive objective is to provide for a range of land uses, services and facilities that are associated with a rural village. The development of a NDIS based permanent group home will allow for services for those with disabilities to live mostly independently with assistance.

Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

A group home meets the definition of a dwelling as follows:

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

Group home means a permanent group home or a transitional group home. Group homes are a type of **residential accommodation**.

Group home (permanent) or **permanent group home** means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which <u>State Environmental Planning Policy (Housing) 2021</u>, Chapter 3, Part 5 applies.

Clause 7.1 Earthworks

Any earthworks will be conditioned and form part of the approval.

Clause 7.2 Essential Services

Connection of services has been made possible during the previous subdivision of the development site.

Wentworth Development Control Plan (DCP) 2011

The proposed development is acceptable against the relevant provisions of the Wentworth Development Control Plan (DCP) 2011 as outlined in the table below.

Wentworth DCP	Chapter 8	Acceptable	Not Acceptable	N/A	Reason
	5.1.1 Site context	Х			Positioning of the proposed building on site makes use of available land while leaving space for private open space and providing suitable access for residents of the permanent group home facility. Materials used will compliment other structures in the surrounding area.
	5.1.2 Streetscape	X			The proposed building will be in keeping with few existing developments in the area with windows facing the street for casual surveillance and a garage setback from the facade of the main portion of the building. It is anticipated that future development in the area will be similar and compatible with this DA.
	5.1.3 Front Setback		х		4.5m – does not meet
	5.1.4 Side setbacks	Х			East: 4m – meets West: 3.4m – meets
	5.1.5 Rear setback	Х			16.46m – meets
	5.1.6 Walls on Boundaries			Х	N/A as no walls on boundaries
	5.1.7 Building heights and overshadowing			X	N/A as not a two-storey building

5.1.8 Site Coverage	Х		Proposed development does not cover more than 60% of site (48% approx.)
5.1.9 Private open space	х		Ample room for private open space available
5.1.10 Energy & solar access	X		Proposed development meets requirements of the Energy Efficiency Compliance Assessment
5.1.11 Daylight to existing window	x s		No impact anticipated from the single storey building to surrounding neighbours.
5.1.12 North facing windows		X	N/A as no existing north facing windows within 3m of boundary.
5.1.13 Overlooking		X	N/A as development approval is for a single storey building
5.1.14 Fencing and retaining walls		x	N/A approval not for fencing or retaining walls
5.1.15 Car parking and vehicle access	x		The site provides for one (1) disability access car parking spaces within the garage as per requirements under the Housing SEPP one space within the garage and another singular space is provided in the driveway of the proposed development site. Access to the site is provided via a crossover to council standards to be detailed within conditions of consent. Two parking spaces in total, one being to disability standards.
5.1.16 Cut and fill	X		Earthworks will be conditioned as part of approval

Development Control	WDCP 2011 requirement for RU5 Village zone	Proposed Permanent Group Home
Front setback	6m minimum	4.5m
East side setback	1m minimum	4m
West side setback	1m minimum	3.4m
Rear setback	3m minimum	16.46m

The front setback does not meet DCP requirements of 6m, being only 4.5m, however, many new developments in newly subdivided areas are utilising a front setback of only 4.5m to allow better use of allotment space. Additionally, other developments in the surrounding area have front setbacks under the required 6m, even down to 3m.

(2) The provisions of any draft environmental planning instrument

There is no Division 3.4 draft environmental planning instrument that affect the proposed development. (Post 1 July 2009 LEP amendments).

(3) Any matters prescribed by regulations

There are no further matters prescribed by regulations.

(4) The likely impacts of the development

There are no likely impacts from the proposal as discussed in the table below.

Impact item				Comment
(insert an \mathbf{x} in the				
relevant section)		le		
	e	tab	ınt	
	abl	зер	eve	
	ept	aco	rel	
	Acceptable	Not acceptable	Not relevant	
Context and setting	X			The proposed permanent group home building will look similar in
Context and setting	7.			external design to the few existing residential developments in the
				immediate area
Public domain &	X			The proposed permanent group home building meets the required
Streetscape				setbacks as provided and justified in assessment above (DCP)
Landscaping			X	Not part of this application
			Λ	
Stormwater	X			Discharge to legal point of Councils stormwater system to be
				conditioned
Heritage	X			None on site
Soils & Soils Erosion	X			Earthworks and erosion control to be conditioned as part of
				approval
Air and microclimate	X			No effect from proposed development anticipated
Thi and intercentiate	7.			Two effect from proposed development underputed
Water Resources	X			Noted – development located adequate distance from water sources
Biodiversity (Flora &	X			As the site was cleared of any vegetation during the subdivision
Fauna)				process – no effect on existing flora or fauna,
Land Resources	X			None known at this site
Utilities	X			Utilities are available to the property
Access & Parking	X			Adequate access and parking are available to the site, development
110000 co 1 unining				provides disability parking space as per requirements in line with
				Housing SEPP and
Roads & Traffic	X			Increase to area anticipated during construction with slight increase
				as new residents move into the completed building
Solar Access and Energy	X			Will be required to meet energy requirements of Part J1 of the BCA
Efficiency				
Overshadowing			X	Not relevant as surrounding land vacant and single storey
				development
Privacy & Overlooking			X	Not relevant as single storey building
Flooding			X	Not in flood planning area
Bushfire Prone Area			X	Property not within bushfire prone land
Noise	X			Only significant increase anticipated during construction, then
				residential noise ongoing
Technological hazards	X			No known hazards on site or anticipated

Safety, Security & Crime Prevention	X	No detrimental effects anticipated from development in this location. Windows facing street will provide casual surveillance
Social and Economic Impacts	X	No detrimental effects anticipated

The NDIS outlines high physical support SDA housing as housing that includes a high level of physical access for people who need very high levels of support. For example, you may need a ceiling hoist, backup power supply, or home automation and communication technology.

Further, level of functioning is defined as:

Active participants by Level of Function

"The umbrella term for any or all of body functions, body structures, activities and participation. Level of function indicates the impact a participant's disability has on how a person is able to perform tasks and actions in a life area, as represented by a 'severity score' 'High functioning' indicates lower service and support requirements with a lower severity score, and 'low functioning' indicates higher service and support requirements with a higher severity score."

Image 1: Snip showing five bands of low level of function. (*Explore data NDIS*. https://dataresearch.ndis.gov.au/explore-data current as of 22 April 2025).

The number of active participants as at the end of the selected quarter. Those who have been determined eligible and have an approved plan. (There are also cases where a participant's plan has expired and a new plan has not formally commenced, but they have not exited the Scheme. These individuals are also counted as active participants.) (?) Metric Active participants Average committed support Average payments Graph Table Period LGA State/Territory **Level of Function Active participants** Q2 FY24/25 Wentworth (A), NSW 9 (Medium) < 11 QZ FYZ4/25 Wentworth (A), N5W 10 (Medium) 27 Q2 FY24/25 Wentworth (A), NSW 11 (Low) <11 Q2 FY24/25 Wentworth (A), N5W 12 (Low) 18 Q2 FY24/25 Wentworth (A), NSW 13 (Low) < 11 Q2 FY24/25 Wentworth (A), N5W 14 (Low) < 11 Q2 FY24/25 Wentworth (A), NSW 15 (Low) < 11 Q2 FY24/25 Wentworth (A), N5W Missing < 11

If we take < 11 to mean there are roughly ten participants in the associated (low) band, the above image then identifies that the five bands total 68 participants. This therefore identifies that there is a population with requirements for higher servicing and support requirements, being low functioning and having a higher severity score.

Low functioning participants as per the level of functioning definition require higher levels of support.

From the same dataset (as taken from the above website on the same date), there are 198 active participants who have been deemed eligible and have an approved plan under the NDIS. This dataset does not encompass all of those with disabilities that require support within the Wentworth LGA, indicating there may be more not accounted for as they are not active participants or are waiting for availability.

From the above 198 active participants, none have approved plans encompassing SIL / SDA.

The Inquiry Report: Own Motion Inquiry into Aspects of Supported Accommodation (NDIS Quality and Safeguards Commission, January 2023)

The above report states the following on page 23:

- a suburban house (SDA or otherwise) where a group of people with disability live together, each with their own bedroom (sometimes with ensuite), sharing a common living room, kitchen, bathroom and garden, and with an area of the house used as office space for staff.
- a number of suburban houses (as above) located in relatively close proximity to each other, sometimes with direct links between each of the houses (for example through a garden gate), with a team leader or manager overseeing supports across the network.

This reinforces the ability for SDA dwellings to be located in close proximity to one another.

Wentworth Disability Inclusion Action Plan 2022 – 2026

The Wentworth Disability Inclusion Action Plan 2022-2026 has a focus area that directly identifies housing for those with disabilities – 2; Livable Communities which states the following: Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing.

The plan, in line with the identified focus area aims to attribute to the positive experience of those with a disability, their families and supporters, through access to community places, buildings and events.

As there are currently no SDA housing facilities within the LGA, the proposal to develop them is in line with the Disability Inclusion Action Plan with the aim of providing housing, eliminating the barrier of housing access to those that require it.

Further, the following are direct quotes from the plan:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the

intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Approach to characterization and permissibility under LEPs

It needs to be noted that the development of Permanent Group Homes is permitted under legislation, both the Wentworth Local Environmental Plan 2011 and the State Environmental Planning Policy (Housing).

The case of *Botany Bay City Council v Pet Carriers International PTY Limited* [2013] NSWLEC 147 reiterates that land use tables within LEPs can use many means by which to define what development is permissible by identifying either *nominate* or *innominate* purposes.

His Honor, Preston CJ, stated the following:

A nominate purpose is one which the environmental planning instrument expressly nominates by name as being within one of the three classifications. Hence, the land use table for a zone may nominate particular categories of purposes of development as being within the classifications of development that may be carried out without consent, development that may be carried out with consent, or development that is prohibited.

An innominate purpose is one which the environmental planning instrument does not nominate by name as being within one of the three classifications, but rather identifies as falling within a particular classification by reason of it not being nominated in other classifications; it is development other than development in the other classifications. Hence, the land use table for a zone may classify as prohibited development, development for a purpose other than a purpose nominated as being able to be carried out without consent or with consent.

In the case of permanent group homes, as they are not directly identified within the RU5 – Village zoning as an independent type of development but fall under "any other development not specified in items 2 or 4", they are therefore innominate and permissible with consent.

(Compatibility Test) Project Venture Developments Pty Ltd v Pittwater Council [2005]

There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale, or appearance, though as the difference in these attributes increases, harmony is harder to achieve.

The physical impacts, such as noise, overlooking, overshadowing, and constraining development potential, can be assessed with relative objectivity. In contrast, to decide whether or not a new building appears to be in harmony with its surroundings is a more subjective task. Analysing the existing context and then testing the proposal against it can, however, reduce the degree of subjectivity.

For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment. In some areas, planning instruments or urban design studies have already described the urban character. In others (the majority of cases), the character needs to be defined as part of a proposal's assessment. The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks, and landscaping. In special areas, such as conservation areas, architectural style and materials are also contributors to character.

In order to test whether a proposal is compatible with its context, two questions should be asked.

- Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites. (Test One)
- Is the proposal's appearance in harmony with the buildings around it and the character of the street? (Test two)

Test One:

The proposal of a permanent group home, being constructed as a dwelling, does not constitute any physical impacts on the surrounding development. The surrounding development consists of dwellings with outbuildings.

Physical impacts will not occur as the development design is that of similar size, scale and sitting to existing development in the immediate and surrounding area. The applicant has identified the permanent group homes to have external materials and colouring that complements existing dwellings in the surrounding area.

It should be noted that Wendy Court itself, where the main streetscape occurs, has minimal development existing, being two dwellings and an allotment with an outbuilding.

There will be no issues regarding side setbacks as a physical constraint, as setbacks adhere to requirements under the Wentworth Development Control Plan, some rear setbacks do not meet requirements, but it should be noted that habitable building space does not encroach the setbacks, only alfresco areas that are open in design. Front setbacks may not meet the required 6m, however, as discussed in the DCP assessment, in newly developed areas, setbacks from the front boundary can be accepted at 4.5m for RU5 – Village zoned land.

Test Two:

The proposal of a permanent group home will be in harmony with the development within the estate area. Permanent group homes are designed as and meet definitions of dwellings, which is the main development in the estate area and will not alter the harmonic design, rather increasing development in the area and encouraging use of the RU5 – Village zoning whereby a range of services and facilities need to be available, including disability accommodation for the impacted community members.

Harmony is often defined as "the quality of a pleasing and consistent whole", with the permanent group homes not causing impact as the development will be that of dwellings in a residential area attributing to the existing use and character of the estate. Impact to Summer Drive through harmonious development should not be impacted due to separating fences and differing streetscapes (existing development vs minimally existing development).

The permanent group homes will be of the same design, therefore harmonious to themselves and attributing to consistency of the area.

The permanent group homes are dwellings and will not impact the character of the area. The use of each dwelling is subject to residential purposes such as long term accommodation, which is provided through the group homes. The use of existing dwellings in the area is no different to the accommodation purposes of the group homes, with additional assistance for the residents of the group homes required.

New Century Developments Pty Limited v Baulkham Hills Shire Council [2003] NSWLEC 154 revised - 5/09/2003 (social impact, large number of objectors, character and amenity of area).

The above caselaw provides examples of amenity, reiterates development characteristics and any further associated issues, as well as substance of community responses to proposed development.

"(61) In circumstances such as the present case, however, the consent authority must not blindly accept the subjective fears and concerns expressed in the public submissions. Whilst such views must be taken into consideration, there must be evidence that can be objectively assessed before a finding can be made of an adverse effect upon the amenity of the area... the views of residents of the area, those views will be accorded little, if any, weight if there is no objective, specific, concrete, observable likely consequence of the establishment of the proposed use."

The above quote from the caselaw states plainly that evidence must be provided for submissions to be assessed. Council cannot take submissions with little to no planning grounds as having an adverse impact to the development of what is defined legally as a permanent group home under the WLEP 2011.

There are no specific issues raised in submissions received regarding the proposed group home development.

Submissions received as objections rather centre around the use of the development and those that would use it, however, this is not for Council to mandate as we are not the managing authority, only the consent authority. Submissions referenced the following:

- Property valuation
- Proximity of group homes to each other
- Behaviour concerns of NDIS participants
- Potential for property damage
- Disturbances caused by NDIS participants
- Location of group homes in locality for NDIS participant access to services
- Lack of Council transparency
- Concerns for the childcare centre in proximity to proposed group homes
- No need for further group home development

"(64) The assessment of the specific objections raised by the local residents shows that the concerns raised by them, objectively assessed, must be afforded little weight. As is shown by the consideration of the specific objections, discussed above, they appear to have little basis in fact."

Th above quote from the caselaw states that if concerns have been assessed based on the objectives (mainly directed at NDIS management and use of the proposed group home dwelling – therefore not

specific legislative <u>planning grounds</u>), then submissions **must** be afforded little weight, therefore not considered as little fact is apparent.

"(71) In summary, I have concluded that the proposed development would be compatible with the rural residential character of the area and would not have an adverse impact on the amenity of the area, including social impact. While I recognise that there is strong community opposition to the proposal and that the residents have real fears, these fears must have foundation and a rational basis, which in this case is absent."

The above quote from the caselaw states that the ultimate outcome of the case as decided by the Judge, was that the proposed development was compatible with the character of the existing area and would not have an impact on the amenity of the area. Community opposition was recognised but the concerns were found to have no foundation or rational basis (planning grounds).

In relation to the proposed group home, no planning grounds for the proposal are seen, merely concerned community members referencing issues relative to unjustified fears based on the use of the development. No foundation (fundamentals of planning legislation) are presented by submitters, as addressed by Council.

Understanding the Local Impact of New Residential Development: a Pilot Study Christine Whitehead and Emma Sagor with Ann Edge and Bruce Walker LSE London April 2015

The report identifies that opposition to new dwelling development is driven by local communities feeling that they will gain little benefit from new dwellings and that negative impacts may arise, such as infrastructure pressure and lack of services, as well as residential valuation impacts.

The report solidifies and states that planning literature does not often and is not required to, address impacts to housing valuation or pricing as this is not directly related to planning decisions which are assessed against relevant legislation, as well as broader economic, environmental, and social factors.

Further Information of Relevance

The 2019 Issues Paper – Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) focuses on group homes as a form of accommodation where supports are provided for four (4) to six (6) long-term residents with a disability. The proposed group home under assessment is for residential accommodation of up to three people

This Issues Paper states plainly that all building work (in regard to group homes) must comply with requirements under the Building Code of Australia (BCA), this is a consideration for the construction certificate and certification stage of the development.

Further, the Issues Paper also states that group homes are defined under the NDIS Rules 2016 as "houses that are (or will be enrolled) to house four to five long-term residents... typically classified as Building Class 1(b)(i) or 3 under the Building Code of Australia."

As per the document *Understanding the NCC – Building Classifications* published by the NCC, a Class 1b building is a *boarding house, guest house or hostel that has a floor area less than 300 m2 and ordinarily has less than 12 people living in it,* and Class 3 buildings *are a common place of long term or transient living for a number of unrelated people.*

The 2020 Issues Paper – Overview of responses to Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) identifies the following on page seven (7) under Potential good practice in group homes:

- Role of group homes is conditional upon providing residents wit control and choice over their location,
- Group homes can promote inclusion and social connection,
- Research suggests smaller group homes of two to three residents is usually better,
- Factors such as organizational structure, staff training and person centred support contributes to better quality of life in group homes.

Maple Community Services (https://maplecommunity.com.au/advantages-of-group-housing-for-adults-with-disabilities/) is a disability provider with an accessible online platform, this platform provides a page identifying the advantages of group housing for adults with disabilities, points from the website as follows:

- Independence opportunity to manage routines and take responsibility within a supportive and structured environment.
- Specialised care on site or readily available support workers can provide the required approaches to individual needs ensuring each level of care for each resident is maintained.
- Safety and security increased safety measures are present in group homes, as well as emergency support systems, thus ensuring safety of the residents.
- Social inclusion opportunities to participate in activities, outings and community engagement creating meaningful relationships in home and community.
- Small scale group homes often limit number of residents to keep a personalized and supportive environment.
- Privacy each resident has their own bedroom for privacy and personal space.
- Accessibility group homes are designed to accommodate mobility and accessibility needs.

The Australian Institute of Health and Welfare (AIHW) under *Housing* states the following on their website:

Housing plays a major role in the health and wellbeing of people with disability, by providing shelter, safety and security. The availability of affordable, sustainable and appropriate housing helps people with disability to participate in the social, economic and community aspects of everyday life.

Australia's Disability Strategy 2021 – 2031 is Australia's national disability policy framework, setting out plans for the continual improvement of the lives of people with disability in Australia over a decade.

This strategy includes a designated chapter for *Inclusive Homes and Communities*, with the outcome to provide people with a disability the opportunity to live in inclusive, accessible, and well-designed homes and communities.

Under this chapter, *Policy Priority 2: Housing is accessible and people with disability have choice and control about where they live, who they live with, and who comes into their home* relays the importance of increasing availability of accessible housing to allow for users to have a choice on where to live, who to live with and enables people with disability to socialise and connect with neighbours, friends and family.

Monash Universities publication Adaptable Housing for People with Disability in Australia: A Scoping Study states the following:

Given the increasing prevalence of disability, an estimated 60% of homes will, at some point, be occupied by a person with disability or injury, and 90% will have a visitor with disability or injury.

Few homes are designed to directly suit or be adaptable to the needs of people with disability, causing a mismatch between people with disability and their homes:

- 4.9% of Australians with disability have moved because of a health reason (compared to only 0.6% of people without disability)
- 16% are dissatisfied with their homes.

Wentworth Local Environmental Plan 2011

The WLEP 2011 provides the following definition for permanent group homes: group home (permanent) or permanent group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged

It should be noted that the plans provided by the applicant indicate "NDIS High Physical Support SDA" with design considering wider doorways, ceiling hoists, accessible parking (garage), and ensuites tailored for required needs (rails etc.), with an adjustable bench in the kitchen.

The people anticipated to use these dwellings are those with disabilities, and not those who are socially disadvantaged, however, Council are not the management authority and cannot dictate who will utilize these developments.

(5) The suitability of the site for development

The site is suitable for the proposed permanent group home building as it is not anticipated to have any adverse impact on the locality; however, 14 submissions were received. The proposed development is permitted within the RU5 — Village zoning area under the Wentworth Local Environmental Plan 2011. The development provides the area with greater flexibility in housing and facilitates options for people with a disability under the NIDS scheme to become independent within the community, while receiving care when required. The character and use of the proposed development is consistent with other proposed developments in the immediate area.

(6) Any submissions made in accordance with this Act or Regulation

The application was notified for 14 days as per the Wentworth Community Participation Plan. 14 total submissions (13 unique) were received objecting to the application within the notification period.

The following list identifies concerns raised within the submissions received:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area

- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,
- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Regards,

Council Officer Comment:

There have been no planning grounds of concern raised through submissions made during the 14-day public exhibition period. Concerns identified have been assessed as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.
- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is no planning strategy for specialised housing, only the Housing SEPP, which permits these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as
 detailed in assessment above will need to occur and this will fall to compliance with any
 approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.







(7) The public interest

The proposed development is consistent with public interest as it will have no detrimental effect on the surrounding area.

Social impact equates to the consequences that people experience when a new proposal for development will alter their known environment. This could be through acoustic, amenity, way of life, health and wellbeing, and property impacts. Submissions in regard to the proposed group home have shown that the development proposed is seen as a concern to the surrounding community.

The social impacts as identified by concerned residents in submissions for the proposed group home (singular development on a singular allotment) are not linked to the development of a permanent group home, instead, are aligned with the users and management authority of the group home following construction. No noise, amenity, traffic or other detrimental impacts are envisaged from a, by definition, permanent group home in a residentially established area.

Approval of the proposed group home would benefit the disabled community of the shire, which under the Disability Inclusion Action Plan (2022 -2026), housing is a provision that needs to occur and is heavily identified. Although the population requiring this accommodation may not encompass a wider community, the housing type is beneficial to the expanding Buronga / Gol Gol and wider areas of the entire shire and is also important being a border community. A total of 13 submissions objecting to the development were received during the exhibition period, however matters raised were similar in nature with no detrimental planning concerns raised. Most concerns are specific to management and users of group homes in general, or the infrastructure of the area that would have been considered during the subdivision stage. It is worth noting that nearly all submissions state that the submitter recognises the need for the housing type in the shire.

The Land and Environment Court in New Century Developments Pty Limited v Baulkham Hills Shire Council (2003) 127 LGERA 303; [2003] NSWLEC 154 (New Century) at [60] adjudged that a development that causes such great offence to a large portion of the community that it ought to be refused amounts to a detrimental social impact.

However, at [62] the case law identifies that fears or concerns without rational or justified foundations are not matters which, by themselves, can be considered as an amenity or social impact pursuant to s 79C(1) (now s 4.15) of the EP&A Act. Where there is no evidence to support a rational fear, it will not be relevant and be of the basis that community members have altered their everyday actions and thoughts based on the concept of the use of permanent group homes, therefore are seen due to unjustified fears, in this case, whereby broad assumptions have been made about the use of permanent group homes.

In this case Council received 14 objections to the DA from residents living nearby and from within the broader urban area. The objections principally related to impacts to property value, childcare proximity, disturbances from residents of proposed group homes, lack of facilities in the area, proximity of group homes to each other, insufficient infrastructure to support high-needs users, impact of living in the area for NDIS participants, potential for traffic increase and property damage from users.

Assessment of social impacts relating to the proposed development of a permanent group home needs to be based on fact and evidence, not community perceptions or potential unjustified fears. It

needs to be reiterated that the assessment and approval or refusal of a development application is to be made under the planning legislation.

The social impacts as perceived by local residents are noted and have been addressed through conditions of consent or general assessment. Council cannot dictate who utilises the group home upon completion and following issuance of an occupation certificate as long as users are those permitted under the definition of permanent group home. Residents of the area seem to hold unjustified fears of those from within the disabled community who would be using the group homes for impacts to their lives and everyday activities.

At the February and March Council Meetings (2025) members of the public gallery spoke against the development of group home "clusters", citing isolation of potential residents, heightened noise and vehicular impacts, minimised liveability of the wider community, emergency vehicle access and availability, NDIS requirements and reports that are not indicative of town planning requirements, DCP non-compliance, and the institutionalisation of NDIS participants. The abovementioned have been considered in the assessment and are not considered detrimental social impacts as they are perceived impacts or unjustified concerns, with no reference to applicant supplied assessment material. Concerns have been adequately given weight where required in line with provided substance of submissions. Submissions and voiced concerns have not been of strict planning grounds and can be viewed as unjust when referencing the disabled community.

The development of a permanent group home, defined under the WLEP 2011 as a dwelling, is not anticipated to create negative social impacts on the locality. The specific users are not for Council to mandate through the development approval processes. A combination of abovementioned impacts will not lead to negative impacts or experiences in the area. The development of a permanent group home, in a residential area with minimal development as per this assessment should be greatly considered for aesthetic and crime prevention (CPED) purposes. The more houses/development in a subdivision, street facing windows and cars around development, all attribute to making an area safer both through surveillance and lively areas.

On balance, the proposed permanent group home in a land zoning supporting group homes under both the WLEP 2011 and the Housing SEPP 2021, the benefits to the disabled community and no negative impact anticipated to the social streetscape or overall amenity of the area, when weighted against the minimal substance of the submissions, does not justly warrant refusal of this development application.

Should concerns arise from the permanent group home operation, Council will properly investigate and take compliance action as needed to matters within our jurisdiction.

COMMENTS FROM COUNCIL INTERNAL DEPARTMENTS

Department	Referred Y/N	Comments
Building	Υ	BCA Classification: 3 and 10a
		Comments
		 No building comments relevant to the
		determination of a DA.
		Approval under S68 of the Local Government Act must be
		obtained prior to the issue of a Construction Certificate in
		relation to:
		 Carrying out of water supply work.

		Carrying out sewerage work.
		Connection to Sewer.
Subdivision Engineer	N	
Roads & Engineering	N	
Finance & Policy	N	
Heritage Advisor	N	
Environmental Health	N	
Local Laws	N	
Floodplain Mgt Committee	N	
Sustainable Infrastructure	N	

CONCLUSIONS

- 1. General comments:
- 2. The proposal satisfies the points for consideration listed under Section 4.15 part b, c, d and e of the Environmental Planning and Assessment Act.
- 3. The proposal occurs on land zoned RU5 Village. The proposal is not considered to have detrimental impact on the site and surrounds.
- 4. The proposal is consistent with the Wentworth Shire Development Control Plan (Dec 2011). The proposal meets Chapter 8 of the provisions set out in the Wentworth Development Control Plan 2011.
- 5. The proposed permanent group home accords with the relevant objectives and provisions of the State Environmental Planning Policy (Biodiversity & Conservation) 2021 and State Environmental Planning Policy (Housing) 2021.
- 6. There is no draft local environmental plan affecting the proposed development.

Recommendation:

Approve the application subject to conditions

Delegate report author	Delegated approval and endorsement
Signature:	Signature:
Georgie Martin	George Kenende
Cadet Planning Officer	Acting Director Health & Planning
Date: 29/04/2025	Date:



Health & Planning Department 61 Darling Street PO Box 81 WENTWORTH NSW 2648

Tel: 03 5027 5027

council@wentworth.nsw.gov.au

TEMPLATE CONDITIONS

DA2025/059 PERMANENT GROUP HOME WITH GARAGE LOT 4 DP 1302556 6 BROADSTOCK COURT BURONGA

GENERAL CONDITIONS

1. Approved development

Approval is for a permanent group home with garage.

Condition reason: To ensure all parties are aware of the approved development.

2. Approved Plans and Documentation

The development shall be in accordance with the following plans, documentation and recommendations made there in:

- **Site Plan** by Intrend Design & Drafting PTY LTD; Job No: 24-662; Sheet No: 2 of 5; Date: 15/05/24.
- **Floor Plan** by Intrend Design & Drafting PTY LTD; Job No: 24-662; Sheet No: 2 of 5; Date: 15/05/24.
- Elevations (N & S) by Intrend Design & Drafting PTY LTD; Job No: 24-690; Sheet No: 4 of 5; Date: 15/05/24.
- Elevations (E & W) by Intrend Design & Drafting PTY LTD; Job No: 24-662; Sheet No: 2 of 5;
 Date: 15/05/24.

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

3. Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989

- 1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
- It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be

carried out by the consent commences.

- 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.
- 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
- 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
- 6. This section does not apply-
 - a. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
 - b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.

4. Erection of signs

- 1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
- 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out:
 - a. showing the name, address and telephone number of the principal certifier for the work, and
 - b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.
- 3. The sign must be
 - a. maintained while the building work, subdivision work or demolition work is being carried out, and
 - b. removed when the work has been completed.
- 4. This section does not apply in relation to
 - a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
 - b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

5. Lapsing of Approval

Without the further consent of the Wentworth Shire Council, in writing, this permit shall lapse

	and have no force or effect unless the use or development hereby permitted is physically commenced within 5 years of the date of this permit.
	Condition reason: Ensure everyone is aware of the lapsing of the approval.
6.	Works outside the property boundary This development consent does not authorise works outside the property boundaries on adjoining lands.
	Condition reason: To ensure all approved works occur within the property boundaries.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

7.	Access Point				
	Before the issue of a Construction Certificate, the beneficiary of this consent must build a driveway				
	crossing for the subject land (if one doesn't exist) to Council standards.				
	Access during construction shall only be through the driveway crossing of the subject land.				
	Condition reason: To control vehicular movement on road crossings.				
8.	Building Material				
	The proposed building/s and structure/s shall be clad in an approved non-reflective material e.g.				
	Colourbond.				
	Condition reason. To ensure the materials of the building not impact the visual amonity of the				
	Condition reason: To ensure the materials of the building not impact the visual amenity of the surrounding character of the area.				
	Surrounding character of the area.				
9.	Construction Site Management Plan				
	Before the issue of a construction certificate, the applicant must ensure a construction site				
	management plan is prepared before it is provided to and approved by the certifier. The plan must				
	include the following matters:				
	location and materials for protective fencing and hoardings to the perimeter on the site				
	provisions for public safety				
	pedestrian and vehicular site access points and construction activity zones				
	details of construction traffic management, including proposed truck movements to and from				
	the site and estimated frequency of those movements, and measures to preserve pedestrian				
	safety in the vicinity of the site				
	 protective measures for on-site tree preservation (including in accordance with AS 4970-2009 				
	Protection of trees on development sites) and trees in adjoining public domain				
	details of any bulk earthworks to be carried out				
	location of site storage areas and sheds				
	equipment used to carry out all works<				
	a garbage container with a tight-fitting lid				
	dust, noise and vibration control measures				
	location of temporary toilets.				

The applicant must ensure a copy of the approved construction site management plan is kept onsite at all times during construction.

Condition reason: To ensure construction works are adequately managed to protect the surrounding amenity.

10. Erosion and Sediment Control

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:

- the guidelines set out in the NSW Department of Housing manual Managing Urban Stormwater: Soils and Construction Certificate (the Blue Book), and
- the 'Do it Right On-Site, Soil and Water Management for the Construction Industry'; (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The applicant must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.

Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.

11. Fire Safety Schedule

Prior to the issue of a Construction Certificate, pursuant to Part 10 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended) a Fire Safety Schedule is to be submitted to the Principal Certifying Authority. The Fire Safety Schedule must include matters prescribed in clause 79 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended).

Condition reason: To ensure compliance with Fire Safety requirements.

12. Long Service Levy

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that the person liable pays the long service levy as calculated at the operational date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

Condition reason: To ensure the long service levy is paid.

13. Payment of Security Deposits

This condition applies to all construction works \$25,001 and above.

Before the commencement of any works on the site or the issue of a construction certificate, the beneficiary of this consent must make all of the following payments to Council and provide written evidence of these payments to the certifier:

Infrastructure Bond (Security Deposit):	\$3,000.00

	Infrastructure Protection Permit Fee (includes	\$232.00	
	inspections)		
	•		
'			

The payments will be used for the cost of:

- making good any damage caused to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates,
- completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and
- any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.

The Infrastructure Bond will be returned on completion of the construction of the proposed development, subject to no damage being done to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates. The owner / developer is to arrange an inspection with an Officer of Wentworth Shire Council before any work commences on site. Any damage incurred to Council infrastructure will be repaired at the owners / developers expense and the balance of the Infrastructure Bond will be returned to the owner / developer on completion of the construction.

Note: The inspection fee includes Councils fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the Roads Act 1993). The amount payable must be in accordance with councils fees and charges at the payment date.

Condition reason: To ensure any damage to public infrastructure is rectified and public works can be created.

14. Plumbing and Drainage

Before issuance of the Construction Certificate, a Plumbing and Drainage Application under Section 68 of the Local Government Act NSW 1993 is to be submitted to and approved by Council before any plumbing and drainage works (water and sewerage).

Note: All stormwater from the site is to be directed towards a legal point of discharge. All plumbing and drainage work is to be carried out by a plumber and drainer, or other authorised person, licensed with the New South Wales Department of Fair Trading.

Condition reason: To ensure plumbing and drainage works are carried out appropriately.

15. Road reserve landscaping

Lawn must be used for landscaping within the road reserve. Any other form of landscaping in the road reserve must be approved by Council.

Condition Reason: To ensure appropriate landscaping is used in road reserve.

16. Utilities and services - water and sewerage

Raw water, filtered water and sewerage are available and are to be connected to Councils services. Dual water supply lines are to be provided from the front boundary of the property. One line is to

convey filtered water to all fittings within the building and the other line to convey unfiltered water to all fittings outside the building i.e. garden taps, etc. A separate application is to be made to Council for approval to connect to Council's water mains prior to commencing any plumbing and drainage work.

Condition reason: To ensure relevant utility and service providers requirements are provided to the certifier.

17. Waste management plan

Before the issue of a construction certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:

Details the following:

- the contact details of the person(s) removing the waste
- an estimate of the waste (type and quantity) and whether the waste is expected to be
- reused, recycled or go to landfill
- the address of the disposal location(s) where the waste is to be taken

The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction.

Condition reason: To ensure resource recovery is promoted and local.

18. Works in Road Reserve

A Road Opening Permit is required from the Wentworth Shire Council prior to any works or excavation within the road reserve including but not limited to: water tapping, sewer, driveway crossings, tree planting or removal etc.

Please contact Councils Roads & Engineering Department on Tel: (03) 5027 5027 to arrange a permit.

Condition reason: To control development in the road reserve.

BEFORE BUILDING WORK COMMENCES

19. Construction Certificates and Appointment of Principal Certifier

Prior to the commencement of any building works, the following requirements must be complied with

- A Construction Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning & Damp; Assessment Act 1979,
- A Principal Certifier must be appointed, and Council must be notified in writing of the
 appointment irrespective of whether Council or a Registered Certifier is appointed; and notify
 Council in writing of their intention to commence work (at least two [2] days' notice is
 required).

	Condition reason: To ensure building works complies with relevant legislation and other codes.
20.	Contractor details notification The certifying authority must advise Council, in writing of:
	The name and contractor licence number of the licensee who has been contracted to do or intends to do the work, or
	2. The name and permit of the owner-builder who intends to do the work.
	If these arrangements are changed, or if a contract is entered into for the work to be done by a
	different licensee, Council must be immediately informed.
	Condition reason: To ensure building work is carried out by licensed contractor.
21.	Dial before you dig
	Underground assets may exist in the area that is subject to your application. In the interest of
	health and safety and in order to protect damage to third party assets please contact Dial before
	you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the
	development upon contact the Dial before You Dig service, an amendment to the development
	consent (or a new development application) may be necessary.
	consent (or a new development approacher) may be necessary.
	Individuals owe asset owners a duty of care that must be observed when working in the vicinity
	of plant or assets. It is the individuals responsibility to anticipate and request the nominal location
	of plant or assets on the relevant property via contacting the Dial before you dig service in advance
	of any construction or planning activities."
	Condition reason: To ensure existing infrastructure is identified.
22.	Erosion and sediment controls in place
	Before the commencement of any site or building work, the developer must be satisfied the
	erosion and sediment controls in the erosion and sediment control plan, (as approved by Council)
	are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).
	Condition reason: To ensure runoff and site debris do not impact local stormwater systems and
	waterways.
23.	Notice of commencement of works
	Subject to approval to commence works two days before any site works, building or demolition
	begins, the beneficiary of this consent must:
	1. Forward to Council notice of commencement of work and appointment of Principal Certifying
	Authority.
	2. Notify the adjoining owners that work will commence.
	Condition reason: To provide notification of works commencing.
24.	Rubbish/Waste Management
	Throughout the construction period, from commencement of work, a suitable rubbish

	containment structure is to be located on site and utilised.
	Condition reason: To ensure the construction site is kept clean and safe at all times.
25.	Storage of materials Throughout the construction period, from commencement of work, the storage of materials is not permitted on footpaths, roadways or in reserves. Rubbish and building materials must be contained on the site. Condition reason: To ensure the construction materials are stored on site in a tidy & safe manner.
26.	Toilet facilities Toilet facilities are to be provided on or in the vicinity of the building site. The toilet must be connected to a public sewer, or if connection to a public sewer is not practicable, an approved chemical closet. The toilet facility must be installed on-site prior to the commencement of any other work.
	Condition reason: To ensure workers and contractors have access to amenities on site.
27.	Tree protection measures Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place.
	Condition reason: To protect and retain trees.

DURING BUILDING WORK

28.	Approved Plans A copy of the stamped approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on site for the duration of site works and be made available upon request to either the Council or other Government Agencies. Condition reason: To ensure all parties are aware of the approved works to be conducted.
29.	Construction noise While work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out. Condition reason: To protect the amenity of the neighbourhood.
30.	Contamination discovered during works If during works on the land comprising the lot, the land is found to be contaminated, within the meaning of the Contaminated Land Management Act 1997: • all works must stop immediately, and • the Environment Protection Authority and the council must be notified of the contamination. • Land is found to be contaminated for the purposes of this condition if the principal

certifying authority knows or reasonably suspects the land is contaminated.

Note: Depending on the nature and level of the contamination, remediation of the land may be required before further work can continue.

Condition reason: To ensure contaminated land is managed appropriately.

31. Cut and fill (if applicable)

While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- All excavated material removed from the site must be classified in accordance with the EPAs
 Waste Classification Guidelines before it is disposed of at an approved waste management
 facility and the classification and the volume of material removed must be reported to the
 principal certifier.
- All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.

Condition reason: To ensure soil removal & replacement meets requirements.

32. **Encroachment of easements**

No works are to encroach over any easements.

Condition reason: To ensure works are not carried out over easements.

33. Hours of work

The developer must ensure that building work, demolition or vegetation removal is only carried out between:

- 7.00am to 6.00pm on Monday to Friday
- 8.00am to 1.00pm on Saturdays

The developer must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Councils approval.

Condition reason: To protect the amenity of the surrounding area.

34. Implementation of site management plans

While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan and the erosion and sediment control plan are implemented at all times. The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.

	Condition reason: To ensure the required site management measures are implemented during construction.
35.	Natural drainage Any works undertaken in the subject land including building and filling shall not cause alteration to the previous drainage in the subject land or adjacent land. Any remedies required to discharge drainage water caused to be accumulated by the works associated with this permit shall be the responsibility of the beneficiary of this consent. Condition reason: To ensure natural drainage is maintained where possible.
36.	Procedure for critical stage inspections While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.
	Condition reason: To require approval to proceed with building work following each critical stage inspection.
37.	Responsibility for changes to public infrastructure While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).
	Condition reason: To ensure payment of approved changes to public infrastructure.
38.	Security fencing An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project Condition reason: To ensure the site is secured during construction.
39.	Tree protection While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with: 1. The construction site management plan 2. The relevant requirements of any Australian Standard for the protection of trees on development sites This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.
	Condition reason: To protect trees during site works.
40.	Uncovering relics or Aboriginal objects While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage

Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

- "relic" means any deposit, artefact, object or material evidence that: (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - a) is of State or local heritage significance; and
- "Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

Condition reason: To ensure protection of objects of potential significance during works.

41. Waste management

While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contact details of the person(s) who removed the waste
- The waste carrier vehicle registration
- The date and time of waste collection
- A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill
- The address of the disposal location(s) where the waste was taken
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.

Condition reason: To require records to be provided, during construction, documenting that waste is appropriately handled.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

42. Completion of landscape and tree works

Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree-works, including pruning in accordance with AS 4373-2007 Pruning of amenity trees and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.

Condition reason: To ensure the approved landscaping works have been completed before occupation, in accordance with the approved landscaping plan(s).

43. Completion of public utility services

Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority. Before the issue of the occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.

Condition reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.

44. Fire Safety Certificate

Prior to the issue of the occupation certificate, a Fire Safety Certificate must be issued in accordance with Part 11 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Condition reason: To ensure fire safety requirements have been met.

45. **Occupation Certificate**

The building shall not be occupied or used until an Occupation Certificate is issued either by council or by an accredited certifier.

Condition reason: To ensure development is accredited.

46. Removal of waste upon completion

Before the issue of an occupation certificate, the principal certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the principal certifier.

Before the issue of a partial occupation certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the principal certifier's satisfaction.

Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.

47. Repair of infrastructure

Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.

Note: If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.

Condition reason: To ensure any damage to public infrastructure is rectified.

OCCUPATION AND ONGOING USE

Additional structures No additional structures are to be built or installed on the site without permission from the
Wentworth Shire Council.
Condition reason: To ensure only approved work is carried out
Amenity of the neighbourhood The operation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products.
Condition reason: To ensure the amenity of the neighbourhood is not compromised unreasonably.
Maintenance of wastewater and stormwater treatment device During occupation and ongoing use of the building, the beneficiary of this consent must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective.
Condition reason: To protect sewerage and stormwater systems.
Ongoing use – permanent group home with garage The proposed garage cannot be used for habitation.
Condition reason: To ensure appropriate use as per approval.
Release of securities / bonds When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held. Council may use part, or all of the securities held to complete the works to its satisfaction if the works do not meet Councils requirements.
Condition reason: To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction.

9.17 DA2025/060 PERMANENT GROUP HOME 22 MIDWAY DRIVE LOT 30 DP 1288183 BURONGA

File Number: RPT/25/273

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Georgie Martin - Cadet Planner

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

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

Summary

A development application (DA2025/060) was received by Council on 19 March 2025, for a permanent group home to be situated upon 22 Midway Drive Lot 30 DP 1288183 Buronga.

Under the Wentworth Local Environmental Plan (WLEP) 2011 and the State Environmental Planning Policy (Housing) 2021, this development is permitted with consent within the RU5 – Village zoning.

The application seeks development approval for the construction of a permanent group home which will be used for the accommodation of people with a disability under the NDIS Scheme. The building will consist of three bedrooms for people with disability and one bedroom for overnight assistance, with each bedroom having an ensuite. Other features of the permanent group home include an open plan kitchen, dining and living area, and an alfresco area. A single disabled car park has been provided within the garage.

The application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification 14 submissions were received by Council objecting to the proposed development.

The State Environmental Planning Policy (Housing) 2021 states that a consent authority must not refuse consent to the development for the purposes of a group home unless the consent authority has made an assessment of the community need for the group home.

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

Recommendation

That Council:

- 1. Approve subject to conditions DA2025/060 for a permanent group home to be located at 22 Midway Drive Lot 30 DP 1288183 Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Detailed Report

Purpose

The purpose of this report is to provide information to Council to determine Development Application DA2025/060, having consideration to the detail provided both within this report and the attachments provided.

Background

A Development Application was lodged with Council on 19 March 2025 seeking consent for a permanent group home on the subject lot.

The subject lot is in the RU5 Village zone under the *Wentworth Local Environmental Plan 2011* (WLEP 2011).

DA2025/060 was publicly notified as per Council Community Participation Plan for 14 days, with a total of 14 submissions objecting to the proposal received during this period. These submissions can be found under attached documents.

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

Refer to attachment 1 – Development Application

Refer to attachment 2 - Plans

Refer to attachment 3 – Statement of Environmental Effects

Matters under consideration

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

The proposed development was assessed and complies with relevant provisions of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 and the State Environmental Planning Policy (Housing) 2021.

The proposed development for a permanent group home is permitted with consent and meets the zone objectives of the RU5 – Village zone under the WLEP 2011.

Due to the zoning and WLEP 2011 mapping impacting the land, the development application was assessed against clauses 7.1 & 7.2. The development application was able to satisfy the matters for consideration under these clauses.

Due to the nature of the proposed development, it was assessed against Chapter 8 of the Wentworth Development Control Plan (DCP) 2011. The development complies with relevant provisions under this chapter.

The Wentworth Disability Inclusion Action Plan 2022 – 2026 is a requirement under the *Disability Inclusion Act 2014 (NSW)* (DIA / The Act). The Act required all NSW Local Government Areas to develop a Disability Inclusion Action Plan. Wentworth Shire Councils adopted plan states the following:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved

transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Public notification of the development application was conducted as per the Council Community Participation Plan for 14 days, whereby any submission received must at a minimum provide the following:

- Clearly identify the matter to which the submission relates,
- State the grounds for any support or objection expressed in the submission,
- Include appropriate contact details

Summary of concerns raised in submissions:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area
- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,
- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Response from Assessing Officer to concerns raised is as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy – Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.

- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is
 no planning strategy for specialised housing, only the Housing SEPP, which permits
 these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as detailed in assessment above will need to occur and this will fall to compliance with any approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.

Based on the assessment of the application, it is determined that the proposed development is compliant with relevant objectives of the RU5 – Village zoning under the WLEP 2011. The proposed development meets the relevant provisions of the Wentworth DCP 2011 and is consistent with planning matters for consideration of the WLEP 2011. The proposed development complies with matters for consideration under the *State Environmental Planning Policies – Biodiversity & Conservation (2021) and Housing (2021)*.

Refer to attachment 4 – Submissions (objections)

Refer to attachment 5 – Submissions (supportive)

Refer to attachment 6 – 4.15 Assessment report

Refer to attachment 7 – Conditions of Consent

Options

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

Approve Development Application DA2025/060 subject to conditions.

Legal, strategic, financial or policy implications

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

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

Conclusion

Having consideration of the consent of this report it is concluded that the appropriate course of action is to approve DA2025/060 subject to conditions.

Attachments

- 1. Development Application (Under Separate Cover) ⇒
- 2. Site Plans (Under Separate Cover) ⇒
- 3. Statement of Environmental Effects !
- 4. Submissions (objections) (Under Separate Cover)⇒
- 5. Submissions (supportive) (Under Separate Cover)⇒
- 6. 4.15 Assessment Report

 ...
- 7. Conditions of Consent





EXECUTIVE

SUMMARY

Proposal	Construction of a Permanent Group Home		
Street Address	22 Midway Drive, Buronga		
Formal Land Description	Lot 30 in Deposited Plan 1288183		
Zone	RU5 - Village		
Relevant State Environmental Planning Policies	SEPP (Housing) 2021 – Chapter 3, Part 2 Group Homes – Clause 62		







SUBJECT SITE AND

SURROUNDING AREA

The subject site comprises one parcel of land commonly known as 22 Midway Drive, Buronga, and more formally as Lot 30 in Deposited Plan 1288183. The site is rectangular in shape and is relatively flat. It has an area of 650 square metres (sqm) and a frontage of 18.5 metres (m) to Midway Drive. The site is currently vacant, but all reticulated services are available. No heritage or cultural sensitivities affect the land and there are no natural hazards or environmental sensitivities including native vegetation.

The site is situated within a new stage of Midway Estate, which comprises vacant land and established dwellings.

An aerial image of the site and surrounding area as well as site photos are contained on the following pages.

Aerial Image of the Site and Surrounding Area



Figure 1: Subject site and surrounding area (Source: Landchecker Sept 2024)







Site Photos



Figure 2: View of site from Midway Drive



Figure 3: View of the site from the north



JACKSON PLANNING



Figure 4: View of the site from the east



Figure 5: View of the site from the south







PROPOSAL

DESCRIPTION

This application is for the construction of a Permanent Group Home, as summarised under the following points:

- The proposed Permanent Group Home will be used to accommodate people with a disability on a permanent basis under the NDIS Scheme. The plans have been assessed and certified by an accredited SDA assessor.
- The building is single storey and contains three bedrooms for people with a
 disability and one bedroom for on-site overnight assistance. Each bedroom has
 an ensuite and other internal features include an open plan kitchen, dining and
 living area, separate living area, separate bathroom, European laundry, alfresco
 and single garage.
- The external appearance of the building is contemporary with brick wall cladding and corrugated Colorbond iron roof cladding.
- The building has a maximum height of 4.8m above natural ground.
- One car parking space (to disabled parking standards) can be accommodated within the garage and one car parking space can be accommodated within the driveway.
- A new crossover is proposed to provide access to the garage.
- Approximately 300sqm of the site is private open space and approx. 270sqm can be landscaped.
- The development will be connected to all reticulated services, with the exception of gas.







PLANNING

CONTROLS AND ASSESSMENT

Wentworth Local Environmental Plan 2011 (LEP)

The Subject site is within the RU5 - Village

The objectives of the zone are:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

The proposed Permanent Group Home is located within a recently released stage of the Midway Estate and will provide for residential diversity in an appropriate location. The building will provide much needed housing for people with a disability and is compatible with existing residential development in the surrounding area. The building has been designed to be energy efficient and is appropriately located so as not to unreasonably impact on the adjoining land. As such, the proposal supports the objectives of the RU5 zone.

Wentworth Development Control Plan

Chapter 2 – Plan Objectives

The following General Development Objectives are relevant to this application:

 Residential land is to be developed with the creation of neighbourhoods comprising a range of housing styles and densities to cater for a diverse demographical profile of the local government area.







• Residential growth shall be promoted in areas identified as urban release area.

The following Locality Objectives for Buronga and Gol Gol are relevant to this application:

- A safe, convenient and attractive neighbourhoods that meet the diverse and changing needs of the community and offers a wide choice of housing, leisure, local employment opportunities and associated community and commercial facilities.
- A site responsive approach to urban development that supports and enhances the context in which it is located, strengthens local character and identity, and promotes a sense of community.

In addition to this, Section 2.2 - Social and Community outlines that:

The proposed future development of Buronga and Gol Gol will result in an increased demand for additional community infrastructure. This includes:

- Expansion of the range of community facilities and services;
- Improvement of public transport links within and external to the area;
- Provision of additional government and health services; aged care services; child care facilities and education/training services; and
- Promotion of community image and events including sport and recreation.

It is clear that the proposal is supported by the objectives of the Wentworth Development Control Plan which indicate that there is a strong need for diverse housing to provide for the changing needs of the community. The proposed Permanent Group Home will provide much needed accommodation for people with a disability and is of a high construction standard.

Chapter 3 - General Development Controls

5 Vehicular Access and Parking

This development control aims to provide sufficient and convenient parking for residents, visitors and service vehicles; to ensure vehicular and pedestrian safety and to encourage access design to form part of the overall landscape design. The relevant subclauses are discussed below.







5.1 Parking Layout, Servicing and Manoeuvring

The proposed car parks will be located in the garage and driveway, which is typical for car parking in a residential setting.

5.2 Specific Land Use Requirements

The following car parking requirements apply to the proposal:

 Housing for older people or people with a disability – Refer to State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004.

The SEPP referenced in the DCP no longer exists. Two car parking spaces are provided for the proposed Permanent Group Home which complies with Schedule 2 (17) of the State Environmental Planning Policy (Housing) 2021.

Chapter 4 - Residential Development Controls

4.1.1 Site Context and Analysis

The plans submitted with this application demonstrate how the proposed development responds to site specific conditions and the site has been described in detail previously in this report. The site is within a recently released stage of the Midway Estate which contains vacant land and existing dwellings of a similar size, scale and sitting. The site does not have any specific constraints and the topography is relatively flat.

4.1.2 Streetscapes

The proposed building will have a positive impact on the streetscape. A number of habitable room windows overlook the street to provide for casual surveillance. The proposed garage occupies only a small portion of the frontage and is setback behind the main façade of the building. The building has a clearly identified entry from the street and has been designed to be energy efficient. The external materials and colours will complement existing dwellings in the broader area which have external materials and colours that vary considerably.







4.1.3 Front Setback

The building has a front setback of 4.5m, which is less than the 6m sought within the Wentworth DCP. It is worth noting that 4.5m is a commonly accepted front setback in developing areas and is the minimum requirement to meet the CDC criteria. The front setback of the recently constructed dwelling on the adjoining allotment to the south has a front setback of 4.5m. As such, the proposed front setback is consistent with this and will not bring rise to any character or streetscape related issues.

4.1.4 Side setbacks and Corner Lot Setbacks

The side setbacks of the proposed building are 3.95m from the southern boundary and 4m from the northern boundary (combined total exceeding 4.5m), which complies with this Control.

4.1.5 Rear setbacks

The proposed building is located 5.69m from the rear boundary, which meets this Control.

4.1.6. Walls on Boundaries

Not applicable. No walls on boundaries are proposed.

4.1.7 Building heights and overshadowing

The proposed building is unlikely to overshadow the private open space of the existing dwelling to the south as it is single storey and has relatively generous setback from the southern boundary.

4.1.8 Site Coverage

The site coverage is approximately 39%, although it is noted that this control only applies to single dwelling houses and dual occupancies.

4.1.9 Private Open Space

At 300sqm, private open space is well in excess of the 40sqm minimum requirement. There is an area of secluded private open space at the rear of the building also well in excess of 25sqm, with a minimum dimension of 3m accessed from the main living area.







4.1.10 Energy Efficiency and Solar access

Appropriate solar access and energy efficiency is achieved given the orientation of the site and distance between windows and boundaries. A BASIX is not required as a standard residential dwelling is not proposed.

4.1.11 Daylight to existing windows

The proposed building will not impact daylight to existing dwellings as there are generous side and rear setbacks and the building is single storey.

4.1.12 North-facing windows

Not applicable – there are no existing north facing windows within 3m of the boundary. The adjoining dwelling to the south is setback 3m from the common boundary.

4.1.13 Overlooking

Not applicable – the proposed building is single storey and will not be notably raised above existing surface levels. A 1.8m high solid boundary fence will provide for privacy between lots.

4.1.14 Fencing and Retaining Walls

No fences or retaining walls are proposed as part of this application. The boundary fence will be made to comply with the SEPP Exempt and Complying Development Codes 2008 (Part 2, Subdivision 17).

4.1.15 Car Parking and Vehicle Access

Car parking has been discussed previously.

4.1.16 Cut and Fill

As the site is relatively flat, only minimal earthworks are anticipated and will not exceed 0.3m of cut or fill.







State Environmental Planning Polices (SEPP)

SEPP (Housing) 2021 - Chapter 3, Part 2 Group Homes - Clause 62

This Clause contains requirements for consent authorities when determining Development Applications.

General Assessment

Visual Impacts

Please refer to DCP assessment.

Open Space

Please refer to DCP assessment.

Overshadowing and Privacy

Please refer to DCP assessment.

Noise

Only standard domestic mechanical plant will be associated with the proposed building, which will emit noise typical for a residential area.

Erosion Control Measures

No specific erosion control measures are considered necessary for this development. Any minor earthworks will be appropriately battered and retained (if necessary).

Economic and Social Impacts

The proposed building will contribute to the social wellbeing of the Buronga township by providing suitably designed housing to accommodate disabled persons. It also contributes to investment in the Buronga/Gol Gol Area.







Environmental Benefits

Due to the nature of this development, no significant environmental benefits are envisaged.

Disabled Access

The proposed building has been designed to comply with all disabled access standards and the plans have been assessed and certified by an accredited SDA assessor.

Security, Site Facilities and Safety

Not applicable for this application.

Waste Management

Standard domestic waste services will be provided by Council.

National Construction Code

The National Construction Code will be assessed as part of the Construction Certificate process by a Building Surveyor.

Traffic

The proposed building will result in standard domestic travel within the existing road network. This would have been anticipated and accounted for in the design of the subdivision.

Stormwater/flooding

The site is not subject to any identified natural hazards and stormwater will be directed to the legal point of discharge.







CONCLUSION

This report demonstrates that the proposal is consistent with the relevant provisions of the Wentworth Local Environmental Plan 2011 and the Wentworth DCP.

The proposed Permanent Group Home is appropriate for the site as it:

- Supports the objectives of the Zone RU5 Village;
- Is appropriately located on the subject site;
- Will have an acceptable impact on the locality in terms of amenity and visual dominance; and
- Will not result in any detrimental impacts on the environment.

It is considered that the proposal is worthy of support, and it is therefore respectfully requested that the Wentworth Shire Council grant Development Consent for the construction of a Permanent Group Home as described in this report at 22 Midway Drive, Buronga.







Health & Planning Department

61 Darling Street PO Box 81

WENTWORTH NSW 2648

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

DA Assessment Report Section 4.15 Evaluation

Environmental Planning & Assessment Act 1979 as amended

File Reference: DA2025/060 & PAN - 519026

Property Title & Address: 22 Midway Drive Lot 30 DP 1288183 Buronga P561/0443

Property owner(s):SUPAVEST SPV FOUR PTY LTDApplicant(s):JACKSON PLANNING – Matt JacksonProposal:Permanent Group Home with garage

Previous DAs: N/A

Cost of proposed development: \$715,513.06

SITE AND SURROUNDING DEVELOPMENT

The subject site comprises of Lot 30 DP 1288183, 22 Midway Drive, Buronga. The lot has an area of 650m² and connects to Sturt Highway to the South through Midway Drive, connecting through to the developing locality within the Midway area and surrounding locality.

The subject site is zoned within the RU5 – Village zone under the Wentworth Local Environmental Plan (WLEP) 2011. The subject site is a rectangular shaped lot with no vegetation removal proposed as site was recently cleared during the subdivision process. The lot is not impacted by easements or environmental factors.

The site is not within the bushfire prone, flood way or flood planning, terrestrial biodiversity, wetlands, or urban release mapped area and contains no known heritage constraints.

DESCRIPTION OF PROPOSAL

The proposal seeks development consent for the construction of a single storey dwelling with garage to be utilised as a permanent group home, which will provide accommodation for people on NDIS plans with ongoing disabilities as per the NDIS requirements. The dwelling is proposed to accommodate three participants and one overnight assistance personnel. The lot has a total area of 650m² with the dwelling proposed to have a floor area of 256.58m², broken down into the following:

Dwelling: 209.31m² – Garage: 28.17m² – Alfresco: 16.20m² – Porch: 2.89m².

One car parking space suitable for disability requirements is provided within the garage, with a standard parking space accommodated within the driveway area.

HISTORY RELEVANT TO THE DEVELOPMENT APPLICATION

N/A

SECTION 4.15-MATTERS FOR CONSIDERATION

(1) The provisions of any environmental planning instrument and development control plan

State Environmental Planning Policy (Biodiversity & Conservation) 2021

The proposed development is proposed to be located upon on a lot that is under 1ha in size and clear of vegetation following previous subdivision. No native vegetation is to be removed for construction, with no impact to any potential habitat for fauna. The site is not known koala habitat, as such, no assessment required against Chapters 3 or 4. The proposed development is not located within close proximity to the river of other waterbody, and as such, no assessment is required against Chapter 5.

State Environmental Planning Policy (Housing) 2021

Clause 60 (a) does not identify the land zoning of RU5 as a prescribed zone suitable for group home development, however, clause 60 (b) states that any other zone under an environmental planning instrument were dwelling houses may be carried out with consent is categorised as a prescribed zone.

The RU5 – Village zone under the WLEP 2011 lists dwelling houses as permitted with consent.

Clause 61 identifies that the proposed group home is permitted with consent as it is proposed on land zoned RU5 – Village under the WLEP 2011. In terms of the hierarchy of legislation, the SEPP overrides the WLEP 2011 in terms of any inconsistency as per section 3.28 of the EP&A Act.

Under clause 62 a consent authority (Council) must not:

- refuse a group development unless an assessment of the community need has been done
- Impose a condition of consent specifically because a development is a group home.

State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX Certificate has not been provided as it is not required due to the proposed development being class 3 under the Building Code of Australia.

Further, as it is assumed that the development will be certified as a Class 3 building under the BCA at the construction stage, in line with the *Comprehensive Guide to BASIX*, a BASIX Certificate is not needed.

Wentworth Local Environmental Plan (LEP) 2011

The proposed development of a permanent group home for the provision of accommodation for participants within the NDIS scheme is permitted with consent and meets the zone objectives of the RU5 – Village zoning under the Wentworth Local Environmental Plan (WLEP) 2011, under which the subject site is located. The main supportive objective is to provide for a range of land uses, services and facilities that are associated with a rural village. The development of a NDIS based permanent group home will allow for services for those with disabilities to live mostly independently with assistance.

Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

A group home meets the definition of a dwelling as follows:

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

Group home means a permanent group home or a transitional group home. Group homes are a type of **residential accommodation**.

Group home (permanent) or permanent group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which <u>State Environmental Planning Policy (Housing) 2021</u>, Chapter 3, Part 5 applies.

Clause 7.1 Earthworks

Any earthworks will be conditioned and form part of the approval.

Clause 7.2 Essential Services

Connection of services has been made possible during the previous subdivision of the development site.

Wentworth Development Control Plan (DCP) 2011

The proposed development is acceptable against the relevant provisions of the Wentworth Development Control Plan (DCP) 2011 as outlined in the table below.

Wentworth DCP	Chapter 8	Acceptable	Not Acceptable	N/A	Reason
	5.1.1 Site context	Х			Positioning of the proposed building on site makes use of available land while leaving space for private open space and providing suitable access for residents of the permanent group home facility. Materials used will compliment other structures in the surrounding area.
	5.1.2 Streetscape	X			The proposed building will be in keeping with few existing developments in the area with windows facing the street for casual surveillance and a garage setback from the facade of the main portion of the building. It is anticipated that future development in the area will be similar and compatible with this DA.
	5.1.3 Front Setback		х		4.5m – does not meet
	5.1.4 Side setbacks	х			Southern: 3.95m – meets Northern: 4m – meets
	5.1.5 Rear setback	Х			5.69m – meets
	5.1.6 Walls on Boundaries			Х	N/A as no walls on boundaries
	5.1.7 Building heights and overshadowing			X	N/A as not a two-storey building

5.1.8 Site Coverage	Х		Proposed development does not cover more than 60% of site (48% approx.)
5.1.9 Private open space	Х		Ample room for private open space available
5.1.10 Energy & solar access	Х		Proposed development meets requirements of the Energy Efficiency Compliance Assessment
5.1.11 Daylight to existing windows	Х		No impact anticipated from the single storey building to surrounding neighbours.
5.1.12 North facing windows		X	N/A as no north facing windows within 3m of boundary.
5.1.13 Overlooking		X	N/A as development approval is for a single storey building
5.1.14 Fencing and retaining walls		X	N/A approval not for fencing or retaining walls
5.1.15 Car parking and vehicle access	X		The site provides for one (1) disability access car parking spaces within the garage as per requirements under the Housing SEPP one space within the garage and another singular space is provided in the driveway of the proposed development site. Access to the site is provided via a crossover to council standards to be detailed within conditions of consent. Two parking spaces in total, one being to disability standards.
5.1.16 Cut and fill	x		Earthworks will be conditioned as part of approval

Development Control	WDCP 2011 requirement for RU5 Village zone	Proposed Permanent Group Home
Front setback	6m minimum	4.5m
North side setback	1m minimum	4m
South side setback	1m minimum	3.95m
Rear setback 3m minimum		5.69m

The front setback does not meet DCP requirements of 6m, being only 4.5m, however, many new developments in newly subdivided areas are utilising a front setback of only 4.5m to allow better use of allotment space. Additionally, other developments in the surrounding area have front setbacks under the required 6m, even down to 3m.

(2) The provisions of any draft environmental planning instrument

There is no Division 3.4 draft environmental planning instrument that affect the proposed development. (Post 1 July 2009 LEP amendments).

(3) Any matters prescribed by regulations

There are no further matters prescribed by regulations.

(4) The likely impacts of the development

There are no likely impacts from the proposal as discussed in the table below.

·	1	· · · · ·	tile p	roposal as discussed in the table below.
Impact item				Comment
(insert an ' x ' in the				
relevant section)		ole		
	e	Not acceptable	Not relevant	
	Acceptable	cep	ev:	
	ept	ac	rel	
	သ	ot	ot	
Context and setting	v	Z	Z	The proposed permanent group home building will look similar in
Context and setting	Λ			external design to the few existing residential developments in the
				immediate area
Public domain &	X			The proposed permanent group home building meets the required
Streetscape &	Λ			setbacks as provided and justified in assessment above (DCP)
Streetscape				
Landscaping			X	Not part of this application
Stormwater	X			Discharge to legal point of Councils stormwater system to be
				conditioned
Heritage	X			None on site
Soils & Soils Erosion	X			Earthworks and erosion control to be conditioned as part of
				approval
Air and microclimate	X			No effect from proposed development anticipated
Water Resources	X			Noted – development located adequate distance from water sources
water Resources	Λ			Noted – development located adequate distance from water sources
Biodiversity (Flora &	X			As the site was cleared of any vegetation during the subdivision
Fauna)				process – no effect on existing flora or fauna,
Land Resources	X			None known at this site
Utilities	X			Utilities are available to the property
Access & Parking	X			Adequate access and parking are available to the site, development
				provides disability parking space as per requirements in line with
				Housing SEPP and
Roads & Traffic	X			Increase to area anticipated during construction with slight increase
				as new residents move into the completed building
Solar Access and Energy	X			Will be required to meet energy requirements of Part J1 of the BCA
Efficiency				
Overshadowing			X	Not relevant as surrounding land vacant and single storey
S				development
Privacy & Overlooking			X	Not relevant as single storey building
Flooding			X	Not in flood planning area
Bushfire Prone Area			X	Property not within bushfire prone land
Noise	X			Only significant increase anticipated during construction, then
				residential noise ongoing
Technological hazards	X			No known hazards on site or anticipated
Safety, Security & Crime	X			No detrimental effects anticipated from development in this
Prevention				location. Windows facing street will provide casual surveillance
	1		1	provide the second seco

Social and Eco	nomic X	No detrimental effects anticipated
Impacts		

The NDIS outlines high physical support SDA housing as housing that includes a high level of physical access for people who need very high levels of support. For example, you may need a ceiling hoist, backup power supply, or home automation and communication technology.

Further, level of functioning is defined as:

"The umbrella term for any or all of body functions, body structures, activities and participation. Level of function indicates the impact a participant's disability has on how a person is able to perform tasks and actions in a life area, as represented by a 'severity score' 'High functioning' indicates lower service and support requirements with a lower severity score, and 'low functioning' indicates higher service and support requirements with a higher severity score."

Image 1: Snip showing five bands of low level of function. (*Explore data NDIS*. https://dataresearch.ndis.gov.au/explore-data current as of 22 April 2025).

Active participants by Level of Function The number of active participants as at the end of the selected quarter. Those who have been determined eligible and have an approved plan. (There are also cases where a participant's plan has expired and a new plan has not formally commenced, but they have not exited the Scheme. These individuals are also counted as active participants.) (?) Active participants Average committed support Average payments Table Graph Period LGA State/Territory **Level of Function** Active participants Q2 FY24/25 Wentworth (A), NSW < 11 9 (Medium) QZ FYZ4/25 Wentworth (A), N5W 10 (Medium) 27 Q2 FY24/25 Wentworth (A), NSW 11 (Low) <11 Q2 FY24/25 Wentworth (A), NSW 12 (Low) 18 Q2 FY24/25 Wentworth (A), NSW 13 (Low) < 11 Q2 FY24/25 Wentworth (A), N5W 14 (Low) < 11 Q2 FY24/25 Wentworth (A), NSW 15 (Low) < 11 Q2 FY24/25 Wentworth (A), N5W Missing < 11

If we take < 11 to mean there are roughly ten participants in the associated (low) band, the above image then identifies that the five bands total 68 participants. This therefore identifies that there is a population with requirements for higher servicing and support requirements, being low functioning and having a higher severity score.

Low functioning participants as per the level of functioning definition require higher levels of support.

From the same dataset (as taken from the above website on the same date), there are 198 active participants who have been deemed eligible and have an approved plan under the NDIS. This dataset does not encompass all of those with disabilities that require support within the Wentworth LGA, indicating there may be more not accounted for as they are not active participants or are waiting for availability.

From the above 198 active participants, none have approved plans encompassing SIL / SDA.

The Inquiry Report: Own Motion Inquiry into Aspects of Supported Accommodation (NDIS Quality and Safeguards Commission, January 2023)

The above report states the following on page 23:

- a suburban house (SDA or otherwise) where a group of people with disability live together, each with their own bedroom (sometimes with ensuite), sharing a common living room, kitchen, bathroom and garden, and with an area of the house used as office space for staff.
- a number of suburban houses (as above) located in relatively close proximity to each other, sometimes with direct links between each of the houses (for example through a garden gate), with a team leader or manager overseeing supports across the network.

This reinforces the ability for SDA dwellings to be located in close proximity to one another.

Wentworth Disability Inclusion Action Plan 2022 - 2026

The Wentworth Disability Inclusion Action Plan 2022-2026 has a focus area that directly identifies housing for those with disabilities – 2; Livable Communities which states the following: Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing.

The plan, in line with the identified focus area aims to attribute to the positive experience of those with a disability, their families and supporters, through access to community places, buildings and events.

As there are currently no SDA housing facilities within the LGA, the proposal to develop them is in line with the Disability Inclusion Action Plan with the aim of providing housing, eliminating the barrier of housing access to those that require it.

Further, the following are direct quotes from the plan:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Approach to characterization and permissibility under LEPs

It needs to be noted that the development of Permanent Group Homes is permitted under legislation, both the Wentworth Local Environmental Plan 2011 and the State Environmental Planning Policy (Housing).

The case of *Botany Bay City Council v Pet Carriers International PTY Limited* [2013] NSWLEC 147 reiterates that land use tables within LEPs can use many means by which to define what development is permissible by identifying either *nominate* or *innominate* purposes.

His Honor, Preston CJ, stated the following:

A nominate purpose is one which the environmental planning instrument expressly nominates by name as being within one of the three classifications. Hence, the land use table for a zone may nominate particular categories of purposes of development as being within the classifications of development that may be carried out without consent, development that may be carried out with consent, or development that is prohibited.

An innominate purpose is one which the environmental planning instrument does not nominate by name as being within one of the three classifications, but rather identifies as falling within a particular classification by reason of it not being nominated in other classifications; it is development other than development in the other classifications. Hence, the land use table for a zone may classify as prohibited development, development for a purpose other than a purpose nominated as being able to be carried out without consent or with consent.

In the case of permanent group homes, as they are not directly identified within the RU5 – Village zoning as an independent type of development but fall under "any other development not specified in items 2 or 4", they are therefore innominate and permissible with consent.

(Compatibility Test) Project Venture Developments Pty Ltd v Pittwater Council [2005]

There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale, or appearance, though as the difference in these attributes increases, harmony is harder to achieve.

The physical impacts, such as noise, overlooking, overshadowing, and constraining development potential, can be assessed with relative objectivity. In contrast, to decide whether or not a new building appears to be in harmony with its surroundings is a more subjective task. Analysing the existing context and then testing the proposal against it can, however, reduce the degree of subjectivity.

For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment.

In some areas, planning instruments or urban design studies have already described the urban character. In others (the majority of cases), the character needs to be defined as part of a proposal's assessment. The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks, and landscaping. In special areas, such as conservation areas, architectural style and materials are also contributors to character.

In order to test whether a proposal is compatible with its context, two questions should be asked.

- Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites. (Test One)
- Is the proposal's appearance in harmony with the buildings around it and the character of the street? (Test two)

Test One:

The proposal of a permanent group home, being constructed as a dwelling, does not constitute any physical impacts on the surrounding development. The surrounding development consists of dwellings with outbuildings.

Physical impacts will not occur as the development design is that of similar size, scale and sitting to existing development in the immediate and surrounding area. The applicant has identified the permanent group homes to have external materials and colouring that complements existing dwellings in the surrounding area.

It should be noted that Wendy Court itself, where the main streetscape occurs, has minimal development existing, being two dwellings and an allotment with an outbuilding.

There will be no issues regarding side setbacks as a physical constraint, as setbacks adhere to requirements under the Wentworth Development Control Plan, some rear setbacks do not meet requirements, but it should be noted that habitable building space does not encroach the setbacks, only alfresco areas that are open in design. Front setbacks may not meet the required 6m, however, as discussed in the DCP assessment, in newly developed areas, setbacks from the front boundary can be accepted at 4.5m for RU5 – Village zoned land.

Test Two:

The proposal of a permanent group home will be in harmony with the development within the estate area. Permanent group homes are designed as and meet definitions of dwellings, which is the main development in the estate area and will not alter the harmonic design, rather increasing development in the area and encouraging use of the RU5 – Village zoning whereby a range of services and facilities need to be available, including disability accommodation for the impacted community members.

Harmony is often defined as "the quality of a pleasing and consistent whole", with the permanent group homes not causing impact as the development will be that of dwellings in a residential area attributing to the existing use and character of the estate. Impact to Summer Drive through harmonious development should not be impacted due to separating fences and differing streetscapes (existing development vs minimally existing development).

The permanent group homes will be of the same design, therefore harmonious to themselves and attributing to consistency of the area.

The permanent group homes are dwellings and will not impact the character of the area. The use of each dwelling is subject to residential purposes such as long term accommodation, which is provided through the group homes. The use of existing dwellings in the area is no different to the accommodation purposes of the group homes, with additional assistance for the residents of the group homes required.

New Century Developments Pty Limited v Baulkham Hills Shire Council [2003] NSWLEC 154 revised - 5/09/2003 (social impact, large number of objectors, character and amenity of area).

The above caselaw provides examples of amenity, reiterates development characteristics and any further associated issues, as well as substance of community responses to proposed development.

"(61) In circumstances such as the present case, however, the consent authority must not blindly accept the subjective fears and concerns expressed in the public submissions. Whilst such views must be taken into consideration, there must be evidence that can be objectively assessed before a finding can be made of an adverse effect upon the amenity of the area... the views of residents of the area, those views will be accorded little, if any, weight if there is no objective, specific, concrete, observable likely consequence of the establishment of the proposed use."

The above quote from the caselaw states plainly that evidence must be provided for submissions to be assessed. Council cannot take submissions with little to no planning grounds as having an adverse impact to the development of what is defined legally as a permanent group home under the WLEP 2011.

There are no specific issues raised in submissions received regarding the proposed group home development.

Submissions received as objections rather centre around the use of the development and those that would use it, however, this is not for Council to mandate as we are not the managing authority, only the consent authority. Submissions referenced the following:

- Property valuation
- Proximity of group homes to each other
- Behaviour concerns of NDIS participants
- Potential for property damage
- Disturbances caused by NDIS participants
- Location of group homes in locality for NDIS participant access to services
- Lack of Council transparency
- Concerns for the childcare centre in proximity to proposed group homes
- No need for further group home development

"(64) The assessment of the specific objections raised by the local residents shows that the concerns raised by them, objectively assessed, must be afforded little weight. As is shown by the consideration of the specific objections, discussed above, they appear to have little basis in fact."

Th above quote from the caselaw states that if concerns have been assessed based on the objectives (mainly directed at NDIS management and use of the proposed group home dwelling – therefore not specific legislative <u>planning grounds</u>), then submissions **must** be afforded little weight, therefore not considered as little fact is apparent.

"(71) In summary, I have concluded that the proposed development would be compatible with the rural residential character of the area and would not have an adverse impact on the amenity of the area, including social impact. While I recognise that there is strong community opposition to the proposal and that the residents have real fears, these fears must have foundation and a rational basis, which in this case is absent."

The above quote from the caselaw states that the ultimate outcome of the case as decided by the Judge, was that the proposed development was compatible with the character of the existing area and would not have an impact on the amenity of the area. Community opposition was recognised but the concerns were found to have no foundation or rational basis (planning grounds).

In relation to the proposed group home, no planning grounds for the proposal are seen, merely concerned community members referencing issues relative to unjustified fears based on the use of the development. No foundation (fundamentals of planning legislation) are presented by submitters, as addressed by Council.

Understanding the Local Impact of New Residential Development: a Pilot Study Christine Whitehead and Emma Sagor with Ann Edge and Bruce Walker LSE London April 2015

The report identifies that opposition to new dwelling development is driven by local communities feeling that they will gain little benefit from new dwellings and that negative impacts may arise, such as infrastructure pressure and lack of services, as well as residential valuation impacts.

The report solidifies and states that planning literature does not often and is not required to, address impacts to housing valuation or pricing as this is not directly related to planning decisions which are assessed against relevant legislation, as well as broader economic, environmental, and social factors.

Further Information of Relevance

The 2019 Issues Paper – Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) focuses on group homes as a form of accommodation where supports are provided for four (4) to six (6) long-term residents with a disability. The proposed group home under assessment is for residential accommodation of up to three people

This Issues Paper states plainly that all building work (in regard to group homes) must comply with requirements under the Building Code of Australia (BCA), this is a consideration for the construction certificate and certification stage of the development.

Further, the Issues Paper also states that group homes are defined under the NDIS Rules 2016 as "houses that are (or will be enrolled) to house four to five long-term residents... typically classified as Building Class 1(b)(i) or 3 under the Building Code of Australia."

As per the document *Understanding the NCC – Building Classifications* published by the NCC, a Class 1b building is a boarding house, guest house or hostel that has a floor area less than 300 m2 and ordinarily has less than 12 people living in it, and Class 3 buildings are a common place of long term or transient living for a number of unrelated people.

The 2020 Issues Paper – Overview of responses to Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) identifies the following on page seven (7) under Potential good practice in group homes:

- Role of group homes is conditional upon providing residents wit control and choice over their location,
- Group homes can promote inclusion and social connection,
- Research suggests smaller group homes of two to three residents is usually better,
- Factors such as organizational structure, staff training and person centred support contributes to better quality of life in group homes.

Maple Community Services (https://maplecommunity.com.au/advantages-of-group-housing-for-adults-with-disabilities/) is a disability provider with an accessible online platform, this platform provides a page identifying the advantages of group housing for adults with disabilities, points from the website as follows:

- Independence opportunity to manage routines and take responsibility within a supportive and structured environment.
- Specialised care on site or readily available support workers can provide the required approaches to individual needs ensuring each level of care for each resident is maintained.
- Safety and security increased safety measures are present in group homes, as well as emergency support systems, thus ensuring safety of the residents.
- Social inclusion opportunities to participate in activities, outings and community engagement creating meaningful relationships in home and community.
- Small scale group homes often limit number of residents to keep a personalized and supportive environment.
- Privacy each resident has their own bedroom for privacy and personal space.
- Accessibility group homes are designed to accommodate mobility and accessibility needs.

The Australian Institute of Health and Welfare (AIHW) under *Housing* states the following on their website:

Housing plays a major role in the health and wellbeing of people with disability, by providing shelter, safety and security. The availability of affordable, sustainable and appropriate housing helps people with disability to participate in the social, economic and community aspects of everyday life.

Australia's Disability Strategy 2021 – 2031 is Australia's national disability policy framework, setting out plans for the continual improvement of the lives of people with disability in Australia over a decade.

This strategy includes a designated chapter for *Inclusive Homes and Communities*, with the outcome to provide people with a disability the opportunity to live in inclusive, accessible, and well-designed homes and communities.

Under this chapter, *Policy Priority 2: Housing is accessible and people with disability have choice and control about where they live, who they live with, and who comes into their home* relays the importance of increasing availability of accessible housing to allow for users to have a choice on where to live, who to live with and enables people with disability to socialise and connect with neighbours, friends and family.

Monash Universities publication Adaptable Housing for People with Disability in Australia: A Scoping Study states the following:

Given the increasing prevalence of disability, an estimated 60% of homes will, at some point, be occupied by a person with disability or injury, and 90% will have a visitor with disability or injury.

Few homes are designed to directly suit or be adaptable to the needs of people with disability, causing a mismatch between people with disability and their homes:

- 4.9% of Australians with disability have moved because of a health reason (compared to only 0.6% of people without disability)
- 16% are dissatisfied with their homes.

Wentworth Local Environmental Plan 2011

The WLEP 2011 provides the following definition for permanent group homes: group home (permanent) or permanent group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged

It should be noted that the plans provided by the applicant indicate "NDIS High Physical Support SDA" with design considering wider doorways, ceiling hoists, accessible parking (garage), and ensuites tailored for required needs (rails etc.), with an adjustable bench in the kitchen.

The people anticipated to use these dwellings are those with disabilities, and not those who are socially disadvantaged, however, Council are not the management authority and cannot dictate who will utilize these developments.

(5) The suitability of the site for development

The site is suitable for the proposed permanent group home building as it is not anticipated to have any adverse impact on the locality; however, 14 submissions were received. The proposed development is permitted within the RU5 — Village zoning area under the Wentworth Local Environmental Plan 2011. The development provides the area with greater flexibility in housing and facilitates options for people with a disability under the NIDS scheme to become independent within the community, while receiving care when required. The character and use of the proposed development is consistent with other proposed developments in the immediate area.

(6) Any submissions made in accordance with this Act or Regulation

The application was notified for 14 days as per the Wentworth Community Participation Plan. 14 total submissions (13 unique) were received objecting to the application within the notification period.

The following list identifies concerns raised within the submissions received:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area
- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,

- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Regards,

Council Officer Comment:

There have been no planning grounds of concern raised through submissions made during the 14-day public exhibition period. Concerns identified have been assessed as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy – Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.
- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is no planning strategy for specialised housing, only the Housing SEPP, which permits these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as detailed in assessment above will need to occur and this will fall to compliance with any approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.







(7) The public interest

The proposed development is consistent with public interest as it will have no detrimental effect on the surrounding area.

Social impact equates to the consequences that people experience when a new proposal for development will alter their known environment. This could be through acoustic, amenity, way of life, health and wellbeing, and property impacts. Submissions in regard to the proposed group home have shown that the development proposed is seen as a concern to the surrounding community.

The social impacts as identified by concerned residents in submissions for the proposed group home (singular development on a singular allotment) are not linked to the development of a permanent group home, instead, are aligned with the users and management authority of the group home following construction. No noise, amenity, traffic or other detrimental impacts are envisaged from a, by definition, permanent group home in a residentially established area.

Approval of the proposed group home would benefit the disabled community of the shire, which under the Disability Inclusion Action Plan (2022 -2026), housing is a provision that needs to occur and is heavily identified. Although the population requiring this accommodation may not encompass a wider community, the housing type is beneficial to the expanding Buronga / Gol Gol and wider areas of the entire shire and is also important being a border community. A total of 14 submissions objecting to the development were received during the exhibition period, however matters raised were similar in nature with no detrimental planning concerns raised. Most concerns are specific to management and users of group homes in general, or the infrastructure of the area that would have been considered during the subdivision stage. It is worth noting that nearly all submissions state that the submitter recognises the need for the housing type in the shire.

The Land and Environment Court in New Century Developments Pty Limited v Baulkham Hills Shire Council (2003) 127 LGERA 303; [2003] NSWLEC 154 (New Century) at [60] adjudged that a development that causes such great offence to a large portion of the community that it ought to be refused amounts to a detrimental social impact.

However, at [62] the case law identifies that fears or concerns without rational or justified foundations are not matters which, by themselves, can be considered as an amenity or social impact pursuant to s 79C(1) (now s 4.15) of the EP&A Act. Where there is no evidence to support a rational fear, it will not be relevant and be of the basis that community members have altered their everyday actions and thoughts based on the concept of the use of permanent group homes, therefore are seen due to unjustified fears, in this case, whereby broad assumptions have been made about the use of permanent group homes.

In this case Council received 14 objections to the DA from residents living nearby and from within the broader urban area. The objections principally related to impacts to property value, childcare proximity, disturbances from residents of proposed group homes, lack of facilities in the area, proximity of group homes to each other, insufficient infrastructure to support high-needs users, impact of living in the area for NDIS participants, potential for traffic increase and property damage from users.

Assessment of social impacts relating to the proposed development of a permanent group home needs to be based on fact and evidence, not community perceptions or potential unjustified fears. It

needs to be reiterated that the assessment and approval or refusal of a development application is to be made under the planning legislation.

The social impacts as perceived by local residents are noted and have been addressed through conditions of consent or general assessment. Council cannot dictate who utilises the group home upon completion and following issuance of an occupation certificate as long as users are those permitted under the definition of permanent group home. Residents of the area seem to hold unjustified fears of those from within the disabled community who would be using the group homes for impacts to their lives and everyday activities.

At the February and March Council Meetings (2025) members of the public gallery spoke against the development of group home "clusters", citing isolation of potential residents, heightened noise and vehicular impacts, minimised liveability of the wider community, emergency vehicle access and availability, NDIS requirements and reports that are not indicative of town planning requirements, DCP non-compliance, and the institutionalisation of NDIS participants. The abovementioned have been considered in the assessment and are not considered detrimental social impacts as they are perceived impacts or unjustified concerns, with no reference to applicant supplied assessment material. Concerns have been adequately given weight where required in line with provided substance of submissions. Submissions and voiced concerns have not been of strict planning grounds and can be viewed as unjust when referencing the disabled community.

The development of a permanent group home, defined under the WLEP 2011 as a dwelling, is not anticipated to create negative social impacts on the locality. The specific users are not for Council to mandate through the development approval processes. A combination of abovementioned impacts will not lead to negative impacts or experiences in the area. The development of a permanent group home, in a residential area with minimal development as per this assessment should be greatly considered for aesthetic and crime prevention (CPED) purposes. The more houses/development in a subdivision, street facing windows and cars around development, all attribute to making an area safer both through surveillance and lively areas.

On balance, the proposed permanent group home in a land zoning supporting group homes under both the WLEP 2011 and the Housing SEPP 2021, the benefits to the disabled community and no negative impact anticipated to the social streetscape or overall amenity of the area, when weighted against the minimal substance of the submissions, does not justly warrant refusal of this development application.

Should concerns arise from the permanent group home operation, Council will properly investigate and take compliance action as needed to matters within our jurisdiction.

COMMENTS FROM COUNCIL INTERNAL DEPARTMENTS

Department	Referred Y/N	Comments
Building	Υ	BCA Classification: 3 and 10a
		Comments
		 No building comments relevant to the
		determination of a DA.
		Approval under S68 of the Local Government Act must be
		obtained prior to the issue of a Construction Certificate in
		relation to:
		 Carrying out of water supply work.

		Carrying out sewerage work.
		Connection to Sewer.
Subdivision Engineer	N	
Roads & Engineering	N	
Finance & Policy	N	
Heritage Advisor	N	
Environmental Health	N	
Local Laws	N	
Floodplain Mgt Committee	N	
Sustainable Infrastructure	N	

CONCLUSIONS

- 1. General comments:
- 2. The proposal satisfies the points for consideration listed under Section 4.15 <u>part b, c, d and e</u> of the *Environmental Planning and Assessment Act*.
- 3. The proposal occurs on land zoned RU5 Village. The proposal is not considered to have detrimental impact on the site and surrounds.
- 4. The proposal is consistent with the Wentworth Shire Development Control Plan (Dec 2011). The proposal meets Chapter 8 of the provisions set out in the Wentworth Development Control Plan 2011.
- 5. The proposed permanent group home accords with the relevant objectives and provisions of the State Environmental Planning Policy (Biodiversity & Conservation) 2021 and State Environmental Planning Policy (Housing) 2021.
- 6. There is no draft local environmental plan affecting the proposed development.

Recommendation:

Approve the application subject to conditions

Delegate report author	Delegated approval and endorsement
Signature:	Signature:
Georgie Martin	
Cadet Planning Officer	
Date: 29/04/2025	Date:



Health & Planning Department 61 Darling Street PO Box 81 WENTWORTH NSW 2648

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

TEMPLATE CONDITIONS

DA2025/060 PERMANENT GROUP HOME WITH GARAGE 22 MIDWAY DRIVE LOT 30 DP 1288183 BURONGA

GENERAL CONDITIONS

1. Approved development

Approval is for a permanent group home with garage.

Condition reason: To ensure all parties are aware of the approved development.

2. Approved Plans and Documentation

The development shall be in accordance with the following plans, documentation and recommendations made there in:

- **Site Plan** by Intrend Design & Drafting PTY LTD; Job No: 24-683; Sheet No: 2 of 5; Date: 03/05/24.
- Floor Plan by Intrend Design & Drafting PTY LTD; 24-683; Sheet No: 3 of 5; Date: 03/05/24.
- Elevations (W & E) by Intrend Design & Drafting PTY LTD; 24-683; Sheet No: 4 of 5; Date: 03/05/24.

Elevations (N & S) by Intrend Design & Drafting PTY LTD; 24-683; Sheet No: 5 of 5; Date: 03/05/24.

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

3. Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989

- 1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
- It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.
- 3. It is a condition of a development consent for a temporary structure used as an

- entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.
- 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
- 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
- 6. This section does not apply-
 - a. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
 - b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.

4. Erection of signs

- 1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
- 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out:
 - a. showing the name, address and telephone number of the principal certifier for the work, and
 - showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.
- 3. The sign must be
 - a. maintained while the building work, subdivision work or demolition work is being carried out, and
 - b. removed when the work has been completed.
- 4. This section does not apply in relation to
 - a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
 - b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

5. Lapsing of Approval

Without the further consent of the Wentworth Shire Council, in writing, this permit shall lapse and have no force or effect unless the use or development hereby permitted is physically commenced within 5 years of the date of this permit.

	Condition reason: Ensure everyone is aware of the lapsing of the approval.
6.	Works outside the property boundary
	This development consent does not authorise works outside the property boundaries on adjoining
	lands.
	Condition reason: To ensure all approved works occur within the property boundaries.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

7.	Access Point
	Before the issue of a Construction Certificate, the beneficiary of this consent must build a driveway
	crossing for the subject land (if one doesn't exist) to Council standards.
	Access during construction shall only be through the driveway crossing of the subject land.
	Condition reason: To control vehicular movement on road crossings.
8.	Building Material
	The proposed building/s and structure/s shall be clad in an approved non-reflective material e.g. Colourbond.
	Condition reason: To ensure the materials of the building not impact the visual amenity of the
	surrounding character of the area.
9.	Construction Site Management Plan
	Before the issue of a construction certificate, the applicant must ensure a construction site
	management plan is prepared before it is provided to and approved by the certifier. The plan must
	include the following matters:
	location and materials for protective fencing and hoardings to the perimeter on the site
	provisions for public safety
	pedestrian and vehicular site access points and construction activity zones
	details of construction traffic management, including proposed truck movements to and from
	the site and estimated frequency of those movements, and measures to preserve pedestrian
	safety in the vicinity of the site
	 protective measures for on-site tree preservation (including in accordance with AS 4970-2009
	Protection of trees on development sites) and trees in adjoining public domain
	details of any bulk earthworks to be carried out
	location of site storage areas and sheds
	equipment used to carry out all works<
	a garbage container with a tight-fitting lid
	dust, noise and vibration control measures
	location of temporary toilets.
	The applicant must ensure a copy of the approved construction site management plan is kept on-
	site at all times during construction.
	Site at all times during construction.

Condition reason: To ensure construction works are adequately managed to protect the surrounding amenity.

10. Erosion and Sediment Control

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:

- the guidelines set out in the NSW Department of Housing manual Managing Urban Stormwater: Soils and Construction Certificate (the Blue Book), and
- the 'Do it Right On-Site, Soil and Water Management for the Construction Industry'; (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The applicant must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.

Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.

11. Fire Safety Schedule

Prior to the issue of a Construction Certificate, pursuant to Part 10 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended) a Fire Safety Schedule is to be submitted to the Principal Certifying Authority. The Fire Safety Schedule must include matters prescribed in clause 79 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended).

Condition reason: To ensure compliance with Fire Safety requirements.

12. Long Service Levy

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that the person liable pays the long service levy as calculated at the operational date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

Condition reason: To ensure the long service levy is paid.

13. Payment of Security Deposits

This condition applies to all construction works \$25,001 and above.

Before the commencement of any works on the site or the issue of a construction certificate, the beneficiary of this consent must make all of the following payments to Council and provide written evidence of these payments to the certifier:

Infrastructure Bond (Security Deposit):	\$3,000.00	1
Infrastructure Protection Permit Fee (includes inspections)	\$232.00	1

The payments will be used for the cost of:

 making good any damage caused to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates,

- completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and
- any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.

The Infrastructure Bond will be returned on completion of the construction of the proposed development, subject to no damage being done to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates. The owner / developer is to arrange an inspection with an Officer of Wentworth Shire Council before any work commences on site. Any damage incurred to Council infrastructure will be repaired at the owners / developers expense and the balance of the Infrastructure Bond will be returned to the owner / developer on completion of the construction.

Note: The inspection fee includes Councils fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the Roads Act 1993). The amount payable must be in accordance with councils fees and charges at the payment date.

Condition reason: To ensure any damage to public infrastructure is rectified and public works can be created.

14. Plumbing and Drainage

Before issuance of the Construction Certificate, a Plumbing and Drainage Application under Section 68 of the Local Government Act NSW 1993 is to be submitted to and approved by Council before any plumbing and drainage works (water and sewerage).

Note: All stormwater from the site is to be directed towards a legal point of discharge. All plumbing and drainage work is to be carried out by a plumber and drainer, or other authorised person, licensed with the New South Wales Department of Fair Trading.

Condition reason: To ensure plumbing and drainage works are carried out appropriately.

15. Road reserve landscaping

Lawn must be used for landscaping within the road reserve. Any other form of landscaping in the road reserve must be approved by Council.

Condition Reason: To ensure appropriate landscaping is used in road reserve.

16. Utilities and services - water and sewerage

Raw water, filtered water and sewerage are available and are to be connected to Councils services. Dual water supply lines are to be provided from the front boundary of the property. One line is to convey filtered water to all fittings within the building and the other line to convey unfiltered water to all fittings outside the building i.e. garden taps, etc. A separate application is to be made

to Council for approval to connect to Council's water mains prior to commencing any plumbing and drainage work.

Condition reason: To ensure relevant utility and service providers requirements are provided to the certifier.

17. Waste management plan

Before the issue of a construction certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:

Details the following:

- the contact details of the person(s) removing the waste
- an estimate of the waste (type and quantity) and whether the waste is expected to be
- reused, recycled or go to landfill
- the address of the disposal location(s) where the waste is to be taken

The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction.

Condition reason: To ensure resource recovery is promoted and local.

18. Works in Road Reserve

A Road Opening Permit is required from the Wentworth Shire Council prior to any works or excavation within the road reserve including but not limited to: water tapping, sewer, driveway crossings, tree planting or removal etc.

Please contact Councils Roads & Engineering Department on Tel: (03) 5027 5027 to arrange a permit.

Condition reason: To control development in the road reserve.

BEFORE BUILDING WORK COMMENCES

19. Construction Certificates and Appointment of Principal Certifier

Prior to the commencement of any building works, the following requirements must be complied with

- A Construction Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning & Damp; Assessment Act 1979,
- A Principal Certifier must be appointed, and Council must be notified in writing of the
 appointment irrespective of whether Council or a Registered Certifier is appointed; and notify
 Council in writing of their intention to commence work (at least two [2] days' notice is
 required).

Condition reason: To ensure building works complies with relevant legislation and other codes.

20. Contractor details notification

The certifying authority must advise Council, in writing of:

- 1. The name and contractor licence number of the licensee who has been contracted to do or intends to do the work, or
- 2. The name and permit of the owner-builder who intends to do the work.

If these arrangements are changed, or if a contract is entered into for the work to be done by a different licensee, Council must be immediately informed.

Condition reason: To ensure building work is carried out by licensed contractor.

21. Dial before you dig

Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary.

Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individuals responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities."

Condition reason: To ensure existing infrastructure is identified.

22. Erosion and sediment controls in place

Before the commencement of any site or building work, the developer must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by Council) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).

Condition reason: To ensure runoff and site debris do not impact local stormwater systems and waterways.

23. Notice of commencement of works

Subject to approval to commence works two days before any site works, building or demolition begins, the beneficiary of this consent must:

- 1. Forward to Council notice of commencement of work and appointment of Principal Certifying Authority.
- 2. Notify the adjoining owners that work will commence.

Condition reason: To provide notification of works commencing.

24. Rubbish/Waste Management

Throughout the construction period, from commencement of work, a suitable rubbish containment structure is to be located on site and utilised.

	Condition reason: To ensure the construction site is kept clean and safe at all times.
25.	Storage of materials Throughout the construction period, from commencement of work, the storage of materials is not permitted on footpaths, roadways or in reserves. Rubbish and building materials must be contained on the site.
	Condition reason: To ensure the construction materials are stored on site in a tidy & safe manner.
26.	Toilet facilities Toilet facilities are to be provided on or in the vicinity of the building site. The toilet must be connected to a public sewer, or if connection to a public sewer is not practicable, an approved chemical closet. The toilet facility must be installed on-site prior to the commencement of any other work.
	Condition reason: To ensure workers and contractors have access to amenities on site.
27.	Tree protection measures Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place.
	Condition reason: To protect and retain trees.

DURING BUILDING WORK

28.	Approved Plans A copy of the stamped approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on site for the duration of site works and be made available upon request to either the Council or other Government Agencies. Condition reason: To ensure all parties are aware of the approved works to be conducted.
29.	Construction noise While work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out. Condition reason: To protect the amenity of the neighbourhood.
30.	Contamination discovered during works If during works on the land comprising the lot, the land is found to be contaminated, within the meaning of the Contaminated Land Management Act 1997: • all works must stop immediately, and • the Environment Protection Authority and the council must be notified of the contamination. • Land is found to be contaminated for the purposes of this condition if the principal certifying authority knows or reasonably suspects the land is contaminated.

Note: Depending on the nature and level of the contamination, remediation of the land may be required before further work can continue.

Condition reason: To ensure contaminated land is managed appropriately.

31. Cut and fill (if applicable)

While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- All excavated material removed from the site must be classified in accordance with the EPAs
 Waste Classification Guidelines before it is disposed of at an approved waste management
 facility and the classification and the volume of material removed must be reported to the
 principal certifier.
- All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.

Condition reason: To ensure soil removal & replacement meets requirements.

32. Encroachment of easements

No works are to encroach over any easements.

Condition reason: To ensure works are not carried out over easements.

33. Hours of work

The developer must ensure that building work, demolition or vegetation removal is only carried out between:

- 7.00am to 6.00pm on Monday to Friday
- 8.00am to 1.00pm on Saturdays

The developer must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Councils approval.

Condition reason: To protect the amenity of the surrounding area.

34. Implementation of site management plans

While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan and the erosion and sediment control plan are implemented at all times. The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.

Condition reason: To ensure the required site management measures are implemented during

	construction.
35.	Natural drainage Any works undertaken in the subject land including building and filling shall not cause alteration to the previous drainage in the subject land or adjacent land. Any remedies required to discharge drainage water caused to be accumulated by the works associated with this permit shall be the responsibility of the beneficiary of this consent. Condition reason: To ensure natural drainage is maintained where possible.
36.	Procedure for critical stage inspections While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate. Condition reason: To require approval to proceed with building work following each critical stage inspection.
37.	Responsibility for changes to public infrastructure While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).
	Condition reason: To ensure payment of approved changes to public infrastructure.
38.	Security fencing An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project Condition reason: To ensure the site is secured during construction.
39.	 Tree protection While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with: The construction site management plan The relevant requirements of any Australian Standard for the protection of trees on development sites This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones. Condition reason: To protect trees during site works.
40.	Uncovering relics or Aboriginal objects While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning,

Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

- "relic" means any deposit, artefact, object or material evidence that: (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - a) is of State or local heritage significance; and
- "Aboriginal object" means any deposit, object or material evidence (not being a handicraft
 made for sale) relating to the Aboriginal habitation of the area that comprises New South
 Wales, being habitation before or concurrent with (or both) the occupation of that area by
 persons of non-Aboriginal extraction and includes Aboriginal remains.

Condition reason: To ensure protection of objects of potential significance during works.

41. Waste management

While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contact details of the person(s) who removed the waste
- The waste carrier vehicle registration
- The date and time of waste collection
- A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill
- The address of the disposal location(s) where the waste was taken
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.

Condition reason: To require records to be provided, during construction, documenting that waste is appropriately handled.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

42. Completion of landscape and tree works

Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree-works, including pruning in accordance with AS 4373-2007 Pruning of amenity trees and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.

Condition reason: To ensure the approved landscaping works have been completed before

	occupation, in accordance with the approved landscaping plan(s).
43.	Completion of public utility services Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority. Before the issue of the occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant service have been completed.
	Condition reason: To ensure required changes to public utility services are completed, ir accordance with the relevant agency requirements, before occupation.
44.	Fire Safety Certificate Prior to the issue of the occupation certificate, a Fire Safety Certificate must be issued in accordance with Part 11 of the Environmental Planning and Assessment (Developmen Certification and Fire Safety) Regulation 2021.
	Condition reason: To ensure fire safety requirements have been met.
45.	Occupation Certificate The building shall not be occupied or used until an Occupation Certificate is issued either by council or by an accredited certifier.
	Condition reason: To ensure development is accredited.
46.	Removal of waste upon completion Before the issue of an occupation certificate, the principal certifier must ensure all refuse, spoi and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the principal certifier.
	Before the issue of a partial occupation certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the principal certifier's satisfaction.
	Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.
47.	Repair of infrastructure Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.
	Note: If the council is not satisfied, the whole or part of the bond submitted will be used to cove the rectification work.
	Condition reason: To ensure any damage to public infrastructure is rectified.

OCCUPATION AND ONGOING USE

48.	Additional structures
	No additional structures are to be built or installed on the site without permission from th
	Wentworth Shire Council.
	Condition reason: To ensure only approved work is carried out
49.	Amenity of the neighbourhood
	The operation of this development shall not adversely affect the amenity of the neighbourhoo
	or interfere unreasonably with the comfort or repose of a person who is outside the premises b
	reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, wast
	water, waste products, grit, oil or other harmful products.
	Condition reason: To ensure the amenity of the neighbourhood is not compromise
	unreasonably.
50.	Maintenance of wastewater and stormwater treatment device
	During occupation and ongoing use of the building, the beneficiary of this consent must ensure a
	wastewater and stormwater treatment devices (including drainage systems, sumps and traps, an
	on-site detention) are regularly maintained, to remain effective.
	Condition reason: To protect sewerage and stormwater systems.
51.	Ongoing use – permanent group home with garage
	The proposed garage cannot be used for habitation.
	Condition reason: To ensure appropriate use as per approval.
52.	Release of securities / bonds
	When Council receives an occupation certificate from the principal certifier, the applicant ma
	lodge an application to release the securities held. Council may use part, or all of the securities
	held to complete the works to its satisfaction if the works do not meet Councils requirements.
	Condition reason: To allow release of securities and authorise Council to use the security depos
	to complete works to its satisfaction.

9.18 DA2025/061 PERMANENT GROUP HOME 10 BROADSTOCK COURT LOT 6 DP 1302556 BURONGA

File Number: RPT/25/274

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Georgie Martin - Cadet Planner

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

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

Summary

A development application (DA2025/061) was received by Council on 19 March 2025, for a permanent group home to be situated upon 10 Broadstock Court Lot 6 DP 1302556 Buronga.

Under the Wentworth Local Environmental Plan (WLEP) 2011 and the State Environmental Planning Policy (Housing) 2021, this development is permitted with consent within the RU5 – Village zoning.

The application seeks development approval for the construction of a permanent group home which will be used for the accommodation of people with a disability under the NDIS Scheme. The building will consist of three bedrooms for people with disability and one bedroom for overnight assistance, with each bedroom having an ensuite. Other features of the permanent group home include an open plan kitchen, dining and living area, and an alfresco area. A single disabled car park has been provided within the garage.

The application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification 14 submissions were received by Council objecting to the proposed development.

The State Environmental Planning Policy (Housing) 2021 states that a consent authority must not refuse consent to the development for the purposes of a group home unless the consent authority has made an assessment of the community need for the group home.

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

Recommendation

That Council:

- 1. Approve subject to conditions DA2025/061 for a permanent group home to be located at 10 Broadstock Court Lot 6 DP 1302556 Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Detailed Report

Purpose

The purpose of this report is to provide information to Council to determine Development Application DA2025/061, having consideration to the detail provided both within this report and the attachments provided.

Background

A Development Application was lodged with Council on 19 March 2025 seeking consent for a permanent group home on the subject lot.

The subject lot is in the RU5 Village zone under the *Wentworth Local Environmental Plan 2011* (WLEP 2011).

DA2025/061 was publicly notified as per Council Community Participation Plan for 14 days, with a total of 14 submissions objecting to the proposal received during this period. These submissions can be found under attached documents.

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

Refer to attachment 1 – Development Application

Refer to attachment 2 - Plans

Refer to attachment 3 – Statement of Environmental Effects

Matters under consideration

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

The proposed development was assessed and complies with relevant provisions of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 and the State Environmental Planning Policy (Housing) 2021.

The proposed development for a permanent group home is permitted with consent and meets the zone objectives of the RU5 – Village zone under the WLEP 2011.

Due to the zoning and WLEP 2011 mapping impacting the land, the development application was assessed against clauses 7.1 & 7.2. The development application was able to satisfy the matters for consideration under these clauses.

Due to the nature of the proposed development, it was assessed against Chapter 8 of the Wentworth Development Control Plan (DCP) 2011. The development complies with relevant provisions under this chapter.

The Wentworth Disability Inclusion Action Plan 2022 – 2026 is a requirement under the *Disability Inclusion Act 2014 (NSW)* (DIA / The Act). The Act required all NSW Local Government Areas to develop a Disability Inclusion Action Plan. Wentworth Shire Councils adopted plan states the following:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved

transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Public notification of the development application was conducted as per the Council Community Participation Plan for 14 days, whereby any submission received must at a minimum provide the following:

- Clearly identify the matter to which the submission relates,
- State the grounds for any support or objection expressed in the submission,
- Include appropriate contact details

Summary of concerns raised in submissions:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area
- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,
- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Response from Assessing Officer to concerns raised is as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy – Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.

- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is
 no planning strategy for specialised housing, only the Housing SEPP, which permits
 these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as detailed in assessment above will need to occur and this will fall to compliance with any approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.

Based on the assessment of the application, it is determined that the proposed development is compliant with relevant objectives of the RU5 – Village zoning under the WLEP 2011. The proposed development meets the relevant provisions of the Wentworth DCP 2011 and is consistent with planning matters for consideration of the WLEP 2011. The proposed development complies with matters for consideration under the *State Environmental Planning Policies – Biodiversity & Conservation (2021) and Housing (2021)*.

Refer to attachment 4 – Submissions (objections)

Refer to attachment 5 – Submissions (supportive)

Refer to attachment 6 – 4.15 Assessment report

Refer to attachment 7 – Conditions of Consent

Options

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

Approve Development Application DA2025/061 subject to conditions.

Legal, strategic, financial or policy implications

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

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

Conclusion

Having consideration of the consent of this report it is concluded that the appropriate course of action is to approve DA2025/061 subject to conditions.

Attachments

- 1. Development Application (Under Separate Cover) ⇒
- 2. Site Plans (Under Separate Cover) ⇒
- 3. Statement of Environmental Effects !
- 4. Submissions (objections) (Under Separate Cover)⇒
- 5. Submissions (supportive) (Under Separate Cover)⇒
- 6. 4.15 Assessment Report

 ...
- 7. Conditions of Consent





EXECUTIVE

SUMMARY

Proposal	Construction of a Permanent Group Home
Street Address	10 Broadstock Court, Buronga
Formal Land Description	Lot 6 in Deposited Plan 1302556
Zone	RU5 – Village
Relevant State Environmental Planning Policies	SEPP (Housing) 2021 – Chapter 3, Part 2 Group Homes – Clause 62







SUBJECT SITE AND

SURROUNDING AREA

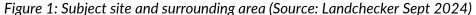
The subject site comprises one parcel of land commonly known as 10 Broadstock Court, Buronga, and more formally as Lot 6 in Deposited Plan 1302556. The site is irregular in shape due to its curved frontage and is relatively flat. It has an area of 800 square metres (sqm) and a frontage of approximately 85m Broadstock Court. The site is currently vacant, but all reticulated services are available. No heritage or cultural sensitivities affect the land and there are no natural hazards or environmental sensitivities including native vegetation.

The site is situated within an early stage of Midway Estate, which comprises vacant land, established dwellings, offices, vacant commercial premises and a community centre.

An aerial image of the site and surrounding area as well as site photos are contained on the following pages.

Aerial Image of the Site and Surrounding Area









Site Photos



Figure 2: View of site from Broadstock Court



Figure 3: View of the site from the east



JACKSON PLANNING



Figure 4: View of the site from the south



Figure 5: View of the site from the west







PROPOSAL

DESCRIPTION

This application is for the construction of a Permanent Group Home, as summarised under the following points:

- The proposed Permanent Group Home will be used to accommodate people with a disability on a permanent basis under the NDIS Scheme. The plans have been assessed and certified by an accredited SDA assessor.
- The building is single storey and contains three bedrooms for people with a
 disability and one bedroom for on-site overnight assistance. Each bedroom has
 an ensuite and other internal features include an open plan kitchen, dining and
 living area, separate living area, separate bathroom, European laundry, alfresco
 and single garage.
- The external appearance of the building is contemporary with brick wall cladding and corrugated Colorbond iron roof cladding.
- The building has a maximum height of 4.8m above natural ground.
- One car parking space (to disabled parking standards) can be accommodated within the garage and one car parking space can be accommodated within the driveway.
- A new crossover is proposed to provide access to the double garage.
- Approximately 375sqm of the site is private open space and approx. 400sqm can be landscaped.
- The development will be connected to all reticulated services, with the exception of gas.







PLANNING

CONTROLS AND ASSESSMENT

Wentworth Local Environmental Plan 2011 (LEP)

The Subject site is within the RU5 - Village

The objectives of the zone are:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

The proposed Permanent Group Home is located within an earlier stage of the Midway Estate and will provide for residential diversity in an appropriate location. The building will provide much needed housing for people with a disability and is compatible with existing residential development in the surrounding area. The building has been designed to be energy efficient and is appropriately located so as not to unreasonably impact on the adjoining land. As such, the proposal supports the objectives of the RU5 zone.

Wentworth Development Control Plan

Chapter 2 - Plan Objectives

The following General Development Objectives are relevant to this application:

 Residential land is to be developed with the creation of neighbourhoods comprising a range of housing styles and densities to cater for a diverse demographical profile of the local government area.







• Residential growth shall be promoted in areas identified as urban release area.

The following Locality Objectives for Buronga and Gol Gol are relevant to this application:

- A safe, convenient and attractive neighbourhoods that meet the diverse and changing needs of the community and offers a wide choice of housing, leisure, local employment opportunities and associated community and commercial facilities.
- A site responsive approach to urban development that supports and enhances the context in which it is located, strengthens local character and identity, and promotes a sense of community.

In addition to this, Section 2.2 – Social and Community outlines that:

The proposed future development of Buronga and Gol Gol will result in an increased demand for additional community infrastructure. This includes:

- Expansion of the range of community facilities and services;
- Improvement of public transport links within and external to the area;
- Provision of additional government and health services; aged care services; child care facilities and education/training services; and
- Promotion of community image and events including sport and recreation.

It is clear that the proposal is supported by the objectives of the Wentworth Development Control Plan which indicate that there is a strong need for diverse housing to provide for the changing needs of the community. The proposed Permanent Group Home will provide much needed accommodation for people with a disability and is of a high construction standard.

Chapter 3 - General Development Controls

5 Vehicular Access and Parking

This development control aims to provide sufficient and convenient parking for residents, visitors and service vehicles; to ensure vehicular and pedestrian safety and to encourage access design to form part of the overall landscape design. The relevant subclauses are discussed below.







5.1 Parking Layout, Servicing and Manoeuvring

The proposed car parks will be located in the garage and driveway, which is typical for car parking in a residential setting.

5.2 Specific Land Use Requirements

The following car parking requirements apply to the proposal:

 Housing for older people or people with a disability – Refer to State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004.

The SEPP referenced in the DCP no longer exists. Two car parking spaces are provided for the proposed Permanent Group Home which complies with Schedule 2 (17) of the State Environmental Planning Policy (Housing) 2021.

Chapter 4 - Residential Development Controls

4.1.1 Site Context and Analysis

The plans submitted with this application demonstrate how the proposed development responds to site specific conditions and the site has been described in detail previously in this report. The site is within an earlier stage of the Midway Estate which contains vacant land and existing dwellings of a similar size, scale and sitting. The site does not have any specific constraints and the topography is relatively flat.

4.1.2 Streetscapes

The proposed building will have a positive impact on the streetscape. A number of habitable room windows overlook the street to provide for casual surveillance. The proposed garage occupies only a small portion of the frontage and is setback behind the main façade of the building. The building has a clearly identified entry from the street and has been designed to be energy efficient. The external materials and colours will complement existing dwellings in the broader area which have external materials and colours that vary considerably.







4.1.3 Front Setback

The building has a front setback ranging from 4.5m to 13.162m due to the irregular curved frontage. Whilst the closest point is less than the 6m sought within the Wentworth DCP, a majority of the building line will be greater than 6m from the front boundary. Furthermore, 4.5m is a commonly accepted front setback in developing areas and is the minimum requirement to meet the CDC criteria. As the surrounding land is vacant and the site is at the entry of a cul-de-sac, the proposed front setback is considered to be acceptable and will not bring rise to any character or streetscape related issues.

4.1.4 Side setbacks and Corner Lot Setbacks

The side setbacks of the proposed building are 1.6m from the west boundary and 12.6m from the east boundary (combined total exceeding 4.5m), which complies with this Control.

4.1.5 Rear setbacks

The proposed building is located 5.775m from the rear boundary, which meets this Control.

4.1.6. Walls on Boundaries

Not applicable. No walls on boundaries are proposed.

4.1.7 Building heights and overshadowing

The proposed building is unlikely to overshadow the private open space of future dwellings on adjoining lots as it is single storey and has relatively generous boundary setbacks.

4.1.8 Site Coverage

The site coverage is approximately 32%, although it is noted that this control only applies to single dwelling houses and dual occupancies.







4.1.9 Private Open Space

At approximately 375sqm, private open space is well in excess of the 40sqm minimum requirement. There is an area of secluded private open space at the rear of the building also well in excess of 25sqm, with a minimum dimension of 3m accessed from the main living area.

4.1.10 Energy Efficiency and Solar access

Appropriate solar access and energy efficiency is achieved given the orientation of the site and distance between windows and boundaries. A BASIX is not required as a standard residential dwelling is not proposed.

4.1.11 Daylight to existing windows

The proposed building will not impact daylight to existing dwellings as the adjoining land is vacant.

4.1.12 North-facing windows

Not applicable – there are no existing north facing windows within 3m of the boundary.

4.1.13 Overlooking

Not applicable – the proposed building is single storey and will not be notably raised above existing surface levels. A 1.8m high solid boundary fence will provide for privacy between lots.

4.1.14 Fencing and Retaining Walls

No fences or retaining walls are proposed as part of this application. The boundary fence will be made to comply with the SEPP Exempt and Complying Development Codes 2008 (Part 2, Subdivision 17).

4.1.15 Car Parking and Vehicle Access

Car parking has been discussed previously.







4.1.16 Cut and Fill

As the site is relatively flat, only minimal earthworks are anticipated and will not exceed 0.3m of cut or fill.

State Environmental Planning Polices (SEPP)

SEPP (Housing) 2021 - Chapter 3, Part 2 Group Homes - Clause 62

This Clause contains requirements for consent authorities when determining Development Applications.

General Assessment

Visual Impacts

Please refer to DCP assessment.

Open Space

Please refer to DCP assessment.

Overshadowing and Privacy

Please refer to DCP assessment.

Noise

Only standard domestic mechanical plant will be associated with the proposed building, which will emit noise typical for a residential area.

Erosion Control Measures

No specific erosion control measures are considered necessary for this development. Any minor earthworks will be appropriately battered and retained (if necessary).







Economic and Social Impacts

The proposed building will contribute to the social wellbeing of the Buronga township by providing suitably designed housing to accommodate disabled persons. It also contributes to investment in the Buronga/Gol Gol Area.

Environmental Benefits

Due to the nature of this development, no significant environmental benefits are envisaged.

Disabled Access

The proposed building has been designed to comply with all disabled access standards and the plans have been assessed and certified by an accredited SDA assessor.

Security, Site Facilities and Safety

Not applicable for this application.

Waste Management

Standard domestic waste services will be provided by Council.

National Construction Code

The National Construction Code will be assessed as part of the Construction Certificate process by a Building Surveyor.

Traffic

The proposed building will result in standard domestic travel within the existing road network. This would have been anticipated and accounted for in the design of the subdivision.

Stormwater/flooding

The site is not subject to any identified natural hazards and stormwater will be directed to the legal point of discharge.







CONCLUSION

This report demonstrates that the proposal is consistent with the relevant provisions of the Wentworth Local Environmental Plan 2011 and the Wentworth DCP.

The proposed Permanent Group Home is appropriate for the site as it:

- Supports the objectives of the Zone RU5 Village;
- Is appropriately located on the subject site;
- Will have an acceptable impact on the locality in terms of amenity and visual dominance; and
- Will not result in any detrimental impacts on the environment.

It is considered that the proposal is worthy of support, and it is therefore respectfully requested that the Wentworth Shire Council grant Development Consent for the construction of a Permanent Group Home as described in this report at 10 Broadstock Court, Buronga.







Health & Planning Department

61 Darling Street PO Box 81

WENTWORTH NSW 2648

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

DA Assessment Report Section 4.15 Evaluation

Environmental Planning & Assessment Act 1979 as amended

File Reference: DA2025/061 & PAN - 519010

Property Title & Address: 10 Broadstock Court Lot 6 DP 1302556 Buronga P511/5706

Property owner(s): SUPAVEST SPV FIVE PTY LTD

Applicant(s): JACKSON PLANNING – Matt Jackson **Proposal:** Permanent Group Home with garage

Previous DAs: N/A

Cost of proposed development: \$715,513.06

SITE AND SURROUNDING DEVELOPMENT

The subject site comprises of Lot 6 DP 1302556, 10 Broadstock Court, Buronga. The lot has an area of 800m^2 and connects to Sturt Highway to the South through Midway Drive, connecting through to the developing locality within the Midway area and surrounding locality.

The subject site is zoned within the RU5 – Village zone under the Wentworth Local Environmental Plan (WLEP) 2011. The subject site is a rectangular shaped lot with no vegetation removal proposed as site was recently cleared during the subdivision process. The lot is not impacted by easements or environmental factors.

The site is not within the bushfire prone, flood way or flood planning, terrestrial biodiversity, wetlands, or urban release mapped area and contains no known heritage constraints.

DESCRIPTION OF PROPOSAL

The proposal seeks development consent for the construction of a single storey dwelling with garage to be utilised as a permanent group home, which will provide accommodation for people on NDIS plans with ongoing disabilities as per the NDIS requirements. The dwelling is proposed to accommodate three participants and one overnight assistance personnel. The lot has a total area of 800m^2 with the dwelling proposed to have a floor area of 256.58m^2 , broken down into the following:

Dwelling: 209.31m² – Garage: 28.17m² – Alfresco: 16.20m² – Porch: 2.89m².

One car parking space suitable for disability requirements is provided within the garage, with a standard parking space accommodated within the driveway area.

HISTORY RELEVANT TO THE DEVELOPMENT APPLICATION

N/A

SECTION 4.15-MATTERS FOR CONSIDERATION

(1) The provisions of any environmental planning instrument and development control plan

State Environmental Planning Policy (Biodiversity & Conservation) 2021

The proposed development is proposed to be located upon on a lot that is under 1ha in size and clear of vegetation following previous subdivision. No native vegetation is to be removed for construction, with no impact to any potential habitat for fauna. The site is not known koala habitat, as such, no assessment required against Chapters 3 or 4. The proposed development is not located within close proximity to the river of other waterbody, and as such, no assessment is required against Chapter 5.

State Environmental Planning Policy (Housing) 2021

Clause 60 (a) does not identify the land zoning of RU5 as a prescribed zone suitable for group home development, however, clause 60 (b) states that any other zone under an environmental planning instrument were dwelling houses may be carried out with consent is categorised as a prescribed zone.

The RU5 – Village zone under the WLEP 2011 lists dwelling houses as permitted with consent.

Clause 61 identifies that the proposed group home is permitted with consent as it is proposed on land zoned RU5 – Village under the WLEP 2011. In terms of the hierarchy of legislation, the SEPP overrides the WLEP 2011 in terms of any inconsistency as per section 3.28 of the EP&A Act.

Under clause 62 a consent authority (Council) must not:

- refuse a group development unless an assessment of the community need has been done
- Impose a condition of consent specifically because a development is a group home.

State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX Certificate has not been provided as it is not required due to the proposed development being class 3 under the Building Code of Australia.

Further, as it is assumed that the development will be certified as a Class 3 building under the BCA at the construction stage, in line with the *Comprehensive Guide to BASIX*, a BASIX Certificate is not needed.

Wentworth Local Environmental Plan (LEP) 2011

The proposed development of a permanent group home for the provision of accommodation for participants within the NDIS scheme is permitted with consent and meets the zone objectives of the RU5 – Village zoning under the Wentworth Local Environmental Plan (WLEP) 2011, under which the subject site is located. The main supportive objective is to provide for a range of land uses, services and facilities that are associated with a rural village. The development of a NDIS based permanent group home will allow for services for those with disabilities to live mostly independently with assistance.

Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

A group home meets the definition of a dwelling as follows:

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

Group home means a permanent group home or a transitional group home. Group homes are a type of **residential accommodation**.

Group home (permanent) or permanent group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which <u>State Environmental Planning Policy (Housing) 2021</u>, Chapter 3, Part 5 applies.

Clause 7.1 Earthworks

Any earthworks will be conditioned and form part of the approval.

Clause 7.2 Essential Services

Connection of services has been made possible during the previous subdivision of the development site.

Wentworth Development Control Plan (DCP) 2011

The proposed development is acceptable against the relevant provisions of the Wentworth Development Control Plan (DCP) 2011 as outlined in the table below.

Wentworth	Chapter 8	Acceptable	Not	N/A	Reason
DCP			Acceptable		
	5.1.1 Site context	X			Positioning of the proposed building on site makes use of available land while leaving space for private open space and providing suitable access for residents of the permanent group home facility. Materials used will compliment other structures in the surrounding area.
	5.1.2 Streetscape	х			The proposed building will be in keeping with few existing developments in the area with windows facing the street for casual surveillance and a garage setback from the facade of the main portion of the building. It is anticipated that future development in the area will be similar and compatible with this DA.
	5.1.3 Front Setback		х		4.5m to 13.1m – does not meet at shortest distance
	5.1.4 Side setbacks	х			West: 1.6m – meets East: 12.6m – meets
	5.1.5 Rear setback	Х			5.775m – meets
	5.1.6 Walls on Boundaries			Х	N/A as no walls on boundaries
	5.1.7 Building heights and overshadowing			X	N/A as not a two-storey building

5.1.8 Site Coverage	х		Proposed development does not cover more than 60% of site (48% approx.)
5.1.9 Private open space	х		Ample room for private open space available
5.1.10 Energy & solar access	Х		Proposed development meets requirements of the Energy Efficiency Compliance Assessment
5.1.11 Daylight to existing windows	х		No impact anticipated from the single storey building to surrounding neighbours.
5.1.12 North facing windows		Х	N/A as no north facing windows within 3m of boundary.
5.1.13 Overlooking		Х	N/A as development approval is for a single storey building
5.1.14 Fencing and retaining walls		Х	N/A approval not for fencing or retaining walls
5.1.15 Car parking and vehicle access	x		The site provides for one (1) disability access car parking spaces within the garage as per requirements under the Housing SEPP one space within the garage and another singular space is provided in the driveway of the proposed development site. Access to the site is provided via a crossover to council standards to be detailed within conditions of consent. Two parking spaces in total, one being to disability standards.
5.1.16 Cut and fill	Х		Earthworks will be conditioned as part of approval

Development Control	WDCP 2011 requirement for RU5 Village zone	Proposed Permanent Group Home
Front setback	6m minimum	4.5m to 13.1m
West side setback	1m minimum	1.6m
East side setback	1m minimum	12.6m
Rear setback	3m minimum	5.775m

The front setback does not meet DCP requirements of 6m, being only 4.5m at it's shortest setback due to irregular and curved frontage, however, many new developments in newly subdivided areas are utilising a front setback of only 4.5m to allow better use of allotment space. Additionally, other developments in the surrounding area have front setbacks under the required 6m, even down to 3m.

(2) The provisions of any draft environmental planning instrument

There is no Division 3.4 draft environmental planning instrument that affect the proposed development. (Post 1 July 2009 LEP amendments).

(3) Any matters prescribed by regulations

There are no further matters prescribed by regulations.

(4) The likely impacts of the development

There are no likely impacts from the proposal as discussed in the table below.

	1000	0	tile p	roposal as discussed in the table below.
Impact item				Comment
(insert an ' x ' in the				
relevant section)		ole		
	e	Not acceptable	Not relevant	
	Acceptable	cep	ev:	
	ept	ac	rel	
	သ	ot	ot	
Context and setting	v	Z	Z	The proposed permanent group home building will look similar in
Context and setting	Λ			external design to the few existing residential developments in the
				immediate area
Public domain &	X			The proposed permanent group home building meets the required
Streetscape &	Λ			setbacks as provided and justified in assessment above (DCP)
Streetscape				
Landscaping			X	Not part of this application
Stormwater	X			Discharge to legal point of Councils stormwater system to be
				conditioned
Heritage	X			None on site
Soils & Soils Erosion	X			Earthworks and erosion control to be conditioned as part of
				approval
Air and microclimate	X			No effect from proposed development anticipated
Water Resources	X			Noted – development located adequate distance from water sources
water Resources	Λ			Noted – development located adequate distance from water sources
Biodiversity (Flora &	X			As the site was cleared of any vegetation during the subdivision
Fauna)	21			process – no effect on existing flora or fauna,
Land Resources	X			None known at this site
Utilities Utilities	X			Utilities are available to the property
Othlities	Λ			Offitties are available to the property
Access & Parking	X			Adequate access and parking are available to the site, development
				provides disability parking space as per requirements in line with
				Housing SEPP and
Roads & Traffic	X			Increase to area anticipated during construction with slight increase
				as new residents move into the completed building
Solar Access and Energy	X			Will be required to meet energy requirements of Part J1 of the BCA
Efficiency				
Overshadowing			X	Not relevant as surrounding land vacant and single storey
S				development
Privacy & Overlooking			X	Not relevant as single storey building
Flooding			X	Not in flood planning area
Bushfire Prone Area			X	Property not within bushfire prone land
Noise	X			Only significant increase anticipated during construction, then
				residential noise ongoing
Technological hazards	X			No known hazards on site or anticipated
Safety, Security & Crime	X			No detrimental effects anticipated from development in this
Prevention				location. Windows facing street will provide casual surveillance
				provide the second seco

Social and	Economic	X		No detrimental effects anticipated
Impacts				

The NDIS outlines high physical support SDA housing as housing that includes a high level of physical access for people who need very high levels of support. For example, you may need a ceiling hoist, backup power supply, or home automation and communication technology.

Further, level of functioning is defined as:

"The umbrella term for any or all of body functions, body structures, activities and participation. Level of function indicates the impact a participant's disability has on how a person is able to perform tasks and actions in a life area, as represented by a 'severity score' 'High functioning' indicates lower service and support requirements with a lower severity score, and 'low functioning' indicates higher service and support requirements with a higher severity score."

Image 1: Snip showing five bands of low level of function. (*Explore data NDIS*. https://dataresearch.ndis.gov.au/explore-data current as of 22 April 2025).

Active participants by Level of Function The number of active participants as at the end of the selected quarter. Those who have been determined eligible and have an approved plan. (There are also cases where a participant's plan has expired and a new plan has not formally commenced, but they have not exited the Scheme. These individuals are also counted as active participants.) (?) Active participants Average committed support Average payments Table Graph Period LGA State/Territory **Level of Function** Active participants Q2 FY24/25 Wentworth (A), NSW < 11 9 (Medium) QZ FYZ4/25 Wentworth (A), N5W 10 (Medium) 27 Q2 FY24/25 Wentworth (A), NSW 11 (Low) <11 Q2 FY24/25 Wentworth (A), NSW 12 (Low) 18 Q2 FY24/25 Wentworth (A), NSW 13 (Low) < 11 Q2 FY24/25 Wentworth (A), N5W 14 (Low) < 11 Q2 FY24/25 Wentworth (A), NSW 15 (Low) < 11 Q2 FY24/25 Wentworth (A), N5W Missing < 11

If we take < 11 to mean there are roughly ten participants in the associated (low) band, the above image then identifies that the five bands total 68 participants. This therefore identifies that there is a population with requirements for higher servicing and support requirements, being low functioning and having a higher severity score.

Low functioning participants as per the level of functioning definition require higher levels of support.

From the same dataset (as taken from the above website on the same date), there are 198 active participants who have been deemed eligible and have an approved plan under the NDIS. This dataset does not encompass all of those with disabilities that require support within the Wentworth LGA, indicating there may be more not accounted for as they are not active participants or are waiting for availability.

From the above 198 active participants, none have approved plans encompassing SIL / SDA.

The Inquiry Report: Own Motion Inquiry into Aspects of Supported Accommodation (NDIS Quality and Safeguards Commission, January 2023)

The above report states the following on page 23:

- a suburban house (SDA or otherwise) where a group of people with disability live together, each with their own bedroom (sometimes with ensuite), sharing a common living room, kitchen, bathroom and garden, and with an area of the house used as office space for staff.
- a number of suburban houses (as above) located in relatively close proximity to each other, sometimes with direct links between each of the houses (for example through a garden gate), with a team leader or manager overseeing supports across the network.

This reinforces the ability for SDA dwellings to be located in close proximity to one another.

Wentworth Disability Inclusion Action Plan 2022 - 2026

The Wentworth Disability Inclusion Action Plan 2022-2026 has a focus area that directly identifies housing for those with disabilities – 2; Livable Communities which states the following: Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing.

The plan, in line with the identified focus area aims to attribute to the positive experience of those with a disability, their families and supporters, through access to community places, buildings and events.

As there are currently no SDA housing facilities within the LGA, the proposal to develop them is in line with the Disability Inclusion Action Plan with the aim of providing housing, eliminating the barrier of housing access to those that require it.

Further, the following are direct quotes from the plan:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Approach to characterization and permissibility under LEPs

It needs to be noted that the development of Permanent Group Homes is permitted under legislation, both the Wentworth Local Environmental Plan 2011 and the State Environmental Planning Policy (Housing).

The case of *Botany Bay City Council v Pet Carriers International PTY Limited* [2013] NSWLEC 147 reiterates that land use tables within LEPs can use many means by which to define what development is permissible by identifying either *nominate* or *innominate* purposes.

His Honor, Preston CJ, stated the following:

A nominate purpose is one which the environmental planning instrument expressly nominates by name as being within one of the three classifications. Hence, the land use table for a zone may nominate particular categories of purposes of development as being within the classifications of development that may be carried out with consent, development that may be carried out with consent, or development that is prohibited.

An innominate purpose is one which the environmental planning instrument does not nominate by name as being within one of the three classifications, but rather identifies as falling within a particular classification by reason of it not being nominated in other classifications; it is development other than development in the other classifications. Hence, the land use table for a zone may classify as prohibited development, development for a purpose other than a purpose nominated as being able to be carried out without consent or with consent.

In the case of permanent group homes, as they are not directly identified within the RU5 – Village zoning as an independent type of development but fall under "any other development not specified in items 2 or 4", they are therefore innominate and permissible with consent.

(Compatibility Test) Project Venture Developments Pty Ltd v Pittwater Council [2005]

There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale, or appearance, though as the difference in these attributes increases, harmony is harder to achieve.

The physical impacts, such as noise, overlooking, overshadowing, and constraining development potential, can be assessed with relative objectivity. In contrast, to decide whether or not a new building appears to be in harmony with its surroundings is a more subjective task. Analysing the existing context and then testing the proposal against it can, however, reduce the degree of subjectivity.

For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment.

In some areas, planning instruments or urban design studies have already described the urban character. In others (the majority of cases), the character needs to be defined as part of a proposal's assessment. The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks, and landscaping. In special areas, such as conservation areas, architectural style and materials are also contributors to character.

In order to test whether a proposal is compatible with its context, two questions should be asked.

- Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites. (Test One)
- Is the proposal's appearance in harmony with the buildings around it and the character of the street? (Test two)

Test One:

The proposal of a permanent group home, being constructed as a dwelling, does not constitute any physical impacts on the surrounding development. The surrounding development consists of dwellings with outbuildings.

Physical impacts will not occur as the development design is that of similar size, scale and sitting to existing development in the immediate and surrounding area. The applicant has identified the permanent group homes to have external materials and colouring that complements existing dwellings in the surrounding area.

It should be noted that Wendy Court itself, where the main streetscape occurs, has minimal development existing, being two dwellings and an allotment with an outbuilding.

There will be no issues regarding side setbacks as a physical constraint, as setbacks adhere to requirements under the Wentworth Development Control Plan, some rear setbacks do not meet requirements, but it should be noted that habitable building space does not encroach the setbacks, only alfresco areas that are open in design. Front setbacks may not meet the required 6m, however, as discussed in the DCP assessment, in newly developed areas, setbacks from the front boundary can be accepted at 4.5m for RU5 – Village zoned land.

Test Two:

The proposal of a permanent group home will be in harmony with the development within the estate area. Permanent group homes are designed as and meet definitions of dwellings, which is the main development in the estate area and will not alter the harmonic design, rather increasing development in the area and encouraging use of the RU5 – Village zoning whereby a range of services and facilities need to be available, including disability accommodation for the impacted community members.

Harmony is often defined as "the quality of a pleasing and consistent whole", with the permanent group homes not causing impact as the development will be that of dwellings in a residential area attributing to the existing use and character of the estate. Impact to Summer Drive through harmonious development should not be impacted due to separating fences and differing streetscapes (existing development vs minimally existing development).

The permanent group homes will be of the same design, therefore harmonious to themselves and attributing to consistency of the area.

The permanent group homes are dwellings and will not impact the character of the area. The use of each dwelling is subject to residential purposes such as long term accommodation, which is provided through the group homes. The use of existing dwellings in the area is no different to the accommodation purposes of the group homes, with additional assistance for the residents of the group homes required.

New Century Developments Pty Limited v Baulkham Hills Shire Council [2003] NSWLEC 154 revised - 5/09/2003 (social impact, large number of objectors, character and amenity of area).

The above caselaw provides examples of amenity, reiterates development characteristics and any further associated issues, as well as substance of community responses to proposed development.

"(61) In circumstances such as the present case, however, the consent authority must not blindly accept the subjective fears and concerns expressed in the public submissions. Whilst such views must be taken into consideration, there must be evidence that can be objectively assessed before a finding can be made of an adverse effect upon the amenity of the area... the views of residents of the area, those views will be accorded little, if any, weight if there is no objective, specific, concrete, observable likely consequence of the establishment of the proposed use."

The above quote from the caselaw states plainly that evidence must be provided for submissions to be assessed. Council cannot take submissions with little to no planning grounds as having an adverse impact to the development of what is defined legally as a permanent group home under the WLEP 2011.

There are no specific issues raised in submissions received regarding the proposed group home development.

Submissions received as objections rather centre around the use of the development and those that would use it, however, this is not for Council to mandate as we are not the managing authority, only the consent authority. Submissions referenced the following:

- Property valuation
- Proximity of group homes to each other
- Behaviour concerns of NDIS participants
- Potential for property damage
- Disturbances caused by NDIS participants
- Location of group homes in locality for NDIS participant access to services
- Lack of Council transparency
- Concerns for the childcare centre in proximity to proposed group homes
- No need for further group home development

"(64) The assessment of the specific objections raised by the local residents shows that the concerns raised by them, objectively assessed, must be afforded little weight. As is shown by the consideration of the specific objections, discussed above, they appear to have little basis in fact."

Th above quote from the caselaw states that if concerns have been assessed based on the objectives (mainly directed at NDIS management and use of the proposed group home dwelling – therefore not specific legislative <u>planning grounds</u>), then submissions **must** be afforded little weight, therefore not considered as little fact is apparent.

"(71) In summary, I have concluded that the proposed development would be compatible with the rural residential character of the area and would not have an adverse impact on the amenity of the area, including social impact. While I recognise that there is strong community opposition to the proposal and that the residents have real fears, these fears must have foundation and a rational basis, which in this case is absent."

The above quote from the caselaw states that the ultimate outcome of the case as decided by the Judge, was that the proposed development was compatible with the character of the existing area and would not have an impact on the amenity of the area. Community opposition was recognised but the concerns were found to have no foundation or rational basis (planning grounds).

In relation to the proposed group home, no planning grounds for the proposal are seen, merely concerned community members referencing issues relative to unjustified fears based on the use of the development. No foundation (fundamentals of planning legislation) are presented by submitters, as addressed by Council.

Understanding the Local Impact of New Residential Development: a Pilot Study Christine Whitehead and Emma Sagor with Ann Edge and Bruce Walker LSE London April 2015

The report identifies that opposition to new dwelling development is driven by local communities feeling that they will gain little benefit from new dwellings and that negative impacts may arise, such as infrastructure pressure and lack of services, as well as residential valuation impacts.

The report solidifies and states that planning literature does not often and is not required to, address impacts to housing valuation or pricing as this is not directly related to planning decisions which are assessed against relevant legislation, as well as broader economic, environmental, and social factors.

Further Information of Relevance

The 2019 Issues Paper – Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) focuses on group homes as a form of accommodation where supports are provided for four (4) to six (6) long-term residents with a disability. The proposed group home under assessment is for residential accommodation of up to three people

This Issues Paper states plainly that all building work (in regard to group homes) must comply with requirements under the Building Code of Australia (BCA), this is a consideration for the construction certificate and certification stage of the development.

Further, the Issues Paper also states that group homes are defined under the NDIS Rules 2016 as "houses that are (or will be enrolled) to house four to five long-term residents... typically classified as Building Class 1(b)(i) or 3 under the Building Code of Australia."

As per the document *Understanding the NCC – Building Classifications* published by the NCC, a Class 1b building is a *boarding house, guest house or hostel that has a floor area less than 300 m2 and ordinarily has less than 12 people living in it,* and Class 3 buildings *are a common place of long term or transient living for a number of unrelated people.*

The 2020 Issues Paper – Overview of responses to Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) identifies the following on page seven (7) under Potential good practice in group homes:

- Role of group homes is conditional upon providing residents wit control and choice over their location,
- Group homes can promote inclusion and social connection,
- Research suggests smaller group homes of two to three residents is usually better,
- Factors such as organizational structure, staff training and person centred support contributes to better quality of life in group homes.

Maple Community Services (https://maplecommunity.com.au/advantages-of-group-housing-for-adults-with-disabilities/) is a disability provider with an accessible online platform, this platform provides a page identifying the advantages of group housing for adults with disabilities, points from the website as follows:

- Independence opportunity to manage routines and take responsibility within a supportive and structured environment.
- Specialised care on site or readily available support workers can provide the required approaches to individual needs ensuring each level of care for each resident is maintained.
- Safety and security increased safety measures are present in group homes, as well as emergency support systems, thus ensuring safety of the residents.
- Social inclusion opportunities to participate in activities, outings and community engagement creating meaningful relationships in home and community.
- Small scale group homes often limit number of residents to keep a personalized and supportive environment.
- Privacy each resident has their own bedroom for privacy and personal space.
- Accessibility group homes are designed to accommodate mobility and accessibility needs.

The Australian Institute of Health and Welfare (AIHW) under *Housing* states the following on their website:

Housing plays a major role in the health and wellbeing of people with disability, by providing shelter, safety and security. The availability of affordable, sustainable and appropriate housing helps people with disability to participate in the social, economic and community aspects of everyday life.

Australia's Disability Strategy 2021 - 2031 is Australia's national disability policy framework, setting out plans for the continual improvement of the lives of people with disability in Australia over a decade.

This strategy includes a designated chapter for *Inclusive Homes and Communities*, with the outcome to provide people with a disability the opportunity to live in inclusive, accessible, and well-designed homes and communities.

Under this chapter, *Policy Priority 2: Housing is accessible and people with disability have choice and control about where they live, who they live with, and who comes into their home* relays the importance of increasing availability of accessible housing to allow for users to have a choice on where to live, who to live with and enables people with disability to socialise and connect with neighbours, friends and family.

Monash Universities publication Adaptable Housing for People with Disability in Australia: A Scoping Study states the following:

Given the increasing prevalence of disability, an estimated 60% of homes will, at some point, be occupied by a person with disability or injury, and 90% will have a visitor with disability or injury.

Few homes are designed to directly suit or be adaptable to the needs of people with disability, causing a mismatch between people with disability and their homes:

- 4.9% of Australians with disability have moved because of a health reason (compared to only 0.6% of people without disability)
- 16% are dissatisfied with their homes.

Wentworth Local Environmental Plan 2011

The WLEP 2011 provides the following definition for permanent group homes: group home (permanent) or permanent group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged

It should be noted that the plans provided by the applicant indicate "NDIS High Physical Support SDA" with design considering wider doorways, ceiling hoists, accessible parking (garage), and ensuites tailored for required needs (rails etc.), with an adjustable bench in the kitchen.

The people anticipated to use these dwellings are those with disabilities, and not those who are socially disadvantaged, however, Council are not the management authority and cannot dictate who will utilize these developments.

(5) The suitability of the site for development

The site is suitable for the proposed permanent group home building as it is not anticipated to have any adverse impact on the locality; however, 14 submissions were received. The proposed development is permitted within the RU5 — Village zoning area under the Wentworth Local Environmental Plan 2011. The development provides the area with greater flexibility in housing and facilitates options for people with a disability under the NIDS scheme to become independent within the community, while receiving care when required. The character and use of the proposed development is consistent with other proposed developments in the immediate area.

(6) Any submissions made in accordance with this Act or Regulation

The application was notified for 14 days as per the Wentworth Community Participation Plan. 14 total submissions (13 unique) were received objecting to the application within the notification period.

The following list identifies concerns raised within the submissions received:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area
- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,

- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Regards,

Council Officer Comment:

There have been no planning grounds of concern raised through submissions made during the 14-day public exhibition period. Concerns identified have been assessed as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy – Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.
- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is no planning strategy for specialised housing, only the Housing SEPP, which permits these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as
 detailed in assessment above will need to occur and this will fall to compliance with any
 approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.







(7) The public interest

The proposed development is consistent with public interest as it will have no detrimental effect on the surrounding area.

Social impact equates to the consequences that people experience when a new proposal for development will alter their known environment. This could be through acoustic, amenity, way of life, health and wellbeing, and property impacts. Submissions in regard to the proposed group home have shown that the development proposed is seen as a concern to the surrounding community.

The social impacts as identified by concerned residents in submissions for the proposed group home (singular development on a singular allotment) are not linked to the development of a permanent group home, instead, are aligned with the users and management authority of the group home following construction. No noise, amenity, traffic or other detrimental impacts are envisaged from a, by definition, permanent group home in a residentially established area.

Approval of the proposed group home would benefit the disabled community of the shire, which under the Disability Inclusion Action Plan (2022 -2026), housing is a provision that needs to occur and is heavily identified. Although the population requiring this accommodation may not encompass a wider community, the housing type is beneficial to the expanding Buronga / Gol Gol and wider areas of the entire shire and is also important being a border community. A total of 14 submissions objecting to the development were received during the exhibition period, however matters raised were similar in nature with no detrimental planning concerns raised. Most concerns are specific to management and users of group homes in general, or the infrastructure of the area that would have been considered during the subdivision stage. It is worth noting that nearly all submissions state that the submitter recognises the need for the housing type in the shire.

The Land and Environment Court in New Century Developments Pty Limited v Baulkham Hills Shire Council (2003) 127 LGERA 303; [2003] NSWLEC 154 (New Century) at [60] adjudged that a development that causes such great offence to a large portion of the community that it ought to be refused amounts to a detrimental social impact.

However, at [62] the case law identifies that fears or concerns without rational or justified foundations are not matters which, by themselves, can be considered as an amenity or social impact pursuant to s 79C(1) (now s 4.15) of the EP&A Act. Where there is no evidence to support a rational fear, it will not be relevant and be of the basis that community members have altered their everyday actions and thoughts based on the concept of the use of permanent group homes, therefore are seen due to unjustified fears, in this case, whereby broad assumptions have been made about the use of permanent group homes.

In this case Council received 14 objections to the DA from residents living nearby and from within the broader urban area. The objections principally related to impacts to property value, childcare proximity, disturbances from residents of proposed group homes, lack of facilities in the area, proximity of group homes to each other, insufficient infrastructure to support high-needs users, impact of living in the area for NDIS participants, potential for traffic increase and property damage from users.

Assessment of social impacts relating to the proposed development of a permanent group home needs to be based on fact and evidence, not community perceptions or potential unjustified fears. It

needs to be reiterated that the assessment and approval or refusal of a development application is to be made under the planning legislation.

The social impacts as perceived by local residents are noted and have been addressed through conditions of consent or general assessment. Council cannot dictate who utilises the group home upon completion and following issuance of an occupation certificate as long as users are those permitted under the definition of permanent group home. Residents of the area seem to hold unjustified fears of those from within the disabled community who would be using the group homes for impacts to their lives and everyday activities.

At the February and March Council Meetings (2025) members of the public gallery spoke against the development of group home "clusters", citing isolation of potential residents, heightened noise and vehicular impacts, minimised liveability of the wider community, emergency vehicle access and availability, NDIS requirements and reports that are not indicative of town planning requirements, DCP non-compliance, and the institutionalisation of NDIS participants. The abovementioned have been considered in the assessment and are not considered detrimental social impacts as they are perceived impacts or unjustified concerns, with no reference to applicant supplied assessment material. Concerns have been adequately given weight where required in line with provided substance of submissions. Submissions and voiced concerns have not been of strict planning grounds and can be viewed as unjust when referencing the disabled community.

The development of a permanent group home, defined under the WLEP 2011 as a dwelling, is not anticipated to create negative social impacts on the locality. The specific users are not for Council to mandate through the development approval processes. A combination of abovementioned impacts will not lead to negative impacts or experiences in the area. The development of a permanent group home, in a residential area with minimal development as per this assessment should be greatly considered for aesthetic and crime prevention (CPED) purposes. The more houses/development in a subdivision, street facing windows and cars around development, all attribute to making an area safer both through surveillance and lively areas.

On balance, the proposed permanent group home in a land zoning supporting group homes under both the WLEP 2011 and the Housing SEPP 2021, the benefits to the disabled community and no negative impact anticipated to the social streetscape or overall amenity of the area, when weighted against the minimal substance of the submissions, does not justly warrant refusal of this development application.

Should concerns arise from the permanent group home operation, Council will properly investigate and take compliance action as needed to matters within our jurisdiction.

COMMENTS FROM COUNCIL INTERNAL DEPARTMENTS

Department	Referred Y/N	Comments
Building	Υ	BCA Classification: 3 and 10a
		Comments
		 Eave projects into the 1500mm side boundary
		setback for the purpose of Specification 5 of the
		BCA Volume 1 (fire separation). Matter for the
		relevant certifier to address with fire resisting
		construction or a performance solution.

		Approval under S68 of the Local Government Act must be		
		obtained prior to the issue of a Construction Certificate in		
		relation to:		
		 Carrying out of water supply work. 		
		 Carrying out sewerage work. 		
		Connection to Sewer.		
Subdivision Engineer	N			
Roads & Engineering	N			
Finance & Policy	N			
Heritage Advisor	N			
Environmental Health	N			
Local Laws	N			
Floodplain Mgt Committee	N			
Sustainable Infrastructure	N			

CONCLUSIONS

- 1. General comments:
- 2. The proposal satisfies the points for consideration listed under Section 4.15 part b, c, d and e of the Environmental Planning and Assessment Act.
- 3. The proposal occurs on land zoned RU5 Village. The proposal is not considered to have detrimental impact on the site and surrounds.
- 4. The proposal is consistent with the Wentworth Shire Development Control Plan (Dec 2011). The proposal meets Chapter 8 of the provisions set out in the Wentworth Development Control Plan 2011.
- 5. The proposed permanent group home accords with the relevant objectives and provisions of the State Environmental Planning Policy (Biodiversity & Conservation) 2021 and State Environmental Planning Policy (Housing) 2021.
- 6. There is no draft local environmental plan affecting the proposed development.

Recommendation:

Approve the application subject to conditions

Delegate report author	Delegated approval and endorsement
Signature:	Signature:
amartin	

Georgie Martin	
Cadet Planning Officer	
Date: 29/04/2025	Date:



Health & Planning Department 61 Darling Street PO Box 81

WENTWORTH NSW 2648

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

TEMPLATE CONDITIONS

DA2025/061 PERMANENT GROUP HOME WITH GARAGE 10 BROADSTOCK COURT LOT 6 DP 1302556 BURONGA

GENERAL CONDITIONS

1. Approved development

Approval is for a permanent group home with garage.

Condition reason: To ensure all parties are aware of the approved development.

2. Approved Plans and Documentation

The development shall be in accordance with the following plans, documentation and recommendations made there in:

- **Site Plan** by Intrend Design & Drafting PTY LTD; Job No: 24-644; Sheet No: 2 of 5; Date: 15/04/24.
- **Floor Plan** by Intrend Design & Drafting PTY LTD; Job No: 24-644; Sheet No: 3 of 5; Date: 15/04/24.
- Elevations (N & S) by Intrend Design & Drafting PTY LTD; Job No: 24-644; Sheet No: 4 of 5;
 Date: 15/04/24.
- Elevations (E & W) by Intrend Design & Drafting PTY LTD; Job No: 24-644; Sheet No: 5 of 5; Date: 15/04/24.

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

3. Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989

- 1. It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
- It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be

carried out by the consent commences.

- 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.
- 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
- 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
- 6. This section does not apply-
 - a. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
 - b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.

4. Erection of signs

- 1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
- 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out:
 - a. showing the name, address and telephone number of the principal certifier for the work, and
 - b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.
- 3. The sign must be
 - a. maintained while the building work, subdivision work or demolition work is being carried out, and
 - b. removed when the work has been completed.
- 4. This section does not apply in relation to
 - a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
 - b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

5. Lapsing of Approval

Without the further consent of the Wentworth Shire Council, in writing, this permit shall lapse

	and have no force or effect unless the use or development hereby permitted is physically commenced within 5 years of the date of this permit.
	Condition reason: Ensure everyone is aware of the lapsing of the approval.
6.	Works outside the property boundary This development consent does not authorise works outside the property boundaries on adjoining lands.
	Condition reason: To ensure all approved works occur within the property boundaries.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

7.	Access Point
	Before the issue of a Construction Certificate, the beneficiary of this consent must build a driveway
	crossing for the subject land (if one doesn't exist) to Council standards.
	Access during construction shall only be through the driveway crossing of the subject land.
	Condition reason: To control vehicular movement on road crossings.
8.	Building Material
	The proposed building/s and structure/s shall be clad in an approved non-reflective material e.g.
	Colourbond.
	Condition reason. To ensure the materials of the building not impact the visual amonity of the
	Condition reason: To ensure the materials of the building not impact the visual amenity of the surrounding character of the area.
	Surrounding character of the area.
9.	Construction Site Management Plan
	Before the issue of a construction certificate, the applicant must ensure a construction site
	management plan is prepared before it is provided to and approved by the certifier. The plan must
	include the following matters:
	location and materials for protective fencing and hoardings to the perimeter on the site
	 provisions for public safety
	pedestrian and vehicular site access points and construction activity zones
	details of construction traffic management, including proposed truck movements to and from
	the site and estimated frequency of those movements, and measures to preserve pedestrian
	safety in the vicinity of the site
	 protective measures for on-site tree preservation (including in accordance with AS 4970-2009
	Protection of trees on development sites) and trees in adjoining public domain
	details of any bulk earthworks to be carried out
	location of site storage areas and sheds
	equipment used to carry out all works<
	a garbage container with a tight-fitting lid
	dust, noise and vibration control measures
	location of temporary toilets.

The applicant must ensure a copy of the approved construction site management plan is kept onsite at all times during construction.

Condition reason: To ensure construction works are adequately managed to protect the surrounding amenity.

10. Erosion and Sediment Control

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:

- the guidelines set out in the NSW Department of Housing manual Managing Urban Stormwater: Soils and Construction Certificate (the Blue Book), and
- the 'Do it Right On-Site, Soil and Water Management for the Construction Industry'; (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The applicant must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.

Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.

11. Fire Safety Schedule

Prior to the issue of a Construction Certificate, pursuant to Part 10 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended) a Fire Safety Schedule is to be submitted to the Principal Certifying Authority. The Fire Safety Schedule must include matters prescribed in clause 79 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended).

Condition reason: To ensure compliance with Fire Safety requirements.

12. Long Service Levy

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that the person liable pays the long service levy as calculated at the operational date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

Condition reason: To ensure the long service levy is paid.

13. Payment of Security Deposits

This condition applies to all construction works \$25,001 and above.

Before the commencement of any works on the site or the issue of a construction certificate, the beneficiary of this consent must make all of the following payments to Council and provide written evidence of these payments to the certifier:

Infrastructure Bond (Security Deposit):	\$3,000.00	

Infrastructure Protection Permit Fee (includes	\$232.00	
inspections)		

The payments will be used for the cost of:

- making good any damage caused to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates,
- completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and
- any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.

The Infrastructure Bond will be returned on completion of the construction of the proposed development, subject to no damage being done to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates. The owner / developer is to arrange an inspection with an Officer of Wentworth Shire Council before any work commences on site. Any damage incurred to Council infrastructure will be repaired at the owners / developers expense and the balance of the Infrastructure Bond will be returned to the owner / developer on completion of the construction.

Note: The inspection fee includes Councils fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the Roads Act 1993). The amount payable must be in accordance with councils fees and charges at the payment date.

Condition reason: To ensure any damage to public infrastructure is rectified and public works can be created.

14. Plumbing and Drainage

Before issuance of the Construction Certificate, a Plumbing and Drainage Application under Section 68 of the Local Government Act NSW 1993 is to be submitted to and approved by Council before any plumbing and drainage works (water and sewerage).

Note: All stormwater from the site is to be directed towards a legal point of discharge. All plumbing and drainage work is to be carried out by a plumber and drainer, or other authorised person, licensed with the New South Wales Department of Fair Trading.

Condition reason: To ensure plumbing and drainage works are carried out appropriately.

15. Road reserve landscaping

Lawn must be used for landscaping within the road reserve. Any other form of landscaping in the road reserve must be approved by Council.

Condition Reason: To ensure appropriate landscaping is used in road reserve.

16. Utilities and services - water and sewerage

Raw water, filtered water and sewerage are available and are to be connected to Councils services. Dual water supply lines are to be provided from the front boundary of the property. One line is to

convey filtered water to all fittings within the building and the other line to convey unfiltered water to all fittings outside the building i.e. garden taps, etc. A separate application is to be made to Council for approval to connect to Council's water mains prior to commencing any plumbing and drainage work.

Condition reason: To ensure relevant utility and service providers requirements are provided to the certifier.

17. Waste management plan

Before the issue of a construction certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:

Details the following:

- the contact details of the person(s) removing the waste
- an estimate of the waste (type and quantity) and whether the waste is expected to be
- reused, recycled or go to landfill
- the address of the disposal location(s) where the waste is to be taken

The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction.

Condition reason: To ensure resource recovery is promoted and local.

18. Works in Road Reserve

A Road Opening Permit is required from the Wentworth Shire Council prior to any works or excavation within the road reserve including but not limited to: water tapping, sewer, driveway crossings, tree planting or removal etc.

Please contact Councils Roads & Engineering Department on Tel: (03) 5027 5027 to arrange a permit.

Condition reason: To control development in the road reserve.

BEFORE BUILDING WORK COMMENCES

19. Construction Certificates and Appointment of Principal Certifier

Prior to the commencement of any building works, the following requirements must be complied with

- A Construction Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning & Env
- A Principal Certifier must be appointed, and Council must be notified in writing of the
 appointment irrespective of whether Council or a Registered Certifier is appointed; and notify
 Council in writing of their intention to commence work (at least two [2] days' notice is
 required).

	Condition reason: To ensure building works complies with relevant legislation and other codes.
20.	Contractor details notification The certifying authority must advise Council, in writing of:
	The name and contractor licence number of the licensee who has been contracted to do or intends to do the work, or
	2. The name and permit of the owner-builder who intends to do the work.
	If these arrangements are changed, or if a contract is entered into for the work to be done by a
	different licensee, Council must be immediately informed.
	Condition reason: To ensure building work is carried out by licensed contractor.
21.	Dial before you dig
	Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before
	you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is
	the law in NSW). If alterations are required to the configuration, size, form or design of the
	development upon contact the Dial before You Dig service, an amendment to the development
	consent (or a new development application) may be necessary.
	Individuals owe asset owners a duty of care that must be observed when working in the vicinity
	of plant or assets. It is the individuals responsibility to anticipate and request the nominal location
	of plant or assets on the relevant property via contacting the Dial before you dig service in advance
	of any construction or planning activities."
	Condition reason: To ensure existing infrastructure is identified.
22.	Erosion and sediment controls in place Before the commencement of any site or building work, the developer must be satisfied the
	erosion and sediment controls in the erosion and sediment control plan, (as approved by Council)
	are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on
	site).
	Condition reason: To ensure runoff and site debris do not impact local stormwater systems and
	waterways.
23.	Notice of commencement of works
	Subject to approval to commence works two days before any site works, building or demolition
	begins, the beneficiary of this consent must:
	1. Forward to Council notice of commencement of work and appointment of Principal Certifying
	Authority. 2. Notify the adjoining owners that work will commence.
	Condition reason: To provide notification of works commencing.
24.	Rubbish/Waste Management Throughout the construction period, from commencement of work, a suitable rubbish
<u> </u>	imoughout the construction period, from confinencement of work, a suitable fubbish

	containment structure is to be located on site and utilised.
	Condition reason: To ensure the construction site is kept clean and safe at all times.
25.	Storage of materials Throughout the construction period, from commencement of work, the storage of materials is not permitted on footpaths, roadways or in reserves. Rubbish and building materials must be contained on the site. Condition reason: To ensure the construction materials are stored on site in a tidy & safe manner.
26.	Toilet facilities Toilet facilities are to be provided on or in the vicinity of the building site. The toilet must be connected to a public sewer, or if connection to a public sewer is not practicable, an approved chemical closet. The toilet facility must be installed on-site prior to the commencement of any other work. Condition reason: To ensure workers and contractors have access to amenities on site.
27.	Tree protection measures
21.	Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place.
	Condition reason: To protect and retain trees.

DURING BUILDING WORK

28.	Approved Plans A copy of the stamped approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on site for the duration of site works and be made available upon request to either the Council or other Government Agencies. Condition reason: To ensure all parties are aware of the approved works to be conducted.
29.	Construction noise While work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out. Condition reason: To protect the amenity of the neighbourhood.
30.	Contamination discovered during works If during works on the land comprising the lot, the land is found to be contaminated, within the meaning of the Contaminated Land Management Act 1997: • all works must stop immediately, and • the Environment Protection Authority and the council must be notified of the contamination. • Land is found to be contaminated for the purposes of this condition if the principal

certifying authority knows or reasonably suspects the land is contaminated.

Note: Depending on the nature and level of the contamination, remediation of the land may be required before further work can continue.

Condition reason: To ensure contaminated land is managed appropriately.

31. Cut and fill (if applicable)

While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- All excavated material removed from the site must be classified in accordance with the EPAs
 Waste Classification Guidelines before it is disposed of at an approved waste management
 facility and the classification and the volume of material removed must be reported to the
 principal certifier.
- All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.

Condition reason: To ensure soil removal & replacement meets requirements.

32. Encroachment of easements

No works are to encroach over any easements.

Condition reason: To ensure works are not carried out over easements.

33. Hours of work

The developer must ensure that building work, demolition or vegetation removal is only carried out between:

- 7.00am to 6.00pm on Monday to Friday
- 8.00am to 1.00pm on Saturdays

The developer must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Councils approval.

Condition reason: To protect the amenity of the surrounding area.

34. Implementation of site management plans

While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan and the erosion and sediment control plan are implemented at all times. The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.

	Condition reason: To ensure the required site management measures are implemented during construction.
35.	Natural drainage Any works undertaken in the subject land including building and filling shall not cause alteration to the previous drainage in the subject land or adjacent land. Any remedies required to discharge drainage water caused to be accumulated by the works associated with this permit shall be the responsibility of the beneficiary of this consent. Condition reason: To ensure natural drainage is maintained where possible.
36.	Procedure for critical stage inspections While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate. Condition reason: To require approval to proceed with building work following each critical stage inspection.
37.	Responsibility for changes to public infrastructure While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area). Condition reason: To ensure payment of approved changes to public infrastructure.
38.	Security fencing An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project Condition reason: To ensure the site is secured during construction.
39.	 Tree protection While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with: The construction site management plan The relevant requirements of any Australian Standard for the protection of trees on development sites This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones. Condition reason: To protect trees during site works.
40.	Uncovering relics or Aboriginal objects While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage

Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

- "relic" means any deposit, artefact, object or material evidence that: (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - a) is of State or local heritage significance; and
- "Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

Condition reason: To ensure protection of objects of potential significance during works.

41. Waste management

While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contact details of the person(s) who removed the waste
- The waste carrier vehicle registration
- The date and time of waste collection
- A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill
- The address of the disposal location(s) where the waste was taken
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.

Condition reason: To require records to be provided, during construction, documenting that waste is appropriately handled.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

42. Completion of landscape and tree works

Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree-works, including pruning in accordance with AS 4373-2007 Pruning of amenity trees and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.

Condition reason: To ensure the approved landscaping works have been completed before occupation, in accordance with the approved landscaping plan(s).

43. Completion of public utility services

Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority. Before the issue of the occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.

Condition reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.

44. Fire Safety Certificate

Prior to the issue of the occupation certificate, a Fire Safety Certificate must be issued in accordance with Part 11 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Condition reason: To ensure fire safety requirements have been met.

45. **Occupation Certificate**

The building shall not be occupied or used until an Occupation Certificate is issued either by council or by an accredited certifier.

Condition reason: To ensure development is accredited.

46. Removal of waste upon completion

Before the issue of an occupation certificate, the principal certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the principal certifier.

Before the issue of a partial occupation certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the principal certifier's satisfaction.

Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.

47. Repair of infrastructure

Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.

Note: If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.

Condition reason: To ensure any damage to public infrastructure is rectified.

OCCUPATION AND ONGOING USE

48.	Additional structures
	No additional structures are to be built or installed on the site without permission from th
	Wentworth Shire Council.
	Condition reason: To ensure only approved work is carried out
49.	Amenity of the neighbourhood
	The operation of this development shall not adversely affect the amenity of the neighbourhoo
	or interfere unreasonably with the comfort or repose of a person who is outside the premises b
	reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, wast
	water, waste products, grit, oil or other harmful products.
	Condition reason: To ensure the amenity of the neighbourhood is not compromise
	unreasonably.
50.	Maintenance of wastewater and stormwater treatment device
	During occupation and ongoing use of the building, the beneficiary of this consent must ensure a
	wastewater and stormwater treatment devices (including drainage systems, sumps and traps, ar
	on-site detention) are regularly maintained, to remain effective.
	Condition reason: To protect sewerage and stormwater systems.
51.	Ongoing use – permanent group home with garage
	The proposed garage cannot be used for habitation.
	Condition reason: To ensure appropriate use as per approval.
52.	Release of securities / bonds
	When Council receives an occupation certificate from the principal certifier, the applicant ma
	lodge an application to release the securities held. Council may use part, or all of the securities
	held to complete the works to its satisfaction if the works do not meet Councils requirements.
	Condition reason: To allow release of securities and authorise Council to use the security depos
	to complete works to its satisfaction.

9.19 DA2025/062 PERMANENT GROUP HOME 10 MIDWAY DRIVE LOT 3 DP 1302556 BURONGA

File Number: RPT/25/275

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Georgie Martin - Cadet Planner

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

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

Summary

A development application (DA2025/062) was received by Council on 19 March 2025, for a permanent group home to be situated upon 10 Midway Drive Lot 3 DP 1302556 Buronga.

Under the Wentworth Local Environmental Plan (WLEP) 2011 and the State Environmental Planning Policy (Housing) 2021, this development is permitted with consent within the RU5 – Village zoning.

The application seeks development approval for the construction of a permanent group home which will be used for the accommodation of people with a disability under the NDIS Scheme. The building will consist of three bedrooms for people with disability and one bedroom for overnight assistance, with each bedroom having an ensuite. Other features of the permanent group home include an open plan kitchen, dining and living area, and an alfresco area. A single disabled car park has been provided within the garage.

The application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification 14 submissions were received by Council objecting to the proposed development.

The State Environmental Planning Policy (Housing) 2021 states that a consent authority must not refuse consent to the development for the purposes of a group home unless the consent authority has made an assessment of the community need for the group home.

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

Recommendation

That Council:

- 1. Approve subject to conditions DA2025/062 for a permanent group home to be located at 10 Midway Drive Lot 3 DP 1302556 Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Detailed Report

Purpose

The purpose of this report is to provide information to Council to determine Development Application DA2025/062, having consideration to the detail provided both within this report and the attachments provided.

Background

A Development Application was lodged with Council on 19 March 2025 seeking consent for a permanent group home on the subject lot.

The subject lot is in the RU5 Village zone under the *Wentworth Local Environmental Plan 2011* (WLEP 2011).

DA2025/062 was publicly notified as per Council Community Participation Plan for 14 days, with a total of 14 submissions objecting to the proposal received during this period. These submissions can be found under attached documents.

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

Refer to attachment 1 – Development Application

Refer to attachment 2 - Plans

Refer to attachment 3 – Statement of Environmental Effects

Matters under consideration

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

The proposed development was assessed and complies with relevant provisions of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 and the State Environmental Planning Policy (Housing) 2021.

The proposed development for a permanent group home is permitted with consent and meets the zone objectives of the RU5 – Village zone under the WLEP 2011.

Due to the zoning and WLEP 2011 mapping impacting the land, the development application was assessed against clauses 7.1 & 7.2. The development application was able to satisfy the matters for consideration under these clauses.

Due to the nature of the proposed development, it was assessed against Chapter 8 of the Wentworth Development Control Plan (DCP) 2011. The development complies with relevant provisions under this chapter.

The Wentworth Disability Inclusion Action Plan 2022 – 2026 is a requirement under the *Disability Inclusion Act 2014 (NSW)* (DIA / The Act). The Act required all NSW Local Government Areas to develop a Disability Inclusion Action Plan. Wentworth Shire Councils adopted plan states the following:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved

transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Public notification of the development application was conducted as per the Council Community Participation Plan for 14 days, whereby any submission received must at a minimum provide the following:

- Clearly identify the matter to which the submission relates,
- State the grounds for any support or objection expressed in the submission,
- Include appropriate contact details

Summary of concerns raised in submissions:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area
- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,
- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Response from Assessing Officer to concerns raised is as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy – Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.

- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is no planning strategy for specialised housing, only the Housing SEPP, which permits these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as detailed in assessment above will need to occur and this will fall to compliance with any approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.

Based on the assessment of the application, it is determined that the proposed development is compliant with relevant objectives of the RU5 – Village zoning under the WLEP 2011. The proposed development meets the relevant provisions of the Wentworth DCP 2011 and is consistent with planning matters for consideration of the WLEP 2011. The proposed development complies with matters for consideration under the *State Environmental Planning Policies – Biodiversity & Conservation (2021) and Housing (2021)*.

Refer to attachment 4 – Submissions (objections)

Refer to attachment 5 – Submissions (supportive)

Refer to attachment 6 – 4.15 Assessment report

Refer to attachment 7 – Conditions of Consent

Options

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

Approve Development Application DA2025/062 subject to conditions.

Legal, strategic, financial or policy implications

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

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

Conclusion

Having consideration of the consent of this report it is concluded that the appropriate course of action is to approve DA2025/062 subject to conditions.

Attachments

- 1. Development Application (Under Separate Cover) ⇒
- 2. Site Plans (Under Separate Cover) ⇒
- 3. Statement of Environmental Effects !
- 4. Submissions (objections) (Under Separate Cover)⇒
- 5. Submissions (supportive) (Under Separate Cover)⇒
- 6. 4.15 Assessment Report

 ...
- 7. Conditions of Consent





EXECUTIVE

SUMMARY

Proposal	Construction of a Permanent Group Home
Street Address	10 Midway Drive, Buronga
Formal Land Description	Lot 3 in Deposited Plan 1302556
Zone	RU5 - Village
Relevant State Environmental Planning Policies	SEPP (Housing) 2021 – Chapter 3, Part 2 Group Homes – Clause 62







SUBJECT SITE AND

SURROUNDING AREA

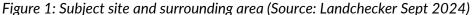
The subject site comprises one parcel of land commonly known as 10 Midway Drive, Buronga, and more formally as Lot 3 in Deposited Plan 1302556. The site is rectangular in shape (with a corner cut off) and is relatively flat. It has an area of 766 square metres (sqm) and a frontage to both Midway Drive and Broadstock Court. The site is currently vacant, but all reticulated services are available. No heritage or cultural sensitivities affect the land and there are no natural hazards or environmental sensitivities including native vegetation.

The site is situated within an early stage of Midway Estate, which comprises vacant land, established dwellings, offices, vacant commercial premises and a community centre.

An aerial image of the site and surrounding area as well as site photos are contained on the following pages.

Aerial Image of the Site and Surrounding Area









Site Photos

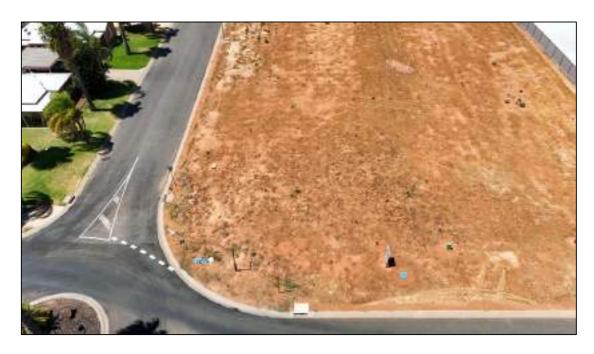


Figure 2: View of site from Midway Drive



Figure 3: View of the site from Broadstock Court





JACKSON PLANNING



Figure 4: View of the site from the east



Figure 5: View of the site from the south







PROPOSAL

DESCRIPTION

This application is for the construction of a Permanent Group Home, as summarised under the following points:

- The proposed Permanent Group Home will be used to accommodate people with a disability on a permanent basis under the NDIS Scheme. The plans have been assessed and certified by an accredited SDA assessor.
- The building is single storey and contains three bedrooms for people with a
 disability and one bedroom for on-site overnight assistance. Each bedroom has
 an ensuite and other internal features include an open plan kitchen, dining and
 living area, separate living area, separate bathroom, European laundry, alfresco
 and single garage.
- The external appearance of the building is contemporary with brick wall cladding and corrugated Colorbond iron roof cladding.
- The building has a maximum height of 4.8m above natural ground.
- One car parking space (to disabled parking standards) can be accommodated within the garage and one car parking space can be accommodated within the driveway.
- A new crossover is proposed to provide access to the double garage.
- Approximately 400sqm of the site is private open space and approx. 384sqm can be landscaped.
- The development will be connected to all reticulated services, with the exception of gas.







PLANNING

CONTROLS AND ASSESSMENT

Wentworth Local Environmental Plan 2011 (LEP)

The Subject site is within the RU5 - Village

The objectives of the zone are:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

The proposed Permanent Group Home is located within a recently released stage of the Midway Estate and will provide for residential diversity in an appropriate location. The building will provide much needed housing for people with a disability and is compatible with existing residential development in the surrounding area. The building has been designed to be energy efficient and is appropriately located so as not to unreasonably impact on the adjoining land. As such, the proposal supports the objectives of the RU5 zone.

Wentworth Development Control Plan

Chapter 2 - Plan Objectives

The following General Development Objectives are relevant to this application:

 Residential land is to be developed with the creation of neighbourhoods comprising a range of housing styles and densities to cater for a diverse demographical profile of the local government area.







• Residential growth shall be promoted in areas identified as urban release area.

The following Locality Objectives for Buronga and Gol Gol are relevant to this application:

- A safe, convenient and attractive neighbourhoods that meet the diverse and changing needs of the community and offers a wide choice of housing, leisure, local employment opportunities and associated community and commercial facilities.
- A site responsive approach to urban development that supports and enhances the context in which it is located, strengthens local character and identity, and promotes a sense of community.

In addition to this, Section 2.2 - Social and Community outlines that:

The proposed future development of Buronga and Gol Gol will result in an increased demand for additional community infrastructure. This includes:

- Expansion of the range of community facilities and services;
- Improvement of public transport links within and external to the area;
- Provision of additional government and health services; aged care services; child care facilities and education/training services; and
- Promotion of community image and events including sport and recreation.

It is clear that the proposal is supported by the objectives of the Wentworth Development Control Plan which indicate that there is a strong need for diverse housing to provide for the changing needs of the community. The proposed Permanent Group Home will provide much needed accommodation for people with a disability and is of a high construction standard.

Chapter 3 - General Development Controls

5 Vehicular Access and Parking

This development control aims to provide sufficient and convenient parking for residents, visitors and service vehicles; to ensure vehicular and pedestrian safety and to encourage access design to form part of the overall landscape design. The relevant subclauses are discussed below.







5.1 Parking Layout, Servicing and Manoeuvring

The proposed car parks will be located in the garage and driveway, which is typical for car parking in a residential setting.

5.2 Specific Land Use Requirements

The following car parking requirements apply to the proposal:

 Housing for older people or people with a disability – Refer to State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004.

The SEPP referenced in the DCP no longer exists. Two car parking spaces are provided for the proposed Permanent Group Home which complies with Schedule 2 (17) of the State Environmental Planning Policy (Housing) 2021.

Chapter 4 - Residential Development Controls

4.1.1 Site Context and Analysis

The plans submitted with this application demonstrate how the proposed development responds to site specific conditions and the site has been described in detail previously in this report. The site is within an earlier stage of the Midway Estate which contains vacant land and existing dwellings of a similar size, scale and sitting. The site does not have any specific constraints and the topography is relatively flat.

4.1.2 Streetscapes

The proposed building will have a positive impact on the streetscape. A number of habitable room windows overlook the street to provide for casual surveillance. The proposed garage occupies only a small portion of the frontage and is setback behind the main façade of the building. The building has a clearly identified entry from the street and has been designed to be energy efficient. The external materials and colours will complement existing dwellings in the broader area which have external materials and colours that vary considerably.







4.1.3 Front Setback

The building has a front setback of 4.5m, which is less than the 6m sought within the Wentworth DCP. It is worth noting that 4.5m is a commonly accepted front setback in developing areas and is the minimum requirement to meet the CDC criteria. There are no existing dwellings on abutting allotments and as such, the proposed front setback is considered to be acceptable and will not bring rise to any character or streetscape related issues.

The secondary street setback exceeds 4m, which complies with this control.

4.1.4 Side setbacks and Corner Lot Setbacks

The side setbacks of the proposed building are 10.8m from the north boundary (Broadstock Court) and 1.45m from the south boundary (combined total exceeding 4.5m), which complies with this Control.

4.1.5 Rear setbacks

The proposed building is located 5.5m from the rear boundary, which meets this Control.

4.1.6. Walls on Boundaries

Not applicable. No walls on boundaries are proposed.

4.1.7 Building heights and overshadowing

The proposed building is unlikely to overshadow the private open space of future dwellings on adjoining lots as it is single storey and has relatively generous boundary setbacks.

4.1.8 Site Coverage

The site coverage is approximately 34%, although it is noted that this control only applies to single dwelling houses and dual occupancies.







4.1.9 Private Open Space

At approximately 400sqm, private open space is well in excess of the 40sqm minimum requirement. There is an area of secluded private open space at the rear of the building also well in excess of 25sqm, with a minimum dimension of 3m accessed from the main living area.

4.1.10 Energy Efficiency and Solar access

Appropriate solar access and energy efficiency is achieved given the orientation of the site and distance between windows and boundaries. A BASIX is not required as a standard residential dwelling is not proposed.

4.1.11 Daylight to existing windows

The proposed building will not impact daylight to existing dwellings as the adjoining land is vacant.

4.1.12 North-facing windows

Not applicable – there are no existing north facing windows within 3m of the boundary.

4.1.13 Overlooking

Not applicable – the proposed building is single storey and will not be notably raised above existing surface levels. A 1.8m high solid boundary fence will provide for privacy between lots.

4.1.14 Fencing and Retaining Walls

No fences or retaining walls are proposed as part of this application. The boundary fence will be made to comply with the SEPP Exempt and Complying Development Codes 2008 (Part 2, Subdivision 17).

4.1.15 Car Parking and Vehicle Access

Car parking has been discussed previously.







4.1.16 Cut and Fill

As the site is relatively flat, only minimal earthworks are anticipated and will not exceed 0.3m of cut or fill.

State Environmental Planning Polices (SEPP)

SEPP (Housing) 2021 - Chapter 3, Part 2 Group Homes - Clause 62

This Clause contains requirements for consent authorities when determining Development Applications.

General Assessment

Visual Impacts

Please refer to DCP assessment.

Open Space

Please refer to DCP assessment.

Overshadowing and Privacy

Please refer to DCP assessment.

Noise

Only standard domestic mechanical plant will be associated with the proposed building, which will emit noise typical for a residential area.

Erosion Control Measures

No specific erosion control measures are considered necessary for this development. Any minor earthworks will be appropriately battered and retained (if necessary).







Economic and Social Impacts

The proposed building will contribute to the social wellbeing of the Buronga township by providing suitably designed housing to accommodate disabled persons. It also contributes to investment in the Buronga/Gol Gol Area.

Environmental Benefits

Due to the nature of this development, no significant environmental benefits are envisaged.

Disabled Access

The proposed building has been designed to comply with all disabled access standards and the plans have been assessed and certified by an accredited SDA assessor.

Security, Site Facilities and Safety

Not applicable for this application.

Waste Management

Standard domestic waste services will be provided by Council.

National Construction Code

The National Construction Code will be assessed as part of the Construction Certificate process by a Building Surveyor.

Traffic

The proposed building will result in standard domestic travel within the existing road network. This would have been anticipated and accounted for in the design of the subdivision.

Stormwater/flooding

The site is not subject to any identified natural hazards and stormwater will be directed to the legal point of discharge.







CONCLUSION

This report demonstrates that the proposal is consistent with the relevant provisions of the Wentworth Local Environmental Plan 2011 and the Wentworth DCP.

The proposed Permanent Group Home is appropriate for the site as it:

- Supports the objectives of the Zone RU5 Village;
- Is appropriately located on the subject site;
- Will have an acceptable impact on the locality in terms of amenity and visual dominance; and
- Will not result in any detrimental impacts on the environment.

It is considered that the proposal is worthy of support, and it is therefore respectfully requested that the Wentworth Shire Council grant Development Consent for the construction of a Permanent Group Home as described in this report at 10 Midway Drive, Buronga.







Health & Planning Department 61 Darling Street PO Box 81

WENTWORTH NSW 2648

Tel: 03 5027 5027

council@wentworth.nsw.gov.au

DA Assessment Report Section 4.15 Evaluation

Environmental Planning & Assessment Act 1979 as amended

File Reference: DA2025/062 & PAN 518962

Property Title & Address: P511/5703 10 Midway Drive Lot 3 DP 1302556 Buronga

Property owner(s):

Applicant(s):

Proposal:

SUPAVEST SPV FOUR PTY LTD

JACKSON PLANNING – Matt Jackson

Permanent Group Home with Garage

Previous DAs: N/A

Cost of proposed development: \$715,513.05

SITE AND SURROUNDING DEVELOPMENT

The subject site comprises of Lot 3 DP 1302556, 10 Midway Drive, Buronga. The lot has an area of 766m² and connects to Sturt Highway to the South through Midway Drive, connecting through to the developing locality within the Midway area and surrounding locality.

The subject site is zoned within the RU5 – Village zone under the Wentworth Local Environmental Plan (WLEP) 2011. The subject site is a rectangular shaped lot with no vegetation removal proposed as site was recently cleared during the subdivision process. The lot is not impacted by easements or environmental factors.

The site is not within the bushfire prone, flood way or flood planning, terrestrial biodiversity, wetlands, or urban release mapped area and contains no known heritage constraints.

DESCRIPTION OF PROPOSAL

The proposal seeks development consent for the construction of a single storey dwelling with garage to be utilised as a permanent group home, which will provide accommodation for people on NDIS plans with ongoing disabilities as per the NDIS requirements. The dwelling is proposed to accommodate three participants and one overnight assistance personnel. The lot has a total area of 766m² with the dwelling proposed to have a floor area of 256.58m², broken down into the following:

Dwelling: 209.31m² – Garage: 28.17m² – Alfresco: 16.20m² – Porch: 2.89m².

One car parking space suitable for disability requirements is provided within the garage, with a standard parking space accommodated within the driveway area.

HISTORY RELEVANT TO THE DEVELOPMENT APPLICATION

N/A

SECTION 4.15-MATTERS FOR CONSIDERATION

(1) The provisions of any environmental planning instrument and development control plan

State Environmental Planning Policy (Biodiversity & Conservation) 2021

The proposed development is proposed to be located upon on a lot that is under 1ha in size and clear of vegetation following previous subdivision. No native vegetation is to be removed for construction, with no impact to any potential habitat for fauna. The site is not known koala habitat, as such, no assessment required against Chapters 3 or 4. The proposed development is not located within close proximity to the river of other waterbody, and as such, no assessment is required against Chapter 5.

State Environmental Planning Policy (Housing) 2021

Clause 60 (a) does not identify the land zoning of RU5 as a prescribed zone suitable for group home development, however, clause 60 (b) states that any other zone under an environmental planning instrument were dwelling houses may be carried out with consent is categorised as a prescribed zone.

The RU5 – Village zone under the WLEP 2011 lists dwelling houses as permitted with consent.

Clause 61 identifies that the proposed group home is permitted with consent as it is proposed on land zoned RU5 – Village under the WLEP 2011. In terms of the hierarchy of legislation, the SEPP overrides the WLEP 2011 in terms of any inconsistency as per section 3.28 of the EP&A Act.

Under clause 62 a consent authority (Council) must not:

- refuse a group development unless an assessment of the community need has been done
- Impose a condition of consent specifically because a development is a group home.

State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX Certificate has not been provided as it is not required due to the proposed development being class 3 under the Building Code of Australia.

Further, as it is assumed that the development will be certified as a Class 3 building under the BCA at the construction stage, in line with the *Comprehensive Guide to BASIX*, a BASIX Certificate is not needed.

Wentworth Local Environmental Plan (LEP) 2011

The proposed development of a permanent group home for the provision of accommodation for participants within the NDIS scheme is permitted with consent and meets the zone objectives of the RU5 – Village zoning under the Wentworth Local Environmental Plan (WLEP) 2011, under which the subject site is located. The main supportive objective is to provide for a range of land uses, services and facilities that are associated with a rural village. The development of a NDIS based permanent group home will allow for services for those with disabilities to live mostly independently with assistance.

Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

A group home meets the definition of a dwelling as follows:

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

Group home means a permanent group home or a transitional group home. Group homes are a type of **residential accommodation**.

Group home (permanent) or permanent group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which <u>State Environmental Planning Policy (Housing) 2021</u>, Chapter 3, Part 5 applies.

Clause 7.1 Earthworks

Any earthworks will be conditioned and form part of the approval.

Clause 7.2 Essential Services

Connection of services has been made possible during the previous subdivision of the development site.

Wentworth Development Control Plan (DCP) 2011

The proposed development is acceptable against the relevant provisions of the Wentworth Development Control Plan (DCP) 2011 as outlined in the table below.

Wentworth	Chapter 8	Acceptable	Not	N/A	Reason
DCP			Acceptable		
	5.1.1 Site context	X			Positioning of the proposed building on site makes use of available land while leaving space for private open space and providing suitable access for residents of the permanent group home facility. Materials used will compliment other structures in the surrounding area.
	5.1.2 Streetscape	х			The proposed building will be in keeping with few existing developments in the area with windows facing the street for casual surveillance and a garage setback from the facade of the main portion of the building. It is anticipated that future development in the area will be similar and compatible with this DA.
	5.1.3 Front Setback		х		4.5m – does not meet
	5.1.4 Side setbacks	х			Southern: 1.45m – meets Northern: 10.8m – meets
	5.1.5 Rear setback	Х			5.5m – meets
	5.1.6 Walls on Boundaries			х	N/A as no walls on boundaries
	5.1.7 Building heights and overshadowing			X	N/A as not a two-storey building

5.1.8 Site Coverage	X	Proposed development does not cover more than 60% of site (48% approx.)
5.1.9 Private open space	х	Ample room for private open space available
5.1.10 Energy & sola access	ar X	Proposed development meets requirements of the Energy Efficiency Compliance Assessment
5.1.11 Daylight to existing wind	X ows	No impact anticipated from the single storey building to surrounding neighbours.
5.1.12 North facing windows		X N/A as no north facing windows within 3m of boundary.
5.1.13 Overlooking		X N/A as development approval is for a single storey building
5.1.14 Fencing and retaining wall	ls	X N/A approval not for fencing or retaining walls
5.1.15 Car parking a vehicle access		The site provides for one (1) disability access car parking spaces within the garage as per requirements under the Housing SEPP one space within the garage and another singular space is provided in the driveway of the proposed development site. Access to the site is provided via a crossover to council standards to be detailed within conditions of consent. Two parking spaces in total, one being to disability standards.
5.1.16 Cut and fill	X	Earthworks will be conditioned as part of approval

Development Control	WDCP 2011 requirement for RU5 Village zone	Proposed Permanent Group Home	
Front setback	6m minimum	4.5m	
North side setback	1m minimum	10.8m	
South side setback	1m minimum	1.45m	
Rear setback	3m minimum	5.5m	

The front setback does not meet DCP requirements of 6m, being only 4.5m, however, many new developments in newly subdivided areas are utilising a front setback of only 4.5m to allow better use of allotment space. Additionally, other developments in the surrounding area have front setbacks under the required 6m, even down to 3m.

(2) The provisions of any draft environmental planning instrument

There is no Division 3.4 draft environmental planning instrument that affect the proposed development. (Post 1 July 2009 LEP amendments).

(3) Any matters prescribed by regulations

There are no further matters prescribed by regulations.

(4) The likely impacts of the development

There are no likely impacts from the proposal as discussed in the table below.

·	1	· · · · ·	tile p	roposal as discussed in the table below.
Impact item				Comment
(insert an ' x ' in the				
relevant section)		ole		
	e	Not acceptable	Not relevant	
	Acceptable	cep	ev:	
	ept	ac	rel	
	သ	ot	ot	
Context and setting	v	Z	Z	The proposed permanent group home building will look similar in
Context and setting	Λ			external design to the few existing residential developments in the
				immediate area
Public domain &	X			The proposed permanent group home building meets the required
Streetscape &	Λ			setbacks as provided and justified in assessment above (DCP)
Streetscape				
Landscaping			X	Not part of this application
Stormwater	X			Discharge to legal point of Councils stormwater system to be
				conditioned
Heritage	X			None on site
Soils & Soils Erosion	X			Earthworks and erosion control to be conditioned as part of
				approval
Air and microclimate	X			No effect from proposed development anticipated
Water Resources	X			Noted – development located adequate distance from water sources
water Resources	Λ			Noted – development located adequate distance from water sources
Biodiversity (Flora &	X			As the site was cleared of any vegetation during the subdivision
Fauna)				process – no effect on existing flora or fauna,
Land Resources	X			None known at this site
Utilities	X			Utilities are available to the property
Access & Parking	X			Adequate access and parking are available to the site, development
				provides disability parking space as per requirements in line with
				Housing SEPP and
Roads & Traffic	X			Increase to area anticipated during construction with slight increase
				as new residents move into the completed building
Solar Access and Energy	X			Will be required to meet energy requirements of Part J1 of the BCA
Efficiency				
Overshadowing			X	Not relevant as surrounding land vacant and single storey
U				development
Privacy & Overlooking			X	Not relevant as single storey building
Flooding			X	Not in flood planning area
Bushfire Prone Area			X	Property not within bushfire prone land
Noise	X			Only significant increase anticipated during construction, then
				residential noise ongoing
Technological hazards	X			No known hazards on site or anticipated
Safety, Security & Crime	X			No detrimental effects anticipated from development in this
Prevention				location. Windows facing street will provide casual surveillance
	1		1	provide the second seco

Social and	Economic	X		No detrimental effects anticipated
Impacts				

The NDIS outlines high physical support SDA housing as housing that includes a high level of physical access for people who need very high levels of support. For example, you may need a ceiling hoist, backup power supply, or home automation and communication technology.

Further, level of functioning is defined as:

"The umbrella term for any or all of body functions, body structures, activities and participation. Level of function indicates the impact a participant's disability has on how a person is able to perform tasks and actions in a life area, as represented by a 'severity score' 'High functioning' indicates lower service and support requirements with a lower severity score, and 'low functioning' indicates higher service and support requirements with a higher severity score."

Image 1: Snip showing five bands of low level of function. (*Explore data NDIS*. https://dataresearch.ndis.gov.au/explore-data current as of 22 April 2025).

Active participants by Level of Function The number of active participants as at the end of the selected quarter. Those who have been determined eligible and have an approved plan. (There are also cases where a participant's plan has expired and a new plan has not formally commenced, but they have not exited the Scheme. These individuals are also counted as active participants.) (?) Active participants Average committed support Average payments Table Graph Period LGA State/Territory **Level of Function** Active participants Q2 FY24/25 Wentworth (A), NSW < 11 9 (Medium) QZ FYZ4/25 Wentworth (A), N5W 10 (Medium) 27 Q2 FY24/25 Wentworth (A), NSW 11 (Low) <11 Q2 FY24/25 Wentworth (A), NSW 12 (Low) 18 Q2 FY24/25 Wentworth (A), NSW 13 (Low) < 11 Q2 FY24/25 Wentworth (A), N5W 14 (Low) < 11 Q2 FY24/25 Wentworth (A), NSW 15 (Low) < 11 Q2 FY24/25 Wentworth (A), N5W Missing < 11

If we take < 11 to mean there are roughly ten participants in the associated (low) band, the above image then identifies that the five bands total 68 participants. This therefore identifies that there is a population with requirements for higher servicing and support requirements, being low functioning and having a higher severity score.

Low functioning participants as per the level of functioning definition require higher levels of support.

From the same dataset (as taken from the above website on the same date), there are 198 active participants who have been deemed eligible and have an approved plan under the NDIS. This dataset does not encompass all of those with disabilities that require support within the Wentworth LGA, indicating there may be more not accounted for as they are not active participants or are waiting for availability.

From the above 198 active participants, none have approved plans encompassing SIL / SDA.

The Inquiry Report: Own Motion Inquiry into Aspects of Supported Accommodation (NDIS Quality and Safeguards Commission, January 2023)

The above report states the following on page 23:

- a suburban house (SDA or otherwise) where a group of people with disability live together, each with their own bedroom (sometimes with ensuite), sharing a common living room, kitchen, bathroom and garden, and with an area of the house used as office space for staff.
- a number of suburban houses (as above) located in relatively close proximity to each other, sometimes with direct links between each of the houses (for example through a garden gate), with a team leader or manager overseeing supports across the network.

This reinforces the ability for SDA dwellings to be located in close proximity to one another.

Wentworth Disability Inclusion Action Plan 2022 - 2026

The Wentworth Disability Inclusion Action Plan 2022-2026 has a focus area that directly identifies housing for those with disabilities – 2; Livable Communities which states the following: Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing.

The plan, in line with the identified focus area aims to attribute to the positive experience of those with a disability, their families and supporters, through access to community places, buildings and events.

As there are currently no SDA housing facilities within the LGA, the proposal to develop them is in line with the Disability Inclusion Action Plan with the aim of providing housing, eliminating the barrier of housing access to those that require it.

Further, the following are direct quotes from the plan:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Approach to characterization and permissibility under LEPs

It needs to be noted that the development of Permanent Group Homes is permitted under legislation, both the Wentworth Local Environmental Plan 2011 and the State Environmental Planning Policy (Housing).

The case of *Botany Bay City Council v Pet Carriers International PTY Limited* [2013] NSWLEC 147 reiterates that land use tables within LEPs can use many means by which to define what development is permissible by identifying either *nominate* or *innominate* purposes.

His Honor, Preston CJ, stated the following:

A nominate purpose is one which the environmental planning instrument expressly nominates by name as being within one of the three classifications. Hence, the land use table for a zone may nominate particular categories of purposes of development as being within the classifications of development that may be carried out without consent, development that may be carried out with consent, or development that is prohibited.

An innominate purpose is one which the environmental planning instrument does not nominate by name as being within one of the three classifications, but rather identifies as falling within a particular classification by reason of it not being nominated in other classifications; it is development other than development in the other classifications. Hence, the land use table for a zone may classify as prohibited development, development for a purpose other than a purpose nominated as being able to be carried out without consent or with consent.

In the case of permanent group homes, as they are not directly identified within the RU5 – Village zoning as an independent type of development but fall under "any other development not specified in items 2 or 4", they are therefore innominate and permissible with consent.

(Compatibility Test) Project Venture Developments Pty Ltd v Pittwater Council [2005]

There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale, or appearance, though as the difference in these attributes increases, harmony is harder to achieve.

The physical impacts, such as noise, overlooking, overshadowing, and constraining development potential, can be assessed with relative objectivity. In contrast, to decide whether or not a new building appears to be in harmony with its surroundings is a more subjective task. Analysing the existing context and then testing the proposal against it can, however, reduce the degree of subjectivity.

For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment.

In some areas, planning instruments or urban design studies have already described the urban character. In others (the majority of cases), the character needs to be defined as part of a proposal's assessment. The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks, and landscaping. In special areas, such as conservation areas, architectural style and materials are also contributors to character.

In order to test whether a proposal is compatible with its context, two questions should be asked.

- Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites. (Test One)
- Is the proposal's appearance in harmony with the buildings around it and the character of the street? (Test two)

Test One:

The proposal of a permanent group home, being constructed as a dwelling, does not constitute any physical impacts on the surrounding development. The surrounding development consists of dwellings with outbuildings.

Physical impacts will not occur as the development design is that of similar size, scale and sitting to existing development in the immediate and surrounding area. The applicant has identified the permanent group homes to have external materials and colouring that complements existing dwellings in the surrounding area.

It should be noted that Wendy Court itself, where the main streetscape occurs, has minimal development existing, being two dwellings and an allotment with an outbuilding.

There will be no issues regarding side setbacks as a physical constraint, as setbacks adhere to requirements under the Wentworth Development Control Plan, some rear setbacks do not meet requirements, but it should be noted that habitable building space does not encroach the setbacks, only alfresco areas that are open in design. Front setbacks may not meet the required 6m, however, as discussed in the DCP assessment, in newly developed areas, setbacks from the front boundary can be accepted at 4.5m for RU5 – Village zoned land.

Test Two:

The proposal of a permanent group home will be in harmony with the development within the estate area. Permanent group homes are designed as and meet definitions of dwellings, which is the main development in the estate area and will not alter the harmonic design, rather increasing development in the area and encouraging use of the RU5 – Village zoning whereby a range of services and facilities need to be available, including disability accommodation for the impacted community members.

Harmony is often defined as "the quality of a pleasing and consistent whole", with the permanent group homes not causing impact as the development will be that of dwellings in a residential area attributing to the existing use and character of the estate. Impact to Summer Drive through harmonious development should not be impacted due to separating fences and differing streetscapes (existing development vs minimally existing development).

The permanent group homes will be of the same design, therefore harmonious to themselves and attributing to consistency of the area.

The permanent group homes are dwellings and will not impact the character of the area. The use of each dwelling is subject to residential purposes such as long term accommodation, which is provided through the group homes. The use of existing dwellings in the area is no different to the accommodation purposes of the group homes, with additional assistance for the residents of the group homes required.

New Century Developments Pty Limited v Baulkham Hills Shire Council [2003] NSWLEC 154 revised - 5/09/2003 (social impact, large number of objectors, character and amenity of area).

The above caselaw provides examples of amenity, reiterates development characteristics and any further associated issues, as well as substance of community responses to proposed development.

"(61) In circumstances such as the present case, however, the consent authority must not blindly accept the subjective fears and concerns expressed in the public submissions. Whilst such views must be taken into consideration, there must be evidence that can be objectively assessed before a finding can be made of an adverse effect upon the amenity of the area... the views of residents of the area, those views will be accorded little, if any, weight if there is no objective, specific, concrete, observable likely consequence of the establishment of the proposed use."

The above quote from the caselaw states plainly that evidence must be provided for submissions to be assessed. Council cannot take submissions with little to no planning grounds as having an adverse impact to the development of what is defined legally as a permanent group home under the WLEP 2011.

There are no specific issues raised in submissions received regarding the proposed group home development.

Submissions received as objections rather centre around the use of the development and those that would use it, however, this is not for Council to mandate as we are not the managing authority, only the consent authority. Submissions referenced the following:

- Property valuation
- Proximity of group homes to each other
- Behaviour concerns of NDIS participants
- Potential for property damage
- Disturbances caused by NDIS participants
- Location of group homes in locality for NDIS participant access to services
- Lack of Council transparency
- Concerns for the childcare centre in proximity to proposed group homes
- No need for further group home development

"(64) The assessment of the specific objections raised by the local residents shows that the concerns raised by them, objectively assessed, must be afforded little weight. As is shown by the consideration of the specific objections, discussed above, they appear to have little basis in fact."

Th above quote from the caselaw states that if concerns have been assessed based on the objectives (mainly directed at NDIS management and use of the proposed group home dwelling – therefore not specific legislative <u>planning grounds</u>), then submissions **must** be afforded little weight, therefore not considered as little fact is apparent.

"(71) In summary, I have concluded that the proposed development would be compatible with the rural residential character of the area and would not have an adverse impact on the amenity of the area, including social impact. While I recognise that there is strong community opposition to the proposal and that the residents have real fears, these fears must have foundation and a rational basis, which in this case is absent."

The above quote from the caselaw states that the ultimate outcome of the case as decided by the Judge, was that the proposed development was compatible with the character of the existing area and would not have an impact on the amenity of the area. Community opposition was recognised but the concerns were found to have no foundation or rational basis (planning grounds).

In relation to the proposed group home, no planning grounds for the proposal are seen, merely concerned community members referencing issues relative to unjustified fears based on the use of the development. No foundation (fundamentals of planning legislation) are presented by submitters, as addressed by Council.

Understanding the Local Impact of New Residential Development: a Pilot Study Christine Whitehead and Emma Sagor with Ann Edge and Bruce Walker LSE London April 2015

The report identifies that opposition to new dwelling development is driven by local communities feeling that they will gain little benefit from new dwellings and that negative impacts may arise, such as infrastructure pressure and lack of services, as well as residential valuation impacts.

The report solidifies and states that planning literature does not often and is not required to, address impacts to housing valuation or pricing as this is not directly related to planning decisions which are assessed against relevant legislation, as well as broader economic, environmental, and social factors.

Further Information of Relevance

The 2019 Issues Paper – Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) focuses on group homes as a form of accommodation where supports are provided for four (4) to six (6) long-term residents with a disability. The proposed group home under assessment is for residential accommodation of up to three people

This Issues Paper states plainly that all building work (in regard to group homes) must comply with requirements under the Building Code of Australia (BCA), this is a consideration for the construction certificate and certification stage of the development.

Further, the Issues Paper also states that group homes are defined under the NDIS Rules 2016 as "houses that are (or will be enrolled) to house four to five long-term residents... typically classified as Building Class 1(b)(i) or 3 under the Building Code of Australia."

As per the document *Understanding the NCC – Building Classifications* published by the NCC, a Class 1b building is a boarding house, guest house or hostel that has a floor area less than 300 m2 and ordinarily has less than 12 people living in it, and Class 3 buildings are a common place of long term or transient living for a number of unrelated people.

The 2020 Issues Paper – Overview of responses to Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) identifies the following on page seven (7) under Potential good practice in group homes:

- Role of group homes is conditional upon providing residents wit control and choice over their location,
- Group homes can promote inclusion and social connection,
- Research suggests smaller group homes of two to three residents is usually better,
- Factors such as organizational structure, staff training and person centred support contributes to better quality of life in group homes.

Maple Community Services (https://maplecommunity.com.au/advantages-of-group-housing-for-adults-with-disabilities/) is a disability provider with an accessible online platform, this platform provides a page identifying the advantages of group housing for adults with disabilities, points from the website as follows:

- Independence opportunity to manage routines and take responsibility within a supportive and structured environment.
- Specialised care on site or readily available support workers can provide the required approaches to individual needs ensuring each level of care for each resident is maintained.
- Safety and security increased safety measures are present in group homes, as well as emergency support systems, thus ensuring safety of the residents.
- Social inclusion opportunities to participate in activities, outings and community engagement creating meaningful relationships in home and community.
- Small scale group homes often limit number of residents to keep a personalized and supportive environment.
- Privacy each resident has their own bedroom for privacy and personal space.
- Accessibility group homes are designed to accommodate mobility and accessibility needs.

The Australian Institute of Health and Welfare (AIHW) under *Housing* states the following on their website:

Housing plays a major role in the health and wellbeing of people with disability, by providing shelter, safety and security. The availability of affordable, sustainable and appropriate housing helps people with disability to participate in the social, economic and community aspects of everyday life.

Australia's Disability Strategy 2021 – 2031 is Australia's national disability policy framework, setting out plans for the continual improvement of the lives of people with disability in Australia over a decade.

This strategy includes a designated chapter for *Inclusive Homes and Communities*, with the outcome to provide people with a disability the opportunity to live in inclusive, accessible, and well-designed homes and communities.

Under this chapter, *Policy Priority 2: Housing is accessible and people with disability have choice and control about where they live, who they live with, and who comes into their home* relays the importance of increasing availability of accessible housing to allow for users to have a choice on where to live, who to live with and enables people with disability to socialise and connect with neighbours, friends and family.

Monash Universities publication Adaptable Housing for People with Disability in Australia: A Scoping Study states the following:

Given the increasing prevalence of disability, an estimated 60% of homes will, at some point, be occupied by a person with disability or injury, and 90% will have a visitor with disability or injury.

Few homes are designed to directly suit or be adaptable to the needs of people with disability, causing a mismatch between people with disability and their homes:

- 4.9% of Australians with disability have moved because of a health reason (compared to only 0.6% of people without disability)
- 16% are dissatisfied with their homes.

Wentworth Local Environmental Plan 2011

The WLEP 2011 provides the following definition for permanent group homes: group home (permanent) or permanent group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged

It should be noted that the plans provided by the applicant indicate "NDIS High Physical Support SDA" with design considering wider doorways, ceiling hoists, accessible parking (garage), and ensuites tailored for required needs (rails etc.), with an adjustable bench in the kitchen.

The people anticipated to use these dwellings are those with disabilities, and not those who are socially disadvantaged, however, Council are not the management authority and cannot dictate who will utilize these developments.

(5) The suitability of the site for development

The site is suitable for the proposed permanent group home building as it is not anticipated to have any adverse impact on the locality; however, 14 submissions were received. The proposed development is permitted within the RU5 — Village zoning area under the Wentworth Local Environmental Plan 2011. The development provides the area with greater flexibility in housing and facilitates options for people with a disability under the NIDS scheme to become independent within the community, while receiving care when required. The character and use of the proposed development is consistent with other proposed developments in the immediate area.

(6) Any submissions made in accordance with this Act or Regulation

The application was notified for 14 days as per the Wentworth Community Participation Plan. 14 total submissions (13 unique) were received objecting to the application within the notification period.

The following list identifies concerns raised within the submissions received:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area
- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,

- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Regards,

Council Officer Comment:

There have been no planning grounds of concern raised through submissions made during the 14-day public exhibition period. Concerns identified have been assessed as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy – Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.
- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is no planning strategy for specialised housing, only the Housing SEPP, which permits these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as detailed in assessment above will need to occur and this will fall to compliance with any approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.







(7) The public interest

The proposed development is consistent with public interest as it will have no detrimental effect on the surrounding area.

Social impact equates to the consequences that people experience when a new proposal for development will alter their known environment. This could be through acoustic, amenity, way of life, health and wellbeing, and property impacts. Submissions in regard to the proposed group home have shown that the development proposed is seen as a concern to the surrounding community.

The social impacts as identified by concerned residents in submissions for the proposed group home (singular development on a singular allotment) are not linked to the development of a permanent group home, instead, are aligned with the users and management authority of the group home following construction. No noise, amenity, traffic or other detrimental impacts are envisaged from a, by definition, permanent group home in a residentially established area.

Approval of the proposed group home would benefit the disabled community of the shire, which under the Disability Inclusion Action Plan (2022 -2026), housing is a provision that needs to occur and is heavily identified. Although the population requiring this accommodation may not encompass a wider community, the housing type is beneficial to the expanding Buronga / Gol Gol and wider areas of the entire shire and is also important being a border community. A total of 14 submissions objecting to the development were received during the exhibition period, however matters raised were similar in nature with no detrimental planning concerns raised. Most concerns are specific to management and users of group homes in general, or the infrastructure of the area that would have been considered during the subdivision stage. It is worth noting that nearly all submissions state that the submitter recognises the need for the housing type in the shire.

The Land and Environment Court in New Century Developments Pty Limited v Baulkham Hills Shire Council (2003) 127 LGERA 303; [2003] NSWLEC 154 (New Century) at [60] adjudged that a development that causes such great offence to a large portion of the community that it ought to be refused amounts to a detrimental social impact.

However, at [62] the case law identifies that fears or concerns without rational or justified foundations are not matters which, by themselves, can be considered as an amenity or social impact pursuant to s 79C(1) (now s 4.15) of the EP&A Act. Where there is no evidence to support a rational fear, it will not be relevant and be of the basis that community members have altered their everyday actions and thoughts based on the concept of the use of permanent group homes, therefore are seen due to unjustified fears, in this case, whereby broad assumptions have been made about the use of permanent group homes.

In this case Council received 14 objections to the DA from residents living nearby and from within the broader urban area. The objections principally related to impacts to property value, childcare proximity, disturbances from residents of proposed group homes, lack of facilities in the area, proximity of group homes to each other, insufficient infrastructure to support high-needs users, impact of living in the area for NDIS participants, potential for traffic increase and property damage from users.

Assessment of social impacts relating to the proposed development of a permanent group home needs to be based on fact and evidence, not community perceptions or potential unjustified fears. It

needs to be reiterated that the assessment and approval or refusal of a development application is to be made under the planning legislation.

The social impacts as perceived by local residents are noted and have been addressed through conditions of consent or general assessment. Council cannot dictate who utilises the group home upon completion and following issuance of an occupation certificate as long as users are those permitted under the definition of permanent group home. Residents of the area seem to hold unjustified fears of those from within the disabled community who would be using the group homes for impacts to their lives and everyday activities.

At the February and March Council Meetings (2025) members of the public gallery spoke against the development of group home "clusters", citing isolation of potential residents, heightened noise and vehicular impacts, minimised liveability of the wider community, emergency vehicle access and availability, NDIS requirements and reports that are not indicative of town planning requirements, DCP non-compliance, and the institutionalisation of NDIS participants. The abovementioned have been considered in the assessment and are not considered detrimental social impacts as they are perceived impacts or unjustified concerns, with no reference to applicant supplied assessment material. Concerns have been adequately given weight where required in line with provided substance of submissions. Submissions and voiced concerns have not been of strict planning grounds and can be viewed as unjust when referencing the disabled community.

The development of a permanent group home, defined under the WLEP 2011 as a dwelling, is not anticipated to create negative social impacts on the locality. The specific users are not for Council to mandate through the development approval processes. A combination of abovementioned impacts will not lead to negative impacts or experiences in the area. The development of a permanent group home, in a residential area with minimal development as per this assessment should be greatly considered for aesthetic and crime prevention (CPED) purposes. The more houses/development in a subdivision, street facing windows and cars around development, all attribute to making an area safer both through surveillance and lively areas.

On balance, the proposed permanent group home in a land zoning supporting group homes under both the WLEP 2011 and the Housing SEPP 2021, the benefits to the disabled community and no negative impact anticipated to the social streetscape or overall amenity of the area, when weighted against the minimal substance of the submissions, does not justly warrant refusal of this development application.

Should concerns arise from the permanent group home operation, Council will properly investigate and take compliance action as needed to matters within our jurisdiction.

COMMENTS FROM COUNCIL INTERNAL DEPARTMENTS

Department	Referred Y/N	Comments
Building	Υ	BCA Classification: 3 and 10a
		Comments
		 Dwelling does not meet the 1500mm side
		boundary setback for the purpose of Specification
		5 of the BCA Volume 1 (fire separation). Matter
		should be raised with the applicant as the building
		may not comply with the performance
		requirements of the BCA.

		Approval under S68 of the Local Government Act must be
		obtained prior to the issue of a Construction Certificate in
		relation to:
		 Carrying out of water supply work.
		 Carrying out sewerage work.
		Connection to Sewer.
Subdivision Engineer	N	
Roads & Engineering	N	
Finance & Policy	N	
Heritage Advisor	N	
Environmental Health	N	
Local Laws	N	
Floodplain Mgt Committee	N	
Sustainable Infrastructure	N	

CONCLUSIONS

- 1. General comments:
- 2. The proposal satisfies the points for consideration listed under Section 4.15 part b, c, d and e of the Environmental Planning and Assessment Act.
- 3. The proposal occurs on land zoned RU5 Village. The proposal is not considered to have detrimental impact on the site and surrounds.
- 4. The proposal is consistent with the Wentworth Shire Development Control Plan (Dec 2011). The proposal meets Chapter 8 of the provisions set out in the Wentworth Development Control Plan 2011.
- 5. The proposed permanent group home accords with the relevant objectives and provisions of the State Environmental Planning Policy (Biodiversity & Conservation) 2021 and State Environmental Planning Policy (Housing) 2021.
- 6. There is no draft local environmental plan affecting the proposed development.

Recommendation:

Approve the application subject to conditions

Delegate report author	Delegated approval and endorsement
Signature:	Signature:
amartin	

Georgie Martin	
Cadet Planning Officer	
Date: 29/04/2025	Date:



Health & Planning Department 61 Darling Street PO Box 81 WENTWORTH NSW 2648

Tel: 03 5027 5027

council@wentworth.nsw.gov.au

TEMPLATE CONDITIONS

DA2025/062 PERMANENT GROUP HOME WITH GARAGE 10 MIDWAY DRIVE LOT 3 DP 1302556 BURONGA

GENERAL CONDITIONS

1. Approved development

Approval is for a permanent group home with garage.

Condition reason: To ensure all parties are aware of the approved development.

2. Approved Plans and Documentation

The development shall be in accordance with the following plans, documentation and recommendations made there in:

- **Site Plan** by Intrend Design & Drafting PTY LTD; Job No: 24-661; Sheet No: 2 of 5; Date: 15/09/23.
- **Floor Plan** by Intrend Design & Drafting PTY LTD; Job No: 24-661; Sheet No: 3 of 5; Date: 15/09/24.
- Elevations (W & E) by Intrend Design & Drafting PTY LTD; Job No: 24-661; Sheet No: 4 of 5; Date: 15/09/24.
- Elevations (N & S) by Intrend Design & Drafting PTY LTD; Job No: 24-661; Sheet No: 5 of 5; Date: 15/09/24.

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

3. Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989

- It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
- 2. It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act

- 1989, Part 6 that a contract of insurance is in force before building work authorised to be carried out by the consent commences.
- 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.
- 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
- 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
- 6. This section does not apply-
 - a. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
 - b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.

4. Erection of signs

- 1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
- 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out:
 - a. showing the name, address and telephone number of the principal certifier for the work, and
 - b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.
- 3. The sign must be
 - a. maintained while the building work, subdivision work or demolition work is being carried out, and
 - b. removed when the work has been completed.
- 4. This section does not apply in relation to
 - a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
 - b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

5. Lapsing of Approval

	Without the further consent of the Wentworth Shire Council, in writing, this permit shall lapse and have no force or effect unless the use or development hereby permitted is physically commenced within 5 years of the date of this permit.
	Condition reason: Ensure everyone is aware of the lapsing of the approval.
6.	Works outside the property boundary
	This development consent does not authorise works outside the property boundaries on adjoining lands.
	Condition reason: To ensure all approved works occur within the property boundaries.

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

	DEFORE 1990E OF A CONSTRUCTION CERTIFICATE
7.	Access Point Before the issue of a Construction Certificate, the beneficiary of this consent must build a driveway crossing for the subject land (if one doesn't exist) to Council standards.
	Access during construction shall only be through the driveway crossing of the subject land. Condition reason: To control vehicular movement on road crossings.
8.	Building Material
	The proposed building/s and structure/s shall be clad in an approved non-reflective material e.g. Colourbond.
	Condition reason: To ensure the materials of the building not impact the visual amenity of the surrounding character of the area.
9.	Construction Site Management Plan Before the issue of a construction certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:
	 location and materials for protective fencing and hoardings to the perimeter on the site provisions for public safety
	pedestrian and vehicular site access points and construction activity zones
	 details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
	 protective measures for on-site tree preservation (including in accordance with AS 4970-2009 Protection of trees on development sites) and trees in adjoining public domain
	details of any bulk earthworks to be carried out
	location of site storage areas and sheds
	equipment used to carry out all works<
	a garbage container with a tight-fitting lid
	dust, noise and vibration control measures

location of temporary toilets.

The applicant must ensure a copy of the approved construction site management plan is kept onsite at all times during construction.

Condition reason: To ensure construction works are adequately managed to protect the surrounding amenity.

10. **Erosion and Sediment Control**

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:

- the guidelines set out in the NSW Department of Housing manual Managing Urban Stormwater: Soils and Construction Certificate (the Blue Book), and
- the 'Do it Right On-Site, Soil and Water Management for the Construction Industry'; (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The applicant must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.

Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.

11. Fire Safety Schedule

Prior to the issue of a Construction Certificate, pursuant to Part 10 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended) a Fire Safety Schedule is to be submitted to the Principal Certifying Authority. The Fire Safety Schedule must include matters prescribed in clause 79 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended).

Condition reason: To ensure compliance with Fire Safety requirements.

12. Long Service Levy

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that the person liable pays the long service levy as calculated at the operational date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

Condition reason: To ensure the long service levy is paid.

13. Payment of Security Deposits

This condition applies to all construction works \$25,001 and above.

Before the commencement of any works on the site or the issue of a construction certificate, the beneficiary of this consent must make all of the following payments to Council and provide written evidence of these payments to the certifier:

Infrastructure Bond (Security Deposit):	\$3,000.00	
		i

Infrastructure Protection Permit Fee (includes	\$232.00	
inspections)		

The payments will be used for the cost of:

- making good any damage caused to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates,
- completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and
- any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.

The Infrastructure Bond will be returned on completion of the construction of the proposed development, subject to no damage being done to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates. The owner / developer is to arrange an inspection with an Officer of Wentworth Shire Council before any work commences on site. Any damage incurred to Council infrastructure will be repaired at the owners / developers expense and the balance of the Infrastructure Bond will be returned to the owner / developer on completion of the construction.

Note: The inspection fee includes Councils fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the Roads Act 1993). The amount payable must be in accordance with councils fees and charges at the payment date.

Condition reason: To ensure any damage to public infrastructure is rectified and public works can be created.

14. Plumbing and Drainage

Before issuance of the Construction Certificate, a Plumbing and Drainage Application under Section 68 of the Local Government Act NSW 1993 is to be submitted to and approved by Council before any plumbing and drainage works (water and sewerage).

Note: All stormwater from the site is to be directed towards a legal point of discharge. All plumbing and drainage work is to be carried out by a plumber and drainer, or other authorised person, licensed with the New South Wales Department of Fair Trading.

Condition reason: To ensure plumbing and drainage works are carried out appropriately.

15. Road reserve landscaping

Lawn must be used for landscaping within the road reserve. Any other form of landscaping in the road reserve must be approved by Council.

Condition Reason: To ensure appropriate landscaping is used in road reserve.

16. Utilities and services - water and sewerage

Raw water, filtered water and sewerage are available and are to be connected to Councils services. Dual water supply lines are to be provided from the front boundary of the property. One line is to

convey filtered water to all fittings within the building and the other line to convey unfiltered water to all fittings outside the building i.e. garden taps, etc. A separate application is to be made to Council for approval to connect to Council's water mains prior to commencing any plumbing and drainage work.

Condition reason: To ensure relevant utility and service providers requirements are provided to the certifier.

17. Waste management plan

Before the issue of a construction certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier:

Details the following:

- the contact details of the person(s) removing the waste
- an estimate of the waste (type and quantity) and whether the waste is expected to be
- reused, recycled or go to landfill
- the address of the disposal location(s) where the waste is to be taken

The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction.

Condition reason: To ensure resource recovery is promoted and local.

18. Works in Road Reserve

A Road Opening Permit is required from the Wentworth Shire Council prior to any works or excavation within the road reserve including but not limited to: water tapping, sewer, driveway crossings, tree planting or removal etc.

Please contact Councils Roads & Engineering Department on Tel: (03) 5027 5027 to arrange a permit.

Condition reason: To control development in the road reserve.

BEFORE BUILDING WORK COMMENCES

19. Construction Certificates and Appointment of Principal Certifier

Prior to the commencement of any building works, the following requirements must be complied with

- A Construction Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning & Damp; Assessment Act 1979,
- A Principal Certifier must be appointed, and Council must be notified in writing of the
 appointment irrespective of whether Council or a Registered Certifier is appointed; and notify
 Council in writing of their intention to commence work (at least two [2] days' notice is
 required).

Condition reason: To ensure building works complies with relevant legislation and other codes. 20. **Contractor details notification** The certifying authority must advise Council, in writing of: 1. The name and contractor licence number of the licensee who has been contracted to do or intends to do the work, or 2. The name and permit of the owner-builder who intends to do the work. If these arrangements are changed, or if a contract is entered into for the work to be done by a different licensee, Council must be immediately informed. **Condition reason:** To ensure building work is carried out by licensed contractor. 21. Dial before you dig Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individuals responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities." **Condition reason:** To ensure existing infrastructure is identified. 22. Erosion and sediment controls in place Before the commencement of any site or building work, the developer must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by Council) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site). Condition reason: To ensure runoff and site debris do not impact local stormwater systems and waterways. 23. Notice of commencement of works Subject to approval to commence works two days before any site works, building or demolition begins, the beneficiary of this consent must: 1. Forward to Council notice of commencement of work and appointment of Principal Certifying Authority. 2. Notify the adjoining owners that work will commence. Condition reason: To provide notification of works commencing. 24. **Rubbish/Waste Management** Throughout the construction period, from commencement of work, a suitable rubbish

	containment structure is to be located on site and utilised.		
	Condition reason: To ensure the construction site is kept clean and safe at all times.		
25.	Storage of materials Throughout the construction period, from commencement of work, the storage of materials is not permitted on footpaths, roadways or in reserves. Rubbish and building materials must be contained on the site. Condition reason: To ensure the construction materials are stored on site in a tidy & safe manner.		
26.	Toilet facilities Toilet facilities are to be provided on or in the vicinity of the building site. The toilet must be connected to a public sewer, or if connection to a public sewer is not practicable, an approved chemical closet. The toilet facility must be installed on-site prior to the commencement of any other work. Condition reason: To ensure workers and contractors have access to amenities on site.		
	Condition reason. To ensure workers and contractors have access to amenities on site.		
27.	Tree protection measures Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place. Condition reason: To protect and retain trees.		
	asimalistic reason to protect and retain trees.		

DURING BUILDING WORK

28.	Approved Plans A copy of the stamped approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on site for the duration of site works and be made available upon request to either the Council or other Government Agencies. Condition reason: To ensure all parties are aware of the approved works to be conducted.
29.	Construction noise While work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise, when measured at any lot boundary of the property where the construction is being carried out. Condition reason: To protect the amenity of the neighbourhood.
30.	Contamination discovered during works If during works on the land comprising the lot, the land is found to be contaminated, within the meaning of the Contaminated Land Management Act 1997: • all works must stop immediately, and • the Environment Protection Authority and the council must be notified of the contamination. • Land is found to be contaminated for the purposes of this condition if the principal

certifying authority knows or reasonably suspects the land is contaminated.

Note: Depending on the nature and level of the contamination, remediation of the land may be required before further work can continue.

Condition reason: To ensure contaminated land is managed appropriately.

31. Cut and fill (if applicable)

While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- All excavated material removed from the site must be classified in accordance with the EPAs
 Waste Classification Guidelines before it is disposed of at an approved waste management
 facility and the classification and the volume of material removed must be reported to the
 principal certifier.
- All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.

Condition reason: To ensure soil removal & replacement meets requirements.

32. Encroachment of easements

No works are to encroach over any easements.

Condition reason: To ensure works are not carried out over easements.

33. Hours of work

The developer must ensure that building work, demolition or vegetation removal is only carried out between:

- 7.00am to 6.00pm on Monday to Friday
- 8.00am to 1.00pm on Saturdays

The developer must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

Note: Any variation to the hours of work requires Councils approval.

Condition reason: To protect the amenity of the surrounding area.

34. Implementation of site management plans

While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan and the erosion and sediment control plan are implemented at all times. The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.

	Condition reason: To ensure the required site management measures are implemented during construction.
35.	Natural drainage Any works undertaken in the subject land including building and filling shall not cause alteration to the previous drainage in the subject land or adjacent land. Any remedies required to discharge drainage water caused to be accumulated by the works associated with this permit shall be the responsibility of the beneficiary of this consent. Condition reason: To ensure natural drainage is maintained where possible.
36.	Procedure for critical stage inspections While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate. Condition reason: To require approval to proceed with building work following each critical stage inspection.
37.	Responsibility for changes to public infrastructure While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area). Condition reason: To ensure payment of approved changes to public infrastructure.
38.	Security fencing An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project Condition reason: To ensure the site is secured during construction.
39.	 Tree protection While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with: The construction site management plan The relevant requirements of any Australian Standard for the protection of trees on development sites This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones. Condition reason: To protect trees during site works.
40.	Uncovering relics or Aboriginal objects While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage

Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

- "relic" means any deposit, artefact, object or material evidence that: (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - a) is of State or local heritage significance; and
- "Aboriginal object" means any deposit, object or material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of the area that comprises New South Wales, being habitation before or concurrent with (or both) the occupation of that area by persons of non-Aboriginal extraction and includes Aboriginal remains.

Condition reason: To ensure protection of objects of potential significance during works.

41. Waste management

While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contact details of the person(s) who removed the waste
- The waste carrier vehicle registration
- · The date and time of waste collection
- A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill
- The address of the disposal location(s) where the waste was taken
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.

Condition reason: To require records to be provided, during construction, documenting that waste is appropriately handled.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

42. Completion of landscape and tree works

Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree-works, including pruning in accordance with AS 4373-2007 Pruning of amenity trees and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.

Condition reason: To ensure the approved landscaping works have been completed before occupation, in accordance with the approved landscaping plan(s).

43. Completion of public utility services

Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority. Before the issue of the occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.

Condition reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.

44. Fire Safety Certificate

Prior to the issue of the occupation certificate, a Fire Safety Certificate must be issued in accordance with Part 11 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Condition reason: To ensure fire safety requirements have been met.

45. **Occupation Certificate**

The building shall not be occupied or used until an Occupation Certificate is issued either by council or by an accredited certifier.

Condition reason: To ensure development is accredited.

46. Removal of waste upon completion

Before the issue of an occupation certificate, the principal certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the principal certifier.

Before the issue of a partial occupation certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the principal certifier's satisfaction.

Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.

47. Repair of infrastructure

Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.

Note: If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.

Condition reason: To ensure any damage to public infrastructure is rectified.

OCCUPATION AND ONGOING USE

48.	Additional structures
	No additional structures are to be built or installed on the site without permission from the Wentworth Shire Council.
	Condition reason: To ensure only approved work is carried out
49.	Amenity of the neighbourhood
	The operation of this development shall not adversely affect the amenity of the neighbourhood
	or interfere unreasonably with the comfort or repose of a person who is outside the premises by
	reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste
	water, waste products, grit, oil or other harmful products.
	Condition reason: To ensure the amenity of the neighbourhood is not compromised
	unreasonably.
50.	Maintenance of wastewater and stormwater treatment device
50.	During occupation and ongoing use of the building, the beneficiary of this consent must ensure all
	wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and
	on-site detention) are regularly maintained, to remain effective.
	Condition reason: To protect sewerage and stormwater systems.
51.	Ongoing use – permanent group home with garage
	The proposed garage cannot be used for habitation.
	Condition reason: To ensure appropriate use as per approval.
52.	Release of securities / bonds
	When Council receives an occupation certificate from the principal certifier, the applicant may
	lodge an application to release the securities held. Council may use part, or all of the securities
	held to complete the works to its satisfaction if the works do not meet Councils requirements.
	Condition reason: To allow release of securities and authorise Council to use the security deposit
	to complete works to its satisfaction.

9.20 DA2025/063 PERMANENT GROUP HOME 32 MIDWAY DRIVE LOT 25 DP 1288183 BURONGA

File Number: RPT/25/276

Responsible Officer: Ken Ross - General Manager
Responsible Division: Office of the General Manager
Reporting Officer: Georgie Martin - Cadet Planner

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

protect its physical and natural environment

Strategy: 3.1 Ensure our planning decisions and controls enable the

community to benefit from development

Summary

A development application (DA2025/063) was received by Council on 19 March 2025, for a permanent group home to be situated upon 32 Midway Drive Lot 25 DP 1288183 Buronga.

Under the Wentworth Local Environmental Plan (WLEP) 2011 and the State Environmental Planning Policy (Housing) 2021, this development is permitted with consent within the RU5 – Village zoning.

The application seeks development approval for the construction of a permanent group home which will be used for the accommodation of people with a disability under the NDIS Scheme. The building will consist of three bedrooms for people with disability and one bedroom for overnight assistance, with each bedroom having an ensuite. Other features of the permanent group home include an open plan kitchen, dining and living area, and an alfresco area. A single disabled car park has been provided within the garage.

The application was publicly notified for 14 days as per the Council Community Participation Plan. During the public notification 14 submissions were received by Council objecting to the proposed development.

The State Environmental Planning Policy (Housing) 2021 states that a consent authority must not refuse consent to the development for the purposes of a group home unless the consent authority has made an assessment of the community need for the group home.

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

Recommendation

That Council:

- 1. Approve subject to conditions DA2025/063 for a permanent group home to be located at 32 Midway Drive Lot 25 DP 1288183 Buronga.
- 2. Call a division in accordance with S375A of the Local Government Act 1993 (NSW)

Detailed Report

Purpose

The purpose of this report is to provide information to Council to determine Development Application DA2025/063, having consideration to the detail provided both within this report and the attachments provided.

Background

A Development Application was lodged with Council on 19 March 2025 seeking consent for a permanent group home on the subject lot.

The subject lot is in the RU5 Village zone under the *Wentworth Local Environmental Plan 2011* (WLEP 2011).

DA2025/063 was publicly notified as per Council Community Participation Plan for 14 days, with a total of 14 submissions objecting to the proposal received during this period. These submissions can be found under attached documents.

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

Refer to attachment 1 – Development Application

Refer to attachment 2 - Plans

Refer to attachment 3 – Statement of Environmental Effects

Matters under consideration

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

The proposed development was assessed and complies with relevant provisions of the State Environmental Planning Policy (Biodiversity and Conservation) 2021 and the State Environmental Planning Policy (Housing) 2021.

The proposed development for a permanent group home is permitted with consent and meets the zone objectives of the RU5 – Village zone under the WLEP 2011.

Due to the zoning and WLEP 2011 mapping impacting the land, the development application was assessed against clauses 7.1 & 7.2. The development application was able to satisfy the matters for consideration under these clauses.

Due to the nature of the proposed development, it was assessed against Chapter 8 of the Wentworth Development Control Plan (DCP) 2011. The development complies with relevant provisions under this chapter.

The Wentworth Disability Inclusion Action Plan 2022 – 2026 is a requirement under the *Disability Inclusion Act 2014 (NSW)* (DIA / The Act). The Act required all NSW Local Government Areas to develop a Disability Inclusion Action Plan. Wentworth Shire Councils adopted plan states the following:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as accessible housing, access to transport, community recreation, social engagement and universal design."

"Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved

transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Public notification of the development application was conducted as per the Council Community Participation Plan for 14 days, whereby any submission received must at a minimum provide the following:

- Clearly identify the matter to which the submission relates,
- State the grounds for any support or objection expressed in the submission,
- Include appropriate contact details

Summary of concerns raised in submissions:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area
- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area
- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,
- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Response from Assessing Officer to concerns raised is as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy – Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.

- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is
 no planning strategy for specialised housing, only the Housing SEPP, which permits
 these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as detailed in assessment above will need to occur and this will fall to compliance with any approved DA.
- There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.

Based on the assessment of the application, it is determined that the proposed development is compliant with relevant objectives of the RU5 – Village zoning under the WLEP 2011. The proposed development meets the relevant provisions of the Wentworth DCP 2011 and is consistent with planning matters for consideration of the WLEP 2011. The proposed development complies with matters for consideration under the *State Environmental Planning Policies – Biodiversity & Conservation (2021) and Housing (2021)*.

Refer to attachment 4 – Submissions (objections)

Refer to attachment 5 – Submissions (supportive)

Refer to attachment 6 – 4.15 Assessment report

Refer to attachment 7 – Conditions of Consent

Options

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

Approve Development Application DA2025/063 subject to conditions.

Legal, strategic, financial or policy implications

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

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

Conclusion

Having consideration of the consent of this report it is concluded that the appropriate course of action is to approve DA2025/063 subject to conditions.

Attachments

- 1. Development Application (Under Separate Cover) ⇒
- 2. Site Plans (Under Separate Cover) ⇒
- 3. Statement of Environmental Effects !
- 4. Submissions (objections) (Under Separate Cover)⇒
- 5. Submissions (supportive) (Under Separate Cover)⇒
- 6. 4.15 Assessment Report

 ...
- 7. Conditions of Consent





EXECUTIVE

SUMMARY

Proposal	Construction of a Permanent Group Home
Street Address	32 Midway Drive, Buronga
Formal Land Description	Lot 25 in Deposited Plan 1288183
Zone	RU5 - Village
Relevant State Environmental Planning Policies	SEPP (Housing) 2021 – Chapter 3, Part 2 Group Homes – Clause 62







SUBJECT SITE AND

SURROUNDING AREA

The subject site comprises one parcel of land commonly known as 32 Midway Drive, Buronga, and more formally as Lot 25 in Deposited Plan 1288183. The site is irregular in shape and is relatively flat. It has an area of 673 square metres (sqm) and a curved frontage of approx. 30 metres (m) to Midway Drive. The site is currently vacant, but all reticulated services are available. No heritage or cultural sensitivities affect the land and there are no natural hazards or environmental sensitivities including native vegetation.

The site is situated within a new stage of Midway Estate, with established dwellings to the west and developing/vacant land to the north, east and south. The surrounding area is residential in nature and typically contain single dwellings on similar sized allotments. A childcare centre is located in close proximity to the north west.

An aerial image of the site and surrounding area as well as site photos are contained on the following pages.







Aerial Image of the Site and Surrounding Area



Figure 1: Subject site and surrounding area (Source: Landchecker Sept 2024)

Site Photos



Figure 2: View of site from Midway Drive









Figure 3: View of the site from the east







PROPOSAL

DESCRIPTION

This application is for the construction of a Permanent Group Home, as summarised under the following points:

- The proposed Permanent Group Home will be used to accommodate people with a disability on a permanent basis under the NDIS Scheme. The plans have been assessed and certified by an accredited SDA assessor.
- The building is single storey and contains three bedrooms for people with a
 disability and one bedroom for on-site overnight assistance. Each bedroom has
 an ensuite and other internal features include an open plan kitchen, dining and
 living area, separate living area, separate bathroom, European laundry, alfresco
 and single garage.
- The external appearance of the building is contemporary with brick wall cladding and corrugated Colorbond iron roof cladding.
- The building has a maximum height of 4.8m above natural ground.
- One car parking space (to disabled parking standards) can be accommodated within the garage and one car parking space can be accommodated within the driveway.
- A new crossover is proposed to provide access to the double garage.
- Approximately 180sqm of the site is private open space and approx. 300sqm can be landscaped.
- The development will be connected to all reticulated services, with the exception of gas.







PLANNING

CONTROLS AND ASSESSMENT

Wentworth Local Environmental Plan 2011 (LEP)

The Subject site is within the RU5 - Village

The objectives of the zone are:

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

The proposed Permanent Group Home is located within a recently released stage of the Midway Estate and will provide for residential diversity in an appropriate location. The building will provide much needed housing for people with a disability and is compatible with existing residential development in the surrounding area. The building has been designed to be energy efficient and is appropriately located so as not to unreasonably impact on the adjoining land. As such, the proposal supports the objectives of the RU5 zone.

Wentworth Development Control Plan

Chapter 2 – Plan Objectives

The following General Development Objectives are relevant to this application:

 Residential land is to be developed with the creation of neighbourhoods comprising a range of housing styles and densities to cater for a diverse demographical profile of the local government area.







• Residential growth shall be promoted in areas identified as urban release area.

The following Locality Objectives for Buronga and Gol Gol are relevant to this application:

- A safe, convenient and attractive neighbourhoods that meet the diverse and changing needs of the community and offers a wide choice of housing, leisure, local employment opportunities and associated community and commercial facilities.
- A site responsive approach to urban development that supports and enhances the context in which it is located, strengthens local character and identity, and promotes a sense of community.

In addition to this, Section 2.2 - Social and Community outlines that:

The proposed future development of Buronga and Gol Gol will result in an increased demand for additional community infrastructure. This includes:

- Expansion of the range of community facilities and services;
- Improvement of public transport links within and external to the area;
- Provision of additional government and health services; aged care services; child care facilities and education/training services; and
- Promotion of community image and events including sport and recreation.

It is clear that the proposal is supported by the objectives of the Wentworth Development Control Plan which indicate that there is a strong need for diverse housing to provide for the changing needs of the community. The proposed Permanent Group Home will provide much needed accommodation for people with a disability and is of a high standard.

Chapter 3 - General Development Controls

5 Vehicular Access and Parking

This development control aims to provide sufficient and convenient parking for residents, visitors and service vehicles; to ensure vehicular and pedestrian safety and to encourage access design to form part of the overall landscape design. The relevant subclauses are discussed below.







5.1 Parking Layout, Servicing and Manoeuvring

The proposed car parks will be located in the garage and driveway, which is typical for car parking in a residential setting.

5.2 Specific Land Use Requirements

The following car parking requirements apply to the proposal:

 Housing for older people or people with a disability – Refer to State Environmental Planning Policy (Housing for Seniors and People with a Disability) 2004.

The SEPP referenced in the DCP no longer exists. Two car parking spaces are provided for the proposed Permanent Group Home which complies with Schedule 2 (17) of the State Environmental Planning Policy (Housing) 2021.

Chapter 4 - Residential Development Controls

4.1.1 Site Context and Analysis

The plans submitted with this application demonstrate how the proposed development responds to site specific conditions and the site has been described in detail previously in this report. The site is within a recently released stage of the Midway Estate which contains vacant land and existing dwellings of a similar size, scale and sitting. The site does not have any specific constraints and the topography is relatively flat.

4.1.2 Streetscapes

The proposed building will have a positive impact on the streetscape. A number of habitable room windows overlook the street to provide for casual surveillance. The proposed garage occupies only a small portion of the frontage and is setback behind the main façade of the building. The building has a clearly identified entry from the street and has been designed to be energy efficient. The external materials and colours of the building will complement existing dwellings in the broader area which have external materials and colours that vary considerably.







4.1.3 Front Setback

The building has a front setback ranging from 4.5m to 7.2m as it is positioned on an angle to the lot frontage. Whilst the closest point is less than the 6m sought within the Wentworth DCP, a majority of the building line will be close to or greater than 6m from the front boundary. Furthermore, 4.5m is a commonly accepted front setback in developing areas and is the minimum requirement to meet the CDC criteria. As the surrounding land is vacant, the proposed front setback is considered to be acceptable and will not bring rise to any character or streetscape related issues.

4.1.4 Side setbacks and Corner Lot Setbacks

The side setbacks of the proposed building are 1.6m from the southern boundary and 2.2m from the north western boundary. This falls marginally short of the combined total of 4.5m specified within the development controls, however, the irregular shape of the allotment has contributed to this and a majority of the building will have a combined total side setback well in excess of 4.5m. The 2.2m side setback is from the alfresco which is an open structure and will not contribute to visual bulk. As such, the shortfall is considered to be acceptable.

4.1.5 Rear setbacks

The proposed building is located 1.8m from the rear boundary at the closest point, which falls short of the 3m prescribed within the DCP. As with the other setback shortfalls discussed above, this has resulted from the irregular shape of the allotment and the 1.8m setback is from one corner of the building only. A majority of the building will be setback well in excess of 3m from the rear boundary.

4.1.6. Walls on Boundaries

Not applicable. No walls on boundaries are proposed.

4.1.7 Building heights and overshadowing

The proposed building is unlikely to overshadow the private open space of future dwellings on adjoining lots as it is single storey and has relatively generous boundary setbacks.







4.1.8 Site Coverage

The site coverage is approximately 38%, although it is noted that this control only applies to single dwelling houses and dual occupancies.

4.1.9 Private Open Space

At approximately 180sqm, private open space is well in excess of the 40sqm minimum requirement. There is an area of secluded private open space at the rear of the building also well in excess of 25sqm, with a minimum dimension of 3m accessed from the main living area.

4.1.10 Energy Efficiency and Solar access

Appropriate solar access and energy efficiency is achieved given the orientation of the site and distance between windows and boundaries. A BASIX is not required as a standard residential dwelling is not proposed.

4.1.11 Daylight to existing windows

The proposed building will not impact daylight to existing dwellings as the adjoining land is vacant.

4.1.12 North-facing windows

Not applicable – there are no existing north facing windows within 3m of the boundary.

4.1.13 Overlooking

Not applicable – the proposed building is single storey and will not be notably raised above existing surface levels. A 1.8m high solid boundary fence will provide for privacy between lots.

4.1.14 Fencing and Retaining Walls

No fences or retaining walls are proposed as part of this application. The boundary fence will be made to comply with the SEPP Exempt and Complying Development Codes 2008 (Part 2, Subdivision 17).







4.1.15 Car Parking and Vehicle Access

Car parking has been discussed previously.

4.1.16 Cut and Fill

As the site is relatively flat, only minimal earthworks are anticipated and will not exceed 0.3m of cut or fill.

State Environmental Planning Polices (SEPP)

SEPP (Housing) 2021 - Chapter 3, Part 2 Group Homes - Clause 62

This Clause contains requirements for consent authorities when determining Development Applications.

General Assessment

Visual Impacts

Please refer to DCP assessment.

Open Space

Please refer to DCP assessment.

Overshadowing and Privacy

Please refer to DCP assessment.

Noise

Only standard domestic mechanical plant will be associated with the proposed building, which will emit noise typical for a residential area.

Erosion Control Measures

No specific erosion control measures are considered necessary for this development. Any minor earthworks will be appropriately battered and retained (if necessary).







Economic and Social Impacts

The proposed building will contribute to the social wellbeing of the Buronga township by providing suitably designed housing to accommodate disabled persons. It also contributes to investment in the Buronga/Gol Gol Area.

Environmental Benefits

Due to the nature of this development, no significant environmental benefits are envisaged.

Disabled Access

The proposed building has been designed to comply with all disabled access standards and the plans have been assessed and certified by an accredited SDA assessor.

Security, Site Facilities and Safety

Not applicable for this application.

Waste Management

Standard domestic waste services will be provided by Council.

National Construction Code

The National Construction Code will be assessed as part of the Construction Certificate process by a Building Surveyor.

Traffic

The proposed building will result in standard domestic travel within the existing road network. This would have been anticipated and accounted for in the design of the subdivision.

Stormwater/flooding

The site is not subject to any identified natural hazards and stormwater will be directed to the legal point of discharge.







CONCLUSION

This report demonstrates that the proposal is consistent with the relevant provisions of the Wentworth Local Environmental Plan 2011 and the Wentworth DCP.

The proposed Permanent Group Home is appropriate for the site as it:

- Supports the objectives of the Zone RU5 Village;
- Is appropriately located on the subject site;
- Will have an acceptable impact on the locality in terms of amenity and visual dominance; and
- Will not result in any detrimental impacts on the environment.

It is considered that the proposal is worthy of support, and it is therefore respectfully requested that the Wentworth Shire Council grant Development Consent for the construction of a Permanent Group Home as described in this report at 32 Midway Drive, Buronga.







Health & Planning Department 61 Darling Street PO Box 81 WENTWORTH NSW 2648

Tel: 03 5027 5027

council@wentworth.nsw.gov.au

DA Assessment Report Section 4.15 Evaluation

Environmental Planning & Assessment Act 1979 as amended

File Reference: DA2025/063 & PAN 518942

Property Title & Address: P561/04425 32 Midway Drive Lot 25 DP 1288183 Buronga

Property owner(s):SUPAVEST SPV FOUR PTY LTDApplicant(s):JACKSON PLANNING – Matt JacksonProposal:Permanent Group Home with Garage

Previous DAs: N/A

Cost of proposed development: \$715,513.06

SITE AND SURROUNDING DEVELOPMENT

The subject site comprises of Lot 25 DP 1288183, 32 Midway Drive, Buronga. The lot has an area of 673m² and connects to Sturt Highway to the South through Midway Drive, connecting through to the developing locality within the Midway area and surrounding locality.

The subject site is zoned within the RU5 – Village zone under the Wentworth Local Environmental Plan (WLEP) 2011. The subject site is a rectangular shaped lot with no vegetation removal proposed as site was recently cleared during the subdivision process. The lot is not impacted by easements or environmental factors.

The site is not within the bushfire prone, flood way or flood planning, terrestrial biodiversity, wetlands, or urban release mapped area and contains no known heritage constraints.

DESCRIPTION OF PROPOSAL

The proposal seeks development consent for the construction of a single storey dwelling with garage to be utilised as a permanent group home, which will provide accommodation for people on NDIS plans with ongoing disabilities as per the NDIS requirements. The dwelling is proposed to accommodate three participants and one overnight assistance personnel. The lot has a total area of 673m^2 with the dwelling proposed to have a floor area of 256.58m^2 , broken down into the following:

Dwelling: 209.31m² – Garage: 28.17m² – Alfresco: 16.20m² – Porch: 2.89m².

One car parking space suitable for disability requirements is provided within the garage, with a standard parking space accommodated within the driveway area.

HISTORY RELEVANT TO THE DEVELOPMENT APPLICATION

N/A

SECTION 4.15-MATTERS FOR CONSIDERATION

(1) The provisions of any environmental planning instrument and development control plan

State Environmental Planning Policy (Biodiversity & Conservation) 2021

The proposed development is proposed to be located upon on a lot that is under 1ha in size and clear of vegetation following previous subdivision. No native vegetation is to be removed for construction, with no impact to any potential habitat for fauna. The site is not known koala habitat, as such, no

assessment required against Chapters 3 or 4. The proposed development is not located within close proximity to the river of other waterbody, and as such, no assessment is required against Chapter 5.

State Environmental Planning Policy (Housing) 2021

Clause 60 (a) does not identify the land zoning of RU5 as a prescribed zone suitable for group home development, however, clause 60 (b) states that any other zone under an environmental planning instrument were dwelling houses may be carried out with consent is categorised as a prescribed zone.

The RU5 – Village zone under the WLEP 2011 lists dwelling houses as permitted with consent.

Clause 61 identifies that the proposed group home is permitted with consent as it is proposed on land zoned RU5 – Village under the WLEP 2011. In terms of the hierarchy of legislation, the SEPP overrides the WLEP 2011 in terms of any inconsistency as per section 3.28 of the EP&A Act.

Under clause 62 a consent authority (Council) must not:

- refuse a group development unless an assessment of the community need has been done
- Impose a condition of consent specifically because a development is a group home.

State Environmental Planning Policy (Sustainable Buildings) 2022

A BASIX Certificate has not been provided as it is not required due to the proposed development being class 3 under the Building Code of Australia.

Further, as it is assumed that the development will be certified as a Class 3 building under the BCA at the construction stage, in line with the *Comprehensive Guide to BASIX*, a BASIX Certificate is not needed.

Wentworth Local Environmental Plan (LEP) 2011

The proposed development of a permanent group home for the provision of accommodation for participants within the NDIS scheme is permitted with consent and meets the zone objectives of the RU5 – Village zoning under the Wentworth Local Environmental Plan (WLEP) 2011, under which the subject site is located. The main supportive objective is to provide for a range of land uses, services and facilities that are associated with a rural village. The development of a NDIS based permanent group home will allow for services for those with disabilities to live mostly independently with assistance.

Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.
- To promote development in existing towns and villages in a manner that is compatible with their urban function.
- To encourage well-serviced sustainable development.
- To ensure there are opportunities for economic development.
- To deliver new residential and employment growth in Buronga and Gol Gol.
- To ensure business and retail land uses are grouped within and around existing activity centres.

A group home meets the definition of a dwelling as follows:

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

Group home means a permanent group home or a transitional group home. Group homes are a type of **residential accommodation**.

Group home (permanent) or **permanent group home** means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged,

but does not include development to which <u>State Environmental Planning Policy (Housing) 2021</u>, Chapter 3, Part 5 applies.

Clause 7.1 Earthworks

Any earthworks will be conditioned and form part of the approval.

Clause 7.2 Essential Services

Connection of services has been made possible during the previous subdivision of the development site.

Wentworth Development Control Plan (DCP) 2011

The proposed development is acceptable against the relevant provisions of the Wentworth Development Control Plan (DCP) 2011 as outlined in the table below.

Wentworth DCP	Chapter 8	Acceptable	Not Acceptable	N/A	Reason
	5.1.1 Site context	x	·		Positioning of the proposed building on site makes use of available land while leaving space for private open space and providing suitable access for residents of the permanent group home facility. Materials used will compliment other structures in the surrounding area.
	5.1.2 Streetscape	X			The proposed building will be in keeping with few existing developments in the area with windows facing the street for casual surveillance and a garage setback from the facade of the main portion of the building. It is anticipated that future development in the area will be similar and compatible with this DA.
	5.1.3 Front Setback		Х		4.5m to 7.2m – does not meet at shortest distance
	5.1.4 Side setbacks	Х			Southern: 1.6m – meets Northern: 2.2m – meets
	5.1.5 Rear setback	х			1.8m – does not meet
	5.1.6 Walls on Boundaries			Х	N/A as no walls on boundaries

5.1.7 Building heights and overshadowing		х	N/A as not a two-storey building
5.1.8 Site Coverage	х		Proposed development does not cover more than 60% of site (48% approx.)
5.1.9 Private open space	Х		Ample room for private open space available
5.1.10 Energy & solar access	Х		Proposed development meets requirements of the Energy Efficiency Compliance Assessment
5.1.11 Daylight to existing windows	Х		No impact anticipated from the single storey building to surrounding neighbours.
5.1.12 North facing windows		х	N/A as no north facing windows within 3m of boundary.
5.1.13 Overlooking		Х	N/A as development approval is for a single storey building
5.1.14 Fencing and retaining walls		x	N/A approval not for fencing or retaining walls
5.1.15 Car parking and vehicle access	x		The site provides for one (1) disability access car parking spaces within the garage as per requirements under the Housing SEPP one space within the garage and another singular space is provided in the driveway of the proposed development site. Access to the site is provided via a crossover to council standards to be detailed within conditions of consent. Two parking spaces in total, one being to disability standards.
5.1.16 Cut and fill	X		Earthworks will be conditioned as part of approval

Development Control	WDCP 2011 requirement for RU5 Village zone	Proposed Permanent Group Home
Front setback	6m minimum	4.5m
North side setback	1m minimum	1.6m
South side setback	1m minimum	2.2m
Rear setback	3m minimum	1.8m

The front setback does not meet DCP requirements of 6m, being only 4.5m, however, many new developments in newly subdivided areas are utilising a front setback of only 4.5m to allow better use of allotment space. Additionally, other developments in the surrounding area have front setbacks under the required 6m, even down to 3m.

The rear setback does not meet DCP requirements of 3m, being only 1.8m. The applicant has provided the following justification:

The proposed building is located 1.8m from the rear boundary at the closest point, which falls short of the 3m prescribed within the DCP. As with the other setback shortfalls discussed above, this has resulted from the irregular shape of the allotment and the 1.8m setback is from one corner of the building only. A majority of the building will be setback well in excess of 3m from the rear boundary.

(2) The provisions of any draft environmental planning instrument

There is no Division 3.4 draft environmental planning instrument that affect the proposed development. (Post 1 July 2009 LEP amendments).

(3) Any matters prescribed by regulations

There are no further matters prescribed by regulations.

(4) The likely impacts of the development

There are no likely impacts from the proposal as discussed in the table below.

	pact	3 110		e proposal as discussed in the table below.
Impact item				Comment
(insert an x in the				
relevant section)		ole		
	le	Not acceptable	Not relevant	
	Acceptable	ep.	ev	
	pt))	rel	
	cce	ot s	ot 1	
		Ž	Ž	
Context and setting	X			The proposed permanent group home building will look similar in
				external design to the few existing residential developments in the
				immediate area
Public domain &	X			The proposed permanent group home building meets the required
Streetscape				setbacks as provided and justified in assessment above (DCP)
-			T 7	
Landscaping			X	Not part of this application
Stormwater	X			Discharge to legal point of Councils stormwater system to be
				conditioned
Heritage	X			None on site
Soils & Soils Erosion	X			Earthworks and erosion control to be conditioned as part of approval
				1 11
Air and microclimate	X			No effect from proposed development anticipated
Water Resources	X			Noted Applement Lord Andrews Comments Comments
Water Resources	X			Noted – development located adequate distance from water sources
Biodiversity (Flora &	X			As the site was cleared of any vegetation during the subdivision process
Fauna)				 no effect on existing flora or fauna,
Land Resources	X			None known at this site
Utilities	X			Utilities are available to the property
Access & Parking	X			Adequate access and parking are available to the site, development
Treess & Laiking	43			provides disability parking space as per requirements in line with
				Housing SEPP and
Roads & Traffic	v			
Koads & Traffic	X			Increase to area anticipated during construction with slight increase as
				new residents move into the completed building
Solar Access and Energy	X			Will be required to meet energy requirements of Part J1 of the BCA
Efficiency				
-				

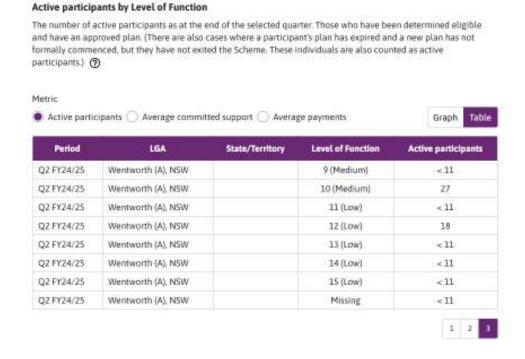
Overshadowing		X	Not relevant as surrounding land vacant and single storey development		
Privacy & Overlooking		X	Not relevant as single storey building		
Flooding		X	Not in flood planning area		
Bushfire Prone Area		X	Property not within bushfire prone land		
Noise	X		Only significant increase anticipated during construction, then residential noise ongoing		
Technological hazards	X		No known hazards on site or anticipated		
Safety, Security & Crime Prevention	X		No detrimental effects anticipated from development in this location. Windows facing street will provide casual surveillance		
Social and Economic Impacts	X		No detrimental effects anticipated		

The NDIS outlines high physical support SDA housing as housing that includes a high level of physical access for people who need very high levels of support. For example, you may need a ceiling hoist, backup power supply, or home automation and communication technology.

Further, level of functioning is defined as:

"The umbrella term for any or all of body functions, body structures, activities and participation. Level of function indicates the impact a participant's disability has on how a person is able to perform tasks and actions in a life area, as represented by a 'severity score' 'High functioning' indicates lower service and support requirements with a lower severity score, and 'low functioning' indicates higher service and support requirements with a higher severity score."

Image 1: Snip showing five bands of low level of function. (*Explore data NDIS*. https://dataresearch.ndis.gov.au/explore-data current as of 22 April 2025).



If we take < 11 to mean there are roughly ten participants in the associated (low) band, the above image then identifies that the five bands total 68 participants. This therefore identifies that there is a population with requirements for higher servicing and support requirements, being low functioning and having a higher severity score.

Low functioning participants as per the level of functioning definition require higher levels of support.

From the same dataset (as taken from the above website on the same date), there are 198 active participants who have been deemed eligible and have an approved plan under the NDIS. This dataset does not encompass all of those with disabilities that require support within the Wentworth LGA, indicating there may be more not accounted for as they are not active participants or are waiting for availability.

From the above 198 active participants, none have approved plans encompassing SIL / SDA.

The Inquiry Report: Own Motion Inquiry into Aspects of Supported Accommodation (NDIS Quality and Safeguards Commission, January 2023)

The above report states the following on page 23:

- a suburban house (SDA or otherwise) where a group of people with disability live together, each with their own bedroom (sometimes with ensuite), sharing a common living room, kitchen, bathroom and garden, and with an area of the house used as office space for staff.
- a number of suburban houses (as above) located in relatively close proximity to each other, sometimes with direct links between each of the houses (for example through a garden gate), with a team leader or manager overseeing supports across the network.

This reinforces the ability for SDA dwellings to be located in close proximity to one another.

Wentworth Disability Inclusion Action Plan 2022 - 2026

The Wentworth Disability Inclusion Action Plan 2022-2026 has a focus area that directly identifies housing for those with disabilities – 2; Livable Communities which states the following: Increase participation of people with disability in all aspects of community life, through targeted approaches to address barriers in housing, learning, transport, health and wellbeing.

The plan, in line with the identified focus area aims to attribute to the positive experience of those with a disability, their families and supporters, through access to community places, buildings and events.

As there are currently no SDA housing facilities within the LGA, the proposal to develop them is in line with the Disability Inclusion Action Plan with the aim of providing housing, eliminating the barrier of housing access to those that require it.

Further, the following are direct quotes from the plan:

"To create liveable communities, we need to focus our attention and resources on the elements of community life that most people desire. To create liveable communities for people with disability, we must do more than modify the physical environment; we must advocate for such aspects such as

accessible housing, access to transport, community recreation, social engagement and universal design."

"The attitude and behaviours of the general community toward people with disability can be the greatest barrier to full access and inclusion. Community attitudes can further be influenced by the intersection of the particular characteristics of a person with disability, such as gender, age, ethnicity, or type of disability itself."

"Inclusiveness and accessibility for people with disability forms a crucial component of the assessment of the liveability of any community. Council will work to eliminate the barriers in the built environment and advocate for improved transport, housing and local supports that prevent people with disability from fully engaging with the opportunities that exist within their communities."

Approach to characterization and permissibility under LEPs

It needs to be noted that the development of Permanent Group Homes is permitted under legislation, both the Wentworth Local Environmental Plan 2011 and the State Environmental Planning Policy (Housing).

The case of *Botany Bay City Council v Pet Carriers International PTY Limited* [2013] NSWLEC 147 reiterates that land use tables within LEPs can use many means by which to define what development is permissible by identifying either *nominate* or *innominate* purposes.

His Honor, Preston CJ, stated the following:

A nominate purpose is one which the environmental planning instrument expressly nominates by name as being within one of the three classifications. Hence, the land use table for a zone may nominate particular categories of purposes of development as being within the classifications of development that may be carried out without consent, development that may be carried out with consent, or development that is prohibited.

An innominate purpose is one which the environmental planning instrument does not nominate by name as being within one of the three classifications, but rather identifies as falling within a particular classification by reason of it not being nominated in other classifications; it is development other than development in the other classifications. Hence, the land use table for a zone may classify as prohibited development, development for a purpose other than a purpose nominated as being able to be carried out without consent or with consent.

In the case of permanent group homes, as they are not directly identified within the RU5 – Village zoning as an independent type of development but fall under "any other development not specified in items 2 or 4", they are therefore innominate and permissible with consent.

(Compatibility Test) Project Venture Developments Pty Ltd v Pittwater Council [2005]

There are many dictionary definitions of compatible. The most apposite meaning in an urban design context is capable of existing together in harmony. Compatibility is thus different from sameness. It is generally accepted that buildings can exist together in harmony without having the same density, scale, or appearance, though as the difference in these attributes increases, harmony is harder to achieve.

The physical impacts, such as noise, overlooking, overshadowing, and constraining development potential, can be assessed with relative objectivity. In contrast, to decide whether or not a new building appears to be in harmony with its surroundings is a more subjective task. Analysing the existing context and then testing the proposal against it can, however, reduce the degree of subjectivity.

For a new development to be visually compatible with its context, it should contain, or at least respond to, the essential elements that make up the character of the surrounding urban environment. In some areas, planning instruments or urban design studies have already described the urban character. In others (the majority of cases), the character needs to be defined as part of a proposal's assessment. The most important contributor to urban character is the relationship of built form to surrounding space, a relationship that is created by building height, setbacks, and landscaping. In special areas, such as conservation areas, architectural style and materials are also contributors to character.

In order to test whether a proposal is compatible with its context, two questions should be asked.

- Are the proposal's physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites. (Test One)
- Is the proposal's appearance in harmony with the buildings around it and the character of the street? (Test two)

Test One:

The proposal of a permanent group home, being constructed as a dwelling, does not constitute any physical impacts on the surrounding development. The surrounding development consists of dwellings with outbuildings.

Physical impacts will not occur as the development design is that of similar size, scale and sitting to existing development in the immediate and surrounding area. The applicant has identified the permanent group homes to have external materials and colouring that complements existing dwellings in the surrounding area.

It should be noted that Wendy Court itself, where the main streetscape occurs, has minimal development existing, being two dwellings and an allotment with an outbuilding.

There will be no issues regarding side setbacks as a physical constraint, as setbacks adhere to requirements under the Wentworth Development Control Plan, some rear setbacks do not meet requirements, but it should be noted that habitable building space does not encroach the setbacks, only alfresco areas that are open in design. Front setbacks may not meet the required 6m, however, as discussed in the DCP assessment, in newly developed areas, setbacks from the front boundary can be accepted at 4.5m for RU5 – Village zoned land.

Test Two:

The proposal of a permanent group home will be in harmony with the development within the estate area. Permanent group homes are designed as and meet definitions of dwellings, which is the main development in the estate area and will not alter the harmonic design, rather increasing development in the area and encouraging use of the RU5 – Village zoning whereby a range of services and facilities need to be available, including disability accommodation for the impacted community members.

Harmony is often defined as "the quality of a pleasing and consistent whole", with the permanent group homes not causing impact as the development will be that of dwellings in a residential area attributing to the existing use and character of the estate. Impact to Summer Drive through harmonious development should not be impacted due to separating fences and differing streetscapes (existing development vs minimally existing development).

The permanent group homes will be of the same design, therefore harmonious to themselves and attributing to consistency of the area.

The permanent group homes are dwellings and will not impact the character of the area. The use of each dwelling is subject to residential purposes such as long term accommodation, which is provided through the group homes. The use of existing dwellings in the area is no different to the accommodation purposes of the group homes, with additional assistance for the residents of the group homes required.

New Century Developments Pty Limited v Baulkham Hills Shire Council [2003] NSWLEC 154 revised - 5/09/2003 (social impact, large number of objectors, character and amenity of area).

The above caselaw provides examples of amenity, reiterates development characteristics and any further associated issues, as well as substance of community responses to proposed development.

"(61) In circumstances such as the present case, however, the consent authority must not blindly accept the subjective fears and concerns expressed in the public submissions. Whilst such views must be taken into consideration, there must be evidence that can be objectively assessed before a finding can be made of an adverse effect upon the amenity of the area... the views of residents of the area, those views will be accorded little, if any, weight if there is no objective, specific, concrete, observable likely consequence of the establishment of the proposed use."

The above quote from the caselaw states plainly that evidence must be provided for submissions to be assessed. Council cannot take submissions with little to no planning grounds as having an adverse impact to the development of what is defined legally as a permanent group home under the WLEP 2011.

There are no specific issues raised in submissions received regarding the proposed group home development.

Submissions received as objections rather centre around the use of the development and those that would use it, however, this is not for Council to mandate as we are not the managing authority, only the consent authority. Submissions referenced the following:

- Property valuation
- Proximity of group homes to each other
- Behaviour concerns of NDIS participants
- Potential for property damage
- Disturbances caused by NDIS participants
- Location of group homes in locality for NDIS participant access to services
- Lack of Council transparency
- Concerns for the childcare centre in proximity to proposed group homes
- No need for further group home development

"(64) The assessment of the specific objections raised by the local residents shows that the concerns raised by them, objectively assessed, must be afforded little weight. As is shown by the consideration of the specific objections, discussed above, they appear to have little basis in fact."

Th above quote from the caselaw states that if concerns have been assessed based on the objectives (mainly directed at NDIS management and use of the proposed group home dwelling – therefore not specific legislative <u>planning grounds</u>), then submissions **must** be afforded little weight, therefore not considered as little fact is apparent.

"(71) In summary, I have concluded that the proposed development would be compatible with the rural residential character of the area and would not have an adverse impact on the amenity of the area, including social impact. While I recognise that there is strong community opposition to the proposal and that the residents have real fears, these fears must have foundation and a rational basis, which in this case is absent."

The above quote from the caselaw states that the ultimate outcome of the case as decided by the Judge, was that the proposed development was compatible with the character of the existing area and would not have an impact on the amenity of the area. Community opposition was recognised but the concerns were found to have no foundation or rational basis (planning grounds).

In relation to the proposed group home, no planning grounds for the proposal are seen, merely concerned community members referencing issues relative to unjustified fears based on the use of the development. No foundation (fundamentals of planning legislation) are presented by submitters, as addressed by Council.

Understanding the Local Impact of New Residential Development: a Pilot Study Christine Whitehead and Emma Sagor with Ann Edge and Bruce Walker LSE London April 2015

The report identifies that opposition to new dwelling development is driven by local communities feeling that they will gain little benefit from new dwellings and that negative impacts may arise, such as infrastructure pressure and lack of services, as well as residential valuation impacts.

The report solidifies and states that planning literature does not often and is not required to, address impacts to housing valuation or pricing as this is not directly related to planning decisions which are assessed against relevant legislation, as well as broader economic, environmental, and social factors.

Further Information of Relevance

The 2019 Issues Paper – Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) focuses on group homes as a form of accommodation where supports are provided for four (4) to six (6) long-term residents with a disability. The proposed group home under assessment is for residential accommodation of up to three people

This Issues Paper states plainly that all building work (in regard to group homes) must comply with requirements under the Building Code of Australia (BCA), this is a consideration for the construction certificate and certification stage of the development.

Further, the Issues Paper also states that group homes are defined under the NDIS Rules 2016 as "houses that are (or will be enrolled) to house four to five long-term residents... typically classified as Building Class 1(b)(i) or 3 under the Building Code of Australia."

As per the document *Understanding the NCC – Building Classifications* published by the NCC, a Class 1b building is a *boarding house, guest house or hostel that has a floor area less than 300 m2 and ordinarily has less than 12 people living in it,* and Class 3 buildings *are a common place of long term or transient living for a number of unrelated people.*

The 2020 Issues Paper – Overview of responses to Group Homes, published by the Royal Commission (into violence, abuse, neglect and exploitation of people with a disability) identifies the following on page seven (7) under Potential good practice in group homes:

- Role of group homes is conditional upon providing residents wit control and choice over their location,
- Group homes can promote inclusion and social connection,
- Research suggests smaller group homes of two to three residents is usually better,
- Factors such as organizational structure, staff training and person centred support contributes to better quality of life in group homes.

Maple Community Services (https://maplecommunity.com.au/advantages-of-group-housing-for-adults-with-disabilities/) is a disability provider with an accessible online platform, this platform provides a page identifying the advantages of group housing for adults with disabilities, points from the website as follows:

- Independence opportunity to manage routines and take responsibility within a supportive and structured environment.
- Specialised care on site or readily available support workers can provide the required approaches to individual needs ensuring each level of care for each resident is maintained.
- Safety and security increased safety measures are present in group homes, as well as emergency support systems, thus ensuring safety of the residents.
- Social inclusion opportunities to participate in activities, outings and community engagement creating meaningful relationships in home and community.
- Small scale group homes often limit number of residents to keep a personalized and supportive environment.
- Privacy each resident has their own bedroom for privacy and personal space.
- Accessibility group homes are designed to accommodate mobility and accessibility needs.

The Australian Institute of Health and Welfare (AIHW) under *Housing* states the following on their website:

Housing plays a major role in the health and wellbeing of people with disability, by providing shelter, safety and security. The availability of affordable, sustainable and appropriate housing helps people with disability to participate in the social, economic and community aspects of everyday life.

Australia's Disability Strategy 2021 – 2031 is Australia's national disability policy framework, setting out plans for the continual improvement of the lives of people with disability in Australia over a decade.

This strategy includes a designated chapter for *Inclusive Homes and Communities*, with the outcome to provide people with a disability the opportunity to live in inclusive, accessible, and well-designed homes and communities.

Under this chapter, *Policy Priority 2: Housing is accessible and people with disability have choice and control about where they live, who they live with, and who comes into their home* relays the importance of increasing availability of accessible housing to allow for users to have a choice on

where to live, who to live with and enables people with disability to socialise and connect with neighbours, friends and family.

Monash Universities publication Adaptable Housing for People with Disability in Australia: A Scoping Study states the following:

Given the increasing prevalence of disability, an estimated 60% of homes will, at some point, be occupied by a person with disability or injury, and 90% will have a visitor with disability or injury.

Few homes are designed to directly suit or be adaptable to the needs of people with disability, causing a mismatch between people with disability and their homes:

- 4.9% of Australians with disability have moved because of a health reason (compared to only 0.6% of people without disability)
- 16% are dissatisfied with their homes.

Wentworth Local Environmental Plan 2011

The WLEP 2011 provides the following definition for permanent group homes: group home (permanent) or permanent group home means a dwelling—

- (a) that is occupied by persons as a single household with or without paid supervision or care and whether or not those persons are related or payment for board and lodging is required, and
- (b) that is used to provide permanent household accommodation for people with a disability or people who are socially disadvantaged

It should be noted that the plans provided by the applicant indicate "NDIS High Physical Support SDA" with design considering wider doorways, ceiling hoists, accessible parking (garage), and ensuites tailored for required needs (rails etc.), with an adjustable bench in the kitchen.

The people anticipated to use these dwellings are those with disabilities, and not those who are socially disadvantaged, however, Council are not the management authority and cannot dictate who will utilize these developments.

(5) The suitability of the site for development

The site is suitable for the proposed permanent group home building as it is not anticipated to have any adverse impact on the locality; however, 14 submissions were received. The proposed development is permitted within the RU5 — Village zoning area under the Wentworth Local Environmental Plan 2011. The development provides the area with greater flexibility in housing and facilitates options for people with a disability under the NIDS scheme to become independent within the community, while receiving care when required. The character and use of the proposed development is consistent with other proposed developments in the immediate area.

(6) Any submissions made in accordance with this Act or Regulation

The application was notified for 14 days as per the Wentworth Community Participation Plan. 14 total submissions (13 unique) were received objecting to the application within the notification period.

The following list identifies concerns raised within the submissions received:

- Concentration of proposed group homes is a concern for general security of existing residents
- Close proximity of proposed group homes to each other
- Lack of facilities in vicinity of proposed group home sites
- Proximity to childcare facility and congestion in this area

- Lack of communication from Council
- Impact to property valuation and appeal of Midway area
- Potential for property damage no measures to protect neighbouring properties
- Increased disturbances in the area from potential residents of group homes
- Increased noise and traffic levels in the area
- Area already supports NDIS housing to accommodate required three beds under Demand Data, no further requirement for more as need is not present,
- Lack of emergency facilities in proximity to proposed group homes,
- Residents utilising group homes will be segregated from the community,
- Insufficient infrastructure to support demand of group homes,
- Concerns over intrusions into private properties,
- Concerns for neighbourhood character and amenity.

Applicant response to submissions:

Please find the following response:

- 1. If there was no need for the proposed developments, the proponent would not be applying for them in the first place.
- 2. The proposed use and development will integrate within the subdivision; the design of the buildings is very similar to a standard dwelling.
- 3. As the development is residential in nature, the volume of traffic generate will be similar to a standard dwelling.

Regards,

Council Officer Comment:

There have been no planning grounds of concern raised through submissions made during the 14-day public exhibition period. Concerns identified have been assessed as follows:

- The proposed group homes meet legislative requirements under the State Environmental Planning Policy – Housing 2021 and have been deemed as suitably designed for their purpose through applicant provided information.
- There are facilities and community infrastructure in close proximity to the development area.
- The proximity to a childcare facility should not be of concern as traffic congestion here during the day will be minimal (early morning, mid evening) and the childcare is fenced and secure.
- In a planning perspective high-density development is defined as development that is greater than three storeys high, typically referred to as residential flat buildings or apartments (Georges River Council LEP). The proposed development does not meet this definition. Low density residential areas are made up of detached dwellings, dual occupancies, and multi dwelling housing, however, as the zone attributed to this being R2 Low Density Residential, which is not occurring in the Wentworth LGA, this does not apply and constraints as per the zoning seen (RU5 Village) will be relied upon.
- The group homes pose no further threat to noise of traffic than a regular dwelling (such as for a family of related people) would. These issues have been assessed in the applicants Statement of Environmental Effects adequately.
- Council has a LEP and DCP that aid in assessment of proposals such as this, there is no planning strategy for specialised housing, only the Housing SEPP, which permits these developments if applied for a DA and within an approved zoning.
- Council cannot dictate who utilises group homes compliance with the LEP definition as detailed in assessment above will need to occur and this will fall to compliance with any approved DA.

There does not seem to be issues with amenity of the area as proposed development in the area will contribute to maintained and visually appealing looks, the area is currently overgrown.







(7) The public interest

The proposed development is consistent with public interest as it will have no detrimental effect on the surrounding area.

Social impact equates to the consequences that people experience when a new proposal for development will alter their known environment. This could be through acoustic, amenity, way of life, health and wellbeing, and property impacts. Submissions in regard to the proposed group home have shown that the development proposed is seen as a concern to the surrounding community.

The social impacts as identified by concerned residents in submissions for the proposed group home (singular development on a singular allotment) are not linked to the development of a permanent group home, instead, are aligned with the users and management authority of the group home following construction. No noise, amenity, traffic or other detrimental impacts are envisaged from a, by definition, permanent group home in a residentially established area.

Approval of the proposed group home would benefit the disabled community of the shire, which under the Disability Inclusion Action Plan (2022 -2026), housing is a provision that needs to occur and is heavily identified. Although the population requiring this accommodation may not encompass a wider community, the housing type is beneficial to the expanding Buronga / Gol Gol and wider areas of the entire shire and is also important being a border community. A total of 14 submissions objecting to the development were received during the exhibition period, however matters raised were similar in nature with no detrimental planning concerns raised. Most concerns are specific to management and users of group homes in general, or the infrastructure of the area that would have been considered during the subdivision stage. It is worth noting that nearly all submissions state that the submitter recognises the need for the housing type in the shire.

The Land and Environment Court in New Century Developments Pty Limited v Baulkham Hills Shire Council (2003) 127 LGERA 303; [2003] NSWLEC 154 (New Century) at [60] adjudged that a development that causes such great offence to a large portion of the community that it ought to be refused amounts to a detrimental social impact.

However, at [62] the case law identifies that fears or concerns without rational or justified foundations are not matters which, by themselves, can be considered as an amenity or social impact

pursuant to s 79C(1) (now s 4.15) of the EP&A Act. Where there is no evidence to support a rational fear, it will not be relevant and be of the basis that community members have altered their everyday actions and thoughts based on the concept of the use of permanent group homes, therefore are seen due to unjustified fears, in this case, whereby broad assumptions have been made about the use of permanent group homes.

In this case Council received 14 objections to the DA from residents living nearby and from within the broader urban area. The objections principally related to impacts to property value, childcare proximity, disturbances from residents of proposed group homes, lack of facilities in the area, proximity of group homes to each other, insufficient infrastructure to support high-needs users, impact of living in the area for NDIS participants, potential for traffic increase and property damage from users.

Assessment of social impacts relating to the proposed development of a permanent group home needs to be based on fact and evidence, not community perceptions or potential unjustified fears. It needs to be reiterated that the assessment and approval or refusal of a development application is to be made under the planning legislation.

The social impacts as perceived by local residents are noted and have been addressed through conditions of consent or general assessment. Council cannot dictate who utilises the group home upon completion and following issuance of an occupation certificate as long as users are those permitted under the definition of permanent group home. Residents of the area seem to hold unjustified fears of those from within the disabled community who would be using the group homes for impacts to their lives and everyday activities.

At the February and March Council Meetings (2025) members of the public gallery spoke against the development of group home "clusters", citing isolation of potential residents, heightened noise and vehicular impacts, minimised liveability of the wider community, emergency vehicle access and availability, NDIS requirements and reports that are not indicative of town planning requirements, DCP non-compliance, and the institutionalisation of NDIS participants. The abovementioned have been considered in the assessment and are not considered detrimental social impacts as they are perceived impacts or unjustified concerns, with no reference to applicant supplied assessment material. Concerns have been adequately given weight where required in line with provided substance of submissions. Submissions and voiced concerns have not been of strict planning grounds and can be viewed as unjust when referencing the disabled community.

The development of a permanent group home, defined under the WLEP 2011 as a dwelling, is not anticipated to create negative social impacts on the locality. The specific users are not for Council to mandate through the development approval processes. A combination of abovementioned impacts will not lead to negative impacts or experiences in the area. The development of a permanent group home, in a residential area with minimal development as per this assessment should be greatly considered for aesthetic and crime prevention (CPED) purposes. The more houses/development in a subdivision, street facing windows and cars around development, all attribute to making an area safer both through surveillance and lively areas.

On balance, the proposed permanent group home in a land zoning supporting group homes under both the WLEP 2011 and the Housing SEPP 2021, the benefits to the disabled community and no negative impact anticipated to the social streetscape or overall amenity of the area, when weighted against the minimal substance of the submissions, does not justly warrant refusal of this development application.

Should concerns arise from the permanent group home operation, Council will properly investigate and take compliance action as needed to matters within our jurisdiction.

COMMENTS FROM COUNCIL INTERNAL DEPARTMENTS

Department	Referred	Comments			
	Y/N				
Building	Υ	BCA Classification: 3 and 10a			
		Comments			
		 Eave projects into the 1500mm side and rear 			
		boundary setback for the purpose of Specification			
		5 of the BCA Volume 1 (fire separation). Matter			
		for the relevant certifier to address with fire			
		resisting construction or a performance solution.			
		Approval under S68 of the Local Government Act must be obtained prior to the issue of a Construction Certificate in relation to:			
		 Carrying out of water supply work. 			
		Carrying out sewerage work.			
		Connection to Sewer.			
Subdivision Engineer	N				
Roads & Engineering	N				
Finance & Policy	N				
Heritage Advisor	N				
Environmental Health	N				
Local Laws	N				
Floodplain Mgt Committee	N				
Sustainable Infrastructure	N				

CONCLUSIONS

- 1. General comments:
- 2. The proposal satisfies the points for consideration listed under Section 4.15 <u>part b, c, d and e</u> of the *Environmental Planning and Assessment Act*.
- 3. The proposal occurs on land zoned RU5 Village. The proposal is not considered to have detrimental impact on the site and surrounds.
- 4. The proposal is consistent with the Wentworth Shire Development Control Plan (Dec 2011). The proposal meets Chapter 8 of the provisions set out in the Wentworth Development Control Plan 2011.

- 5. The proposed permanent group home accords with the relevant objectives and provisions of the State Environmental Planning Policy (Biodiversity & Conservation) 2021 and State Environmental Planning Policy (Housing) 2021.
- 6. There is no draft local environmental plan affecting the proposed development.

Recommendation:

Approve the application subject to conditions

Delegate report author	Delegated approval and endorsement
Signature:	Signature:
Georgie Martin	
Cadet Planning Officer	
Date: 29/04/2025	Date:



Health & Planning Department 61 Darling Street PO Box 81 WENTWORTH NSW 2648

Tel: 03 5027 5027 council@wentworth.nsw.gov.au

TEMPLATE CONDITIONS

DA2025/063 PERMANENT GROUP HOME WITH GARAGE 32 MIDWAY DRIVE LOT 25 DP 1288183 BURONGA

GENERAL CONDITIONS

1. Approved development

Approval is for a permanent group home with garage.

Condition reason: To ensure all parties are aware of the approved development.

2. Approved Plans and Documentation

The development shall be in accordance with the following plans, documentation and recommendations made there in:

- **Site Plan** by Intrend Design & Drafting PTY LTD; Job No: 24-674; Sheet No: 2 of 5; Date: 17/09/24.
- **Floor Plan** by Intrend Design & Drafting PTY LTD; Job No: 24-674; Sheet No: 3 of 5; Date: 17/09/24.
- Elevations (W & E) by Intrend Design & Drafting PTY LTD; Job No: 24-674; Sheet No: 4 of 5;
 Date: 17/09/24.
- Elevations (N & S) by Intrend Design & Drafting PTY LTD; Job No: 24-674; Sheet No: 5 of 5;
 Date: 17/09/24.

In the event of any inconsistency between the approved plans and the supporting documentation, the approved plans prevail. In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Note: an inconsistency occurs between an approved plan and supporting documentation or between an approved plan and a condition when it is not possible to comply with both at the relevant time.

Condition reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

3. Compliance with Building Code of Australia and insurance requirements under Home Building Act 1989

- It is a condition of a development consent for development that involves building work that the work must be carried out in accordance with the requirements of the Building Code of Australia.
- It is a condition of a development consent for development that involves residential building work for which a contract of insurance is required under the Home Building Act 1989, Part 6 that a contract of insurance is in force before building work authorised to be

carried out by the consent commences.

- 3. It is a condition of a development consent for a temporary structure used as an entertainment venue that the temporary structure must comply with Part B1 and NSW Part H102 in Volume 1 of the Building Code of Australia.
- 4. In subsection (1), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for the construction certificate was made.
- 5. In subsection (3), a reference to the Building Code of Australia is a reference to the Building Code of Australia as in force on the day on which the application for development consent was made.
- 6. This section does not apply-
 - a. to the extent to which an exemption from a provision of the Building Code of Australia or a fire safety standard is in force under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, or
 - b. to the erection of a temporary building, other than a temporary structure to which subsection (3) applies.

Condition reason: Prescribed condition under section 69 of the Environmental Planning and Assessment Regulation 2021.

4. Erection of signs

- 1. This section applies to a development consent for development involving building work, subdivision work or demolition work.
- 2. It is a condition of the development consent that a sign must be erected in a prominent position on a site on which building work, subdivision work or demolition work is being carried out:
 - a. showing the name, address and telephone number of the principal certifier for the work, and
 - b. showing the name of the principal contractor, if any, for the building work and a telephone number on which the principal contractor may be contacted outside working hours, and
 - c. stating that unauthorised entry to the work site is prohibited.
- 3. The sign must be
 - a. maintained while the building work, subdivision work or demolition work is being carried out, and
 - b. removed when the work has been completed.
- 4. This section does not apply in relation to
 - a. building work, subdivision work or demolition work carried out inside an existing building, if the work does not affect the external walls of the building, or
 - b. Crown building work certified to comply with the Building Code of Australia under the Act, Part 6.

Condition reason: Prescribed condition under section 70 of the Environmental Planning and Assessment Regulation 2021.

5. Lapsing of Approval

Without the further consent of the Wentworth Shire Council, in writing, this permit shall lapse

	and have no force or effect unless the use or development hereby permitted is physically			
	commenced within 5 years of the date of this permit.			
	Condition reason: Ensure everyone is aware of the lapsing of the approval.			
6.	Works outside the property boundary			
	This development consent does not authorise works outside the property boundaries on adjoining			
	lands.			
	Condition reason: To ensure all approved works occur within the property boundaries.			

BUILDING WORK

BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

7.	7.12 Contribution
	Before the issue of the relevant construction certificate, the applicant must pay a total contribution of \$7155.13 as calculated at the date of this consent to Wentworth Shire Council pursuant to the adopted Section 7.12 Development Contributions Plan.
	Note: The total amount payable may be adjusted at the time payment is made per clause 3.10 of the Section 7.12 Development Contributions Plan.
	Condition reason: To ensure the 7.12 Developer Contributions are paid.
8.	Access Point Before the issue of a Construction Certificate, the beneficiary of this consent must build a driveway crossing for the subject land (if one doesn't exist) to Council standards. Access during construction shall only be through the driveway crossing of the subject land.
	Condition reason: To control vehicular movement on road crossings.
9.	Building Material The proposed building/s and structure/s shall be clad in an approved non-reflective material e.g. Colourbond.
	Condition reason: To ensure the materials of the building not impact the visual amenity of the surrounding character of the area.
10.	Construction Site Management Plan Before the issue of a construction certificate, the applicant must ensure a construction site management plan is prepared before it is provided to and approved by the certifier. The plan must include the following matters:
	 location and materials for protective fencing and hoardings to the perimeter on the site provisions for public safety pedestrian and vehicular site access points and construction activity zones

- details of construction traffic management, including proposed truck movements to and from the site and estimated frequency of those movements, and measures to preserve pedestrian safety in the vicinity of the site
- protective measures for on-site tree preservation (including in accordance with AS 4970-2009
 Protection of trees on development sites) and trees in adjoining public domain
- details of any bulk earthworks to be carried out
- location of site storage areas and sheds
- equipment used to carry out all works
- a garbage container with a tight-fitting lid
- dust, noise and vibration control measures
- location of temporary toilets.

The applicant must ensure a copy of the approved construction site management plan is kept onsite at all times during construction.

Condition reason: To ensure construction works are adequately managed to protect the surrounding amenity.

11. Erosion and Sediment Control

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that an erosion and sediment control plan is prepared in accordance with the following documents before it is provided to and approved by the certifier:

- the guidelines set out in the NSW Department of Housing manual Managing Urban Stormwater: Soils and Construction Certificate (the Blue Book), and
- the 'Do it Right On-Site, Soil and Water Management for the Construction Industry'; (Southern Sydney Regional Organisation of Councils and the Natural Heritage Trust).

The applicant must ensure the erosion and sediment control plan is kept onsite at all times during site works and construction.

Condition reason: To ensure no substance other than rainwater enters the stormwater system and waterways.

12. Fire Safety Schedule

Prior to the issue of a Construction Certificate, pursuant to Part 10 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended) a Fire Safety Schedule is to be submitted to the Principal Certifying Authority. The Fire Safety Schedule must include matters prescribed in clause 79 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021 (as amended).

Condition reason: To ensure compliance with Fire Safety requirements.

13. Long Service Levy

Before the issue of a construction certificate, the beneficiary of this consent is to ensure that the person liable pays the long service levy as calculated at the operational date of this consent to the Long Service Corporation or Council under section 34 of the Building and Construction Industry Long Service Payments Act 1986 and provides proof of this payment to the certifier.

Condition reason: To ensure the long service levy is paid.

14. Payment of Security Deposits

This condition applies to all construction works \$25,001 and above.

Before the commencement of any works on the site or the issue of a construction certificate, the beneficiary of this consent must make all of the following payments to Council and provide written evidence of these payments to the certifier:

Infrastructure Bond (Security Deposit):	\$3,000.00
Infrastructure Protection Permit Fee (includes inspections)	\$232.00

The payments will be used for the cost of:

- making good any damage caused to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates,
- completing any public work such as roadwork, kerbing and guttering, footway construction, stormwater drainage and environmental controls, required in connection with this consent, and
- any inspection carried out by Council in connection with the completion of public work or the making good any damage to council property.

The Infrastructure Bond will be returned on completion of the construction of the proposed development, subject to no damage being done to any council property (including street trees, kerb, road etc) as a consequence of carrying out the works to which the consent relates. The owner / developer is to arrange an inspection with an Officer of Wentworth Shire Council before any work commences on site. Any damage incurred to Council infrastructure will be repaired at the owners / developers expense and the balance of the Infrastructure Bond will be returned to the owner / developer on completion of the construction.

Note: The inspection fee includes Councils fees and charges and includes the Public Road and Footpath Infrastructure Inspection Fee (under the Roads Act 1993). The amount payable must be in accordance with councils fees and charges at the payment date.

Condition reason: To ensure any damage to public infrastructure is rectified and public works can be created.

15. Plumbing and Drainage

Before issuance of the Construction Certificate, a Plumbing and Drainage Application under Section 68 of the Local Government Act NSW 1993 is to be submitted to and approved by Council before any plumbing and drainage works (water and sewerage).

Note: All stormwater from the site is to be directed towards a legal point of discharge. All plumbing and drainage work is to be carried out by a plumber and drainer, or other authorised person,

licensed with the New South Wales Department of Fair Trading. **Condition reason:** To ensure plumbing and drainage works are carried out appropriately. 16. Road reserve landscaping Lawn must be used for landscaping within the road reserve. Any other form of landscaping in the road reserve must be approved by Council. **Condition Reason:** To ensure appropriate landscaping is used in road reserve. 17. Utilities and services - water and sewerage Raw water, filtered water and sewerage are available and are to be connected to Councils services. Dual water supply lines are to be provided from the front boundary of the property. One line is to convey filtered water to all fittings within the building and the other line to convey unfiltered water to all fittings outside the building i.e. garden taps, etc. A separate application is to be made to Council for approval to connect to Council's water mains prior to commencing any plumbing and drainage work. Condition reason: To ensure relevant utility and service providers requirements are provided to the certifier. 18. Waste management plan Before the issue of a construction certificate, the applicant is to ensure that a waste management plan is prepared in accordance with the EPA's Waste Classification Guidelines and the following requirements before it is provided to and approved by the certifier: Details the following: the contact details of the person(s) removing the waste an estimate of the waste (type and quantity) and whether the waste is expected to reused, recycled or go to landfill the address of the disposal location(s) where the waste is to be taken The applicant must ensure the waste management plan is referred to in the construction site management plan and kept on-site at all times during construction. **Condition reason:** To ensure resource recovery is promoted and local. 19. **Works in Road Reserve** A Road Opening Permit is required from the Wentworth Shire Council prior to any works or excavation within the road reserve including but not limited to: water tapping, sewer, driveway crossings, tree planting or removal etc. Please contact Councils Roads & Engineering Department on Tel: (03) 5027 5027 to arrange a permit. **Condition reason:** To control development in the road reserve.

BEFORE BUILDING WORK COMMENCES

20. Construction Certificates and Appointment of Principal Certifier

Prior to the commencement of any building works, the following requirements must be complied with

- A Construction Certificate must be obtained from the Council or an Accredited Certifier, in accordance with the provisions of the Environmental Planning & Damp; Assessment Act 1979,
- A Principal Certifier must be appointed, and Council must be notified in writing of the appointment irrespective of whether Council or a Registered Certifier is appointed; and notify Council in writing of their intention to commence work (at least two [2] days' notice is required).

Condition reason: To ensure building works complies with relevant legislation and other codes.

21. Contractor details notification

The certifying authority must advise Council, in writing of:

- 1. The name and contractor licence number of the licensee who has been contracted to do or intends to do the work, or
- 2. The name and permit of the owner-builder who intends to do the work.

If these arrangements are changed, or if a contract is entered into for the work to be done by a different licensee, Council must be immediately informed.

Condition reason: To ensure building work is carried out by licensed contractor.

22. Dial before you dig

Underground assets may exist in the area that is subject to your application. In the interest of health and safety and in order to protect damage to third party assets please contact Dial before you dig at www.1100.com.au or telephone 1100 before excavating or erecting structures (This is the law in NSW). If alterations are required to the configuration, size, form or design of the development upon contact the Dial before You Dig service, an amendment to the development consent (or a new development application) may be necessary.

Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individuals responsibility to anticipate and request the nominal location of plant or assets on the relevant property via contacting the Dial before you dig service in advance of any construction or planning activities."

Condition reason: To ensure existing infrastructure is identified.

23. Erosion and sediment controls in place

Before the commencement of any site or building work, the developer must be satisfied the erosion and sediment controls in the erosion and sediment control plan, (as approved by Council) are in place until the site is rectified (at least 70% ground cover achieved over any bare ground on site).

Condition reason: To ensure runoff and site debris do not impact local stormwater systems and waterways.

24.	 Notice of commencement of works Subject to approval to commence works two days before any site works, building or demolition begins, the beneficiary of this consent must: Forward to Council notice of commencement of work and appointment of Principal Certifying Authority. Notify the adjoining owners that work will commence. Condition reason: To provide notification of works commencing.
25.	Rubbish/Waste Management Throughout the construction period, from commencement of work, a suitable rubbish containment structure is to be located on site and utilised. Condition reason: To ensure the construction site is kept clean and safe at all times.
26.	Storage of materials Throughout the construction period, from commencement of work, the storage of materials is not permitted on footpaths, roadways or in reserves. Rubbish and building materials must be contained on the site. Condition reason: To ensure the construction materials are stored on site in a tidy & safe manner.
27.	Toilet facilities Toilet facilities are to be provided on or in the vicinity of the building site. The toilet must be connected to a public sewer, or if connection to a public sewer is not practicable, an approved chemical closet. The toilet facility must be installed on-site prior to the commencement of any other work. Condition reason: To ensure workers and contractors have access to amenities on site.
28.	Tree protection measures Before the commencement of any site or building work, the principal certifier must ensure the measures for tree protection detailed in the construction site management plan are in place. Condition reason: To protect and retain trees.

DURING BUILDING WORK

29.	Approved Plans A copy of the stamped approved and certified plans, specifications and documents incorporating conditions of approval and certification must be kept on site for the duration of site works and be made available upon request to either the Council or other Government Agencies. Condition reason: To ensure all parties are aware of the approved works to be conducted.			
30.	Construction noise While work is being carried out and where no noise and vibration management plan is approved under this consent, the applicant is to ensure that any noise caused by demolition, vegetation removal or construction does not exceed an LAeq (15 min) of 5dB(A) above background noise,			

when measured at any lot boundary of the property where the construction is being carried out.

Condition reason: To protect the amenity of the neighbourhood.

31. Contamination discovered during works

If during works on the land comprising the lot, the land is found to be contaminated, within the meaning of the Contaminated Land Management Act 1997:

- all works must stop immediately, and
- the Environment Protection Authority and the council must be notified of the contamination.
- Land is found to be contaminated for the purposes of this condition if the principal certifying authority knows or reasonably suspects the land is contaminated.

Note: Depending on the nature and level of the contamination, remediation of the land may be required before further work can continue.

Condition reason: To ensure contaminated land is managed appropriately.

32. Cut and fill (if applicable)

While building work is being carried out, the principal certifier must be satisfied all soil removed from or imported to the site is managed in accordance with the following requirements:

- All excavated material removed from the site must be classified in accordance with the EPAs
 Waste Classification Guidelines before it is disposed of at an approved waste management
 facility and the classification and the volume of material removed must be reported to the
 principal certifier.
- All fill material imported to the site must be Virgin Excavated Natural Material as defined in Schedule 1 of the Protection of the Environment Operations Act 1997 or a material identified as being subject to a resource recovery exemption by the NSW EPA.

Condition reason: To ensure soil removal & replacement meets requirements.

33. **Encroachment of easements**

No works are to encroach over any easements.

Condition reason: To ensure works are not carried out over easements.

34. Hours of work

The developer must ensure that building work, demolition or vegetation removal is only carried out between:

- 7.00am to 6.00pm on Monday to Friday
- 8.00am to 1.00pm on Saturdays

The developer must ensure building work, demolition or vegetation removal is not carried out on Sundays and public holidays, except where there is an emergency.

Unless otherwise approved within a construction site management plan, construction vehicles, machinery, goods or materials must not be delivered to the site outside the approved hours of site works.

	Note: Any variation to the hours of work requires Councils approval.
	Condition reason: To protect the amenity of the surrounding area.
35.	Implementation of site management plans While vegetation removal, demolition and/or building work is being carried out, the applicant must ensure the measures required by the approved construction site management plan and the erosion and sediment control plan are implemented at all times. The applicant must ensure a copy of these approved plans is kept on site at all times and made available to Council officers upon request.
	Condition reason: To ensure the required site management measures are implemented during construction.
36.	Natural drainage Any works undertaken in the subject land including building and filling shall not cause alteration to the previous drainage in the subject land or adjacent land. Any remedies required to discharge drainage water caused to be accumulated by the works associated with this permit shall be the responsibility of the beneficiary of this consent.
	Condition reason: To ensure natural drainage is maintained where possible.
37.	Procedure for critical stage inspections While building work is being carried out, any such work must not continue after each critical stage inspection unless the principal certifier is satisfied the work may proceed in accordance with this consent and the relevant construction certificate.
	Condition reason: To require approval to proceed with building work following each critical stage inspection.
38.	Responsibility for changes to public infrastructure While building work is being carried out, the applicant must pay any costs incurred as a result of the approved removal, relocation or reconstruction of infrastructure (including ramps, footpaths, kerb and gutter, light poles, kerb inlet pits, service provider pits, street trees or any other infrastructure in the street footpath area).
	Condition reason: To ensure payment of approved changes to public infrastructure.
39.	Security fencing An adequate security fence is to be erected around the perimeter of the site prior to commencement of any excavation or construction works, and this fence is to be maintained in a state of good repair and condition until completion of the building project
	Condition reason: To ensure the site is secured during construction.
40.	Tree protection While site work is being carried out, all required tree protection measures must be maintained in good condition in accordance with:
	The construction site management plan

2. The relevant requirements of any Australian Standard for the protection of trees on development sites

This includes maintaining adequate soil grades and ensuring all machinery, builders refuse, spoil and materials remain outside tree protection zones.

Condition reason: To protect trees during site works.

41. Uncovering relics or Aboriginal objects

While demolition or building work is being carried out, all such works must cease immediately if a relic or Aboriginal object is unexpectedly discovered. The applicant must notify the Heritage Council of NSW in respect of a relic and notify the Secretary of the Department of Planning, Industry and Environment and the Heritage Council of NSW in respect of an Aboriginal object. Building work may recommence at a time confirmed by either the Heritage Council of NSW or the Secretary of the Department of Planning, Industry and Environment.

In this condition:

- "relic" means any deposit, artefact, object or material evidence that: (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
 - a) is of State or local heritage significance; and
- "Aboriginal object" means any deposit, object or material evidence (not being a handicraft
 made for sale) relating to the Aboriginal habitation of the area that comprises New South
 Wales, being habitation before or concurrent with (or both) the occupation of that area by
 persons of non-Aboriginal extraction and includes Aboriginal remains.

Condition reason: To ensure protection of objects of potential significance during works.

42. Waste management

While building work, demolition or vegetation removal is being carried out, the principal certifier must be satisfied all waste management is undertaken in accordance with the approved waste management plan.

Upon disposal of waste, the applicant is to compile and provide records of the disposal to the principal certifier, detailing the following:

- The contact details of the person(s) who removed the waste
- The waste carrier vehicle registration
- The date and time of waste collection
- A description of the waste (type of waste and estimated quantity) and whether the waste is expected to be reused, recycled or go to landfill
- The address of the disposal location(s) where the waste was taken
- The corresponding tip docket/receipt from the site(s) to which the waste is transferred, noting date and time of delivery, description (type and quantity) of waste.

Note: If waste has been removed from the site under an EPA Resource Recovery Order or Exemption, the applicant is to maintain all records in relation to that Order or Exemption and provide the records to the principal certifier and Council.

Condition reason: To require records to be provided, during construction, documenting that

waste is appropriately handled.

BEFORE ISSUE OF AN OCCUPATION CERTIFICATE

43. Completion of landscape and tree works

Before the issue of an occupation certificate, the principal certifier must be satisfied that all landscape and tree-works, including pruning in accordance with AS 4373-2007 Pruning of amenity trees and the removal of all noxious weed species, have been completed in accordance with the approved plans and any relevant conditions of this consent.

Condition reason: To ensure the approved landscaping works have been completed before occupation, in accordance with the approved landscaping plan(s).

44. Completion of public utility services

Before the issue of the relevant occupation certificate, the principal certifier must ensure any adjustment or augmentation of any public utility services including gas, water, sewer, electricity, street lighting and telecommunications, required as a result of the development, is completed to the satisfaction of the relevant authority. Before the issue of the occupation certificate, the certifier must request written confirmation from the relevant authority that the relevant services have been completed.

Condition reason: To ensure required changes to public utility services are completed, in accordance with the relevant agency requirements, before occupation.

45. Fire Safety Certificate

Prior to the issue of the occupation certificate, a Fire Safety Certificate must be issued in accordance with Part 11 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

Condition reason: To ensure fire safety requirements have been met.

46. **Occupation Certificate**

The building shall not be occupied or used until an Occupation Certificate is issued either by council or by an accredited certifier.

Condition reason: To ensure development is accredited.

47. Removal of waste upon completion

Before the issue of an occupation certificate, the principal certifier must ensure all refuse, spoil and material unsuitable for use on-site is removed from the site and disposed of in accordance with the approved waste management plan. Written evidence of the removal must be supplied to the satisfaction of the principal certifier.

Before the issue of a partial occupation certificate, the applicant must ensure the temporary storage of any waste is carried out in accordance with the approved waste management plan to the principal certifier's satisfaction.

Condition reason: To ensure waste material is appropriately disposed or satisfactorily stored.

48. Repair of infrastructure

Before the issue of an occupation certificate, the applicant must ensure any public infrastructure damaged as a result of the carrying out of building works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub-contractors, concreting vehicles) is fully repaired to the written satisfaction of Council, and at no cost to Council.

Note: If the council is not satisfied, the whole or part of the bond submitted will be used to cover the rectification work.

Condition reason: To ensure any damage to public infrastructure is rectified.

OCCUPATION AND ONGOING USE

49. Additional structures No additional structures are to be built or installed on the site without permission from the Wentworth Shire Council. **Condition reason:** To ensure only approved work is carried out 50. Amenity of the neighbourhood The operation of this development shall not adversely affect the amenity of the neighbourhood or interfere unreasonably with the comfort or repose of a person who is outside the premises by reason of the emission or discharge of noise, fumes, vapour, odour, steam, soot, dust, waste water, waste products, grit, oil or other harmful products. Condition reason: To ensure the amenity of the neighbourhood is not compromised unreasonably. 51. Maintenance of wastewater and stormwater treatment device During occupation and ongoing use of the building, the beneficiary of this consent must ensure all wastewater and stormwater treatment devices (including drainage systems, sumps and traps, and on-site detention) are regularly maintained, to remain effective. **Condition reason:** To protect sewerage and stormwater systems. 52. Ongoing use – permanent group home with garage The proposed garage cannot be used for habitation. **Condition reason:** To ensure appropriate use as per approval. 53. Release of securities / bonds When Council receives an occupation certificate from the principal certifier, the applicant may lodge an application to release the securities held. Council may use part, or all of the securities held to complete the works to its satisfaction if the works do not meet Councils requirements. Condition reason: To allow release of securities and authorise Council to use the security deposit to complete works to its satisfaction.

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9.21 PROJECT & WORKS REPORT MAY 2025

File Number: RPT/25/260

Responsible Officer: Geoff Gunn - Director Roads and Engineering

Responsible Division: Roads and Engineering

Reporting Officer: Megan Jackson - Roads & Engineering Administration Officer

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

protect its physical and natural environment

Strategy: 3.2 Ensure that community assets and public infrastructure are

well maintained

Summary

This report provides a summary of the projects and major works undertaken by the Roads and Engineering Department which have been completed during the months of April 2025 and the planned activities for May 2025.

Recommendation

That Council receives and notes the major works undertaken in April 2025 and the scheduled works for the following month.

Detailed Report

Refer below for updates of the works completed in April 2025, and the planned activities for May 2025.

Projects and Works Completed in April 2025 and Scheduled for May 2025.

Roads

Maintenance Grading

- The Wamberra Road was graded before the Easter long weekend.
- Two graders are currently undertaking works on the Karpa Kora and Ivanhoe Roads. Following much needed rainfall over the Anzac Day weekend approval has been given for employees to work overtime to make the most of favorable ground moisture.

Arumpo Road 24.5km Upgrade

- Bitumen sealing has been completed.
- Regulatory signage and guide posts have been installed.
- Demobilising plant and equipment from site.

TfNSW Road Maintenance

- Heavy patching and reseal works on the Sturt Highway and Silver City Highway are all completed.
- Linemarking RFQ has been issued and are waiting on submissions to review.

Anabranch Mail Road and Wamberra Road Formation/Drainage Works

- The contractor has completed all works required on the Anabranch Mail Road. Council are extremely happy with the quality of completed works which will greatly improve road safety and significantly reduce road closure times following heavy rain events.
- Works are scheduled to commence on the 9km section of the Wamberra Road the first week of May and continue for a five week period.
- This project is 100% funded to the total of \$637,980 by a combination of the TfNSW Roads to Recovery and Regional Emergency Road Repair Funds

(RERRF).

Roads (continued)

Anabranch Mail Road and Wamberra Road Resheeting Works

- Contractors have commenced works on the Anabranch Mail Road, it is anticipated this project will take approximately three weeks to complete.
- On completion of the Anabranch Mail Road, the contractor will move directly onto the Wamberra Road to be completed by the end of June.

Alcheringa Drive, Pooncarie Road & River Road - Stabilisation Works

- Works have commenced on these projects and all components are on time and budget.
- All job sites will be closed to general traffic and heavy vehicles, except for local traffic only to travel through the site when required.
- The Pooncarie and River Road projects are 100% funded to the total of \$1.28 million dollars by the Regional Emergency Road Repair Funds (RERRF).
- The Alcheringa Road project is funded by LRCIP Round 4 to the total of \$361,296.

Courtbowl Upgrades

 Quotes for these works which include upgrading existing spray seal courtbowls to hot mix asphalt to cater for heavy vehicles such as garbage trucks turning in tight areas to be sort early May for works to be undertaken in June. The locations include Pamela Court, Ashen Court and Nix Court in Gol Gol, Rosedale and Stamford Court in Buronga and Murray Court in Wentworth.

Parks and Gardens

Pooncarie Pioneer Memorial Park

 A funded grant has allowed playground upgrades to the park including new Emu and Kangaroo rockers, and a musical drum. It is expected they will be installed early May.

General maintenance

 George Gordon Oval and Carramar Drive Sporting Complex for the start of the SNFL and Millewa Football seasons.

Water and Sewer

Wentworth Effluent Disposal System (EDS) - Fire Repairs

- Back in operation from Friday 4 April 2025
- Works complete

Buronga EDS Smart Metering

- Electrical Quotes to be updated to cater for future installation of a macerator / grinder.
- Metering to be installed in May and operational early June.

Buronga Pump Station No. 1 – Urgent Pump Repairs

- The main Buronga sewer pump station has continued to operate during April.
- Quotes received and currently being assessed, to be awarded in early May.
- All pump station materials including pump delivered for install
- Scheduled to have repairs completed in May.

Gol Gol Buronga Reticulation Modelling

- Awarded to local Engineering consultancy
- Initial kick off meeting held.
- WSC in the process of providing a significant amount of information for model creation.

Water and Sewer

(continued)

Safe and Secure Water Program (4 activities) - Development

- 1. Wentworth Water Treatment Plant
- 2. Gol Gol Water Treatment Plant
- 3. Wentworth Raw Water Pump Station
- 4. Dareton Raw Water Pump Station
- Draft Options Report issued for both Wentworth Raw Water and Dareton Raw Water Pump Stations.
- Draft Options Report to be issued for both Wentworth and Gol Gol Water Treatment Plants in early May.
- Review of documentation by mid May for reports to be finalized by mid June.

Wentworth Raw Water Pipeline - Development

- Continued preparation of a design and construct contract.
- This work is scheduled to go to market by mid- May.

Sewer Rehabilitation Program

- Clean and view of identified sewer lines has been undertaken for over two and half weeks in April, a further one and half weeks of clean and view is expected in May.
- Condition assessment to be reviewed in May, with sewer relining to commence from early June.

District Bulk Metering

- Outages of filtered water supply is being planned for mid May for Wentworth Water Treatment Plant meter install and late May for Buronga Booster Pump Station meter install.
- Midway and Dareton Reservoir bulk metering was re-tendered in April, with evaluation currently underway.
- Award to occur in early May, with construction of the metering pits from late May and meter installed in June.

Wentworth Raw Water Pump Station - Pump Replacement

- Pump operational in automatic model.
- Works complete

Projects

Buronga Landfill Expansion

The project aims to improve on previous waste management and resource recovery activities at the site as well as expand the approved footprint for waste disposal activities to occur.

- Works on the project are continuing to advance, with earth works construction of the new waste cell and phyto capping 100% complete.
- Delivery of HDPE liner and geofabric completed.
- Supply and delivery of all road and structure base materials completed and stockpiled on site
- Site clearing and pad preparation under way for major shed structures
- Construction of buildings and shed structures has commenced.
- Construction of all retaining wall and drainage materials commenced.
- Construction of fire services including installation of tanks and pumps under way.
- Removal of existing portable office and amenities buildings complete.

- Preparation and construction of concrete footings for office and new toilet facilities under way.
- Construction of new internal access roads commenced.

Works will continue throughout May to complete the installation of the cell liner & geotextile cushion including "tie in" to existing waste cell. Works will continue on the internal road network and building areas.

Other works also planned for this period include installation of mains power supply, completion of storm water construction & erection of major building structures.

Projects (continued)

The project has unfortunately suffered a minor set back in the completion of the waste cell "engineered fill Layer" which is critical to the completion of the HDPE liner due to material issues and the delay in supply of final QA conformance testing results for the liner materials. These issues have now been resolved with the latest updated construction schedule identifying the project completion at the end of August 2025, subject to weather delays.

Darling Street Wentworth Footpaths

- A contractor has been engaged to replace the raw water main into each property, before the new concrete is formed and laid.
- A public consultation session has been held in the main street to advise business owners of the upcoming works and prepare for possible interruptions during the project.
- The footpath contractor has commenced onsite starting at the intersection of Wharf Street and Darling Street working north towards Sandwych Street.

Wentworth Works Depot Fuel Pod

 A new Diesel fuel pod has been ordered, as the existing underground tanks were found non-compliant following recent inspections. The new pod will make Council compliant in line with EPA rules and regulations.

Pooncarie Camp Kitchen

- Design has been finalised with additional contribution from the Pooncaire Sporting Reserve User Groups.
- Construction to commence after Gymkhana event in late May.

Wentworth Camp Kitchen

- Demolition of existing bar awarded to local Contractor and to be completed in early May.
- Construction to commence in May.

Wentworth Rowing Club Upgrade

- Quotation closed on the upgrade works.
- Evaluation and recommendation of guotes complete.
- Award to a local contractor expected in early May.

Buronga Riverfront Toilet Block

- Sewer pump station wet well has been further delayed by supplier until early May.
- Installation to commence as soon as the wet well arrives.

Pooncarie Toilet Block

- Modifications to laundry cupboards to reduce vandalism still required.
- Activation of laundry washers / driers delayed due to Easter / ANZAC period, anticipate being operational in early May.

Buronga to Midway Shared way

- Solar lighting considered complete
- Shared way construction to be undertaken in two parts (materials delivery and installation) to be out for quotes in early May.

Open Spaces - Dawn Ave Drainage Basin

- Consultant still determining basin depths and volumes based on a drainage pump station transferring at high levels to Pink Lake basin.
- Fencing installation on-hold pending basin design review.
- Land licensing still to be resolved prior to any construction commencing.

Projects (continued)

Wentworth Kerb Upgrades

- Design and quotation documentation complete.
- Consultation with community (Primary School) required in relation to potential tree impacts

Wentworth Riverfront Mooring Rectification

- Rubber fenders installed
- Mooring back in operation from Friday 11 April 2025
- Project complete

Wentworth Caravan Park

- Continued management of outstanding contract defects and other minor items.
- Caravan Park fully booked over the Easter Period

Buronga Pump Track 2

- On-site works commenced and track taking shape.
- Asphalt to be installed in early May.
- Access by the community likely by late May.
- Road and carpark construction likely to commence in May.
- All works scheduled for end June completion.

Junction Island Viewing Platform

- All approval documentation in place.
- Contract document prepared and issued for open tendering.
- Expected for works to be award in June.

Electric Vehicles (EV) Charging Stations

- Part funding secured for three EV Charing Stations: Midway Centre, Wentworth Riverfront and Wentworth Civic Centre.
- All are 2 x 22 KW Charging Stations (Fast charging in a few hours to enjoy the facilities).
- Quotes received and evaluation underway.
- On-site works expected to commence in May and be completed in June.

Attachments

- Buronga Pumptrack
- 2. Buronga Landfill
- 3. Buronga Landfill 1.
- 4. Buronga Landfill 2.
- 5. Alcheringa Drive !
- 6. TfNSW Reseals Silver City & Darling Street Footpath Upgrade

- 7. TfNSW Reseals Silver City Highway U
- 8. Wentworth Mooring Fenders 4
- 9. Dareton to Namatjira Bench Seat U.
- 10. Darling Street Footpath Upgrade U

Item 9.21 - Attachment 1 Buronga Pumptrack





Item 9.21 - Attachment 2 Buronga Landfill





Item 9.21 - Attachment 3 Buronga Landfill 1





Item 9.21 - Attachment 4 Buronga Landfill 2



Item 9.21 - Attachment 5 Alcheringa Drive























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Nil

10 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 NDIS Commission and NDIS Quality & Safeguards Commission. (RPT/25/280)

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. On balance, the public interest in preserving the confidentiality of information about the item outweighs the public interest in maintaining openness and transparency in council decision-making.

12.2 Water Account Reduction Request - P599/1. (RPT/24/491)

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (b) discussion in relation to the personal hardship of a resident or ratepayer.

11 OPEN COUNCIL - REPORT FROM CLOSED COUNCIL

12.1 NDIS COMMISSION AND NDIS QUALITY & SAFEGUARDS COMMISSION

File Number: RPT/25/280

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (d) (i) commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it. On balance, the public interest in preserving the confidentiality of information about the item outweighs the public interest in maintaining openness and transparency in council decision-making.

12.2 WATER ACCOUNT REDUCTION REQUEST - P599/1

File Number: RPT/24/491

Responsible Officer: Simon Rule - Director Corporate Services

Responsible Division: Corporate Services

Reporting Officer: Vanessa Lock - Finance Officer

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

leadership with all activities conducted in an open, transparent

and inclusive manner

Strategy: 4.3 An effective and efficient organisation

REASON FOR CONFIDENTIALITY

This item is classified CONFIDENTIAL under the provisions of Section 10A(2) of the Local Government Act 1993, which permits the meeting to be closed to the public for business relating to (b) discussion in relation to the personal hardship of a resident or ratepayer.

12 CONCLUSION OF THE MEETING

NEXT MEETING

25 June 2025