



**Edward
River**
COUNCIL

I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Thursday, 15 October 2020

Time: 9.00am

Location: RFS Deniliquin Airport

BUSINESS PAPER

Ordinary Council Meeting

15 October 2020

**Philip Stone
General Manager**

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1 OPENING MEETING

2 LIVE STREAMING STATEMENT

Edward River Council wishes to advise members of the public that Council Meetings will be recorded and will be available after each meeting on Council's website www.edwardriver.nsw.gov.au.

All care will be taken to maintain the privacy of those in attendance, however As a visitor in the public gallery, your presence may be recorded. By remaining In the public gallery, it is assumed your consent is given in the event your image is broadcast. This includes any filming by television cameras if attendance is approved by the General Manager or Mayor.

3 ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge that we are here today on the land of the Wamba Wamba Perrepa Perrepa people. I would also like to acknowledge and pay my respects to past Aboriginal Elders, the present Aboriginal and Torres Strait Islander people who reside within this area, and their future generations.

4 STATEMENT OF PURPOSE

I have come here as a Councillor freely and without bias to:

- Represent the views of the community in considering the matters before us today
- To vote in a matter I consider to be in the best interest of the community
- To observe the Code of Conduct and respect the rule of the chair and views of my fellow Councillors.

5 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

6 CONFIRMATION OF MINUTES

Ordinary Council Meeting - 24 September 2020



**Edward
River**
COUNCIL

MINUTES

Ordinary Council Meeting

24 September 2020

**MINUTES OF EDWARD RIVER COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE RFS BUILDING, MACKNIGHT DRIVE, DENILQUIN
ON THURSDAY, 24 SEPTEMBER 2020 AT 9.00AM**

PRESENT: Cr Norm Brennan (Mayor), Cr Pat Fogarty (Deputy Mayor), Cr Peta Betts, Cr Marg Bull, Cr Ashley Hall, Cr Norm McAllister, Cr Peter McCrabb, Cr Mac Wallace

IN ATTENDANCE: Philip Stone (General Manager), Suni Campbell (Director Corporate Services), Oliver McNulty (Director Infrastructure), Michelle Cobb (Manager Community & Economic Development), Tiffany Carroll (Communications Advisor), Matthew Begg (IT Help Desk), Belinda Perrett (Executive Assistant)

1 OPEN MEETING

2 ACKNOWLEDGEMENT OF COUNTRY

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4 APOLOGIES AND APPLICATIONS FOR A LEAVE OF ABSENCE BY COUNCILLORS

RESOLUTION

Moved: Cr Norm McAllister

Seconded: Cr Pat Fogarty

That the apology received from Cr Metcalfe accepted and a leave of absence granted.

CARRIED

5 CONFIRMATION OF MINUTES

RESOLUTION 2020/176

Moved: Cr Peta Betts

Seconded: Cr Pat Fogarty

That the minutes of the Ordinary Council Meeting held on 20 August 2020 and the Extraordinary Council Meeting held on 3 September 2020 be confirmed.

CARRIED

6 DISCLOSURES OF INTERESTS

10.10 Plan of Management for Multiple Reserves – Wanganella Common. Cr Peter McCrabb declared a non-pecuniary – less than significant interest.

7 MAYORAL MINUTE(S)

Nil

8 REPORTS OF COMMITTEES

Nil

9 REPORTS TO COUNCIL**10.1 MAYOR, COUNCILLORS AND GENERAL MANAGER MEETINGS****RESOLUTION 2020/177**

Moved: Cr Norm McAllister

Seconded: Cr Pat Fogarty

That Council note the Mayor, Councillors and General Manager meetings attended during the month of August 2020, undertaken either remotely, or adhering to COVID-19 distancing regulations.

CARRIED

10.2 RESOLUTIONS OF COUNCIL**RESOLUTION 2020/178**

Moved: Cr Mac Wallace

Seconded: Cr Pat Fogarty

That Council note the information in the Resolutions of Council as at 15 September 2020.

CARRIED

10.3 INVESTMENT REPORT AUGUST 2020**RESOLUTION 2020/179**

Moved: Cr Norm McAllister

Seconded: Cr Marg Bull

That Council:

1. Note and receive the August report on Investments totalling \$43,928,709 inclusive of cash at bank for day-to-day operations;
2. Note that actual interest received for the month of August 2020 was \$60,206;
3. Note that accrued interest earned to 31 August 2020 but not yet received was \$202,508;
4. Note the Certificate of the Responsible Accounting Officer and adopt the Investment Report.

CARRIED

10.4 SCHEDULE OF ORDINARY MEETINGS**RESOLUTION 2020/180**

Moved: Cr Peta Betts

Seconded: Cr Pat Fogarty

That Council:

1. Pursuant to section 365 of the *Local Government Act 1993* and clause 3.1 of Council's Code of Meeting Practice, adopt the proposed 2020/2021 Schedule of Ordinary Meetings contained at Attachment A.
2. Pursuant to section 9 of the *Local Government Act 1993* and clause 3.3 of Council's Code of Meeting Practice, provide public notice of the time, date and place of each scheduled Ordinary Meeting.

CARRIED**10.5 CODE OF CONDUCT AND PROCEDURES FOR THE ADMINISTRATION OF THE CODE OF CONDUCT****RESOLUTION 2020/181**

Moved: Cr Norm McAllister

Seconded: Cr Mac Wallace

THAT COUNCIL:

1. Pursuant to section 440(3) of the *Local Government Act 1993* and clause 180(1) of the Local Government (General) Regulation 2005, adopt the draft Code of Conduct, contained at Attachment A.
2. Pursuant to section 440AA(3) of the *Local Government Act 1993* and clause 181 of the Local Government (General) Regulation 2005, adopt the draft Procedures for the Administration of the Code of Conduct, contained at Attachment B.
3. Repeal the Code of Conduct and Procedures for the Administration of the Code of Conduct adopted 18 April 2019.

CARRIED

10.6 DA 56/20 - INSTALL 2 SHIPPING CONTAINERS - DENILQUIN LITTLE ATHLETICS CLUB**RESOLUTION 2020/182**

Moved: Cr Pat Fogarty

Seconded: Cr Mac Wallace

That Council resolves to: -

1. **APPROVE** the development application DA56/20 for the installation of 2 x shipping containers, on Lot 1 DP724430, Crown reserve 77085, 149-173 Hardinge Street, Denilquin dated 19 August 2020 as shown on the site plan and elevation and described in details accompanying the Development Application, in accordance with section 4.16 of the Environmental Planning and Assessment Act 1979 and subject to the following reasons:

(a) *The proposal is appropriate given the site and character of the area*

2. Impose the following conditions:

1. Development as per Plans

The development shall take place in accordance with the approved plans and documentation, including any notations marked by Council thereon, as referenced in Schedule 1 - List of approved plans attached to DA No.56/20 and the conditions of consent.

Reason: To clarify the extent of the consent.

2. Plant / Tree Removal

No plants or trees are to be removed unless:

- (i) The individual trees or area to be cleared have been delineated on the approved plans; or
- (ii) Removal is required to comply with any other condition of consent in relation to matters such as servicing or firebreaks.

Reason: To clarify the extent of vegetation removal permissible with this consent.

3. Non-reflective materials

The exterior of the shipping containers must be finished in non-reflective materials.

Reason: To maintain and enhance visual amenity.

CARRIED

In Favour: Crs Norm Brennan, Pat Fogarty, Peta Betts, Marg Bull, Ashley Hall, Norm McAllister and Mac Wallace

Against: Nil

CARRIED 7/0

10.7 ENVIRONMENTAL SERVICES REPORT (AUGUST 2020)**RESOLUTION 2020/183**

Moved: Cr Norm McAllister

Seconded: Cr Peta Betts

That Council note the Environmental Services report for August 2020.

CARRIED

10.8 2020-21 COMMUNITY GRANTS PROGRAM - RECOMMENDED FUNDING ALLOCATION**RESOLUTION 2020/184**

Moved: Cr Norm McAllister

Seconded: Cr Marg Bull

That Council:

1. Approve the 2020-21 Community Grants funding allocation as detailed in Attachment 1, allocating \$40,000 across 14 applications and reserve the remaining \$5,000 for Council's 2020-21 Quick Response Grant Program.
2. Approve Councillor Peta Betts and Councillor Pat Fogarty for membership on future Community Grant assessment panels.

CARRIED

10.9 MAJOR PROJECTS PROGRAM - SEPTEMBER 2020 PROGRESS REPORT**RESOLUTION 2020/185**

Moved: Cr Peta Betts

Seconded: Cr Norm McAllister

That Council note the Major Projects Program from various funding sources - Progress Report for September 2020.

CARRIED

9.32am Cr Peter McCrabb entered the Council Chambers

10.10 PLAN OF MANAGEMENT FOR MULTIPLE RESERVES**RESOLUTION 2020/186**

Moved: Cr Norm McAllister

Seconded: Cr Marg Bull

That Council adopts the Plan of Management, contained in Attachment 1 to this report, for the following Crown Land reserves:

- (i) Macauley Street reserve.
- (ii) Rotary Park (plantation) reserve.
- (iii) Maude Road Soil Conservation Area reserve.
- (iv) Mayrung Hall reserve.
- (v) Wanganella Common reserve.
- (vi) Wanganella Tennis Courts reserve, and
- (vii) Wanganella Cemetery.

CARRIED

10.11 FOOTPATH SWEEPING - DENILIKUIN CBD**RESOLUTION 2020/187**

Moved: Cr Norm McAllister

Seconded: Cr Marg Bull

That Council;

1. approve the commencement of a trial relating to a possible increase in service to provide footpath sweeping in Deniliquin CBD,
2. note that a further report will be presented to Council considering the results from these trials.

CARRIED**10.12 RATES HARMONISATION PROJECT - RECOMMENDED RATE STRUCTURE****RESOLUTION 2020/188**

Moved: Cr Peter McCrabb

Seconded: Cr Norm McAllister

That Council endorses

1. the preferred rate structure, as set out in 'Attachment 1&2 - *Preferred Rate Structure – Option 8*', for the purposes of commencing community information and engagement.
2. The Community Engagement Plan as set out in Attachment 3.

CARRIED**10 NOTICES OF MOTIONS**

Nil

11 QUESTIONS WITH NOTICE

Nil

12 CONFIDENTIAL MATTERS**RESOLUTION 2020/189**

Moved: Cr Pat Fogarty

Seconded: Cr Peter McCrabb

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

13.1 Sale and Development of Lots 33,34, 35 and 36 Saleyards Road, Deniliquin

This matter is considered to be confidential under Section 10A(2) - c and d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

CARRIED

13.1 SALE AND DEVELOPMENT OF LOTS 33,34, 35 AND 36 SALEYARDS ROAD, DENILIQUN**RESOLUTION 2020/190**

Moved: Cr Peter McCrabb

Seconded: Cr Mac Wallace

That Council

1. Authorise the General Manager to negotiate the sale of the Lots 33,34, 35 and 36 Saleyards Road, Deniliquin to Rhys Tremble Concreting and Engineering for at least \$275,000 including GST.
2. Require the Contract of Sale to be conditional on a development application being submitted with 12 months of signing the contract for the purposes of industrial use and development.
3. Authorise the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the contract documentation for Lots 33,34, 35 and 36 Saleyards Road, Deniliquin

MOTION

Moved: Cr Peter McCrabb

Seconded: Cr Mac Wallace

That this report be brought back to the next Council Meeting with further clarity.

CARRIED**RESOLUTION 2020/191**

Moved: Cr Norm McAllister

Seconded: Cr Peta Betts

That Council moves out of Closed Council into Open Council.

CARRIED**13 CLOSE OF MEETING**

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 15 October 2020.

.....
CHAIRPERSON

7 DISCLOSURES OF INTERESTS

8 MAYORAL MINUTE(S)

Nil

9 REPORTS OF COMMITTEES

9.1 MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 24 SEPTEMBER 2020

Author: Michelle Siena, Governance & Corporate Support Coordinator

Authoriser: Suni Campbell, Director Corporate Services

RECOMMENDATION

That Council:

1. Receive and note the Minutes of the Audit Risk and Improvement Committee Meeting held on 24 September 2020, contained at Attachment A.
2. Reviews the policy regarding the financial treatment of residual value of road assets.
3. Reviews the policy on the financial treatment of Grant Funding due to the changes in accounting standard

COMMITTEE RECOMMENDATIONS

1. Recommends to Council that it review the policy regarding the financial treatment of residual value of road assets.
2. Recommends to Council that the financial treatment of Grant Funding be reviewed and updated due to the changes in accounting standards.

COMMUNITY STRATEGIC PLAN

5.3 Our local government is efficient, innovative and financially sustainable.

FINANCIAL IMPLICATIONS

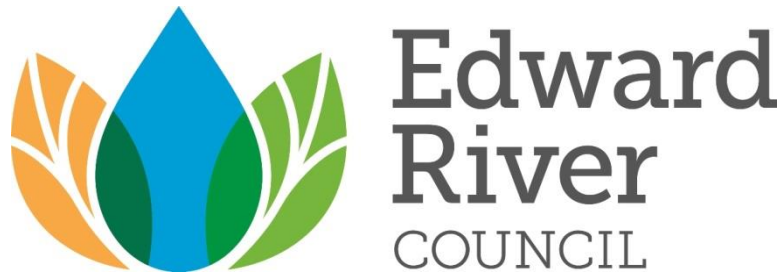
Nil.

LEGISLATIVE IMPLICATIONS

Nil.

ATTACHMENTS

1. **Minutes of the Audit Risk and Improvement Committee Meeting held on 24 September 2020**



MINUTES

Ordinary Audit Risk and Improvement Committee Meeting No. 10

24 September 2020

**MINUTES OF EDWARD RIVER COUNCIL
ORDINARY AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING
HELD AT THE COUNCIL CHAMBER 180 CRESSY STREET DENILQUIN OR VIA TEAMS
ON THURSDAY, 24 SEPTEMBER 2020 AT 2.00PM**

PRESENT: Cr Norm McAllister, Cr Peter McCrabb, Mr Peter Rae (Chair), Mr John Tushuizen, Mr Graham Bradley

IN ATTENDANCE: Philip Stone (General Manager), Oliver McNulty (Director Infrastructure), Suni Campbell (Director Corporate Services), Amanda Barber (Manager Finance) Mark Siena (Manager Information Management), Helen Flisher (Manager People and Customer Service), Kelly Thorpe (Business System Administrator), Michelle Siena (Governance and Corporate Support Coordinator), Belinda Perrett (Executive Assistant)

1 ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge that we are here today on the land of the Wamba Wamba Perrepa Perrepa people. I would also like to acknowledge and pay my respects to past Aboriginal Elders, the present Aboriginal and Torres Strait Islander people who reside within this area, and their future generations.

2 APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

Nil

3 DISCLOSURE OF INTEREST

Nil

4 CONFIRMATION OF MINUTE FROM PREVIOUS MEETING

COMMITTEE RESOLUTION ARIC/2020/21

Moved: Cr Norm McAllister
Seconded: Mr John Tushuizen

That the minutes of the Ordinary Audit Risk and Improvement Committee Meeting held on 16 April 2020 be confirmed.

CARRIED

5 BUSINESS ARISING FROM MINUTES

Nil.

6 REPORTS FROM OFFICERS

6.7 DRAFT FINANCIAL STATEMENTS AND AUDIT STATUS 2019-2020

COMMITTEE RESOLUTION ARIC/2020/22

Moved: Mr Peter Rae

Seconded: Cr Graham Bradley

That the Audit, Risk and Improvement Committee discuss Item 6.7 on the agenda at the opening of the meeting.

That the Audit, Risk and Improvement Committee:

1. receive the **Draft** 2019-20 Financial Statements;
2. note the current status of the **Draft** 2019-20 Financial Statements and audit activities as contained in this report;
3. note the indicative timetable for completion of the audited 2019-20 Financial Statements as set out in Table 1 of this report.
4. Recommends to Council that it review the policy regarding the financial treatment of residual value of road assets.
5. Recommends to Council that the financial treatment of Grant Funding be reviewed and updated due to the changes in accounting standards.

CARRIED

MOTION

COMMITTEE RESOLUTION ARIC/2020/23

Moved: Cr Graham Bradley

Seconded: Cr Peter McCrabb

That the Audit, Risk and Improvement Committee unanimously supports the action of the Mid Western Regional Council ARIC in requesting OLG to initiate action to ensure that the Code of Accounting Practice is released prior to January 31 each year.

CARRIED

6.1 RATES HARMONISATION UPDATE SEPTEMBER 2020

COMMITTEE RESOLUTION ARIC/2020/24

Moved: Mr Peter Rae

Seconded: Mr John Tushuizen

1. That the Audit Risk and Improvement Committee (ARIC):
 - (a) receive a verbal update on the Rates Harmonisation Project,
 - (b) discuss the presentation given to Council at the Council Workshop on 3 September 2020,
 - (c) discuss the draft Community Engagement Plan.

CARRIED

6.2 RISK MANAGEMENT FRAMEWORK UPDATE

COMMITTEE RESOLUTION ARIC/2020/25

Moved: Cr Peter McCrabb

Seconded: Mr John Tushuizen

That That the Audit Risk and Improvement Committee receive the Enterprise Risk Management Framework Implementation update report.

CARRIED

**6.3 MAJOR PROJECT BRIEFING - TECHNOLOGY ONE REIMPLEMENTATION PROJECT
UPDATE**

COMMITTEE RESOLUTION ARIC/2020/26

Moved: Cr Norm McAllister

Seconded: Cr Peter McCrabb

That the Audit, Risk and Improvement Committee:

1. Receive the project status update for the TechnologyOne reimplementation project.

CARRIED

6.4 MAJOR PROJECTS PROGRAM - UPDATE

COMMITTEE RESOLUTION ARIC/2020/27

Moved: Mr Peter Rae

Seconded: Cr Peter McCrabb

That the Audit, Risk and Improvement Committee note the Major Projects Program - Update report.

CARRIED

**6.5 MAJOR PROJECT BRIEFING - DENILQUIN TOWN HALL & CIVIC PRECINCT
PROJECT**

COMMITTEE RESOLUTION ARIC/2020/28

Moved: Mr John Tushuizen

Seconded: Mr Peter Rae

That the Committee note this information report in relation to the Denilquin Town Hall and Civic Precinct Project.

CARRIED

6.6 MAJOR PROJECT BRIEFING - CRESSY STREET AND WARING GARDENS

COMMITTEE RESOLUTION ARIC/2020/29

Moved: Mr John Tushuizen

Seconded: Mr Peter Rae

That the Audit, Risk and Improvement Committee note this update on the status of the Cressy Street and Waring Gardens projects.

CARRIED

7 CONFIDENTIAL MATTERS

Nil

8 CLOSE OF MEETING

The Meeting closed at 4.23pm.

The minutes of this meeting were confirmed at the Ordinary Audit Risk and Improvement Committee Meeting held on 15 October 2020.

.....
CHAIRPERSON

10 REPORTS TO COUNCIL

10.1 MAYOR, COUNCILLORS AND GENERAL MANAGER MEETINGS

Author: Belinda Perrett, Executive Assistant

Authoriser: Philip Stone, General Manager

RECOMMENDATION

That Council note the Mayor, Councillors and General Manager meetings attended during the month of September 2020, undertaken either remotely, or adhering to COVID-19 distancing regulations.

BACKGROUND

The report details meetings undertaken on behalf of Council by the Mayor, Councillors and the General Manager September 2020.

ISSUE/DISCUSSION

Mayor, Councillor and General Manager meetings September 2020			
Date	Participants	Topic	Council Reps
1 Sept	NSW Cross Border Commissioner	Vic-NSW Border Closure Update	Mayor, General Manager
3 Sept	Deniliquin Golf Club	Upgrades to premises	Mayor, Deputy Mayor, Cr Betts, Cr Metcalfe
7 Sept	Conargo Feedlot	Initial Meeting	Mayor
8 Sept	NSW Cross Border Commissioner	Vic-NSW Border Closure Update	Mayor, General Manager
10Sept	NSW Cross Border Commissioner	Vic-NSW Border Closure Update	Mayor, General Manager
10Sept	South West Music	Board Meeting	Cr Bull
10Sept	Murray Socio-Economic Activation Taskforce	Activating Border Recovery	Mayor
11Sept	RAMJO	Transport/Infrastructure	General Manager
14Sept	Murray Darling Association	Annual Meeting	Mayor
14Sept	NSW Water	Wanganella Weir	Cr Wallace
15Sept	Murray Darling Association	Annual Meeting	Mayor
16Sept	RAMJO	Digital Connectivity Mapping	Mayor, General Manager
17Sept	Health Action Group (HAG)	Meeting	Mayor
18Sept	Yanco Stakeholders Advisory Group	Meeting	Mayor

22Sept	Town Hall Advisory Group	Meeting	Cr Bull
23Sept	Yanco Stakeholders Advisory Group	Meeting 3 Deniliquin RSL	Mayor
24Sept	South West Music	AGM and Board Meeting	Cr Bull
24Sept	Murray Socio-Economic Activation Taskforce	Recovery Plans/Initiatives submitted	Mayor
25Sept	Yarkuwa	General Discussion	Mayor, General Manager
28Sept	Deniliquin Lions and Rotary	Meeting	General Manager, Cr Fogarty
29Sept	Sir Angus Houston	Stakeholder Meeting	Mayor

STRATEGIC IMPLICATIONS

N/A

COMMUNITY STRATEGIC PLAN

5.1 Our community is informed and engaged.

FINANCIAL IMPLICATIONS

N/A

LEGISLATIVE IMPLICATIONS

N/A

ATTACHMENTS

Nil

10.2 RESOLUTIONS OF COUNCIL

Author: Belinda Perrett, Executive Assistant

Authoriser: Philip Stone, General Manager

RECOMMENDATION

That Council note the information in the Resolutions of Council as at 7 October 2020.

BACKGROUND

The attached report details the status of open Resolutions of Council.

ISSUE/DISCUSSION

Monthly report to update Councillors and community members on the progress of Council Resolutions.

STRATEGIC IMPLICATIONS

As outlined in the status updates.

COMMUNITY STRATEGIC PLAN

This report aligns with Outcome 5 – A community working together to achieve its potential. Particularly it supports outcome 5.3, our local government is efficient, innovative and financially sustainable.

FINANCIAL IMPLICATIONS

Not applicable

LEGISLATIVE IMPLICATIONS

Not applicable

ATTACHMENTS

1. Resolutions of Council as at 7 October 2020

24 September 2020	Resolution	Responsibility	Status	Expected Date of Completion
2020/180	<p>Schedule of ordinary meetings That Council:</p> <ol style="list-style-type: none"> Pursuant to section 365 of the <i>Local Government Act 1993</i> and clause 3.1 of Council's Code of Meeting Practice, adopt the proposed 2020/2021 Schedule of Ordinary Meetings contained at Attachment A. Pursuant to section 9 of the <i>Local Government Act 1993</i> and clause 3.3 of Council's Code of Meeting Practice, provide public notice of the time, date and place of each scheduled Ordinary Meeting. 	General Manager	Website Public Notice Booked	15 October 2020 Closed
2020/184	<p>2020-21 Community Grants Program – Recommended Funding That Council:</p> <ol style="list-style-type: none"> Approve the 2020-21 Community Grants funding allocation as detailed in Attachment 1, allocating \$40,000 across 14 applications and reserve the remaining \$5,000 for Council's 2020-21 Quick Response Grant Program. Approve Councillor Peta Betts and Councillor Pat Fogarty for membership on future Community Grant assessment panels. 	Community & Economic Development	Applicants advised. Membership of Councillors included in October Business Papers	15 October 2020 Closed
2020/187	<p>Footpath Sweeping – Deniliquin CBD That Council;</p> <ol style="list-style-type: none"> approve the commencement of a trial relating to a possible increase in service to provide footpath sweeping in Deniliquin CBD, note that a further report will be presented to Council considering the results from these trials. 	Director Infrastructure	Scrubber will be in town for a 3 to 4 day trial in October.	December 2020
2020/188	<p>Rates Harmonisation Project – Recommended Rate Structure That Council endorses</p> <ol style="list-style-type: none"> the preferred rate structure, as set out in 'Attachment 1&2 - Preferred Rate Structure – Option 8', for the purposes of 	Director Corporate Services	Community Engagement Plan to be presented to	October 2020

	commencing community information and engagement. 2. The Community Engagement Plan as set out in Attachment 3.		Councillors	
2020/190	Sale and Development of Lots 33, 34, 35 and 36 Saleyards Road That this report be brought to the next Council Meeting with further clarity.	Community & Economic Development		15 October 2020
20 August 2020	Resolution	Responsibility	Status	Expected Date of Completion
2020/155	SME Commercial Leasing Principles during COVID-19 Applications for Concession That Council:- 1. Waive 50% and defer 50% of the rental payable by Wettenhall Air Services for 24 months as provided under the mandatory code, for the period the company receives the Jobkeeper allowance. 2. That the Mayor and General Manager be delegated authority to determine further requests for assistance under the code.	Assets & Procurement Administrator	Commenced	October 2020
2020/157	Advocacy Strategy That Council:- 1. That the Strategy "Deniliquin Airport Redevelopment be strengthened by including statistics on aircraft movements particularly, for health and emergency services. 2. That detailed evidence be gathered to support the strategy "Investment in Deniliquin Hospital". 3. Adopt the updated Advocacy Strategy	General Manager	Underway	October 2020
2020/158	Local Government NSW Annual Conference 2020 That Council approve the Mayor, up to two other Councillors and the General Manager to attend the Local Government NSW Annual Conference 22 – 24 November 2020 being held at the Crowne Plaza Hunter Valley.	General Manager	Annual Conference will now be held remotely. Delegates to be registered.	October 2020

2020/164	<p>North Deniliquin Levee Upgrade Feasibility Report</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Adopt the North Deniliquin Levee Upgrade Feasibility Report, contained as Attachment 1 to this report, and; 2. Apply to Office of Environment and Heritage for funding of the works detailed in the North Deniliquin Levee Upgrade Feasibility Report 	Manager Engineering & Assets	Underway	October 2020
16 July 2020	Resolution	Responsibility	Status	Expected Date of Completion
2020/143	<p>That Council;</p> <ol style="list-style-type: none"> 1. Approve an application for a loan facility of up to \$2.5M over the 2020/21 and 2021/22 financial years to match the funding received from the Commonwealth Regional Airport Program towards the renewal and upgrade of the runway at Deniliquin airport, 2. Direct that officers investigate further opportunities for State funding towards this work. 3. Make representations through the Member for Murray and the Deputy Premier seeking State Government funding towards the project as the runway upgrade is essential to providing the region with air access to medical facilities and will assist in aerial firefighting in the event of serious bush and grass fires. 	Manager Engineering and Assets	Representations made.	30 December 2020
2020/144	<p>Asset Management Plans</p> <p>That Council:</p> <ol style="list-style-type: none"> 1. Note the current Transport, Buildings, Open Space and Recreation, Flood Mitigation and Drainage, Water and Sewerage Asset Management Plans; 2. Undertake a project to update the Asset Management Plans based on the outcomes from the Asset Revaluation project; and 3. Receive a further report in October 2020 regarding the Asset Management Plans. 	Manager Engineering and Assets	Asset Management Plans being updated.	15 October 2020

25 June 2020	Resolution	Responsibility	Status	Expected Date of Completion
2020/116	<p>Edward River Council's COVID-19 Economic and Resilience Response</p> <p>That Council, as per resolution 2020/74, apply the extension for the revised interim Debt Collection and Hardship Policy (attachment 1) until 31 December 2020</p> <ol style="list-style-type: none"> 1. Consider taking up the extended period allowing for rates notices to be issued by 01 September 2020 – refer OLG 20-20 Clarification for issuing and collecting 2020-21 single and first quarter rates instalments. Councils cannot enforce the collection of a single instalment or the first quarter rates instalments until after 30 September 2020. 2. Encourage ratepayers who have the capacity to pay their rates early to do so, while acknowledging that many members of the community have been affected by COVID-19 financial pressures and that first quarter rates instalments are now due by 30 September 2020. Pause any new Rates Debt Collection action until 31 December 2020 refer OLG 20-19 Information about Ratings 2020-21. 3. Interest will be raised on all outstanding rates and charges up until 30 June 2020. Those ratepayers that have entered into an approved Payment Plan and have adhered to that Payment Plan, will have any interest charges raised, written off. No interest will be raised on overdue rates and charges from 01 July 2020 until 31 December 2020, From the 01 January 2021 to 30 June 2021 the interest rate will be 7.0% per annum refer OLG 20-19 Information about Ratings 2020-21. Waiving of any other Fees/ Interest charges will be considered on a case by case basis; No Rates or Annual Charges will be written off or waived. 4. Existing properties already under Debt Collection Legal procedure process to continue as normal. Any correspondence received from a ratepayer regarding suspension of Legal 	Director Corporate Services	Extension Revised to 31 December 2020	31 December 2020

	pursuit of debts is to be reviewed on a case by case basis with approval to proceed with Legal Action/Temporarily Suspension/Hold Action. Existing legal charges raised on existing Debts on the property remain as charged, no removal of these legal cost of debt recovery amounts will be applicable.			
2020/117	Cressy Street Retail Trader Assistance Program That the Retail Trader Assistance program, as set out in Council Report 10.13, 21 st May 2020 be adopted.	Director Infrastructure	Program commenced	31 December 2020
18 June 2020	Resolution	Responsibility	Status	Expected Date of Completion
2020/111	Deniliquin Town Hall and Civic Precinct Redevelopment Program Funding That Council: <ol style="list-style-type: none"> 1. Allocates \$412,805 from the Infrastructure Replacement Reserve towards the Deniliquin Town Hall and Civic Precinct Redevelopment project; 2. Authorise the General Manager to approve a Certificate of Exemption to deviate from Council's Procurement Policy in relation to open tendering for Stage 4 of the Town Hall Revitalisation project in accordance with Section 55(3)(i) of the <i>Local Government Act 1993</i>; 3. Notes that the exemption to Section 55(3)(i) of the <i>Local Government Act 1993</i> is granted due to the following extenuating circumstances: <ol style="list-style-type: none"> (a) Stage 4 forms part of the overall Town Hall Revitalisation project; (b) Stages 1, 2 and 3 were subject to a competitive open tendering process with Council accepting the lowest tenderer as the preferred tenderer; © The preferred tenderer for the overall project shall be requested to provide a quotation for the Stage 4 works; (d) Incorporating Stage 4 into the overall project will assist in delivering the project within the required funding 	Director Infrastructure	Detailed designs progressing Final Stage 4 designs available September for pricing by the contractor	September 2020

	<p>agreement requirements;</p> <p>4. Authorises the General Manager to negotiate with the preferred tenderer for Contract C2020/21 – Deniliquin Town Hall and Civic Precinct Redevelopment regarding a quotation for Stage 4 of the Deniliquin Town Hall and Civic Precinct Redevelopment project; and</p> <p>5. Receives a further report regarding the outcomes from the negotiation prior to engaging a contractor for the Stage 4 works.</p>			
2020/112	<p>Appointment of General Manager</p> <p>1. That the report on process and outcome in relation to the recruitment and appointment of a General Manager for Edward River Council be received and noted.</p> <p>2. That Mr Phillip Stone, the preferred candidate selected by Councillors at the Council Meeting held on Thursday 18 June 2020 for the position of General Manager of Edward River Council, be offered the position.</p> <p>3. That the Mayor and Deputy Mayor be authorised, with advice from Blackadder Associates, to finalise negotiations based on the following:</p> <ul style="list-style-type: none"> a) A five (5) year performance-based Contract. b) A total remuneration package of \$270,000 per annum comprising salary, the private use of a Council provided motor vehicle valued at \$12,000 in the TRP, and statutory superannuation c) The contract of employment being in accordance with the standard contract required by all Councils in NSW for the position of General Manager, with the Mayor being authorised with advice from Blackadder Associates to finalise and sign the contract on Council's behalf. <p>4. That Blackadder Associates be engaged to assist Council, within three months of the GM commencing in the role, in the identification of expectations of the General Manager by the Councillors, and the expectations of the Councillors by the General Manager so this can be built into a Performance Agreement to align the Council and the</p>	Mayor	Completed	November 2020

	GM with a core group of agreed objectives			
16 April 2020	Resolution	Responsibility	Status	Expected Date of Completion
2020/65	<p>Planning Proposal 10 That Council:</p> <ol style="list-style-type: none"> 1. Prepare a planning proposal to amend the Deniliquin Local Environmental Plan 2013 in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 to rezone Lot 2 DP1220715 Harfleur Street, Deniliquin, from SP2 Infrastructure to B2 Local Centre; 2. Forward the planning proposal to the Minister for Planning and Public Spaces in accordance with section 3.34(1) of the Environmental Planning and Assessment Act 1979. 3. Request that the local plan making functions in relation to this planning proposal be delegated to Council. 	Manager Environmental Services	Gateway determination requested 20 April 2020	November 2020
19 March 2020	Resolution	Responsibility	Status	Expected Date of Completion
2020/54	<p>Contract C2020/19 Supply, Installation and Maintenance of Solar Panel Systems That Council</p> <ol style="list-style-type: none"> 1. Accepts the tender submitted by The Green Guys Group Pty Ltd and award The Green Guys Group Pty Ltd Contract C2020/19 Supply, Installation and Maintenance of Solar Power Systems for the lump sum tendered price of \$474,311.82 + GST; 2. Authorise the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the contract documentation for C2020/19 Supply, Installation and Maintenance of Solar Power Systems; 3. Delegate the Contract Superintendent to approve variations up to a maximum of 10% of the contract value to allow for any issues that may arise on site. 	Manager Engineering Assets	Contracts being drawn up. Completed	May 2020 August 2020 October 2020
2020/56	Contract C2020/20 – Peppin Heritage Centre & Crossing Café	Director	Work has	May 2020

	<p>Refurbishments That Council</p> <ol style="list-style-type: none"> 1. Approve the reallocation of funding from the following projects to Contract C2020/20 – Peppin Heritage Centre and Crossing Café refurbishments <ol style="list-style-type: none"> (a) \$110,000 from the library refurbishment project carried forward from 2018/19 (b) \$13,000 from the Council Depot allocation of the Renewal Energy project 2. Note that the works proposed at the library and the Depot will be reconsidered through future budget process, 3. Exclude the front decking are from George Street and the new double new entrance from the contract at an estimated value of \$16,000 4. Accepts the tender from Denbrok Constructions PTY LTD for Contract C2020-20 – PEPPIN HERITAGE CENTRE & CROSSING CAFÉ REFURBISHMENTS for the total lump sum of \$525,172.73 excluding GST; 5. Authorise the General Manager and Mayor to sign and affix the Common Seal of Edward River Council to the contract documentation for Contract C2020-20 – PEPPIN HERITAGE CENTRE & CROSSING CAFÉ REFURBISHMENTS; and 6. Authorise the General Manager to approve variations to the contract to cover contingencies of up to 20% of the contract amount, 7. Note that works to construct the new cool room and works to upgrade the power supply to the building will be completed by alternate contractors outside this contract, 8. Approve the suspension of the monthly lease amount for a period of six months as from 31 October 2019, being Council's consideration. No further consideration will be given. 	Infrastructure	<p>commenced and should be completed by end of June 2020</p> <p>Work completed at the Crossing Café, final painting continuing at the Peppin Heritage Centre.</p>	<p>June 2020 August 2020</p>
19 December	Resolution	Responsibility	Status	Expected

2019				Date of Completion
2019/12/306	<p>Strategic Review of Committee Framework and Community Facility Management Model Report.</p> <p>That Council</p> <ol style="list-style-type: none"> 1. Adopt the Strategic Review of Committee Framework and Community Facility Management Model Report contained at Attachment 1. 2. Request Officers commence implementation via the following priority actions: <ol style="list-style-type: none"> a. Meet with each committee and advise them of the review outcomes and the next steps to implement the recommendations, including the winding-up of Committees as outlined in the report b. Develop and implement terms of reference, delegations, and trust documentation to implement the Conargo Hall Committee arrangements, including those relating to the bequest from Mr Bob White c. Develop a detailed action plan, with resources and costings, required to achieve the remainder of the implementation plan contained in the report. 	General Manager	Underway	May 2020 December 2020

10.3 COUNCILLOR APPOINTMENT TO COMMITTEES 2020 - 2021

Author: Belinda Perrett, Executive Assistant

Authoriser: Philip Stone, General Manager

RECOMMENDATION

THAT COUNCIL REVIEW THE CURRENT COUNCILLOR APPOINTMENTS TO COMMITTEES, REVIEW THE ADDITIONAL COMMITTEES CREATED DURING THE 2019-2020 AND DETERMINE ANY CHANGES FOR THE PERIOD OCTOBER 2020 TO SEPTEMBER 2021.

BACKGROUND

The following table outlines committee membership by Councillors and Officers for the period October 2020 to September 2021. The table has been updated to reflect the following notes:

- a) Tidy Towns Committee is no longer a Committee of Council
- b) The Edward River Council Promotions Advisory Committee was dissolved in March 2020.
- c) DBEC be removed from the list of Committees – Resolution **2019/10/234**
- d) Edward River Council Open Space and Public Space Strategic Working Group has been replaced with the Recreation and Community Facilities Recommendation Committee.
- e) Additional Committees:-
 - i) Aboriginal Advisory Committee
 - ii) Deniliquin Retirement Village Committee
 - iii) Recreation and Community Facilities Recommendation Committee
 - iv) Local Heritage Funding Committee
 - v) Community Grant Assessment Panel Committee

Councillors are requested to review this table and update with any changes for Councillor membership on Committees.

Emergency Service Committees	Councillor Representation
Community Safety & Crime Prevention Advisory Committee	Mayor, Cr Betts
Deniliquin/Conargo Area Local Emergency Management Committee	Director Infrastructure
NSW Rural Fire Service Liaison Committee (Mid Murray Zone)	Cr McAllister, Cr Wallace
Zone Bushfire Management Committee	Cr Wallace
Natural Resource Management Committees	Councillor Representation
Billabong Yanco Creek System Project	Cr Wallace
Edward River Floodplain Risk Management Advisory Committee	
Operations	Councillor Representation
Audit Risk and Improvement Committee	Cr McAllister, Cr McCrabb
Edward River Council Airport Advisory Committee	Mayor, Cr Hall

General Manager's Performance Management	As per Council Policy
Local Traffic Committee	Cr Metcalfe
Social/Cultural/Heritage	Councillor Representation
Aboriginal Advisory Committee	Chair Cr Betts, Deputy Mayor
Central Murray Regional Library	Cr Bull
Community Grant Assessment Panel	Deputy Mayor, Cr Betts
Deniliquin Retirement Village Committee	Chair Deputy Mayor, Cr Betts, Cr Hall
Local Heritage Funding Committee	Cr Hall, Cr Wallace
Recreation and Community Facilities Recommendation Committee	Chair Cr McAllister, Deputy Chair Cr Metcalfe, Cr Bull
South West Music	Cr Bull
The Long Paddock Committee	Chair Cr McCrabb
Werkitya Kalpal & District Indigenous Working Party	Deputy Mayor
Community Engagement	Councillor Representation
Edward River Council Community Garden	Deputy Mayor
Edward River Concert Band	Cr Bull
Edward River Country Education Fund	Cr Bull
Memorial Park Users Advancement Committee	Mayor, Cr Hall
Hall Committees	Councillor Representation
Blighty Hall Committee with Advancement Committee running parallel	Cr Metcalfe
Boooroban Hall Committee with Advancement Committee running parallel	Cr McCrabb
Conargo Hall and Recreation Ground	Cr Bull
Mayrung Hall Committee with Advancement Committee running parallel	Cr Metcalfe
Pretty Pine Hall Committee with Advancement Committee running parallel	Cr McAllister
Wanganella Hall Committee with Advancement Committee running parallel	Cr Wallace
Multi Arts Centre	Deputy Mayor
Regional Development	Councillor Representation
Country Mayors Association	Mayor and General Manager as delegate
Deniliquin Business Chamber	Cr McCrabb
Murray Darling Association	Mayor, Cr Hall
Riverina and Murray Joint Organisation (RAMJO)	Mayor, Deputy Mayor and General Manager

ISSUE/DISCUSSION

Nil additional discussion/commentary required.

STRATEGIC IMPLICATIONS

There are no strategic implications arising from this report.

COMMUNITY STRATEGIC PLAN

This report aligns to the following outcomes

5.1 Our community is informed and engaged

5.2 We collaborate and pursue partnerships that achieve great outcomes for our community

FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

LEGISLATIVE IMPLICATIONS

There are no legislative implications arising from this report.

ATTACHMENTS

Nil

10.4 TABLING - ANNUAL WRITTEN RETURNS OF INTEREST REGISTER

Author: Michelle Siena, Governance & Corporate Support Coordinator

Authoriser: Suni Campbell, Director Corporate Services

RECOMMENDATION

That Council note the General Manager's tabling of the annual Written Returns of Interest Register

BACKGROUND

Clause 4.21(a) of the Code of Conduct (the Code) requires that a Councillor or Designated Person holding that position at 30 June in any year, to complete and lodge with the General Manager within 3 months after that date (by 30 September), a Written Return of Interests in the form prescribed by Schedule 2 of the Code.

Clauses 4.24 and 4.25 requires the General Manager to keep and table the Register of Written Returns of Interest at the first meeting held after the last day of lodgement.

Clause 4.27 requires the information contained in the returns made and lodged under clause 4.21 to be made publicly available in accordance with the requirements of the Government Information (Public Access) Act 2009 and any guidelines issued by the Information Commissioner.

ISSUE/DISCUSSION

In accordance with the provisions of the Code of Conduct, all returns received have been acknowledged and entered into the Register, which is contained at Attachment 1.

In accordance with the proactive mandatory release provisions of the Government Information (Public Access) Act and Guidelines provided by the Information Commissioner, the Disclosure of Interest Returns will be made publicly available for inspection at Council's customer services.

STRATEGIC IMPLICATIONS

Nil

COMMUNITY STRATEGIC PLAN

5 A community working together to achieve its potential

5.3 Our local government is efficient, innovative and financially sustainable

5.3.3 Delivery good governance and improve management of risk and safety

5.3.3.10 Coordinate lodgement of the annual disclosures of interest returns in accordance with the office of local government requirements

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

LEGISLATIVE IMPLICATIONS

The Code of Conduct incorporates the provisions of the Model of Code of Conduct for Local Councils in NSW, which is made under section 440 of the Local Government Act 1993 and the Local Government General Regulations.

ATTACHMENTS

1.	Annual	Written	Returns	of	Interest	Register
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Disclosures of Interests - Written Returns 2020

Position	Name	Date Sent	ECM Reference	Date Received	ECM Reference	Date Acknowledgement sent	ECM Reference
Councillor	Norm Brennan	24-Jul-20	106466	06-Aug-20	111090	27-Aug-20	111178
Councillor	Patricia Fogarty	24-Jul-20	106469	03-Sep-20	112968	03-Sep-20	113015
Councillor	Ashley Hall	24-Jul-20	106443	06-Aug-20	111037	27-Aug-20	111172
Councillor	Margaret Bull	24-Jul-20	106457	06-Aug-20	111113	27-Aug-20	111183
Councillor	Nicholas Metcalfe	24-Jul-20	106465	10-Aug-20	111083	27-Aug-20	111175
Councillor	Peta Betts	24-Jul-20	106472	06-Aug-20	111088	27-Aug-20	111176
Councillor	Macdonald Wallace	24-Jul-20	106454	06-Aug-20	111110	27-Aug-20	111181
Councillor	Norm McAllister	24-Jul-20	106474	06-Aug-20	111081	27-Aug-20	111173
Councillor	Peter McCrabb	24-Jul-20	106473	03-Sep-20	112957	03-Sep-20	112998
Director Corporate Services	Suni Campbell	24-Jul-20	106587	05-Aug-20	111094	27-Aug-20	111179
Director Infrastructure	Oliver McNulty	24-Jul-20	106467	01-Sep-20	111973	01-Sep-20	111979
Manager Community and Economic Development	Michelle Cobb	24-Jul-20	106462	29-Jul-20	111031	27-Aug-20	111165
Manager Engineering and Assets	Mark Dalzell	24-Jul-20	106459	27-Jul-20	111034	27-Aug-20	111166
Manager Environmental Services	Marie Sutton	24-Jul-20	106458	27-Aug-20	111195	27-Aug-20	111197
Manager Finance	Amanda Barber	24-Jul-20	106439	31-Aug-20	111838	01-Sep-20	111864
Manager Information Management	Mark Siena	24-Jul-20	106460	27-Aug-20	111189	27-Aug-20	111190
Manager Operations	Warwick Newell	24-Jul-20	106475	27-Jul-20	111027	27-Aug-20	111162
Manager People and Customer Service	Helen Flisher	24-Jul-20	106446	30-Jul-20	111035	27-Aug-20	111167
Assets and Procurement Coordinator	Michael Todd	24-Jul-20	106461	27-Aug-20	111214	27-Aug-20	111215
Health and Building Trainee	Maggie McCalman	24-Jul-20	106455	03-Aug-20	111036	27-Aug-20	111170
Planning Officer	Marie Sutton	24-Jul-20	106458	27-Aug-20	111195	27-Aug-20	111197
Ranger	Justin Learmonth	24-Jul-20	106452	03-Aug-20	111253	27-Aug-20	111258
Relief Ranger	Jannette Borella	24-Jul-20	106447	03-Sep-20	113190	04-Sep-20	113191
Supervisor Fleet, Depots and Special Projects	Geoff Pitt	24-Jul-20	106445	27-Aug-20	111216	27-Aug-20	111217
Planning Officer	Eliza Eastman	24-Jul-20	106444	03-Sep-20	112776	03-Sep-20	112792
Interim General Manager	John Rayner	24-Jul-20	106448	25-Jul-20	111029	27-Aug-20	111164
Governance and Corporate Support Officer	Michelle Siena	24-Jul-20	106464	27-Aug-20	111147	27-Aug-20	111186
Relief Ranger	Michael Maher	24-Jul-20	106588	07-Sep-20	113945	08-Sep-20	113954
General Manager	Philip Stone	1-Sep-20	106491	01-Sep-20	112031	01-Sep-20	112032

10.5 ANNUAL CODE OF CONDUCT STATISTICAL RETURN 2020

Author: Michelle Siena, Governance & Corporate Support Coordinator

Authoriser: Suni Campbell, Director Corporate Services

RECOMMENDATION

That Council

1. Receive and note the Code of Conduct Annual Statistical Report for the period 1 September 2019 to 31 August 2020
2. Provide the Code of Conduct Annual Statistical Report to the Office of Local Government by 31 December 2020.

BACKGROUND

Council adopted the Office of Local Government's Model Procedures for the Administration of the Model Code of Conduct (the Model Code Procedures), which is prescribed for the purposes of the administration of the Model Code of Conduct for Local Councils in NSW. The Model Code Procedures are made under section 440AA of the Local Government Act 1993 and Clause 180(1) and 181 of Local Government (General) Regulation 2005.

ISSUE/DISCUSSION

The Model Code Procedures provides, in relation to reporting, as follows:

11.1 The Complaints Coordinator must arrange for the following statistics to be reported to the 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),
- b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period,
- c) 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 matter 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 The 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.

Breakdown of the statistics to be reported to the OLG are set out in Table 1 below:

Table 1 – Code of Conduct Statistics to be reported to Council and the OLG

Annual Reporting Requirement Descriptor	Annual Statistic
a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the	Councillors - 0 General Manager - 0

year to September (the reporting period)	
b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period	0
c) 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	0
d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period	0
e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period	0
f) the number of matters reviewed by the OLG during the reporting period and, without identifying particular matters, the outcome of the reviews	0
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.	\$0.00

This report recommends that the Code of Conduct Annual Statistical Report for the period 1 September 2019 to 31 August 2020 be received and noted; and provided to the OLG by 31 December 2020.

STRATEGIC IMPLICATION

Nil

COMMUNITY STRATEGIC PLAN

5 A community working together to achieve its potential

5.3 Our local government is efficient, innovative and financially sustainable

5.3.3 Delivery good governance and improve management of risk and safety

5.3.3.5 Produce and submit the annual Code of Conduct complaints report in accordance with the Office of Local Government requirements.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

LEGISLATIVE IMPLICATIONS

Local Government Act 1993, Section 440AA – Administration of Code of Conduct

Local Government (General) Regulation 2005, Clause 180(1) – Content of Model Conduct and Clause 181 – Model procedure for administering the Model Code of Conduct

ATTACHMENTS

Nil

10.6 RATES HARMONISATION COMMUNITY ENGAGEMENT MATERIAL

Author: Suni Campbell, Director Corporate Services

Authoriser: Suni Campbell, Director Corporate Services

RECOMMENDATION

1. That Council approve the content for the rates harmonisation community engagement material contain in:
 - (a) The Message from the Mayor (attachment 1)
 - (b) Frequently Asked Questions (attachment 2)
 - (c) Questions for the phone survey (attachment 3)
2. That Council note the timing and location of the rates harmonisation community engagement meetings (as per the Community Engagement Plan).

BACKGROUND

At the Council Meeting held on 24 September 2020, a preferred rating structure (option 8) and Community Engagement Plan for the Rates Harmonisation Project were adopted (resolution no. 2020 / 188)

As per the Community Engagement Plan, Edward River Council will use several tools to consult with the local government area on the preferred rates harmonisation structure. This includes the use of surveys (telephone and internet), information leaflets, community meetings and paper and social media platforms.

ISSUE/DISCUSSION

In preparation for the commencement of community engagement later this month the following has been drafted:

- The Message from the Mayor (attachment 1), which contains our key messages and provides an overview of the process council has completed in determining the preferred model and a summary of the preferred structure. This will be available on the Council's website and customer service desk and will provide the basis for our messaging for rates harmonisation.
- Frequently Asked Questions (attachment 2), this provides succinct answers to the anticipated questions Council will receive and will be available on the Council website and at the customer service desk. The Frequently Asked Questions will be regularly updated throughout the community engagement period.
- Questions for the telephone survey (attachment 3), this survey will attempt to gain feedback from a good cross section of the local government area and generate greater community awareness. The target is to survey 400 participants across Blighty, Booroorban, Conargo, Deniliquin, Mayrung, Morago, Pretty Pine and Wanganella.

The Community Engagement Plan also incorporates face to face community meetings (dependant on COVID 19 restrictions). The community meetings are scheduled for the week commencing 23rd November 2020, in the following locations:

LOCATION	VENUE	DATE
Deniliquin	Deniliquin RSL Club	Thursday 26 th November 2020
Conargo	Conargo Hall	Wednesday 25 th November 2020
Pretty Pine	Pretty Pine Hall	Tuesday 24 th November 2020
Blighty	Blighty Hall	TBA (week commencing 23 November 2020)
Wanganella	TBA	TBA (week commencing 23 November 2020)

It is proposed that each meeting will be hosted by a member/s of Council and a member/s of the Executive Leadership Team. Talking points, meeting notes and/or presentations will be drafted with the assistance of Morrison Low (as per the Community Engagement Plan) and provided to Council at the November Council meetings. At the November Council meetings attendance to each of the community meetings will also be discussed and finalised.

STRATEGIC IMPLICATIONS

The rates harmonisation project has provided an opportunity for Council to consider its general fund long-term revenue needs for financial sustainability.

COMMUNITY STRATEGIC PLAN

5 A community working together to achieve its potential

5.3 Our local government is efficient, innovate and financially sustainable

5.3.1 Deliver sustainable financial management

5.3.1.4 Review land categories for rating purposes and implement changes required under the Local Government Act and in accordance with the new harmonised rating structure

FINANCIAL IMPLICATIONS

Council's rating structure is considered as part the Statement of Revenue Policy and informs the annual budget and long-term financial sustainability plan. An outcome of the Rates Harmonisation Project is a revised Statement of Revenue Policy for commencement at 1 July 2021.

LEGISLATIVE IMPLICATIONS

Local Government Act 1993

Chapter 15 – How are councils financed?

- Part 1 - An Overview of Rates and Charges
- Part 2 - Limit of Annual Income from Rates and Charges
- Part 3 - Ordinary Rates
- Part 3a – Charges
- Part 4 - Making of Rates and Charges
- Part 5 - Levying of Rates and Charges
- Part 6 - What Land Is Rateable?
- Part 7 - Payment of Rates and Charges
- Part 8 – Concessions
- Part 9 - Miscellaneous Matters Concerning Rates and Charges
- Part 10 – Fees

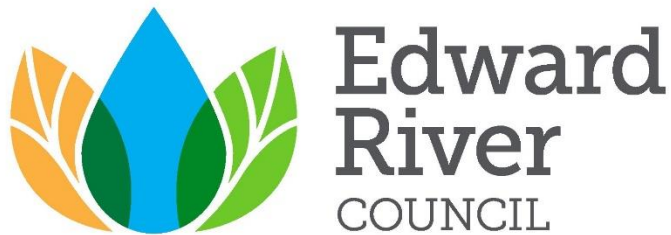
ATTACHMENTS

1. **Message from the Mayor - Leaflet**
2. **Frequently Asked Questions**
3. **Telephone**

Survey

Questions

Message from the Mayor



We need your input to make an important decision for Edward River Council residents. Like all other merged NSW councils, Edward River Council is required by the State Government to harmonise the current Conargo and Deniliquin rating structures into a single new rating structure.

Over the past 18 months Council has been reviewing what it must do, assessing the differences in the two rating structures, understanding the requirements and limitations of the rating legislation, then finally exploring rating options and their impacts on different ratepayers.

Council considered several reports including:

- **Briefing Paper** - a background briefing paper about the fundamental legal and strategic issues that need to be considered to inform of the policy decisions about the major revenue and rating principles.
- **Rates Benefit and Service Pricing Report** - the purpose of this report was to consider two main factors; who benefits from each service and what mechanisms can be used to fund services. This report focused on the Benefit or User Pays Principle and provides

information to support a decision to more closely align revenue and rates with the consumption of Council services by different user groups.

- **Capacity to Pay Report** - this report provided an analysis and evaluation of the relative wealth and financial capacity of the communities that make up Edward River. It looked at the financial vulnerability and exposure of different community groups within the local government area.
- **Rates Harmonisation and Revenue Strategy Report** – This report analyses the harmonisation options in detail.

All this information is available on Councils website for anyone who would like more background.

It is important to note harmonising rating structures does not increase the total general rate income Council receives, it merely redistributes the share of rates into single rating categories and subcategories that properties are assigned. The Conargo and Deniliquin rating structures had different rating model categories therefore Edward River Council cannot avoid some individual rates increasing or decreasing when harmonising rating structures.

Preferred Rating Structure

In order to develop a preferred rating structure Council worked through eight different options. The preferred rating structure is set out in the table below. It contains a subcategory for Farmland, and more defined terminology used in Residential (Sub) categories.

In Option 8, Base Rates have been used in Farmland and Residential categories, and a Minimum Rate applied to both Business Rate Sub-categories. The amounts quoted below are indicative and will be subject to change once the rate structure is finalised, and the 2020/21 rate peg amount of 2.00% is applied, along with any other “catch-up” amounts available from previous rating years.

The preferred model combines the best attributes of all options assessed by adopting the following categories and profiles:

Category an Sub Category	# of Assess-ments	Land value 2019 (1000s)	Ad Valorem	Min Rate	Base Rate
Farmland					
- Dry	75	\$50,447	0.0027144		\$500
- Irrigable	783	\$593,368	0.0036193		\$550
Residential					
- Other	440	\$44,928	0.0057440		\$380
- Village	92	\$3,907	0.0075144		\$315
- Town	3,106	\$197,950	0.0088370		\$450
Business					
- Other	62	\$2,106	0.0023570	\$470	
- Town	465	\$42,810	0.0235698	\$540	

- Residential Category
 - Town, Village & Other Subcategories
 - Ad valorem (according to the value) and base structure, with base amounts of:
 - Town \$450; Village \$315; Other \$380
- Business Category
 - Town and Other Subcategories
 - Ad valorem (according to the value) and minimums of Town - \$540; Other - \$470
 - Same % yield by category and subcategory
- Farmland
 - Dryland and Irrigable Properties Subcategories
 - Ad valorem (according to the value) and base structure of
 - Dryland \$500 and Irrigable \$550

Option 8 is considered the preferred option as it provides:

- the appropriate balance of the rating principles – capacity to pay, benefit, and efficiency of administration.
- The least impact to rate increases across all rate categories.

In addition, the timing of lifting of the rate freeze along with the requirement to harmonise rates provides an opportunity to complete a review of land categories and sub-categories for rateable properties.

The review considers rating assessment against the legislative criteria for each land category and sub-category. The outcome of this review may result in several assessments in each category or sub-category changing as rateable properties move from one category or sub-category to another.

- Farmland - to identify those rateable properties that satisfy the rating category criteria for Residential Rural (programmed for completion by 1 July 2021)
- Farmland - to identify those other rateable properties that do not meet the criteria of the Farmland Category (programmed for completion by 1 July 2021)
- Residential Other – to identify those rateable properties that do not meet the rating subcategory criteria for Residential Other (programmed for completion by 1 July 2021)
- Business - to identify and categorise those rateable properties in the Category - determining which subcategory - Business Town or Business Other (programmed for completion by 1 July 2021).

The challenge for Council was to rebalance the equity of the residential rating structure with the lowest possible impact which is why Council worked through eight different options before deciding on a preferred rating structure. The preferred structure has the least impact in terms percentage change for the Residential Category.

It proposes an increase to the fixed amount for Business subcategories which has the minimum impact on most business ratepayers. For Farmland a base amount approach minimises the impact on lower value farmland properties therefore reducing the impact variance range and has the least impact overall.

What happens next?

1. October 2020	2. November 2020	3. March 2021	4. April 2021 onwards
<ul style="list-style-type: none"> • Background information published on Website • Facebook updated • Web Survey opens • Speaking engagements 	<ul style="list-style-type: none"> • Speaking engagements • Local engagement meetings with Category Groups • Newsletter published • 2-page information publication in newspaper • Independent ratepayers telephone survey 	<ul style="list-style-type: none"> • Summarise engagement and publish • Council determines harmonised rates model • Ratepayer notification of category change 	<ul style="list-style-type: none"> • Adopt revenue policy • Develop Operational Plan

How can you have your say?

We are seeking your feedback in order to help Council make this decision and want to make sure you are as informed as possible on the change. I encourage you to review the reports, participate in the various engagement and consultation opportunities or complete the web link survey.

Council will be releasing all relevant and current information on our website under the Rates Harmonisation section <https://www.edwardriver.nsw.gov.au/Council/Rates/Rates-Harmonisation> as well as Council's Facebook page.

There is also a set of frequently asked questions that can be found under the Rates Harmonisation section. You can respond through:

- Email: council@edwardriver.nsw.gov.au
- by letter

All feedback is required by 12 noon on the 4th of December 2020.

Norm Brennan
Mayor

xxth October 2020



Frequently Asked Questions (FAQs) | Rate Harmonisation

What is Rate Harmonisation?

Rates Harmonisation will create a more equitable rating structure and will replace the former Conargo Shire Council and Deniliquin Council rating structures. All Edward River Council Ratepayers will transition to a new single 'harmonised' rating structure.

Why does Council have to harmonise rates?

Amalgamated Council's must review and merge their former rating structures within the first council term, as stated in the Council Amalgamations Proclamation.

Does Council receive additional revenue by harmonising rates?

No.

The harmonisation process takes the current total general rate and apportions it differently across the revised categories. The result is that the total rates revenue for Edward River Council remains the same.

How were the previous structures different?

Conargo Shire Council and Deniliquin Council had different demographics, priorities, community needs, levels of service and geography that influenced the rating structure. Each Council developed its rating structure to be as equitable as possible to ratepayers.

What was considered when determining the harmonisation structure?

The following was considered:

- minimising the impact of change on ratepayers as much as possible
- the principles of equity, simplicity and efficiency
- the mix of revenue from rates, annual charges and user fees and charges
- long-term revenue requirements to meet financial sustainability criteria

Under legislation, each parcel of land must be included in one of four categories for rating purposes – residential, business, farmland or mining. The use and characteristics of your property determine the category and subcategory.

Why change existing subcategories?

The merger imposed legislative obligations to reconsider subcategories to ensure that across the whole Edward River local government area, ratepayers with similar characteristics and receive similar services are categorised alike. The new subcategories improve this alignment.

How are my rates calculated?

The general rate is made up of two parts; a fixed charge and a variable charge.

The fixed charge is a minimum or base amount and is the same for all ratepayers. The variable amount is divided by the total value of all rateable properties after the fixed amount has been deducted. Council determines the amount to be paid based on the assessed value of each property.

All properties were revalued in 2019 by the NSW Valuer General and has been applied to the 2020 general rates.

What options were considered?

Council considered eight options, and explored different mixes of categories and subcategories, different fixed charges or minimum and base rates. Option eight was agreed to be the most equitable for all Ratepayers.

How many and what percentage of Edward River Council ratepayers will receive an increase or a decrease?

Option eight was modelled on 5,023 rateable properties, which resulted in:

- 3,875 (77.2%) properties will receive a slight rate reduction or no movement at all.
- 533 properties (10.6%) will have a less than 5% rate increase.
- 342 (6.8%) will increase between 5% and 30%; and
- 273 properties (5.4 %) will have their rates increased over 30%, due to higher land valuations or a harmonisation from the previous rate structure.

These figures have been modelled on the general rate (levies), based on land values; this is separate to service levies (Water and Sewer charges) which are excluded from this harmonisation process.

What will my estimated rates be?

Rates staff will be available to provide specific information about your property. Please contact Council directly with a request in writing and a response will be provided in 2-3 business days. Due to privacy considerations, only written requests and sufficient proof of property ownership (rate notice or a current driver's licence showing the property address) will be acceptable.

When will rate harmonisation come into effect?

1 July 2021

The implementation of rates harmonisation has a mandatory commencement date of 1 July 2021, currently it is still a work in process and has not yet considered the following factors:

- IPART 2020/21 rate peg of 2%
- The recoupment of \$194,000 postponed 2020/21 rate peg income due to COVID-19
- NSW Valuer General land value changes during the current rate year

Can I have a say?

Yes. Rates Harmonisation feedback can be sent to Council via the following methods:

- Email: council@edwardriver.nsw.gov.au

- Online: the online survey [\[insert link here\]](#)
- Mail: letters to Edward River Council, PO BOX 270, Deniliquin NSW 2710
- Phone survey: 400 people will take part in a random telephone survey

1.

Where can I find more information?

- Council's website - <https://www.edwardriver.nsw.gov.au/Home>
- Office of Local Government website - <https://www.olg.nsw.gov.au/public/my-home/rates>

Hello, my name is ... and I'm calling on behalf of Edward River Council from IRIS Research. Council is undertaking a process to harmonise the current Conargo and Deniliquin rate structures into a single new rate structure for Edward River Council and would value your input by completing this short survey. First, we need to make sure you qualify for the survey.

S1. Are you a permanent resident of the household aged 18 years and over?

Yes	Continue
No	Thank & Terminate

S2. Is this household in the Edward River Council area? **[IF NO OR DON'T KNOW, THANK & TERMINATE]**

Yes	Continue
No	Thank & Terminate

S3. Are you a ratepayer? **[IF NOT, THANK & TERMINATE]**

Yes	Continue
No	Thank & Terminate

S4. Are you an employee or Councillor with Edward River Council? **[IF YES, THANK & TERMINATE]**

Yes	Thank & Terminate
No	Continue

S5. What is the name of the town or village you live in?

Blighty	1
Booroorban	2
Conargo	3
Deniliquin	4
Mayrung	5
Morago	6
Pretty Pine	7
Wanganella	8
Other (please specify)	9

The survey will take about 6 minutes to complete, can we do it now? **[IF NOT ARRANGE A CALLBACK]**

Before we start, I have to inform you that my supervisor may monitor this call for quality control and training purposes.

S6. May I please have your first name for the survey?

Part A – Rates Harmonisation

A1. Have you read information regarding the harmonisation of rates in Edward River Council?

Yes	1
No	2

If Yes

A2. Did you understand the information?

Yes	1
No	2

IF A1 = 2 | A2 = 2 [RESPONDENT HAS NOT READ OR DOES NOT UNDERSTAND] READ SUMMARY

Like all other merged councils in New South Wales, Edward River Council is required to harmonise the current Conargo and Deniliquin rate structures into a single new rating structure. This involves aligning the rate categories and subcategories into which properties are assigned.

Over the past six months Council has been reviewing the differences between the current structures and exploring different rating options and the impacts these would have on different ratepayers.

Council is aiming to rebalance the equity of the residential rating structure with the lowest possible impact on residents.

Council worked through five different options. The most preferred option is preferred as it appropriately balances the rating principles of fairness that Council adheres to. While Council cannot avoid some individual rates increasing or decreasing, it is important to note that there will be no change to the total revenue received by Council – it will simply be apportioned differently across the revised categories.

A3. On a scale of 1 to 5, where 1 means 'not at all supportive' and 5 means 'very supportive', how supportive are you of Council's proposed option for the harmonisation of rates?

1 – Not at all supportive	1
2	2
3	3
4	4
5 – Very supportive	5
Can't say	6

A4. What is the reason for your rating?

--

IF A3 = 1, 2 [RESPONDENT NOT SUPPORTIVE]

A5. Do you have any thoughts on alternate solution for how Council should harmonise rates?

--

AS DISCUSSED – POSSIBLE QUESTIONS TO INCLUDE IF THERE IS TIME

A6. Have you noticed a change in services since the amalgamation of the Conargo and Deniliquin Councils?

Yes	1
No	2

IF YES ASK A7 & A8

A7. Has this been a positive or negative change?

Positive	1
Negative	2
Mixed	3

A8. In a few words, what has been the biggest change?

--

10.7 REQUEST FOR EXTRAORDINARY MEETING

Author: Suni Campbell, Director Corporate Services

Authoriser: Suni Campbell, Director Corporate Services

RECOMMENDATION

That Council:

1. Accept the request to hold an Extraordinary Meeting of Council on the 28th October 2020 to accept the Annual Financial statements and Auditors Report.
2. Pursuant to section 9 of the *Local Government Act 1993*, provide public notice of the date, time and venue of the Extraordinary Meeting scheduled for 9.00am on Thursday, 28 October 2020.

BACKGROUND

Section 365 of the *Local Government Act 1993* ("the Act") requires all councils to meet at least 10 times each year, each time in a different month. The *Model Code of Meeting Practice for Local Councils in NSW* requires councils to determine, by resolution, its schedule of ordinary meetings. Additionally, section 9 of the Act requires all councils to give notice to the public of the times and venues of their meetings.

At its Ordinary Meeting held 24 September 2020, Council resolved to hold its monthly meetings on the third Thursday of each month, commencing at 9.00am **[2020/180]**.

Extraordinary meetings are not only held in 'extraordinary' circumstances. These meetings are usually held to deal with special business or where there is so much business to be dealt with that an additional meeting is required. (c242 of the Regulation).

ISSUE/DISCUSSION

Pursuant to section 366 of the Local Government Act 1993 and clause 3.3 of the Model Code of Meeting Practice for Local Councils in NSW it is recommended that an Extraordinary Meeting of Council be held to accept the Financial Statements and Auditors Report.

STRATEGIC IMPLICATIONS

Nil.

FINANCIAL IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

Local Government Act 1993

- Section 9 – Public notice of meetings
- Section 365 – How often does the council meet?

ATTACHMENTS

Nil

10.8 PLANNING PROPOSAL NO 10 - LOT 2 DP1220715, HARFLEUR STREET,

Author: Marie Sutton, Acting Manager Environmental Services

Authoriser: Philip Stone, General Manager

DIVISION

In accordance with section 375A of the Local Government Act 1993, it is necessary for Council to call a division when voting of any resolution relating to a relevant planning application.

RECOMMENDATION/S

That Council:

1. **Endorse the Planning** Proposal provided as Attachment 1 .
2. That Council request the Department of Planning, Industry and Environment to prepare the draft amendment to the Deniliquin Local Environmental Plan 2013 and provide Council with an Opinion that the Plan can be made.
3. That Council request Parliamentary Counsel to prepare the draft Amendment to the Deniliquin Local Environmental Plan 2013 under section 3.36 (1) of the Environmental Planning and Assessment Act 1979.

BACKGROUND

A planning proposal was prepared to amend the Deniliquin Local Environmental Plan 2013 (DLEP 2013) to rezone Lot 2 DP1220715 from SP2 Infrastructure to B2 Local Centre to allow for the development of the land for seniors housing in accordance with State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors Living SEPP).

At its meeting of 16 April 2020 Council resolved to

That Council:

1. *Prepare a planning proposal to amend the Deniliquin Local Environmental Plan 2013 in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 to rezone Lot 2 DP1220715 Harfleur Street, Deniliquin, from SP2 Infrastructure to B2 Local Centre;*
2. *Forward the planning proposal to the Minister for Planning and Public Spaces in accordance with section 3.34(1) of the Environmental Planning and Assessment Act 1979.*
3. *Request that the local plan making functions in relation to this planning proposal be delegated to Council.*

Council was provided with a gateway determination for the planning proposal on the 18 May 2020 subject to compliance with the conditions noted in the determination. A copy of the gateway determination is provided as Attachment 2.

Council's request that the local plan making functions in relation to this planning proposal be delegated to Council was not approved, for the reason that Council is the landowner.

All conditions of the gateway determination have now been met and Council subject to endorsement of the Planning Proposal by Council, a request will be provided to the Department of

Planning, Industry and Environment to prepare the draft Deniliquin Local Environmental Plan 2013 under Section 3.36 of the Environmental Planning and Assessment Act 1979.

Public Exhibition

The gateway determination requirements have been met as follows;

- (a) The planning proposal must be publicly exhibited for a minimum of 28 days.

The proposal was exhibited for a period of 28 days from the 22 June to 22 July 2020. No submissions were received during the exhibition period.

State Agency Consultation

Consultation is required with the Environment Protection Authority under the Section 3.34(2) (d) of the Act. The Environment Protection Authority (EPA) was provided with a copy of the planning proposal and relevant supporting material and given at least 21 days to comment on the proposal.

The EPA provided the following comments in the response; *(Councils comments in italics)*

Provision of services

It is important to maximise the utilisation of infrastructure and services. We note connections to water and sewer are available. Council should ensure that there is adequate capacity in the sewerage treatment system to handle any expected increase in wastewater.

Comments are noted. The installation of new water and sewer infrastructure is considered adequate to service future development of the land

Buffer zones

Buffer zones are a very important component of any planning process. There have been many examples in the past where inappropriate planning decisions have not incorporated buffer zones and so impacted on the community and industry alike. Many of these land use conflicts have absorbed significant resources from both local Councils and the EPA.

In many cases the establishment of industrial and residential development in close proximity has led to an intractable problem where significant impost is placed on industry to control impacts and the residential amenity is compromised even with the best control practices by industry. Where the potential for land user conflicts occurs, Council should take into consideration the need for the establishment of separation distances at the planning stage. Careful design and adequate separation through the planning process can avoid land use conflicts.

We note that to the south west of the site and across Harfleur Street there is existing railway infrastructure, grain storage and commercial premises. Consequently, the EPA considers that Council should consider the need for the establishment of suitable separation distances at the planning stage to avoid conflicts with any proposed sensitive land uses.

Comment are noted. Adequate separation distances and buffers between existing uses and proposed development will be utilised to minimise any land use conflict. These controls will be applied through the Planning and Development process.

Land Contamination

The EPA have noted comments about the preliminary site investigation that was completed.

Given the previous land use at the site and the findings of the preliminary site investigation, it is noted that Council will require further assessment of potential contamination issues at the development application stage.

It is appropriate that this matter be dealt with under the NSW planning and development framework including State Environmental Planning Policy No 55 – Remediation of Land and Managing Land Contamination Planning Guidelines SEPP 55 Remediation of Land (EPA 1998)

Further information and assessment to show the land is or will be suitable for the proposed use should be provided through the planning and development process to determine what, if any, remediation is needed to make the land suitable for the proposed use

Should site remediation be required, the land must be remediated before any future use in accordance with the proposed rezoning occurs.

Comment are noted. Further determination of contamination issues will be required at the development application stage to show that the land is or will be suitable for the proposed use and to determine what, if any, remediation is needed to make the land suitable for the proposed use .

COMMUNITY STRATEGIC PLAN

The planning proposal meets the following targets of the draft community strategic plan:

- Our economy is strong and diverse; and
- Our built environment is managed, maintained and improved.

FINANCIAL IMPLICATIONS

N/A

LEGISLATIVE IMPLICATIONS

Subject to endorsement of the Planning Proposal by Council, a request will be provided to the Department of Planning, Industry and Environment to prepare the draft Deniliquin Local Environmental Plan 2013 under Section 3.36 of the Environmental Planning and Assessment Act 1979.

The Department will liaise with Parliamentary Counsel about the content of the draft amendment. Once the content has been finalised, an opinion stating that the Plan can be made will be provided to Council.

ATTACHMENTS

- | | | | |
|----|-----------------------------------|---------|---------------|
| 1. | Planning Proposal Seniors Housing | | |
| 2. | Planning Proposal | Gateway | determination |



Edward
River
COUNCIL

Planning Proposal 10

This planning proposal has been prepared to rezone Lot 2 DP1220715 Harfleur Street, Deniliquin from SP2 Infrastructure to B2 Local Centre under the Deniliquin Local Environmental Plan 2013.

1. INTRODUCTION

Council owns two parcels of land being Lot 1 DP732067, 82-86 Hardinge Street and Lot 2 DP1220715 Harfleur Street where it is proposed to undertake a seniors housing development. Figure 1 shows the location of the land.



Figure 1 Location of Council owned land

Lot 1 DP732067, 82-86 Hardinge Street is zoned B2 Local Centre under the Deniliquin Local Environmental Plan 2013 (DLEP 2013) and Lot 2 DP1220715 is zoned SP2 Infrastructure. It is proposed that Lot 2 DP1220715 be rezoned from SP2 Infrastructure to B2 Local Centre to allow for the development of this land for seniors housing under State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors Living SEPP). Figure 2 shows the zoning of the subject site (Lot 2 DP1220715) and the surrounding land.



Figure 2 Zoning of subject site and surrounding land

The land is classified as operational land under the Local Government Act (Council minute 78/16) and was acquired from Victorian Rail Track for the purposes of residential accommodation. It has an area of approximately 1.2ha and has frontage to Harpleur and Poitiers Streets, Deniliquin. Whilst figure 1 shows rail infrastructure on the land, this was demolished in 2018 (DA 86/17). The site is currently vacant and there is no significant vegetation on the site. Water and sewer are available to the site and accesses to the site have been constructed on each street frontage. Photos of the subject site are in Appendix 1.

The site adjoins land zoned B2 Local Centre and part of Poitiers Street which is zoned R1 General Residential. The site is adjoined by vacant land (Lot 1 DP732067) to the north which is owned by Council and zoned B2 Local Centre and grain sheds to the south (also zoned B2 Local Centre). Across Poitiers Street (to the north east) is a nursing home, the band hall and a veterinary clinic. To the south west of the site and across Harpleur Street there is existing railway infrastructure, grain storage and commercial premises.



Figure 3 Land uses surrounding the subject site

Whilst Council intends to develop the land for seniors living, it is currently prohibited under the Seniors Living SEPP. Clause 4(1) of the SEPP states that it applies to land that is zoned primarily for urban purposes or land that adjoins land zoned primarily for urban purposes but only if development is permitted on the land for the purposes of dwelling houses, residential flat buildings, hospitals, development of a kind identified in respect of land zoned as special uses, including (but not limited to) churches, convents, educational establishments, schools and seminaries or the land is being used for the purposes of an existing registered club (clause 4(1)(a)). Whilst the land adjoins land that is zoned primarily for urban purposes (being the B2 Local Centre zone), the current zoning of the land (being SP2 Infrastructure) prohibits the land uses listed in clause 4(1)(a) and therefore it is considered that the development of the subject site for the purposes of seniors living is prohibited under the Seniors Living SEPP.

Part 1 Objective or Intended Outcome

The intended outcome of this planning proposal is to amend the DLEP 2013 to enable the development of the subject site for seniors housing.

Part 2 Explanation of Provisions

The intended outcome will be achieved by amending the DLEP 2013 Land Zoning Map – Sheet LZN_005 by changing the zoning of Lot 2 DP1220715 from SP2 Infrastructure to B2 Local Centre.

Part 3 Justification

Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

The Edward River Local Strategic Planning Statement (February 2020) (LSPS) identifies that 22.3% of our population is aged 65 years and over, with a median age of 45 years and 32.2% of households are occupied by a lone person. By comparison, the median age in NSW is 38, with 16.2% of the population aged 65 years and over and 23.8% of households are occupied by a lone person. The LSPS recognises that our population is ageing and that it is necessary for Council to accommodate the changes in population by ensuring that suitable services, open space, community facilities and housing options are provided to maintain the high level of liveability valued by our community. Our vision for the Edward River local government area includes providing a variety of housing choice to retain our ageing population and one of the identified priorities is to 'improve the council area liveability and lifestyle opportunities'.

Planning Priority 5 – Housing states that the majority of our population resides in Deniliquin and housing in the Edward River LGA is dominated by single dwellings (89% of all housing) with 76% of housing containing 3 or more bedrooms. This trend conflicts with the needs of an ageing population. Therefore the LSPS identifies that it is increasingly important for Council to provide a larger variety of housing choices to cater for the changing demographic including an ageing population and the development of a retirement living facility to support our aging population is being facilitated by Council. This planning proposal supports the development of the subject site for seniors living.

Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Council has acquired the land as it is no longer required for railway infrastructure and as such, the SP2 Infrastructure zone is no longer appropriate. Secondly it is Council's intention to develop the land for seniors living and under the current zoning, this type of development is prohibited and therefore a planning proposal is the best way to achieve the intended outcomes.

Will the planning proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

The planning proposal is consistent with the Riverina Murray Regional Plan 2036. Refer to Appendix 2 for consideration of the regional plan.

Will the planning proposal give effect to a council's endorsed LSPS, or another endorsed local strategy or strategic plan?

Refer to comments above regarding the LSPS. There is no other strategic plan that gives effect to this planning proposal.

Is the planning proposal consistent with applicable State Environmental Planning Policies (SEPPs)?

The planning proposal is consistent with the SEPPs. Refer to Appendix 3 for consideration of the SEPPs.

Is the planning proposal consistent with applicable Ministerial Directions (s9.1) directions?

The directions are considered in Appendix 4.

Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

There is minimal vegetation on site and as such it is unlikely that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal.

Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No other likely environmental impacts or natural hazards have been identified for this site.

Has the planning proposal adequately addressed any social and economic effects?

An AHIMS search has been completed (appendix 5) and no Aboriginal sites have been identified. The site is not a heritage item or located within a heritage conservation area.

In terms of social and economic impacts, the community has identified over a number of years the need for seniors' accommodation that, in particular, allows for independent living. Whilst Deniliquin has an adequate supply of residential accommodation, land close to the CBD is in short supply. This land has been purchased by Council with the intent of constructing a form of seniors' accommodation.

Is there adequate public infrastructure for the planning proposal?

There is existing infrastructure within the vicinity of the site.

What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway Determination?

Council has not undertaken any consultation with State and/or Commonwealth authorities. It is proposed that Council will consult with the Civil Aviation Safety Authority and Transport for NSW (Roads and Maritime) (due to the vicinity of the site to a main road being Hardinge Street).

Part 4 Mapping

DLEP 2013 Land Zoning Map – Sheet LZN_005 will be required to be amended by changing the zoning of Lot 2 DP1220715 from SP2 Infrastructure to B2 Local Centre. Figure 2 shows the location of the subject site.

No other mapping is required to be amended.

Part 5 Community Consultation

Community consultation will be undertaken in accordance with Council's Community Participation Plan (2019) and for a period of 28 days.

Part 6 Project Timeline

The project timeline is as follows:

Action	Time
Planning proposal – decision by Council to proceed	16 April 2020
Request Gateway determination	Week ending 26 April 2020
Receive Gateway determination	Week ending 24 May 2020

Commence community consultation	Week ending 7 June 2020
Community consultation completed	Week ending 12 July 2020
Preparation of mapping	Week ending 9 August 2020
Request opinion from Parliamentary Counsel's Office	Week ending 16 August 2020
Council decision to finalise	17 September 2020
Request instrument be made	Week ending 27 September 2020

APPENDIX 1
Photos of Subject Site



Photo 1 – Looking at the subject site from the south west (Harfleur Street)



Photo 2 – Looking at the subject site from the north (Poictiers Street)

Appendix 2 – Section 117 Direction 5.10 Implementation of Regional Plans Checklist

Direction 1: Protect the regions diverse and productive agricultural land

No	Action	Consistent			Comments
		Yes	No	N/A	
1.1	Develop a regional agricultural development strategy that: <ul style="list-style-type: none"> Maps important agricultural land; Identifies emerging opportunities for agriculture; and Sets direction for local planning of agricultural development. 			N/A	
1.2	Protect important agricultural land identified in the regional agricultural development strategy from land use conflict and fragmentation, and manage the interface between important agricultural lands and other land uses			N/A	
1.3	Minimise biosecurity risks by undertaking risk assessments, taking into account biosecurity plans and applying appropriate buffer areas.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- How the proposal responds to the Agricultural Development Strategy, once completed; and
- How the proposal has considered land use conflict and management of the interface between land uses to support agriculture.

Note:

- If the proposal seeks to alter a provision that relates to Important Agricultural Land please consult with Department of Primary Industries – Agriculture in the preparation of your planning proposal.

- To establish whether the proposal is affected by a control order in force under the Biosecurity Act 2015 visit: <http://www.dpi.nsw.gov.au/biosecurity>

Direction 2: Promote and grow the agribusiness sector

No	Action	Consistent			Comments
		Yes	No	N/A	
2.1	Encourage agribusiness diversification by reviewing local plans and removing restrictive land use zonings and outdated land use definitions.			N/A	
2.2	Provide opportunities to improve support to agriculture through better guidance on protecting agricultural land and managing the interface with other land uses.			N/A	
2.3	Facilitate investment in the agricultural supply chain by protecting assets, including freight and logistics facilities, from land use conflict arising from the encroachment of incompatible land uses.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- nearby freight and logistics facilities and freight routes;
- any nearby or adjoining buffers which relate to freight and logistics facilities;
- how the proposal impacts on nearby or adjoining agricultural land uses and how the interface between the uses is managed; and
- any potential land use conflict arising from the encroachment of incompatible land uses.

Direction 3: Expand advanced and value-added manufacturing

No	Action	Consistent			Comments
		Yes	No	N/A	
3.1	Promote investment in advanced and value-added manufacturing by removing restrictive land use zonings and outdated land use definitions in local plans			N/A	
3.2	Protect advanced value-added manufacturing industries and associated infrastructure from land use conflict arising from the encroachment of inappropriate and incompatible land uses.			N/A	
3.3	Encourage co-location of related advanced and value-added manufacturing industries to maximise efficiency and infrastructure use, decrease supply chain costs, increase economies of scale and attract further investment.			N/A	

Additional Supporting Notes	
Relevant planning proposals are encouraged to detail:	
<ul style="list-style-type: none"> any potential land use conflict arising from the encroachment of incompatible land uses; and identify any existing manufacturing industries and consider the potential for co-location of related industries. 	

Direction 4: Promote business activities in industrial and commercial areas

No	Action	Consistent			Comments
		Yes	No	N/A	
4.1	Encourage the sustainable development of industrial land to maximise the use of infrastructure and connectivity to the existing freight network.			N/A	
4.2	Promote specialised employment clusters and co-location of related employment generators in local plans.			N/A	
4.3	Protect industrial land, including in the regional cities (Bomen, Nexus and Tharbogang) from potential land use conflicts arising from inappropriate and incompatible surrounding land uses.			N/A	
4.4	Encourage the consolidation of isolated, unused or underused pockets of industrial zoned land to create new development opportunities over the long-term.			N/A	
4.5	Monitor the supply and demand of employment and industrial land in regional cities to inform the planning and coordination of utility infrastructure to support new development.			N/A	
4.6	Accommodate future commercial and retail activity in existing commercial centres, unless there is a demonstrated need and positive social and economic benefits for the community.	Yes			It is proposed to rezone the land to B2 Local Centre which is consistent with the adjoining land use zones.
4.7	Require proposals for new retail development to demonstrate how they: <ul style="list-style-type: none"> Respond to retail supply and demand needs; Respond to innovations in the retail sector; Maximise the use of existing infrastructure (including public transport and community facilities) commensurate with the scale of the proposal; and Enhance the value of the public realm. 			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- the capacity of existing industrial zoned land and whether the subject land is identified in an endorsed local strategy;
- consideration of the infrastructure needs associated with the proposal;
- the potential for the proposal to take advantage of existing industry clusters and co-location; and
- potential land use conflict arising from the encroachment of incompatible land uses.

Where the proposal seeks to zone land for commercial and retail purposes, the proposal should be supported by a study that:

- considers the capacity of existing commercial centres;
- demand for additional zoned land;
- the impact of additional zoned land on existing centres; and
- provide evidence of positive social and economic benefits for the community.

Direction 5: Support the growth of the health and aged care sectors

No	Action	Consistent			Comments
		Yes	No	N/A	
5.1	Establish health precincts around hospital in the regional cities of Albury, Wagga Wagga and Griffith.			N/A	
5.2	Promote development of mixed-use facilities and precincts for research and accommodation, to meet the needs of the health and aged care service sectors.	Yes			The rezoning of the subject site is for the purposes of establishing a seniors' living development.
5.3	Facilitate multipurpose, flexible and adaptable health and education infrastructure that responds to community needs.			N/A	
5.4	Protect health facilities from the encroachment of inappropriate and incompatible land uses.			N/A	
5.5	Improve transport connections in cross-border communities to enhance access to health facilities.			N/A	

Direction 6: Promote the expansion of education and training opportunities

No	Action	Consistent			Comments
		Yes	No	N/A	
6.1	Work with stakeholders to identify opportunities to address skill shortages in the region through the development of tailored regional training programs with the regions education providers.			N/A	
6.2	Promote development of education precincts around universities and education facilities to facilitate specialisation in rural studies and cater for increasing interest from international students.			N/A	
6.3	Facilitate joint venture opportunities for the development shared community/school facilities on school sites, including sporting fields, amenities, parking, community halls, child care, arts and library facilities.			N/A	

Direction 7: Promote tourism opportunities

No	Action	Consistent			Comments
		Yes	No	N/A	
7.1	Align local land use strategies and tourism strategies with the Destination Management Plan for the Riverina Murray Destination Network.			N/A	
7.2	Enable opportunities for tourism development and associated land uses in local plans.			N/A	
7.3	Target experiential tourism opportunities and tourism management frameworks to promote a variety of accommodation options.			N/A	
7.4	Continue to implement actions and invest in boating infrastructure priorities identified in the Murray-Riverina Regional Boating Plan to improve boating safety, boat storage and waterway access.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- how the proposal impacts on the suitability of land zoned for tourism and associated land uses, through potential land use conflict or encroachment of incompatible land uses.

Direction 8: Enhance the economic self-determination of Aboriginal communities

No	Action	Consistent			Comments
		Yes	No	N/A	
8.1	Work with Local Aboriginal Land Councils to conduct a strategic assessment of their landholdings to identify priority sites with economic development potential for further investigation.			N/A	
8.2	Identify priority sites that can create a pipeline of potential projects that the Local Aboriginal Land Councils may wish to consider.			N/A	

Direction 9: Support the forestry industry

No	Action	Consistent			Comments
		Yes	No	N/A	
9.1	Facilitate long-term forestry processing requirements for plantation forest land and opportunities for industry hubs and transport network improvements.			N/A	
9.2	Encourage forestry processing operations in appropriate locations that are protected from the encroachment of other sensitive land uses.			N/A	
9.3	Protect native and plantation forests and processing industries predominantly in the Snowy Valleys and Greater Hume area from the encroachment of inappropriate and incompatible land uses.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- any existing nearby forestry processing operations or key forestry areas; and
- any impacts on opportunities for the long-term establishment and management of plantations in key forestry areas, or hubs, productivity or processing efficiency.

Note: Refer to the NSW Forestry Industry Roadmap (2016).

Direction 10: Sustainably manage water resources for economic opportunities

No	Action	Consistent			Comments
		Yes	No	N/A	
10.1	Implement the Murray-Darling Basin Plan to ensure a balance of social, economic and environmental outcomes.			N/A	
10.2	Finalise water resource plans for rivers and groundwater systems as part of the Murray-Darling Basin Plan and implement water sharing plans.			N/A	
10.3	Plan for high-water use industries in locations where water access and security is available.			N/A	
10.4	Protect land in the Murray, Murrumbidgee, Coleambally and Lowbridge irrigation areas from the encroachment of inappropriate and incompatible land uses that limit the economic potential of these areas.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- consistency with the Murray-Darling Basin Plan, when finalised;
- where a proposal relates to a high-water use industry, consideration of the infrastructure demands of the proposal and the availability of a secure water resource; and
- where a proposal has the potential to impact the Murray, Murrumbidgee, Coleambally and Lowbridge irrigation areas, consideration of potential environmental, social and economic impacts that could limit production of irrigated produce.

Direction 11: Promote the diversification of energy supplies through renewable energy generation

No	Action	Consistent			Comments
		Yes	No	N/A	
11.1	Encourage renewable energy projects by identifying locations with renewable energy potential and ready access to connect with the electricity network.			N/A	
11.2	Promote best practice community engagement and maximise community benefits from all utility-scale renewable energy projects.			N/A	
11.3	Promote appropriate smaller-scale renewable energy projects using bio-energy, solar, wind, small-scale hydro, geothermal or other innovative storage technologies.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- locations identified for renewable energy projects; and
- consideration of land uses in proximity to existing energy projects to maximise efficiencies and address potential land use conflict.

Direction 12: Sustainably manage mineral resources

No	Action	Consistent			Comments
		Yes	No	N/A	
12.1	Consult with the NSW Department of Industry (Division of Resources and Energy) when assessing applications for land use changes (strategic land use planning, rezoning and planning proposals) and new development or expansions.			N/A	
12.2	Protect areas of mineral and energy resources potential in the region through local land use strategies and local plans.			N/A	
12.3	Protect infrastructure that facilitates mining industries from development that could affect current or future extraction.			N/A	
12.4	Support communities that are transitioning out of mining operations to manage changes in population and demand for service delivery and explore new economic opportunities.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail any exploration licenses held over the land to which the proposal applies.

Note: Consultation with the NSW Department of Industry (Division of Resources and Energy) may be required.

Direction 13: Manage and conserve water resources for the environment

No	Action	Consistent			Comments
		Yes	No	N/A	
13.1	Locate, design, construct and manage new developments to minimise impacts on water catchments, including downstream and groundwater sources.			N/A	Would be assessed with any development application
13.2	Minimise the impacts of development on fish habitat, aquaculture and waterways (including watercourses, wetlands and riparian lands) and meet the Water Quality and River Flow Objectives.			N/A	
13.3	Adopt an integrated approach to water cycle management across the region, taking into account climate change, water security, sustainable demand and growth, and the natural environment.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail any impacts on land identified as groundwater vulnerable.

Note: Consultation with NSW Water may be required.

Direction 14: Manage land uses along key river corridors

No	Action	Consistent			Comments
		Yes	No	N/A	
14.1	Prepare and implement a waterfront management strategy for the Murray River.			N/A	
14.2	Retain riverfront setback provisions in local plans and limit ribbon development along the Murray River.			N/A	
14.3	Consider and assess the potential impacts of new development on biodiversity along river corridors, including the Murray and Murrumbidgee Rivers, and manage offsets.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- the consideration and consistency with the Waterfront Management Strategy, when finalised; and
- the consideration of the existing riverfront setback provisions of the applicable Local Environmental Plan.

Direction 15: Protect and manage the region's many environmental assets

No	Action	Consistent			Comments
		Yes	No	N/A	
15.1	Protect high environmental value assets through local plans			N/A	
15.2	Minimise potential impacts arising from development in areas of high environmental value, and consider offsets or other mitigation mechanisms for unavoidable impacts.			N/A	
15.3	Improve the quality of, and access to, information relating to high environmental values.			N/A	
15.4	Protect Travelling Stock Reserves in local land use strategies.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail consideration of the potential impacts of the proposal on land identified as being of high environmental value.

Direction 16: Increase resilience to natural hazards and climate change

No	Action	Consistent			Comments
		Yes	No	N/A	
16.1	Locate developments, including new urban release areas, away from areas of known high biodiversity value, high bushfire and flooding hazards, contaminated land, and designated waterways, to reduce the community's exposure to natural hazards.	Yes			Refer to consideration land contamination in appendix 3 of this planning proposal The subject site is located within the South Deniliquin flood levee and is not located within a bushfire prone area.
16.2	Incorporate the findings of the Riverina Murray Enabling Regional Adaptation Project to inform future land use planning decisions.			N/A	
16.3	Adopt a whole-of-government approach to information exchange on climate change adaptation and preparedness.			N/A	
16.4	Respond to climate-related risks by applying and communicating fine-scale climate information to support decision-making.			N/A	
16.5	Implement the requirements of the NSW Floodplain Development Manual by updating flood studies and floodplain risk management plans.			N/A	
16.6	Incorporate the best available hazard information in local plans, consistent with, current flood studies, flood planning levels, modelling and floodplain risk management plans.			N/A	
16.7	Update and share current information on environmental assets and natural hazards with councils to inform planning decisions.			N/A	
16.8	Manage the risks of disturbance in areas affected by natural occurring asbestos.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- where a proposal relates to Flood Prone Land, consistency with a current flood study endorsed by the Office of Environment and Heritage;

Notes:

- Referral to NSW RFS may be required to comply with Section 117 Direction 4.4 Planning for Bushfire Protection
- Refer to the EPA website for more information on identification, management and regulation of contaminated land:
<http://www.epa.nsw.gov.au/clm/>
- A planning proposal must address SEPP 55 – Remediation of Land, Part 6 Contamination and remediation to be considered in zoning or rezoning proposal.

Direction 17: Transform the region into the eastern seaboard's freight and logistics hub

No	Action	Consistent			Comments
		Yes	No	N/A	
17.1	Strategically locate freight and logistics hubs to support further industry development.			N/A	
17.2	Support the ongoing performance of existing freight and logistics facilities, particularly those in the regional cities of Albury, Wagga Wagga and Griffith.			N/A	
17.3	Protect freight and logistics facilities from the encroachment of inappropriate land uses.			N/A	
17.4	Target opportunities for new freight and logistics facilities in areas that maximise the use of available industrial land, access to transport and specific labour market requirements.			N/A	

Direction 18: Enhance road and rail freight links

No	Action	Consistent			Comments
		Yes	No	N/A	
18.1	Identify the regional freight network (including key nation, State, regional and local roads and the rail network).			N/A	
18.2	Prioritise projects that address impediments to the regional freight network to improve capacity and opportunities in the network.			N/A	
18.3	Assess the viability of local bypasses and identify and protect future bypass corridors in strategies.			N/A	
18.4	Identify, coordinate and prioritise the delivery of local and regional road projects that help support the regional freight network.			N/A	

18.5	Protect freight and transport corridors from the encroachment of incompatible land uses.	N/A
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Direction 19: Support and protect ongoing access to air travel

No	Action	Consistent			Comments
		Yes	No	N/A	
19.1	Protect airports from the encroachment of incompatible development, including airports in Wagga Wagga, Albury, Griffith and Narrandera.			N/A	
19.2	Support the continued allocation of 20 percent of flight slots at Sydney airport to regional NSW services and seek a greater allocation in peak periods.			N/A	

Direction 20: Identify and protect future transport corridors

No	Action	Consistent			Comments
		Yes	No	N/A	
20.1	Work with the Australian Government to finalise planning, engineering design and assessment of the Melbourne-Brisbane Inland Rail Corridor.			N/A	
20.2	Work with the Australian Government to plan for future high-speed rail corridors in the region.			N/A	

Direction 21: Align and protect utility infrastructure investment

No	Action	Consistent			Comments
		Yes	No	N/A	
21.1	Monitor development and ensure that infrastructure is responsive to investment opportunities.			N/A	
21.2	Investigate opportunities for new funding models for utility infrastructure.			N/A	
21.3	Protect the function of the defence communication facilities in Wagga Wagga, Lockhart, Federation and Narrandera.			N/A	

21.4	Provide sufficient space for cemeteries and cremation by identifying appropriate site sin local land use strategies.	N/A
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Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- consideration of the infrastructure needs associated with the proposal; and
- compliance with any relevant defence communication facility buffer distances.

Direction 22: Promote the growth of regional cities and local centres

No	Action	Consistent			Comments
		Yes	No	N/A	
22.1	Coordinate infrastructure delivery across residential and industrial land in the regional cities.			N/A	
22.2	Consider the role, function and relationship between regional cities and centres in local land use strategies.			N/A	
22.3	Protect strategic defence establishments in Albury and Wagga Wagga and encourage compatible adjoining land uses.			N/A	
22.4	Improve transport in regional cities and their connections with regional communities.			N/A	
22.5	Work with local Councils local transport operators and community transport providers to identify opportunities and plan for a range of flexible transport options/models to meet specific local needs.			N/A	
22.6	Improve access to regional cities and connections out of the region.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- adequate justification for out-of-centre development using supply and demand analysis;
- consistency with an endorsed local strategy;
- how the proposed location for a new centre:
 - Integrates with existing or planned residential development;

- Promotes quality urban design; and
- Considers transport and accessibility requirements.

Direction 23: Build resilience in towns and villages

No	Action	Consistent			Comments
		Yes	No	N/A	
23.1	Update the Strengthening Rural Communities: Resource Kit.			N/A	
23.2	Work with councils to better understand the drivers of population change and implications for local communities.			N/A	
22.3	Conduct a pilot State agency and local government area roundtable meeting with Councils in the REROC area.			N/A	
22.4	Build drought resilience in rural communities by providing targeted support to primary producers and communities to improve preparedness and improve decision-making.			N/A	

Direction 24: Create a connected and competitive environment for cross-border communities

No	Action	Consistent			Comments
		Yes	No	N/A	
24.1	Work with the Victorian Government and cross-border councils to examine: <ul style="list-style-type: none"> • Barriers to and enablers of economic, housing and jobs growth; • Service delivery models; and • Infrastructure delivery, including transport infrastructure. 			N/A	
24.2	Work with the Victorian Government and adjoining Victorian Councils to develop a cross-border land and housing monitor.			N/A	
24.3	Examine opportunities to better standardise development provisions in NSW and Victorian particularly for seniors and affordable housing developments.			N/A	
24.4	Make travel across the NSW-Victorian border easier and more convenient for cross-border communities.			N/A	

Direction 25: Build housing capacity to meet demand

No	Action	Consistent			Comments
		Yes	No	N/A	
25.1	Prepare local housing strategies that provide housing choice and affordable housing.			N/A	
25.2	Facilitate increased housing choice, including townhouses, villas and apartments in regional cities and locations close to existing services and jobs.	Yes			The proposed development of the subject site will provide senior living housing in a centralised location in Deniliquin.
25.3	Align infrastructure planning with land release areas to provide adequate infrastructure.			N/A	
25.4	Locate higher-density development close to town centres to capitalise on existing infrastructure and to provide increased housing choice.	Yes			It is expected that the proposed development will be at a higher density than is currently provided for in Deniliquin.

Additional Supporting Notes

Relevant planning proposals are encouraged to detail any relationship with a release area identified in an endorsed local strategy.

Direction 26: Provide greater housing choice

No	Action	Consistent			Comments
		Yes	No	N/A	
26.1	Remove planning barriers to provide a range of low-care and independent seniors accommodation options across the region.	Yes			The rezoning of this land will allow for the development of the site for seniors' accommodation.
26.2	Promote opportunities for seniors and disability housing by reviewing the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 to identify opportunities to make it more applicable for private developers in regional areas.	Yes			The rezoning of this land will allow for the development of the site for seniors' accommodation in accordance with the Seniors Living SEPP.

26.3	Promote opportunities for retirement villages, nursing homes and similar housing needs of seniors in local land use strategies.	Yes	Whilst Council does not have a land use strategy, this planning proposal supports the opportunity for the development of a retirement village on the subject site.
26.4	Locate new housing for seniors in close proximity to existing services and facilities, and on land free from hazards.	Yes	Refer to previous comments regarding hazards. The subject site is located within the vicinity of CBD and as such has access to existing services and facilities such as shops, medical centre and community facilities.
26.5	Promote aging-in-place by adopting elements of Liveable Housing Australia's Liveable Housing Design Guidelines in development controls for housing, where possible.	Yes	The development is for seniors housing.
26.6	Release guidelines to help councils plan and manage seasonal and itinerant worker accommodation.		N/A
26.7	Promote incentives to encourage greater housing affordability, including a greater mix of housing in new release areas.		N/A

Direction 27: Manage rural and residential development

No	Action	Consistent			Comments
		Yes	No	N/A	
27.1	Enable new rural residential development only where it has been identified in a local housing strategy prepared by council and approved by the Department of Planning and Environment.			N/A	
27.2	Locate new residential areas: <ul style="list-style-type: none"> In close proximity to existing urban settlements to maximise the efficient use of existing infrastructure and services and social and community infrastructure. 			N/A	

	<ul style="list-style-type: none"> To avoid or minimise the potential for land use conflicts with productive, zoned agricultural land and natural resources; and To avoid areas of high environmental, cultural and heritage significance, important agricultural land or areas affected by natural hazards. 	
27.3	Manage land use conflict that can result from cumulative impacts of successive development decisions.	N/A

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- How the proposal is supported by any endorsed local strategic land use plan, and
- How the proposal is consistent with any endorsed local strategic land use plan.

Direction 28: Deliver healthy built environments and improved urban design

No	Action	Consistent			Comments
		Yes	No	N/A	
28.1	Release regional urban design guidelines to create healthy built environments and guide local decision-making.			N/A	
28.2	Promote high-quality open spaces that support physical activity, including walking and cycling networks in the design of new communities.	Yes			The subject site is within the vicinity of open space in Deniliquin such as Waring Gardens and the lagoons walk.
28.3	Reflect local built form, heritage and character in new housing developments.			N/A	To be determined at DA stage.
28.4	Incorporate water sensitive design in new development.			N/A	To be determined at DA stage.

Additional Supporting Notes

Relevant planning proposals are encouraged to detail:

- How the proposal is supported by any endorsed local strategic land use plan, and
- How the proposal is consistent with any endorsed local strategic land use plan.

Direction 29: Protect the region's Aboriginal and historic heritage

No	Action	Consistent			Comments
		Yes	No	N/A	
29.1	Undertake and implement heritage studies, including regional Aboriginal cultural heritage studies, to inform local land use strategies.			N/A	
29.2	Consult with Aboriginal people and the broader community to identify heritage values at the strategic planning stage.			N/A	An AHIMS search has been completed and no Aboriginal sites were identified (see Appendix 5).
29.3	Increase heritage protection and revitalise main streets and town centres, through community education and development incentives in local plans.			N/A	
29.4	Recognise and conserve heritage assets that have community significance in local plans.			N/A	
29.5	Provide resources for heritage advice to inform planning processes.			N/A	

Additional Supporting Notes

Relevant planning proposals are encouraged to detail the results of any AHIMS search for the site.

APPENDIX 3

State Environmental Planning Policies

SEPP	Applicable	Comments
SEPP 21 Caravan Parks	N/A	Caravan parks are permissible in the B2 Local Centre zone.
SEPP 33 Hazardous and Offensive Development	N/A	-
SEPP 36 Manufactured Home Estates	N/A	The rezoning would result in a manufactured home estate being permissible on the subject site (clause 6 of the SEPP).
SEPP 50 Canal Estate Development	N/A	-
SEPP 55 Remediation of Land	Yes	<p>A preliminary site investigation (PSI) was completed as part of the consideration of DA86/17 due to the former railway activities on the site, demolition/removal of structures on site and fill material. The PSI was completed for Lot 2 DP1220715 and Lot 1 DP732067 however, DA86/17 related to Lot 2 DP1220715. DA86/17 was for the demolition of two railway platforms and turntable pit infrastructure and filling of the disused turntable, site remediation works and the installation of water and sewer connections.</p> <p>The PSI was reviewed in relation to Lot 2 DP1220715 and this particular DA. The PSI indicates the observations and test results for Lot 2 DP1220715, it does not appear that the subject site has contaminated soils on the site but the soil test results on the adjacent land (also owned by Council) indicate a level of heavy metal contamination is present. It should be noted that no groundwater investigations were completed for the PSI.</p>

		<p>The assessment concluded that the subject site appears to be suitable for the demolition of existing structures without further investigation.</p> <p>Further assessment of contamination issues will be required upon lodgement of DA for the development of the subject site and adjoining lot.</p>
SEPP 64 Advertising and Signage	N/A	The rezoning will result in a range of signs and advertising being permissible on the subject site.
SEPP 65 Design Quality of Residential Apartment Development	N/A	This SEPP will apply to the subject site where it is proposed that any building is at least 3 or more storeys and the building contains at least 4 or more dwellings.
SEPP 70 Affordable Housing (Revised Schemes)	N/A	-
SEPP (Affordable Rental Housing) 2009	N/A	This SEPP would not apply to the proposed development of this site for seniors' accommodation.
SEPP (Building Sustainability Index: BASIX) 2004	N/A	Future development of the site will be required to comply with BASIX.
SEPP (Concurrences and Consents) 2018	N/A	-
SEPP (Educational Establishments and Child Care Facilities) 2017	N/A	This SEPP would not apply to the proposed development of this site for seniors' accommodation.
SEPP (Exempt and Complying Development Codes) 2008	N/A	-
SEPP (Housing for Seniors of People with a Disability) 2004	Yes	A rezoning is required so that seniors housing under this SEPP will be permissible.

SEPP (Infrastructure) 2007	N/A	-
SEPP (Koala Habitat Protection) 2019	N/A	There are no trees on the site.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	-
SEPP (Primary Production and Rural Development) 2019	N/A	-
SEPP (State and Regional Development) 2011	N/A	-
SEPP (Vegetation in Non Rural Areas) 2017	N/A	-

Murray Regional Environmental Plan 2 (REP)

Clause 8 of the REP states that the planning principles must be considered when preparing a planning proposal being the aims, objectives and planning principles of this plan, any relevant River Management Plan, any likely effect of the proposed plan or development on adjacent and downstream local government areas and the cumulative impact of the proposed development on the River Murray (clause 9).

Planning Principles	Applicable	Comments
Aim of Plan		
To conserve and enhance the riverine environment of the River Murray for the benefit of all users.	N/A	The subject does not have river frontage and is located approximately 600m from the Edward River.
Objectives of the Plan		
To ensure that appropriate consideration is given to development with the potential to adversely affect the riverine environment of the River Murray.	N/A	Refer to comments above.

To establish a consistent and co-ordinated approach to environmental planning and assessment along the River Murray.	N/A	-
To conserve and promote the better management of the natural and cultural heritage values of the riverine environment of the River Murray.	N/A	Refer to comments above.
Planning Principles - Access		
The waterway and much of the foreshore of the River Murray is a public resource. Alienation or obstruction of this resource by or for private purposes should not be supported.	N/A	Refer to comments above.
Development along the main channel of the River Murray should be for public purposes. Moorings in the main channel should be for the purposes of short stay occupation only.	N/A	Refer to comments above.
Human and stock access to the River Murray should be managed to minimise the adverse impacts of uncontrolled access on the stability of the bank and vegetation growth.	N/A	Refer to comments above.
Planning Principles – Bank Disturbance		
Disturbance to the shape of the bank and riparian vegetation should be kept to a minimum in any development of riverfront land.	N/A	Refer to comments above.
Planning Principles - Flooding		
Where land is subject to inundation by floodwater— (a) the benefits to riverine ecosystems of periodic flooding, (b) the hazard risks involved in developing that land, (c) the redistributive effect of the proposed development on floodwater,	N/A	The subject site is located within the South Deniliquin Flood Levee and is not within a flood planning area.

(d) the availability of other suitable land in the locality not liable to flooding, (e) the availability of flood free access for essential facilities and services, (f) the pollution threat represented by any development in the event of a flood, (g) the cumulative effect of the proposed development on the behaviour of floodwater, and (h) the cost of providing emergency services and replacing infrastructure in the event of a flood.		
Flood mitigation works constructed to protect new urban development should be designed and maintained to meet the technical specifications of the Department of Water Resources.	N/A	-
Planning Principles – Land Degradation		
Development should seek to avoid land degradation processes such as erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salination and soil acidity, and adverse effects on the quality of terrestrial and aquatic habitats.	N/A	There is no significant vegetation on the site. Issues related to land degradation such as soil erosion etc can be assessed at the DA stage.
Planning Principles - Landscape		
Measures should be taken to protect and enhance the riverine landscape by maintaining native vegetation along the riverbank and adjacent land, rehabilitating degraded sites and stabilising and revegetating riverbanks with appropriate species.	N/A	The subject site is not located within the riverine landscape.
Planning Principles – River Related Uses		

Only development which has a demonstrated, essential relationship with the river Murray should be located in or on land adjacent to the River Murray. Other development should be set well back from the bank of the River Murray.	N/A	The subject does not have river frontage and is located approximately 600m from the Edward River.
Development which would intensify the use of riverside land should provide public access to the foreshore.	N/A	Refer to comments above.
Planning Principles - Settlement		
New or expanding settlements (including rural-residential subdivision, tourism and recreational development) should be located— (a) on flood free land, (b) close to existing services and facilities, and (c) on land that does not compromise the potential of prime crop and pasture land to produce food or fibre.	N/A	-
Planning Principles – Water Quality		
All decisions affecting the use or management of riverine land should seek to reduce pollution caused by salts and nutrients entering the River Murray and otherwise improve the quality of water in the River Murray.	N/A	Any future development of the subject site would be required to be connected to Council's stormwater system.
Planning Principles - Wetlands		
Wetlands are a natural resource which have ecological, recreational, economic, flood storage and nutrient and pollutant filtering values.	N/A	-
Land use and management decisions affecting wetlands should—	N/A	

(a) provide for a hydrological regime appropriate for the maintenance or restoration of the productive capacity of the wetland, (b) consider the potential impact of surrounding land uses and incorporate measures such as a vegetated buffer which mitigate against any adverse effects, (c) control human and animal access, and (d) conserve native plants and animals.		
River Management Plan		
Any relevant River Management Plan	N/A	-
Adjacent/Downstream Local Government Areas		
Any likely effect of the proposed plan or development on adjacent and downstream local government areas.	N/A	The subject does not have river frontage and is located approximately 600m from the Edward River.
Cumulative Impact		
The cumulative impact of the proposed development on the River Murray.	N/	Negligible impact on the River Murray on the basis of its distance from the Edward River.

APPENDIX 4
LOCAL PLANNING DIRECTIONS

Direction	Applicable	Comments
Employment and Resources		
1.1 Business and Industrial Zones	Yes	The planning proposal will increase land zoned for business by 1.2ha and is located is within an existing B2 zoned area.
1.2 Rural Zones	N/A	-
1.3 Mining Petroleum Production and Extractive Industries	N/A	Permissibility of mining is determined by the SEPP (Mining, Petroleum Production and Extractive Industries) 2007.
1.4 Oyster Aquaculture	N/A	-
1.5 Rural Lands	N/A	-
Environment and Heritage		
2.1 Environment Protection Zones	N/A	-
2.2 Coastal Management	N/A	-
2.3 Heritage Conservation	N/A	-
2.4 Recreation Vehicle Areas	N/A	-
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	N/A	-

Housing, Infrastructure and Urban Development		
3.1 Residential Zones	Yes	<p>This direction applies as the proposed rezoning of the land to B2 will permit residential development and in particular, seniors' accommodation.</p> <p>The planning proposal will broaden the choice of housing options available for the subject site (within the existing provisions of the B2 zone under the DLEP 2013 and the Seniors Living SEPP), is located in a central location and is within an existing serviced area.</p> <p>Clause 6.7 of the DLEP requires arrangements to be made for the provision of infrastructure to land and the planning proposal does not contain any provisions which will reduce the permissible residential density on land.</p>
3.2 Caravan Parks and Manufactured Home Estates	Yes	<p>The planning proposal will result in caravan parks being permissible on the subject site. A manufactured home estate will also be permissible in accordance with SEPP36.</p>
3.3 Home Occupations	Yes	<p>Home occupations are permissible in the B2 Local Centre zone.</p>
3.4 Integrating Land Use and Transport	No	<p>Any inconsistency with this direction is considered to be of minor significance given that the subject site is located within an established urban area where linkages between transport and land use are well established.</p>
3.5 Development Near Regulated Airports and Defence Airfields	No	<p>The subject site is located approximately 2.4km of the Deniliquin airport (owned and operated by Council) and is within the OLS. Clause 6.6 of DLEP 2013 addresses development within OLS but it</p>

		<p>does not include provisions around noise to the size and nature of the airport.</p> <p>Given the distance of the subject site from the airport, the nature of the operation of the airport and the dominance of single storey residential development in Deniliquin, any inconsistency with this direction is considered to be of minor significance.</p>
3.6 Shooting Rangers	N/A	-
3.7 Reduction in Non-Hosted Short Term Rental Accommodation Period	N/A	-
Hazard and Risk		
4.1 Acid Sulfate Soils	N/A	-
4.2 Mine Subsidence and Unstable Land	N/A	-
4.3 Flood Prone Land	Yes	<p>The planning proposal will rezone land from special uses to business.</p> <p>The subject site is located inside the South Deniliquin flood levee and is not located within a flood planning area.</p> <p>The planning proposal does not propose any changes to the flood planning controls.</p>
4.4 Planning for Bushfire Protection	N/A	-
Regional Planning		
5.1 Implementation of Regional Strategies	N/A	-

5.2 Sydney Drinking Water Catchment	N/A	-
5.3 Farmland of State and Regional Significance on the NSW Far Coast	N/A	-
5.4 Commercial and Retain Development along the Pacific Highway, North Coast	N/A	-
5.9 North West Rail Link Corridor Strategy	N/A	-
5.10 Implementation of Regional Plans	Yes	Refer to Appendix 2.
5.11 Development of Aboriginal Land Council land	N/A	-
Local Plan Making		
6.1 Approval and Referral Requirements	Yes	The planning proposal does include any of the provisions listed in clause 4 of this direction.
6.2 Reserving Land for Public Purposes	Yes	The planning proposal does not include any reservation or proposals for reserving, public land.
6.3 Site Specific Provisions	N/A	The planning proposal allows for the rezoning of the subject site.
Metropolitan Planning		
7.1 Implementation of a Plan for Growing Sydney	N/A	-
7.2 Implementation of Greater Macarthur Land Release Investigation	N/A	-

7.3 Parramatta Road Corridor Urban Transformation Strategy	N/A	-
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A	-
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	-
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A	-
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A	-
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	N/A	-
7.9 Implementation of Bayside West Precincts 2036 Plan	N/A	-
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	N/A	-

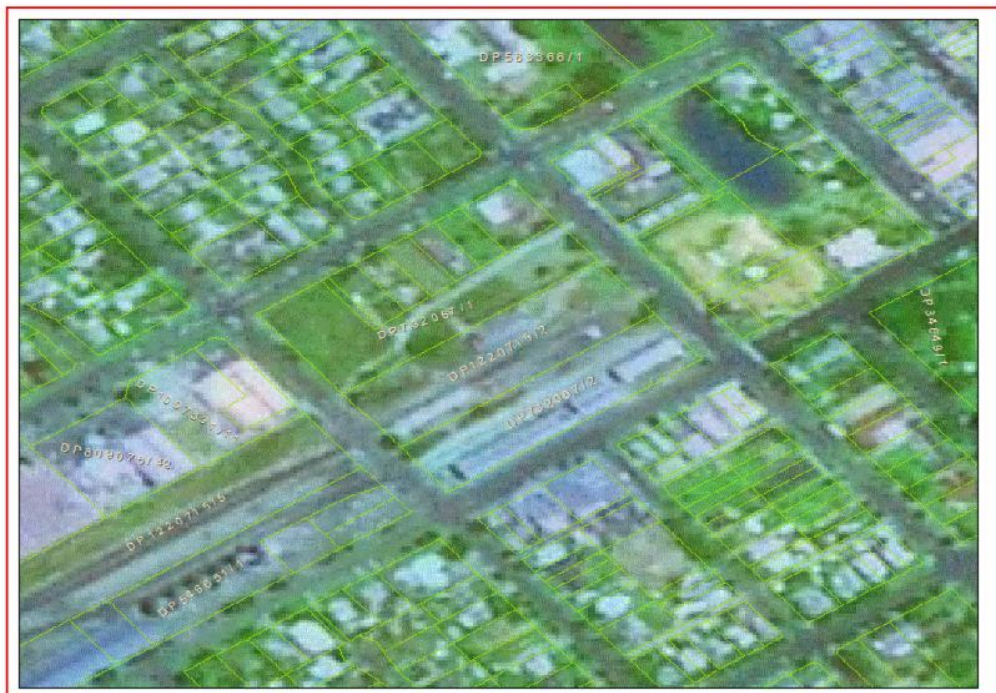
APPENDIX 5
AHIMS SEARCH

Edward River Council
Edward River Council 180 Cressy Street
Deniliquin New South Wales 2710
Attention: Julie Rogers
Email: julie.rogers@edwardriver.nsw.gov.au
Dear Sir or Madam:

Date: 03 April 2020

AHIMS Web Service search for the following area at Lot : 2, DP:DP1220715 with a Buffer of 200 meters, conducted by Julie Rogers on 03 April 2020.

The context area of your search is shown in the map below. Please note that the map does not accurately display the exact boundaries of the search as defined in the paragraph above. The map is to be used for general reference purposes only.



A search of the Office of the Environment and Heritage AHIMS Web Services (Aboriginal Heritage Information Management System) has shown that:

0	Aboriginal sites are recorded in or near the above location.
0	Aboriginal places have been declared in or near the above location. *

If your search shows Aboriginal sites or places what should you do?

- You must do an extensive search if AHIMS has shown that there are Aboriginal sites or places recorded in the search area.
- If you are checking AHIMS as a part of your due diligence, refer to the next steps of the Due Diligence Code of practice.
- You can get further information about Aboriginal places by looking at the gazettal notice that declared it. Aboriginal places gazetted after 2001 are available on the [NSW Government Gazette](http://www.nsw.gov.au/gazette) (<http://www.nsw.gov.au/gazette>) website. Gazettal notices published prior to 2001 can be obtained from Office of Environment and Heritage's Aboriginal Heritage Information Unit upon request

Important information about your AHIMS search

- The information derived from the AHIMS search is only to be used for the purpose for which it was requested. It is not to be made available to the public.
- AHIMS records information about Aboriginal sites that have been provided to Office of Environment and Heritage and Aboriginal places that have been declared by the Minister;
- Information recorded on AHIMS may vary in its accuracy and may not be up to date. Location details are recorded as grid references and it is important to note that there may be errors or omissions in these recordings,
- Some parts of New South Wales have not been investigated in detail and there may be fewer records of Aboriginal sites in those areas. These areas may contain Aboriginal sites which are not recorded on AHIMS.
- Aboriginal objects are protected under the National Parks and Wildlife Act 1974 even if they are not recorded as a site on AHIMS.
- This search can form part of your due diligence and remains valid for 12 months.



Mr John Rayner
Interim General Manager
Edward River Council
PO Box 270
DENILIKUIN NSW 2710

Attention: Julie Rogers, Manager Environmental Services

Dear Mr Rayner

Planning proposal [PP_2020_ERIVE_001_00] to amend Deniliquin Local Environmental Plan 2013 – Lot 2 DP 1220715, Harfleur Street, Deniliquin.

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to rezone Lot 2 DP 1220715, Harfleur Street Deniliquin from zone SP2 Infrastructure to zone B2 Local Centre.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's consistency with the relevant section 9.1 Directions. No further approval is required in relation to these Directions.

I have considered Council's request to be the local plan-making authority and have determined not to condition the Gateway for Council to be the local plan-making authority for the following reason that Council is the landowner.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request for the Department of Planning, Industry and Environment to draft and finalise the LEP should be made ten (10) weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment, Western Region office (westernregion@planning.nsw.gov.au) requesting that the amending plan be made and finalised.

All related files for LEP Amendment, including PDF Maps, Map Cover Sheet, planning proposal document and GIS Data, if available, must be submitted to the Department via the Planning Portal website at www.planningportal.nsw.gov.au. To submit the data, Council is required to create an account and log in using these details

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.

Should you have any enquiries about this matter, I have arranged for Mr Haydon Murdoch from the Department of Planning, Industry and Environment, Western Region office, to assist you. Mr Murdoch can be contacted on 62297914.

Yours sincerely



18.5.20

Damien Pfeiffer
Director, Western Region
Local and Regional Planning

Encl: Gateway determination



Gateway Determination

Planning proposal (Department Ref: PP_2020_ERIVE_001_00): to rezone Lot 2 DP 1220715, Harfleur Street, Deniliquin from zone SP2 Infrastructure to B2 Local Centre.

I, the Director, Western Region at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Deniliquin Local Environmental Plan (LEP) 2013 to rezone Lot 2 DP 1220715, Harfleur Street, Deniliquin from zone SP2 Infrastructure to B2 Local Centre should proceed subject to the following conditions:

1. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
 - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
 - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
2. Consultation is required with the Environment Protection Authority under section 3.34(2)(d) of the Act. The Environment Protection Authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.
3. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
4. Prior to submission of the planning proposal under section 3.36 of the *Environmental Planning and Assessment Act, 1979*, the final LEP maps must be prepared and be compliant with the Department's 'Standard Technical Requirements for Spatial Datasets and Maps' 2017.

5. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

Dated 18th day of May 2020.



Damien Pfeiffer
Director, Western Region
Local and Regional Planning
Department of Planning, Industry and
Environment

Delegate of the Minister for Planning
and Public Spaces

PP_2020_ERIVE_001_00 (IRF No 20/1721)

10.9 ENVIRONMENTAL SERVICES REPORT (SEPTEMBER 2020)

Author: Marie Sutton, Acting Manager Environmental Services

Authoriser: Philip Stone, General Manager

RECOMMENDATION

That Council note the Environmental Services report for September 2020

BACKGROUND

Attachment 1 is the Environmental Services report for September

ISSUE/DISCUSSION

N/A

STRATEGIC IMPLICATIONS

N/A

COMMUNITY STRATEGIC PLAN

N/A

FINANCIAL IMPLICATIONS

N/A

LEGISLATIVE IMPLICATIONS

N/A

ATTACHMENTS

1. Environmental	Services	Report
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Current Applications at 30 September 2020					
Application	Property Description	Applicant	Proposal	Date Rec'd	Status
Development Applications/Construction Certificates					
DA 64/18	Lot 153, DP756325, 154 Pakenham Street, Deniliquin	Andrew and Kim Barry	7 lot subdivision	16/10/2018	Awaiting advice from applicant
DA 77/18	Lot 1, & 3 DP1235420 & Lot 5 DP1220715, 227 Cemetery Road & 179-183 Cemetery Road, Deniliquin	Deni Industrial Park Pty Ltd	Staged development Stage 1: Railway freight terminal Stage 2: 13 lot subdivision	4/12/2018	Awaiting advice from applicant/ VicTrack
DA 33/19	Lot 3 DP537791, 812 Old Morago Road, Morago	Ecotech Energy	Install 99kw ground mount solar PV system	14/06/2019	Applicant to provide advice re status of application
DA 47/19	Lot 6 DP264379, 176-178 River Street, Deniliquin	Tony Campbell	Erection of shed for use for residential storage and a home industry	4/09/2019	Applicant to provide advice re status of application
DA 71/19 CC 50/19	Lot 100 DP1061446, Ochertyre Street, Deniliquin	Brunker Fabrications	Camp kitchen and bbq shelter	26/11/2019	Under assessment
DA 34/20 CC 23/20	Lot 12 DP1041961, 951 Wargam Road, Boorooban	William & Diane Hooke	Single new dwelling	28/5/2020	Under assessment
DA 47/20	Lot 46 DP756347, 141 McAllisters Road, Deniliquin	Mark Denny	2 lot subdivision	4/8/2020	Under assessment
DA 50/20	Lot 1 DP34649, 266-312 Cressy Street, Deniliquin	Edward River Council	Waring Gardens Masterplan	4/8/2020	Under assessment

CC 38/20	Lot 1 DP714260 & Lot 530 DO46861, 5-9 Macauley Street, Deniliquin	Blair Architects (Navorina)	Addition of 2 bedwings, admin & services area & car park extension	7/8/2020	Under assessment
DA 60/20	Lot 2 Sec 63 Dp758913, 598-606 Harfleur Street, Deniliquin	John & Vicky Stephens	2 lot subdivision	26/8/2020	Under assessment
DA 61/20	Lot 131 DP1236504, 248 Harfleur Street, Deniliquin	Edward & Jane Glowrey	2 lot subdivision	26/8/2020	Under assessment
DA 62/20 CC 46/20	Lot 7 DP270001, 177 Augustus Street, Deniliquin	R & J Campion	Hay and machinery shed	2/9/2020	Under assessment
DA 63/20 CC 47/20	Lot 17 DP538851 & Lot 24 DP538853, 221 Hetherington Street, Deniliquin	Rohan Caniglia	Residential shed	7/9/2020	Under assessment
DA 64/20 CC 48/20	Lot 8 DP1070187, 300 Poitiers Street, Deniliquin	Decentralised Demountables	Residential shed	16/9/2020	Under assessment
DA 65/20 CC 49/20	Lot 494 DP722049, 241-247 Barham Road, Deniliquin	Brunker Fabrications	Truck storage shed	18/9/2020	Under assessment
DA 66/20 CC 50/20	Lot 31 DP235968, 110 Hughes Street, Deniliquin	Troy Garth	Residential shed	23/9/2020	Under assessment
DA 67/20	Lot 1 DP1219323, 183-185 Cressy Street, Deniliquin	Olivia Wells	Change of use to a beauty skin salon	24/9/2020	Under assessment
DA 68/20 CC 52/20	Lot 10 DP259642, 79 Sandhurst Lane, Deniliquin	Neil Boswell & Deborah Murray	Dwelling addition	28/9/2020	Under assessment

S 4.55 DA 74/18 A	Lot 560 DP1101666, Pretty Pine Road, Deniliquin	John Loudon, Robert Spry, Robert Howard and Debra Coad	Modification to 2 lot subdivision	17/9/2020	Under assessment
S 4.55 DA 30/15 A	Lot 9 DP790826, 201-209 Hetherington Street, Deniliquin	Peter Hines	Modification to 9 lot subdivision	10/9/2020	Under assessment
S 4.55 DA 82/16 A	Lot 100 DP1061446, Ochertyre Street	Frank White	Modification to extension of caravan park – additional 7 sites totaling 50 sites	28/9/2020	Under assessment
CC 51/20	Pt Lot 11 & 12 DP1123768, Wanderer Street, Deniliquin	Denbrok Constructions Pty Ltd	Remove, relocate and reconstruct demountable office building	25/9/2020	Under assessment
S 4.55 DA 18/18 AAA	Lot 20 Dp1092087, 562 Henry Street, Deniliquin	Barry Dunbar	Modification to 3 lot subdivision	15/9/2020	Under assessment

Complying Development Certificates					
CDC 6/20	Lot 148 DP756251, 1517 Logie Brae Road, Finley	Ainsley & Robert Massina	Inground swimming pool	23/9/2020	Under assessment
CDC 7/20	Lot 226 DP1123608, 219 Hetherington Street, Deniliquin	Liz Watts (Paradise Pools)	Inground swimming pool	22/9/2020	Under assessment

S68 Applications					
S68 2/19	Lot 1 DP1132408, 1 Butler Street, Deniliquin	Adam Rose	Extension to existing site	15/2/2019	Awaiting advice from the applicant
S68 5/20	Lot 153 DP1133106, 5-9 Macauley Street, Deniliquin	Navorina Nursing Home	Water, sewerage & stormwater drainage works	1/5/2020	Awaiting advice from the applicant
S68 10/20	Lot 1 DP446571/, 1 Butler Street, Deniliquin	James Gardner	Install a demountable building	23/6/2020	Further information requested
S68 17/20	Lot 1 DP1132408, 1 Butler Street, Deniliquin	Brent Rose	Relocate demountable dwelling	21/9/2020	Under assessment

Applications Determined September 2020				
Application	Property Description	Applicant	Development	Amount
DA 45/20 CC 34/20	Lot 3 Sec 8 DP758782, 276 Victoria Street, Deniliquin	Jaimee Hammond	Carport / Shed	19,900.00
DA 46/20 CC 35/20	Lot 2 DP62839, 279 Duncan Street, Deniliquin	Decentralised Demountables	New single dwelling	832,083.00
DA 51/20 CC 39/20	Lot 16 DP24772, 129 Wellington Street, Deniliquin	Meg Barling	Residential shed	4,800.00
DA 53/20 CC 41/20	Lot 13 Sec 52 DP758913, 79 Macauley Street, Deniliquin	Sarah Tritton	Residential Shed	13,330.00
DA 54/20	Lot 124 DP775768, 849 Aratula North Road, Deniliquin	Decentralised Demountables	Installation of a 2 bedroom transportable building	147,000.00

DA 55/20 CC 42/20	Lot 18 DP979186, 271 Harfleur Street, Deniliquin	Precise Build	Residential Shed	30,000.00
DA 56/20	Lot 1 DP724430, 149-173 Hardinge Street, Deniliquin	Deniliquin Little Athletic Club	Install 2 x 20ft shipping containers	4,000.00
DA 57/20	Lot 3 Dp71645, 214 Cressy Street, Deniliquin	Kasey Collett & Matthew Hilliard	Change of use to a Plant Nursery	4,900.00
DA 58/20 CC 45/20	Lot 1 DP1132408, 1 Butler Street, Deniliquin (site 259)	Troy Schiavella	Awning	6,000.00
DA 59/20	Lot 1 DP11292 & Lot 33 DP756301, 822 Moonee Swamp Road, Deniliquin	John Waterfall	Change of use to home food business	0.00
CDC 4/20	Lot 3 DP285499, 7 Mulumbah Road, Deniliquin	Conquest Industries	Inground Swimming Pool	44,820.00
CDC 5/20	Lot 21 DP1092087, 553-555 Sloane Street, Deniliquin	Liz Watts (Paradise Pools)	Inground swimming pool	47,150.00
CC 43/20	Lot 14 DP38670, 519 St Michael Street, Deniliquin	Linda Freshwater	Repairs and replacement of retaining wall, deck and paths	-
				1,153,983

Processing Times for September 2020		
Application Type	Mean Gross Days	Mean Net Days
DA	34	32
Mod (S4.55) of DA & DA/CC	-	-
CDC	18	18
CC	28	28
S68 Applications	63	63

Value and Number of Applications Determined 2019 and 2020								
Month	DAs 2019	DAs 2020	CDCs 2019	CDCs 2020	S68 2019	S68 2020	Value 2019	Value 2020
January	5	3	1	2	0	-	\$608,750	\$737,500
February	3	3	1	1	0	-	\$397,819	\$89,175
March	4	7	0	-	2	1	\$287,580	\$46,000
April	9	6	2	-	1	-	\$181,439	\$818,000
May	13	5	2	-	0	1	\$864,100	\$205,000
June	6	12	0	-	3	1	\$895,990	\$532,258
July	7	11	2	1	1	1	\$1,287,030	\$983,473
August	6	7	1	-	1	5	\$731,323	\$918,903
September	5	10	1	2	2	2	\$504,965	\$1,153,983
October	6		0		0		\$1,198,000	
November	7		0		1		\$630,900	
December	9		0		1		\$12,415,000	
TOTALS	80	64	10	6	12	11	\$20,002,896.00	\$5,484,292.00

Note: numbers of application determined does not include construction certificates, modifications and applications determined by private certifiers. Value of application determined does not include the value of work for s68 applications.

Section 149 Certificates/Sewerage Drainage Diagrams

Planning certificates	24
Sewerage drainage diagrams	12

Swimming Pool Inspection Program

Month	1 st Inspection	2 nd Inspection	3 rd Inspection
September	5	-	-

Ranger's Report – September 2020

Companion Animals

	Cats	Dogs	Other
Animals still impounded	1	1	
Animals seized/surrendered	1	15	
Animals released to owner	-	12	
Animals euthanised	-	3	
Animals rehomed	0	0	
Dogs declared dangerous / menacing	-	0	
Animals microchipped by Council	2	4	
Animals microchipped by Council (Desexing Program)	0	0	
Animals microchipped by Council (quarterly free chipping week)	-	-	
Animals registered	2	14	
Animal registration notices sent	0	0	
Animal fines	0	6	

Clean Up Notices	
Property clean up notices	6
Illegal dumping	0
Parking	
Parking fines	0
Parking patrols completed	8
Impoundment (Impounding Act 1993)	
Vehicles	0
Livestock	0
Euthanised Wildlife	1 sheep

Dog Attacks

Date	Details	Victims	Outcome
18.9.2020	Owners 2 dogs attacked each other.	1 dog	1 dog euthansied by local vet due to injuries sustained. Attacking dog was retained by owner.
18.9.2020	1 dog attacked 3 sheep	1 sheep	1 sheep was euthanized by ranger. Attacking dog was surrendered to Council and euthanized.
17.9.2020	Owners 2 dogs attacked each other.	2 dogs	1 dog required veterinary treatment and the other dog was surrendered to Council and euthanized.
27.9.2020	Person was walking their dog when another dog ran from its yard and attacked the dog.	1 dog	Attacked dog sustained no injury. Owner of attacking dog has been issued with a warning from Council. Owner is currently leaving town.

Dog Attacks 2019 and 2020

Month	No. of Incidents		No. of Attacking Dogs		No. of Victims	
	2019	2020	2019	2020	2019	2020
January	4	1	4	1	11	1
February	1	2	2	4	1	29
March	1	2	1	2	4	2
April	1	1	1	1	1	1
May	2	2	3	3	7	2
June	2	CAR website unavailable	2	CAR website unavailable	9	CAR website unavailable
July	4	1	6	1	4	1
August	0	1	0	1	0	3
September	2	4	4	6	6	5
October	3		3		4	
November	1		1		1	
December	0		0		0	
TOTAL	21	9	27	12	48	36

10.10 RIVERINA HIGHWAY RECONSTRUCTION PROJECT

Author: John McCartney, Project Manager

Authoriser: Oliver McNulty, Director Infrastructure

RECOMMENDATION

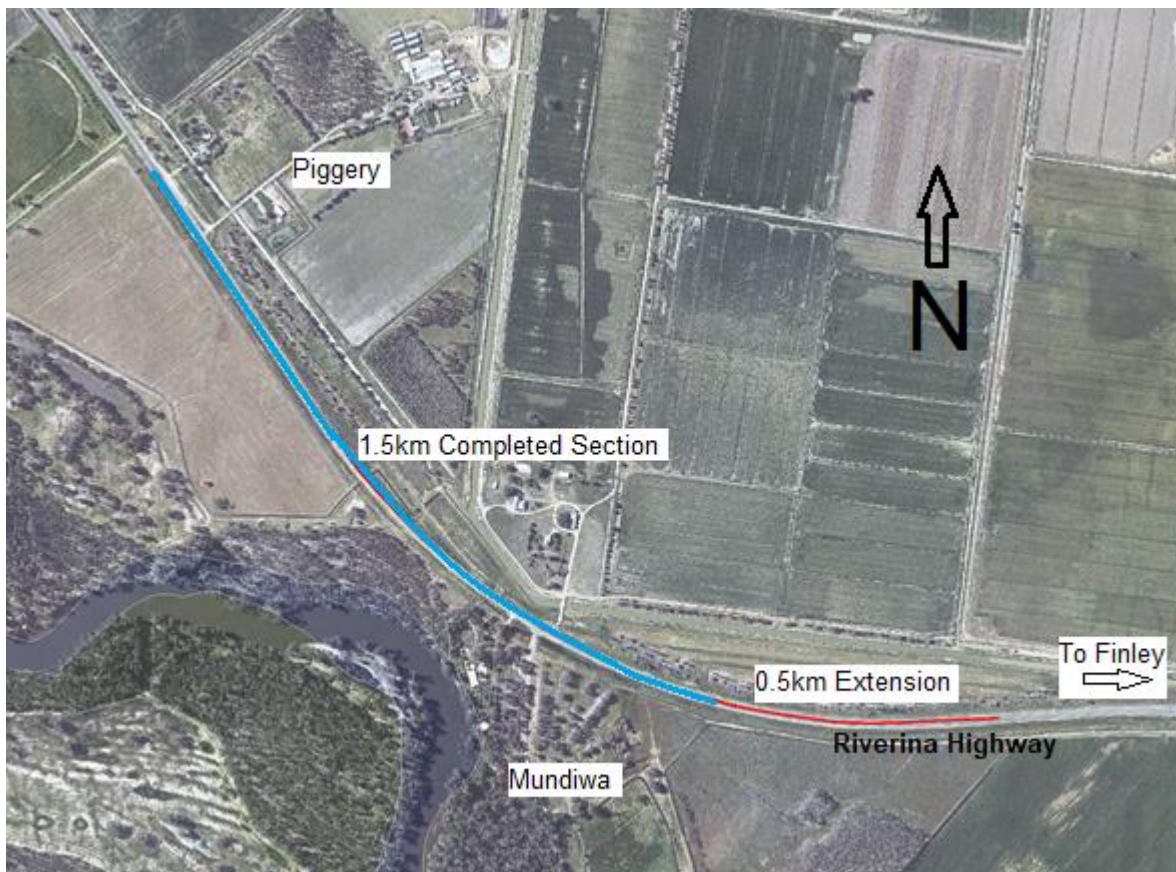
That Council;

1. Endorse the Pricing Request Sheet submitted to Transport for New South Wales for the reconstruction of 0.5 km of road along the Riverina Highway,
2. Council undertake this work on the state highway network as a contractor on behalf of TfNSW as part of the Road Maintenance Contract,
3. Note that Councils operations team will deliver this project from October 2020 through to February 2021,
4. Note that the finished surface will be reworked and resealed for section 1 (700m) that was completed in May 2020, at an estimated cost of \$100,000 to the project, funded through project contingency.

BACKGROUND

As part of the Road Maintenance Council Contract (RMCC) agreement with Transport for New South Wales (TfNSW) [formerly known as Roads and Maritime Services (RMS)], Council may undertake capital works on a contract basis. This work, known as Ordered Works, may include heavy patching, drainage upgrades, intersection upgrades and reconstruction of sections of the state highway network.

As part of its 2020/21 program, TfNSW proposes to reconstruct a further 0.5km of the Riverina Highway toward Finley from that recently completed by Council. This will complete the 2.0km section originally scheduled for last financial year. A sketch highlighting the extent of the works is shown below.



Location of Proposed Works along Riverina Highway

This 0.5km extension is the continuation of 1.5km of work that were completed in July 2020. The works completed are outlined in blue on the map above. The original 1.5km section was completed in two stages. Section 1 being 700m long and Section 2 being 800m long. There are some issues with the quality of the works completed on Section 1. These issues are discussed further in the report. It is noted that the entire project is approximately 4km long, with the remaining 2km to be done in future years.

ISSUE/DISCUSSION

Council staff, through discussion with TfNSW staff, have finalised the Pricing Request Sheet for this project. This Pricing Request Sheet is based on the scope of works and drawings provided by TfNSW and forms part of the contract submission to TfNSW in the same way that a tenderer provides a price schedule to Council for tenders that Council manage.

The total price for the project that Council staff have calculated is \$601,102 comprising the following elements:

DESCRIPTION	PRICE
Direct Costs	\$510,937
Indirect Costs	\$60,110
Mark-up	\$30,055
TOTAL	\$601,102

Based on the length of the project being 0.5km, this equates to a unit rate of approximately \$1,202,000 per kilometre. TfNSW officers have noted that this is above their benchmarking values for similar work due to the shorter length involved.

Direct Costs

As the name suggests, direct costs are those costs incurred in undertaking the works. This includes:

- Supply of materials;
- Sub-contractors directly employed in undertaking the works;
- Staff and labour costs; and
- Vehicle and plant costs.

These costs have been determined utilising Council's current rates as well as pricing from sub-contractors and suppliers. It is noted that in accordance with the requirements of the RMCC, Council cannot charge out labour and plant to a RMCC project at a higher cost than it uses for its own works.

Indirect Costs

Indirect costs are those costs Council incurs that do not directly relate to undertaking the work, including:

- Project preliminaries and quality documentation;
- Project supervision; and
- Overheads, such as support from other council departments and support for depots and other buildings.

A review of Council's current Operational Plan notes that revenue to departments such as Corporate Services, IT and Engineering is approximately 8% of the total budget. This support is in the form of administration tasks, IT services and general engineering advice. Based on this 8% figure, an allowance of \$40,875 has been made in the project costs for Council support.

An allowance of \$19,235 has also been made for project preliminaries and supervision. This equates to approximately 5% of the total cost, which is in-line with industry standards for a construction project with no design requirement from the contractor.

Mark-up

This is an allowance in the contract for project level risks, such as re-work and latent conditions, including wet weather. TfNSW has advised that the mark-up allowance for this project shall be \$30,055 (5% of Contract Value) and that, should this amount be exceeded due to matters outside Council's control, TfNSW shall allocate further funds towards the project. It is noted that the mark-up for the previous 1.5km stage has been allocated toward the required rework affecting portion of that work.

PROJECT RISK

As this project is a capital works project, rather than a maintenance project, the agreement between Council and TfNSW is a contractual agreement based on:

- Council's submission of the Pricing Request Sheet and Project Quality Plan as its offer for the project; and
- TfNSW issuing a Work Order for the project being TfNSW's acceptance of the offer.

All works under the agreement are required to be performed in accordance with TfNSW specifications and these requirements have been allowed for in the pricing of the project. TfNSW requires the works to be delivered in accordance with its Quality Management System in the same manner as the previous 1.5km section and the Deni Industrial Park intersection along the Cobb Highway near Napier Street. This project will further cement Council's operational staff's understanding of TfNSW's requirements relating to capital works with flow on benefits for Council's own works.

The Project Quality Plan is the overarching document for the management of the project and includes:

- Pricing as per the Pricing Request Sheet;
- Programming and timeframes for the work;
- Staff structure and responsibilities relating to the project;
- Work Health Safety considerations, including Safe Work Method Statements;
- Traffic management and traffic control;
- Environmental management requirements;
- Drawings;
- Specifications; and
- Quality and testing requirements, including procedures for non-conformance reporting.

This document is prepared by Council and reviewed and approved by TfNSW prior to the commencement of any work on the site. It is noted that TfNSW are also involved with the creation of the document and assist Council in ensuring that all quality and risk issues are fully addressed. This provides a rigorous framework for managing risk in the project.

Stage 1 – Remediation Work

In April 2020, Council's construction crew were completing the remediation of the first 700m section of Finley Road. Works had progressed well and TfNSW were satisfied with works to that date. Council experienced a wetter than average April and this led to some complications and difficulties in completing the work suitable for a sealed surface. There were discussions on site whether to proceed with the sealing of the surface acknowledging at the time that the conditions were not optimal, or to rework the road and wait until conditions improved. A decision was made to proceed with the work and to seal the section of road. This decision allowed for the finalisation of Section 1 and continuation into Section 2.

After this the finished road surface has been inspected and the surface did not meet the quality standard expected for a state road. Some options were considered in relation to completing additional work to improve the finished surface of this section. It has been determined that the only option that will definitely meet the quality requirements to improve this surface will be to rework and reseal this surface. This will cost approximately \$100,000. There is enough funding within the contingency of this project to cover these costs.

An investigation has been carried out to understand why this has happened and to improve project delivery processes to ensure that this does not happen in the future. The outcome from this investigation identified the following issues;

- This was the first time that a Council crew had worked for TfNSW on a state road large scale reconstruction project and were not experienced in the quality systems required,
- There was an allowance within the costs of the project for a senior staff member to be on site for 80% of their time, this did not happen,
- Covid-19 and controls relating to isolation and impacted the delivery of all projects,
- Additional support for the team leader on site throughout the project,
- Timing work that this critical work is completed at a more suitable time of year where possible.

It must be noted that TfNSW are happy with the overall work across the full 1.5km section and noted the marked improvement in the second stage. They have no concerns about Council proceeding with this next stage of work.

STRATEGIC IMPLICATIONS

It is important that Council continue to work strategically with RFNSW regarding the delivery of services relating to the state highway network for the benefit of the community.

COMMUNITY STRATEGIC PLAN

This project meets the objectives of *Outcome 4 – A region with quality and sustainable infrastructure* in the Community Strategic Plan, including:

- Target 4.1 – Our built environment is managed, maintained and improved.

FINANCIAL IMPLICATIONS

All works performed under the RMCC are funded by RFNSW, in accordance with the RMCC contract agreement.

There is sufficient contingency available within the budget for section 1 and section 2 of the original project to fund the remedial works required.

LEGISLATIVE IMPLICATIONS

RFNSW is the road authority for the state highway network in accordance with the *Road Act 1993*. Council undertake work on the state highway network on behalf of RFNSW.

ATTACHMENTS

Nil

10.11 DENILIQUN SWIM CENTRE - FEES AND CHARGES FOR 2020-21 SEASON

Author: Mark Dalzell, Manager Engineering Assets

Authoriser: Oliver McNulty, Director Infrastructure

RECOMMENDATION

That Council endorses the proposed entrance fees to the Deniliquin Swim Centre for the 2020-21 season.

BACKGROUND

2. Council has entered into a contract with Deniliquin Outdoor Pools Incorporated and Deniliquin Heated Pools Incorporated (DOPI/DHPI) for the management and operation of the Deniliquin Swim Centre for a three-year period. The contract commenced at the start of the 2019-20 season and includes this season, being the 2020-21 season, and the 2021-22 season.

ISSUE/DISCUSSION

3. As part of the contract for the management and operation of the Deniliquin Swim Centre, DOPI/DHPI are required to submit to Council the proposed fee structure for pool admission for the upcoming season. This ensures that the costs to the community for the usage of the pool increase in line with the contractual arrangement for the operation of the Swim Centre.

4. DOPI/DHPI have advised that, due to the current situation regarding COVID-19 and its impact on the community, the entrance fees for the 2020-21 season will be the same as for the 2020-21. Under the terms of the contract, DOPI/DHPI keep all income from the entrance fees and therefore this shall reduce their income over the season.

DOPI/DHPI are developing a COVID-19 Safety Plan in line with requirements of the NSW Government's Public Health Order for the operations and management of the swimming complex. This safety plan will be provided to Council for its information.

The proposed entrance fee structure for 2020-2021 is shown below:

Comparison of Fees for Entry into Outdoor Pool Complex (Summer)

DESCRIPTION	2019-2020 FEES	2020-2021 FEES	INCREASE
5. Casual Swimmer - Adult	6. \$3.80	7. \$3.80	8. Nil
9. Casual Swimmer – Child	10. \$2.80	11. \$2.80	12. Nil
13. Spectator	14. Free	15. Free	16. -
17. Season Ticket – Family	18. \$185	19. \$185	20. Nil
21. Season Ticket – Adult	22. \$110	23. \$110	24. Nil
25. Season Ticket – Child	26. \$75	27. \$75	28. Nil
29. Schools – Student	30. \$2.80	31. \$2.80	32. Nil
33. Schools – Carnival Admission	34. \$2.80	35. \$2.80	36. Nil
37. Lane Hire – During Opening Hours	38. \$35 per hour	39. \$35 per hour	40. Nil

DESCRIPTION	2019-2020 FEE	2020-2021 FEE	INCREASE
41. Centre Hire – During opening hours	\$100 per hour	\$100 per hour	Nil
Centre Hire – Outside opening hours	\$100 per hour	\$100 per hour	Nil
Swimming Club – Outside Opening Hours	\$80 per hour	\$80 per hour	Nil

Comparison of Fees for Entry into Hydrotherapy Pool Complex (All year)

DESCRIPTION	2019-2020 FEE	2020-2021 FEE	INCREASE
Casual Swimmer – Adult	\$7.40	\$7.40	Nil
Casual Swimmer – Child	\$4.60	\$4.60	Nil
Spectator	Free	Free	-
Season Ticket – Family	N/A	N/A	-
Season Ticket – Adult	\$127	\$127	Nil
Season Ticket – Child	\$81	\$81	Nil
Schools - Student	\$4.60	\$4.60	Nil

42. It is noted that there are no proposed changes to the opening hours of the Swim Centre for the 2020-21 season. A copy of the opening hours is attached to this report.

STRATEGIC IMPLICATIONS

There are no strategic implications regarding this matter.

COMMUNITY STRATEGIC PLAN

This project meets the objectives of *Outcome 4 – A region with quality and sustainable infrastructure* in the Community Strategic Plan, including:

- Target 4.1 – Our built environment is managed, maintained and improved.

FINANCIAL IMPLICATIONS

All revenue generated from the Swim Centre is retained by DOPI/DHPI as part of the contractual agreement between the two parties. Therefore, there is no financial impact on Council regarding this report.

LEGISLATIVE IMPLICATIONS

Council must ensure that the Swim Centre is operated and managed in accordance with the relevant regulations including the Public Health Act and the requirements of the Royal Life Saving Society of Australia. These requirements are included in the contract documents.

ATTACHMENTS

1. Deniliquin Swim Centre Opening Hours for 2020-21 Season

DENILQUIN SWIM CENTRE

PROPOSED OPENING HOURS FOR THE 2020-21 SEASON

To commence at 1 November 2020

Warm Water Therapy Pool

November & March

Monday & Wednesday: 7am to 9am
6.30pm to 7.30pm

Tuesday, Thursday & Friday: 7am to 9am
1pm to 3pm

Saturday & Sunday: 1pm to 4pm

December to February

Monday & Wednesday: 7am to 9am
7pm to 8pm

Tuesday, Thursday & Friday: 7am to 9am
1pm to 3pm

Saturday & Sunday: 1pm to 4pm

April to October

Monday & Wednesday: 7am to 9am
6pm to 7pm

Tuesday & Thursday: 7am to 9am
1pm to 3pm

Friday: 7am to 9am
3pm to 5pm

Saturday & Sunday: 1pm to 4pm

DENILQUIN SWIM CENTRE

PROPOSED OPENING HOURS FOR THE 2020-21 SEASON

To commence at 1 November 2020

Outdoor Pools

November & March

Mon to Friday: 6am to 8.30am
3pm to 6.30pm

(Note: Main pool closes at 6pm on Tuesday Night)

Saturday & Sunday: 1pm to 6.30pm

December to February – Outside of School Holidays

Mon to Friday: 6am to 8.30am
1pm to 7pm

(Note: Main pool closes at 6pm on Tuesday Night)

Saturday & Sunday: 10.30am to 7pm

December to February – During School Holidays

Mon to Friday: 6am to 8.30am
10.30am to 7pm

(Note: Main pool closes at 6pm on Tuesday Night)

Saturday & Sunday: 10.30am to 7pm

April to October

Closed

10.12 PLAN OF MANAGEMENT FOR MULTIPLE RESERVES

Author: Mark Dalzell, Manager Engineering Assets

Authoriser: Oliver McNulty, Director Infrastructure

RECOMMENDATION

That Council adopts the Plan of Management, contained in Attachment 1 to this report, for the following Crown Land reserves:

- (i) Cobb Highway Sandpit reserve.
- (ii) Booroorban Sports Ground reserve.
- (iii) North Conargo reserve.
- (iv) Conargo Hall reserve.
- (v) Pretty Pine Sportsground reserve.
- (vi) Booroorban Cemetery reserve,
- (vii) Blighty Hall and Football Ground Cemetery,
- (viii) Edward River reserve,
- (ix) Pretty Pine Waste Depot reserve,
- (x) Booroorban Hall reserve, and
- (xi) Woodbury Woodlot reserve.

BACKGROUND

Council is currently undertaking a project to adopt Plans of Management for all the Crown Land reserves that it manages in accordance with the Crown Lands Management Act.

ISSUE/DISCUSSION

The Plan of Management attached to this report includes 11 separate reserves. These have been included in the one document as many parts of the document are standard across all Plans of Management for Council with the specific information for each reserve included in the relevant appendix. Specific Plans of Management for each reserve can then be created through inserting the specific information for the relevant reserve back into the main document.

COBB HIGHWAY SANDPIT RESERVE

Information regarding the Cobb Highway Sandpit reserve is included in Appendix A of the attached Plan of Management. This is an area along the Cobb Highway, near Pretty Pine, that has been identified for use as a sand and natural gravel pit. Material from this pit is used for road maintenance and construction purposes.

BOOROORBAN SPORTS GROUND RESERVE

Information regarding the Booroorban Sports Ground reserve is included in Appendix B of the attached Plan of Management. This is located on the western side of Booroorban and is used by the community for sporting and social activities.

The Plan of Management references the volunteer community that currently manage the reserve on a day to day basis so this can continue. The Plan also allows for licences, leases and use of the reserve, thus allowing the hall and reserve to be hired out to groups on a commercial basis.

NORTH CONARGO RESERVE

Information regarding the Woodbury Woodlot reserve is included in Appendix C of the attached Plan of Management. This area is located along Billabong Creek and is accessed off Carrathool Road. The reserve provides access to Billabong Creek for visitors and the community.

CONARGO HALL RESERVE

Information regarding the Conargo Hall reserve is included in Appendix D of the attached Plan of Management. This includes the hall, sporting grounds and associated buildings and land within the reserve area. The Hall is an important asset for the Conargo community, providing facilities for community groups and other organisations.

The Plan of Management references the volunteer community that currently manage the reserve on a day to day basis so this can continue. The Plan also allows for licences, leases and use of the reserve, thus allowing the hall and reserve to be hired out to groups on a commercial basis.

PRETTY PINE SPORTSGROUND RESERVE

Information regarding the Pretty Pine Sportsground reserve is included in Appendix E of the attached Plan of Management. This includes the hall, sporting grounds and associated buildings and land within the reserve area. The Hall is an important asset for the Pretty Pine community, providing facilities for community groups and other organisations.

The Plan of Management references the volunteer community that currently manage the reserve on a day to day basis so this can continue. The Plan also allows for licences, leases and use of the reserve, thus allowing the hall and reserve to be hired out to groups on a commercial basis.

BOOROORBAN CEMETERY RESERVE

Information regarding the Booroorban Cemetery reserve is included in Appendix F of the attached Plan of Management.

BLIGHTY HALL AND FOOTBALL GROUND RESERVE

Information regarding the Blighty Hall and Football Ground reserve is included in Appendix G of the attached Plan of Management. This includes the hall, sporting grounds and associated buildings and land within the reserve area. The Hall is an important asset for the Blighty community, providing facilities for community groups and other organisations as well as being the home ground for the Blighty Football and Netball Club.

The Plan of Management references the volunteer community that currently manage the reserve on a day to day basis so this can continue. The Plan also allows for licences, leases and use of the reserve, thus allowing the hall and reserve to be hired out to groups on a commercial basis.

EDWARD RIVER RESERVE

Information regarding the Booroorban Cemetery reserve is included in Appendix H of the attached Plan of Management. This area is located along the Edward River, near the intersection of Pretty Pine road and Murgha-Windouran Road. It provides public access to the Edward River as well as a day and camping reserve.

PRETTY PINE WASTE DEPOT RESERVE

Information regarding the Pretty Pine Waste Depot reserve is included in Appendix I of the attached Plan of Management. This area is located south of Pretty Pine and provides waste disposal services for Pretty Pine and the surrounding area. The Waste Depot is not licenced with the EPA due to its small size.

BOOROORBAN HALL RESERVE

Information regarding the Booroorban Hall reserve is included in Appendix J of the attached Plan of Management. This includes the hall and associated buildings and land within the reserve area. The Hall is an important asset for the Booroorban community, providing facilities for community groups and other organisations.

The Plan allows for licences, leases and use of the reserve, thus allowing the hall and reserve to be hired out to groups on a commercial basis.

WOODBURY WOODLOT RESERVE

Information regarding the Woodbury Woodlot reserve is included in Appendix K of the attached Plan of Management. This area is located along Campbell's Road, near the intersection of Moonee Swamp road, and provides a conservation area for native vegetation from the area.

STATUS OF PLANS OF MANAGEMENT PROJECT

Council has adopted and submitted to Crown Lands Plans of Management for 25 of the 56 reserves that it manages. Of the 31 remaining plans for be adopted by Council:

- 11 are included in this report,
- The Plan of Management for the Murray Valley Industry Park shall be reported to Council separately,
- Memorial Park and Island Sanctuary reserve has an existing Plan of Management, and;
- 19 shall be incorporated into the Generic Plan of Management.

It is anticipated that the remaining Plans of Management for all reserves shall be reported to Council for adoption at its November 2020 meeting.

STRATEGIC IMPLICATIONS

It is important that Council strategically manages the crown land, for which it is trustee, for the betterment of the community. This includes providing access to the crown land area and supporting responsible development of these areas where required.

COMMUNITY STRATEGIC PLAN

This project meets the objectives of *Outcome 1 – A great place to live* in the Community Strategic Plan, including:

- Target 1.3 – Our community and public spaces are accessible and inclusive and reflect our history, heritage and culture.

FINANCIAL IMPLICATIONS

Council has received funding from Crown Lands to assist with the preparation of the Plans of Management.

LEGISLATIVE IMPLICATIONS

In accordance with requirements of the Crown Lands Management Act, all Plans of Management need to be adopted by 31 June 2021.

ATTACHMENTS

1. Plan of Management - October 2020

PLAN OF MANAGEMENT

COBB HIGHWAY SANDPIT RESERVE - No. 44928

BOOROORBAN SPORTS GROUND RESERVE - No. 57705

NORTH CONARGO RESERVE - No. 65114

CONARGO HALL RESERVE- No. 65943

PRETTY PINE SPORTS GROUND RESERVE - No. 85270

BOOROORBAN CEMETERY RESERVE - No. 86089

BLIGHTY HALL & FOOTBALL GROUND RESERVE - No. 88854

EDWARD RIVER RESERVE - No. 90112

PRETTY PINE WASTE DEPOT RESERVE - No. 91668

BOOROORBAN HALL RESERVE - No. 97439

WOODBURY WOODLOT RESERVE - No. 150050



PLAN OF MANAGEMENT DOCUMENT CONTROL

Responsible Officer

Reviewed By

Date Adopted

Council Resolution

Review Due Date

Current Version

Version	Description of Amendments	Author	Review	Council Minute No. (If Relevant)
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Appendices

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Appendix B	Booororban Sports Ground
Appendix C	North Conargo Reserve
Appendix D	Conargo Hall
Appendix E	Pretty Pine Sports Ground
Appendix F	Booororban Cemetery
Appendix G	Blighty Recreational Reserve
Appendix H	Edward River Reserve
Appendix I	Pretty Pine Waste Depot
Appendix J	Woodbury Woodlot
Appendix K	Booororban Hall
Appendix L	Native Title Assessment



1 KEY INFORMATION

This Plan of Management has been prepared by Edward River Council (Council) to provide direction regarding the use and management of the following reserves:

- Cobb Highway Sandpit - Reserve no. 44928
- Booroorban Sports Ground - Reserve no. 57705
- North Conargo Reserve - Reserve no. 65114
- Conargo Hall - Reserve no. 65943
- Pretty Pine Sports Ground - Reserve no. 85270
- Booroorban Cemetery - Reserve no. 86089
- Blighty Recreational Reserve - Reserve no. 88854
- Edward River Reserve - Reserve no. 90112
- Pretty Pine Waste Depot - Reserve no. 91668
- Booroorban Hall - Reserve no. 97439
- Woodbury Woodlot - Reserve no. 150050

This Plan of Management is required in accordance with Section 3.23 of the *Crown Land Management Act 2016* and Section 36 of the *Local Government Act 1993* and outlines the way the reserve will be used and provides the framework for Council to follow in relation to the Leasing, Licensing and Permit processes for the land. The plan may be used to determine the allocation of resources and funds.



2 INTRODUCTION

2.1 Background

Edward River Council was proclaimed on 12 May 2016, following the amalgamation of the former Conargo Shire Council and Deniliquin Council into one strong, cohesive and dynamic organisation. Deniliquin is located approximately 725km south west of Sydney and 285km north east of Melbourne. The Council is situated within the Murray region of New South Wales and close to the Victorian border. It shares borders with Hay Shire to the north, Murrumbidgee Council to the east, Murray River Council to the south-west and Berrigan Council to south-east.

The Council provides services and support to a community of approximately 9,000 permanent residents across a region covering 8,881 square kilometres, including the town of Deniliquin and the six rural villages of Blighty, Booroorban, Conargo, Conargo, Pretty Pine and Wanganella. A map of the local government area is shown below in **Figure 1**.



Figure 1 - Edward River Council Local Government Area

Edward River Council is responsible for care and control of many community land parcels. With the introduction of the Crown Land Management Act 2016, Council has been appointed the Crown Land Manager for all Crown reserves within its jurisdiction under the provisions of the *Local Government Act 1993*.



2.2 Strategic and Corporate Objectives

Edward River Council has set out several strategic objectives in the Community Strategic Plan, as shown below in **Figure 2**:

1 A great place to live	1.1 Our community has access to essential services 1.2 Our community is safe, happy and healthy, both physically and mentally 1.3 Our community and public spaces are accessible and inclusive and reflect our history, heritage and culture
2 A prosperous and vibrant economy	2.1 Our economy is strong and diverse 2.2 We develop our key assets to enhance agriculture, boost tourism and support existing business 2.3 Our region provides strong education, employment and training opportunities
3 A valued and enhanced natural environment	3.1 We are committed to resource recovery and waste management 3.2 Our natural environment is protected and enhanced 3.3 We plan for the future to accommodate and facilitate sustainable growth and development
4 A region with quality and sustainable infrastructure	4.1 Our built environment is managed, maintained and improved 4.2 Our road network is a source of pride 4.3 Our water and sewer infrastructure is efficient and fit for purpose
5 A community working together to achieve its potential	5.1 Our community is informed and engaged 5.2 We collaborate and pursue partnerships that achieve great outcomes for our community 5.3 Our local government is efficient, innovative and financially sustainable

Figure 2 – Edward River Council's Strategic Objectives from the Community Strategic Plan

2.3 Land to Which this Plan Applies

The land details for each reserve to which this plan applies are shown in the relevant sections of **Appendices A to K**.

2.4 Land Ownership

The land ownership details for each reserve to which this plan applies are shown in the relevant sections of **Appendices A to K**.



2.5 Categorisation of the Reserve

Under Section 3.23(2) of the Crown Land management Act 2016, Council Crown Land managers must assign to all Crown Land under their management one or more initial categories of community land referred to in section 36 of the Local Government Act 1993.

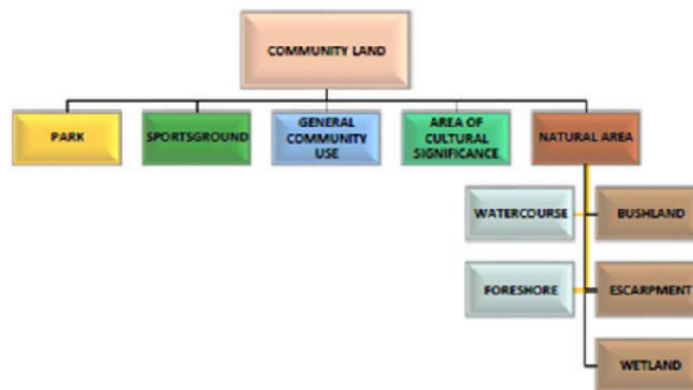


Figure 3 – Categories of Community Land referred to in Section 36 of the *Local Government Act 1993*

Council must assign a category that they consider to be most closely related to the purpose(s) that the land is dedicated or reserved. Multiple categories are assigned to Crown land where the Crown land is subject to multiple reservations and/or dedications.

The degree to which the reserve purpose relates to the assigned category of the land is important for ongoing management of the land. This is because Council must obtain Native Title Manager advice as to the validity of the activities that they wish to undertake on the land prior to dealing with it.

Both the Aboriginal Land Rights Act and the Native Title Act recognise the intent of the original reserve purpose of the land so that complying activities can be considered lawful or validated, particularly under Section J of the *Native Title Act 1993*.

The specific land categories for each reserve to which this plan applies are shown in the relevant sections of **Appendices A to K**.

Activities of the land will reflect the intent of the public purpose and will be assessed for compliance with relevant Local Government and Crown Lands legislation. This includes assessment of that activity under the *Native Title Act 1993* and registered claims under the *Aboriginal Land Rights Act 1983*.



Use of the land for any activity is subject to the application and approval. Assessment will consider compliance with the objectives and relationship to that impact on the public purpose for the which the land was set aside. Other uses that do not comply with this Plan of Management or zoning of the land under Council's Local Environmental Plan will not be considered.



3 RELEVANT LEGISLATION, POLICIES AND PROCEDURES

3.1 Local Government Act 1993 and Local Government (General) Regulations 2005

Under section 36(1) of the *Local Government Act 1993*, Plans of Management must be prepared for all community land. Community land is land which is kept for use of the general public. Clause 101(2) of the *Local Government General Regulation 2005* requires Council to have regard to the guidelines for categorisation of community land set out in Clauses 102 to 111 of that regulation.

This Plan of Management has been prepared in accordance with the *Local Government Act 1993* using the land categories approved by the Minister administering the *Crown Land Management Act 2016*. The minimum requirements for a Plan of Management are set out under section 36(3) of the *Local Government Act 1993*.

A Plan of Management must identify

- the category of the land
- the objective and performance targets of the plan with respect to the land
- the means by which Council proposes to assess its performance with respect to the plan's objectives and performance targets

These conditions may require the approval of Council for the carrying out of any specified activity on the land.

Section 36 (3A) specifies that for Plans of Management that are specific to one area of land, must also describe

- the condition of the land as at the adoption of the plan
 - the buildings on the land as at adoption, and
 - the use of the buildings and the land as at adoption
- Additionally, the Plan must also state the purposes for which the land will be allowed to be used and the scale and intensity of that use.

Sections 36E – 36N of the *Local Government Act 1993* specifies the core objectives for the management of each category of community land.

3.2 Crown Land Management Act 2016

Division 3.6 of the *Crown Lands Management Act 2016* deals with the requirements that Council must meet in relation to Plans of Management and other Plans.

Section 3.23(6) of the *Crown Land Management Act 2016* requires Council to adopt a Plan of Management for any Crown reserve for which it is appointed Crown Land Manager, and that is classified as community land under the *Local Government Act 1993*.

3.3 Native Title Act 1993 (Federal)

All activities on the land must address the issue of native title. Whilst a successful claim for native title will lead to official recognition of native title rights, native title rights are considered to pre-date such recognition. Native title can therefore be relevant to activities carried out on the land even if no native title claim has been made or registered.



3.4 *Aboriginal Land Rights Act 1983*

The native title process must be considered for each activity on the land and a native title assessment must be undertaken. Almost all activities and public works carried out on the land will affect native title and require validation of the future act procedures in Division 3 of the *Native Title Act* by Council's Native Title Manager.

In New South Wales, Aboriginal Land Rights sits alongside native title and allows Aboriginal Land Council's to claim 'claimable' Crown land.

Generally, the *Aboriginal Land Rights Act* is directed at allowing Council's to claim Crown land that is unlawfully used or occupied. If a claim is successful, the freehold estate of the land is transferred to the Land Council.

Council is mindful that any activity on Crown land is lawful in relation to the reserve purpose of the land and that it ensures that Crown land under its control is always lawfully used and occupied.

When planning an activity of the land such as the issue of a lease or licence or any public works, Council is expected to search to determine whether an Aboriginal Land Rights claim has been made in relation to the land. If a claim is registered, the activity must be postponed until the claim is resolved.

Strategies which allow Council to validly carry out a project or activity under the *Native Title Act* may not deal with project risks arising in relation to the *Aboriginal Land Rights Act*.

3.5 *Biodiversity Conservation Act 2016*

Council has legislative responsibility under this Act to appropriately manage Threatened Species Populations and Vulnerable or Endangered Ecological Communities and their habitats wherever they occur despite the categorisation of the land.

Where identified Council is bound by the Act to take any appropriate action necessary to implement measures and must not make decisions that are inconsistent with the provisions of any Threat Abatement or Recovery Plan.

3.6 *Environmental Planning and Assessment Act 1979*

The specific land use zoning for each reserve to which this plan applies are shown in the relevant sections of **Appendices A to K**.

3.7 *Council Plans, Strategies, Policies and Procedures*

This Plan of Management is to be used in conjunction with the appropriate Council plans, policies and procedures that govern the use and management of community land and any facilities located on the land.

Additional Council policies, plans and strategies adopted after the date of this plan that have relevance to the planning, use and management of community land will apply as though they were in force at the date of adoption of the Plan of Management.



3.8 Legislation and Statutory Control

This Plan of Management does not overrule existing legislation that also applies to the management of community land.

Other legislation and policies to be considered in the management process include, but are not limited to:

- *Public Works Act 1912* (as amended);
- *Local Land Services Act 2013*;
- *Biodiversity Conservation Act 2016*;
- *Water Management Act 2000*;
- *Clean Waters Act 1970*;
- *Companion Animals Act 1998*;
- *Rural Fires Act 1997*;
- *Rural Fires and Environmental Assessment Legislation Amendment Act 2002*;
- *Noxious Weeds Act 1993*;
- *Pesticides Act 1999*;
- *State Environmental Planning Policies*;
- *Deniliquin Local Environmental Plan 2013*;
- *Conargo Local Environmental Plan 2013*;
- *Deniliquin Development Control Plans 2016*;
- *Guidelines supporting development control plans*; and
- *Council plans, strategies, policies, procedures and guidelines, generally, as amended.*

3.9 Reclassification of Reserves

From time to time certain parcels of Community land may be identified as surplus to the existing and future needs of the community. Section 3.21 of the *Crown Land Management Act 2016* outlines provisions of Management of dedicated or reserved Crown land within meaning of the *Local Government Act 1993*. Section 3.21 (2) advises that a Council manager is authorised to manage its dedicated or reserved Crown land as if it were community land or operational land but only as permitted or required by Division 3.4 of the *Crown Land Management Act 2016*.

3.10 Review of this Plan

The use and management of the listed reserves is regulated by this Plan of Management. Whilst the guidelines and principles outlined in the Plan may be suitable at present, the Plan should be reviewed from time to time, to confirm its relevance.

The review of this Plan of Management will take place within five (5) years of adoption of this plan.

3.11 Community Consultation

Consultation with the community is an important part of the preparation of this Plan of Management. Consultation gives Council a better understanding of the range of local issues affecting the use and enjoyment of the land to which this Plan of Management applies and gives all sectors of the community the chance to have an input into the direction of policy development being undertaken by Council.



All stakeholders are given the opportunity to express their opinions and provide relevant information in relation to the planned management of the land, however, as the land is Crown land final approval for the Plan of Management rests with the Minister administering the *Crown Lands Act 2016* as owner of the land.

Council is required to submit the draft Plan of Management to NSW Department of Industry, as representative of the owner of the land under section 39 of the *Local Government Act*. As shown below in **Figure 4 - Flowchart for Consultation and Approval of an Initial Plan of Management**, this process occurs prior to public exhibition and community consultation of the Plan of Management. Section 3.23(7)(d) of the CLM Act states that, if the draft first Plan of Management alters the initial categories assigned, the council must obtain the Minister's consent if the re- categorisation would require an addition to the purposes for which the land is dedicated or reserved. The Minister cannot give consent under section 3.23(7)(d) if it is considered that the alteration is likely to materially harm the use of the land for its reserve purpose.

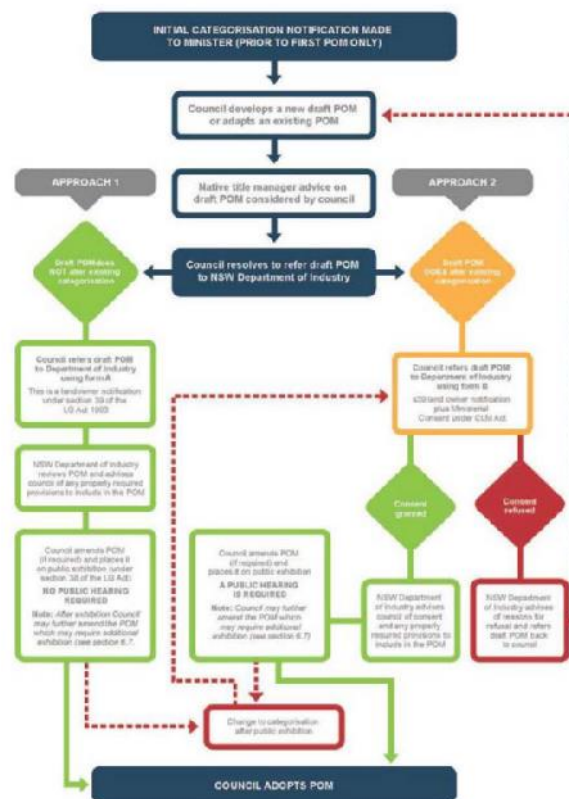


Figure 4 – Flowchart for Consultation and Approval of an Initial Plan of Management

If after public consultation there is no change to categorisation and no additional purpose needs to be added to the reserve, no additional ministerial consent is required, and Council can proceed to adopt the Plan of Management as per the process outlined under Approach 1 of the Flowchart for Consultation and Approval of an Initial Plan of Management.



If there is a proposed change to the categorisation of the land following public consultation the Plan of Management must again be referred to the Minister Administering the Crown Lands Act 2016 and the process outlined in Approach 2 of the Flowchart for Consultation and Approval of an Initial Plan of Management is followed. A change of Categorisation will require a public hearing under Section 40A of the *Local Government Act 1993*.



4 CULTURALLY SIGNIFICANT LAND

4.1 *Aboriginal Significance*

Deniliquin is in the country of the Wamba Wamba Perrepa Perrepa nation and members of the community are closely connected to the town and surrounding lands. The Wamba Wamba and Perrepa Perrepa people of this region developed a way of life over many generations which was in harmony with the land and its natural rhythms. They developed a sophisticated farming system based on the indigenous vegetation communities which supported large family groups. In Deniliquin a comparatively high number of people identified themselves as Aboriginal and / or Torres Strait Islanders (4.6%) compared to the average for NSW (2.9%).

Both the Deniliquin Local Environmental Plan 2013 and Conargo Local Environmental Plan 2013 describes places of Aboriginal Heritage significance as an area of land, the general location of which is identified in an Aboriginal heritage study adopted by the Council after public exhibition and that may be shown on the Heritage Map, that is:

- the site of one or more Aboriginal objects or a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It may (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or
- a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

In addition, an Aboriginal object means any deposit, object or other material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of an area of 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.

Information regarding the aboriginal significance of each reserve to which this plan applies are shown in the relevant sections of **Appendices A to K**.

4.2 *Non-indigenous Significance*

Information regarding the non-aboriginal significance of each reserve to which this plan applies are shown in the relevant sections of **Appendices A to K**.



5 DEVELOPMENT AND USE

5.1 Overview

One of the primary responsibilities of Local Government is to provide an acceptable level of service for public assets to its community within budgetary constraints. Council's ongoing commitment to the development and maintenance of these areas depend on financial resources and forward planning. The implementation of actions identified in this Plan of Management are consistent with Edward River Council's corporate objectives as detailed in the following strategic documents:

- Edward River Council 2030 Community Strategic Plan - <https://www.edwardriver.nsw.gov.au/Council/Integrated-Planning-and-Reporting/Community-Strategic-Plan>
- Edward River Council Combined Delivery Program 2018-21 and Operational Plan 2019-20 - <https://www.edwardriver.nsw.gov.au/Council/Integrated-Planning-and-Reporting/Delivery-Program-and-Operational-Plan>
- Edward River Council Resource Strategy - <https://www.edwardriver.nsw.gov.au/Council/Integrated-Planning-and-Reporting/Resourcing-Strategy>
- Edward River Open Space Strategy - <https://www.edwardriver.nsw.gov.au/Council/Council-Information/Corporate-Plans-and-Strategies>
- Deniliquin Public Space Strategy – <https://www.edwardriver.nsw.gov.au/Council/Council-Information/Corporate-Plans-and-Strategies>
- Deniliquin Masterplan - <https://www.edwardriver.nsw.gov.au/Council/Council-Information/Corporate-Plans-and-Strategies>

5.2 Community Strategic Plan

The Edward River 2030 Community Strategic Plan is the highest-level plan that Council prepares in accordance with the Integrated Planning and Reporting Framework. The purpose of the Community Strategic Plan is to identify the community's main priorities and aspirations for the future and to plan strategies for achieving these goals. In doing this, the planning process considers the issues and pressures that may impact the community and the level of resources that will realistically be available to achieve its aspirations. At an operational level, the Community Strategic Plan is implemented through Council's Four Yearly Delivery Program and annual Operational Plans, which outline the activities and actions that are the responsibility of Council in achieving our shared vision. The relationship between these planning documents is shown below in **Figure 5**.



Figure 5 – Integrated Planning and Reporting Framework

In 2030, our community wants the Edward River region wants to achieve several strategic objectives which each council managed crown reserves will fit within:

1. A great place to live
2. A prosperous and vibrant economy
3. A valued and enhanced natural environment
4. A region with quality and sustainable infrastructure
5. A community working together to achieve its potential

The relevant outcomes from the Community Strategic Plan for the reserves to which this plan applies are shown in the relevant sections of **Appendices A to K**.

5.3 Open Space and Public Space Strategies

In addition to the Community Strategic Plan, the Edward River Open Space Strategy was developed as a forward-looking plan that provides direction to the provision and management of open space across the local government area. Open space, for the purposes of the Edward River Open Space Strategy, is defined as the range of public and private spaces that provide landscape and/or urban design features and are generally for rest, relaxation, recreation and sport activity, and for the preservation of the environment.



For the Edward River Open Space Strategy, areas such as recreation and formal parkland, conservation reserves, linkages, sporting reserves (public and private), public land set aside for specific recreation or sport purposes of a specialised nature and amenity parklands are relevant. This Strategy examines Edward River councils current and future demand for open space areas; improvements to existing parks and walkways, while being cognisant of Council's vision to have a high-quality open space system.

The Deniliquin Public Space Strategy focusses specifically on open and public spaces in Deniliquin and was developed in response to community requests to improve the appearance of the town, particularly the main Central Business District (CBD) streets, the town entries and the riverfront. The Deniliquin Masterplan was developed in response to the Deniliquin Public Space Strategy and provide an integrated masterplan, through a series of detailed landscape plans to allow project implementation and construction ready documentation for high priority elements.

Several objectives have been identified for the project including:

- Provide a structural change to the physical appearance of Deniliquin with a focus on the CBD, Riverfront, Lagoon networks and town entrances
- Improve the liveability, functionality and access to the CBD, Riverfront and Lagoon networks
- Consider both short term and long-term actions, along with ongoing Council asset management and servicing requirements – Consider ongoing ability to fund and implement works
- Consider the impacts of planning issues
- Maximise the Riverfront and its proximity, accessibility and links with the CBD
- Consider the needs of all stakeholders with focus on creating new private sector development opportunities where appropriate and supporting existing business

5.4 Condition of the Land and Structures on Adoption of the Plan of Management

Section 36(3A)(a) of the *Local Government Act* requires the plan to include a description of the condition of the land and structures on adoption of the plan.

Information regarding the structures located at each of the reserves to which this plan applies are shown in the relevant sections of **Appendices A to K**.

5.5 Use of the Land and Structures at the Date of Adoption of the Plan of Management

Information regarding the use of the land for each of the reserves to which this plan applies are shown in the relevant sections of **Appendices A to K**.

5.6 Permitted Use Strategic Objectives

Information regarding the permitted use strategy objectives for each reserve to which this plan applies are shown in the relevant sections of **Appendices A to K**.



Projects proposed by community groups and other users of the reserve must be in line with Council strategic plans and must align with the reserve purpose and core objectives for the Reserve.

Depending on the scope of the project Council may request a written proposal outlining the project and proposed location, estimated costs, scaled plans, justification for proposed works and future maintenance requirements.

5.7 Further Development

The priority for the reserve at present is to scope out ways to improve the reserve in line with the purposes for the reserve and relevant legislation such as the *Local Government Act 1993*, *Crown Land Management Act 2016*, *Aboriginal Land Rights Act 1983* and the *Native Title Act 1993*.

A comprehensive site development plan and a landscape management plan is recommended for larger projects to ensure a strategic approach to development.

5.8 Leases, Licences and other Estates

Leases, licences and other estates formalise the use of community land by groups such as sporting clubs and non-profit organisations, or by commercial organisations and individuals providing facilities and services for public use. Activities should be compatible with the zoning and reservation purpose of the land and provide benefits and services for facilities to the users of the land.

Occupation of the land other than by lease or licence or other estate or for a permitted purpose listed in the *Local Government Regulations 2005* is prohibited.

The terms of the authorisation for a lease licence or other estate should include Native Title assessment and validation under the Native Title Act 1993 and should include advice that the land is not subject to a claim under the Aboriginal Land Rights Act 1983. The authorisation should ensure the proper management and maintenance of the land and the interests of Council and the public are protected. A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In all other instances a licence or short term licence or hire agreement will be issued.

Areas held under lease, licence or regular occupancy shall be maintained by the user. The user will be responsible for maintenance and outgoings as defined in the lease or licence or agreement for use.

5.9 Native Title Assessment

The *Crown Land Management Act 2016* – Section 8.7 (1) (d) requires that Council, as Crown Land Manager, obtains the written advice of its Native Title Manager prior to its approval or submission for approval of a plan of management for the land that authorises or permits any kinds of dealings referred to in **Section 5.8**.

A copy of the Native Title Assessment for this reserve is included in **Appendix L**.



6 PLAN OF MANAGEMENT - OBJECTIVES AND ACTIONS

6.1 Plan of Management Objectives

The general objectives of this Plan of Management are shown below in **Table 1**.

Table 1 – Plan of Management Objectives

	Plan of Management Objectives
1.	To ensure that relevant legislation is complied with in relation to the land.
2.	To inform Council staff and the community of the way the land will be managed.
3.	To implement specific policies, guidelines and works identified in the plan of management.
4.	To progressively improve the values of the land and to minimize the long-term cost of maintenance to the Council
5.	To make provisions for appropriate leases, licences and agreements in respect to the land.
6.	To identify and recognise existing uses and improvements on the land.
7.	To set in place and administrative structure to ensure the achievement of land management objectives.
8.	To ensure that the management of the land is not likely to materially harm the use of the land for any of the purposes for which it is dedicated or reserved.



6.2 Action Plan

The Plan of Management specifies performance targets and priorities for actions to be taken in relation to the land to which the plan applies.

Assessment of achievement of the objectives of the plan is to be undertaken. A summary of indicators and targets for major objectives is outlined in the **Table 2** below.

Table 2 – Indictors and Targets for Plan of Management Objectives

OBJECTIVES AND PERFORMANCE TARGETS OF THE PLAN IN RESPECT TO THE LAND	MEANS BY WHICH THE COUNCIL PROPOSES TO ACHIEVE THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS	MANNER IN WHICH COUNCIL PROPOSES TO ASSESS ITS PERFORMANCE WITH RESPECT TO THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS
To ensure that relevant legislation is complied with in relation to preparation of Plans of Management.	The Plan is prepared in accordance with the Act. Native Title Manager advice is sought during the preparation of the Plan.	The Plan is reviewed by Council's Native Title Manager and Department of Industry Crown Lands then exhibited and adopted by Council if there are no changes to the approved plan. If changes are made following exhibition the plan must again be approved by Department of Industry Crown Lands.
To inform Council staff and the community of the way the land will be managed.	The Plan is exhibited in accordance with the Local Government Act.	The Plan is exhibited and adopted by Council.
To implement the specific policies, guidelines and works identified in the plan of management.	Ensure that the Plan is referenced to identify specific policies, guidelines and works.	All works are carried out in accordance with the Plan.
To progressively improve the values of the land to minimise the long term cost of maintenance to the Council.	Carry out all works identified in Council's long term plan.	All works are completed, and minimal maintenance of the improvements is required.



OBJECTIVES AND PERFORMANCE TARGETS OF THE PLAN IN RESPECT TO THE LAND	MEANS BY WHICH THE COUNCIL PROPOSES TO ACHIEVE THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS	MANNER IN WHICH COUNCIL PROPOSES TO ASSESS ITS PERFORMANCE WITH RESPECT TO THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS
To make provision for leases, licences and agreements in respect of the land.	The Plan of Management expressly authorises the provision of leases, licences and agreements where appropriate.	Any leases are prepared, exhibited and adopted in accordance with the provisions of the Local <i>Government Act 1993</i> and the <i>Crown Land Management Act 2016</i> . Native Title Manager advice and a check for a claim under the Aboriginal Land Rights Act is received for all proposed leases and licences.
To identify and recognise existing uses and improvements on the land.	Physical inspection.	The Plan is exhibited and adopted by Council.
To provide a reference and data bank in relation to information relevant to present and future management of the land.	Physical inspection and file research.	The Plan is exhibited and adopted by Council.
To set in place an administrative structure to ensure the achievement of land management objectives.	Ensure that all sections of Council are aware of the contents of the Plan.	All future works are carried out in accordance with the Plan.
To identify the major management issues applying to the land.	Consultation and staff discussions.	The Plan is exhibited and adopted by Council.
To simplify the process of management as far as possible.	Preparation of the Plan in accordance with the Act.	The Plan is exhibited and adopted by Council.



7 PLAN OF MANAGEMENT – MANAGEMENT AND ADMINISTRATION OF THE LAND

7.1 Management Authority

For the purposes of this plan, the management authority for the reserve is Edward River Council, in accordance with the provisions of the *Crown Land Management Act 2016* and the *Local Government Act 1993*. Where Council's responsibilities have been delegated, the provisions of this management plan continue to apply.

7.2 Management Issues

The management of the land must consider the reserve purpose(s) of the land and the purpose for which the land is classified and categorized.

7.3 Staff Resources

Council shall provide adequate staff resources for the management of the land in accordance with this Plan of Management. Staff shall have appropriate qualifications and/or experience.

7.4 Environmental Assessment of Activities

The environmental impact of activities carried out on the land will be assessed having regard to the requirements under the Environmental Planning and Assessment Act.

7.5 Role of Other Activities

Other government authorities may have responsibilities or involvement in the management of the land or of immediately adjacent land. This will be considered and, where appropriate, consultation will take place with relevant authorities.

7.6 Activities Carried Out by Other Authorities

Where activities are carried out on the land by other authorities, Council will make the authorities aware of the provisions of this Plan of Management and will seek to ensure that any activities are compatible with the objectives and guidelines of this Plan of Management, and in accordance with the provisions of the *Crown Land Management Act 2016* and the *Local Government Act 1993*.

7.7 Principles for the Development of Adjoining Land

Council's development control practices recognise and endeavor to minimize the impacts upon adjoining land parcels. Council will consider the impacts of activities carried out on the reserve on adjoining land.

7.8 Community Involvement in Management

Where appropriate, Council will undertake community consultation subsequent to the making of this Plan of Management and may give community groups a role in management.



7.9 Contract and Volunteer Labour

In managing the land Council may use contract and volunteer labour but shall ensure that supervisors and staff have appropriate qualifications and/or experience and are made aware of the requirements of this plan.

7.10 Existing Assets

Existing assets on the land shall be identified and measures taken to maintain them in a satisfactory manner. Council may make arrangement for community groups and users to undertake maintenance for specific facilities on Council's behalf.

7.11 Public Liability Insurance

All users of the land, including lease and licence holders, must have public liability insurance coverage, incorporating the following:

- At least \$20M coverage for any one instance; and
- Edward River Council named in the policy as an interested party.

A copy of the cover note for the insurance is to be provided to Council prior to use of the reserve. Where the use of the reserve is for longer than one year, as may be the case for leases and licences, up to date copies of the cover note shall be provided.

7.12 Commercial Activities

Commercial activities may be carried out on the land, provided that the activity is ancillary to the purpose of the land or for a purpose authorised under this Plan of Management. Any commercial activity is subject to prior Council consent.

7.13 Emergencies

This Plan of Management authorises necessary activities to be carried out during declared emergencies as may be decided by the General Manager or delegate. Following carrying out of any activities, periodic monitoring will be undertaken, and rehabilitation works undertaken if necessary.

7.14 Land Proposed for Future Development

Land proposed in any of Council's plans for future development for a specific purpose may be utilized for other purposes on an interim basis until required for that purpose.

7.15 Undeveloped Land

Land to which this Plan of Management applies that is undeveloped and unused for the purpose of the land may upon assessment, be used for any activity that does not prevent or inhibit future use for the purpose of the land, including tree planting and mowing.

7.16 Information Monitoring and Research

Monitoring and collection of information relating to the land to which the Plan of Management applies are important to enable good management. Where a demonstrated need has been identified, an educational programme shall be developed to encourage use appropriate to the purpose to all or part of the land to which this Plan of Management applies.



Management arrangements shall be implemented to regularly monitor the use of the land, environmental conditions and facilities. Surveys of visitation and/or satisfaction with the facilities may be undertaken to facilitate the management and use of the land.

7.17 Buildings and Amenities

Buildings and amenities may be provided where consistent with the need to facilitate the purpose of the land, provided that a Native Title assessment has been carried out by Council's Native Title Manager, the land is not subject to a claim under the *Aboriginal Land Rights Act 1983* and the provisions of the *Local Government Act 1993* and the *Crown Land Management Act 2016* have been complied with. Buildings and amenities are to be maintained in a safe condition for users and the public.

7.18 Infrastructure

Any necessary infrastructure to service the purpose of the land may be constructed provided that a Native Title assessment has been carried out by Council's Native Title Manager, the land is not subject to a claim under the *Aboriginal Land Rights Act 1983*, and the provisions of the *Local Government Act 1993* and the *Crown Land Management Act 2016* have been complied with.

7.19 General Maintenance

General maintenance will match the level and type of use and wherever possible users will be encouraged to help. Areas held under lease, licence or regular occupancy shall be maintained by the user where appropriate.

Existing assets on the land shall be identified and measures taken to maintain them in a satisfactory manner. The Council may decide for community groups to undertake maintenance for specific facilities on Council's behalf.

7.20 Development Activities

Development activities shall be undertaken in a way that minimizes the area, degree and duration of disturbance, and areas are to be restored to the greatest extent practicable.

7.21 Pollution Control

Management should seek to ensure that no pollution is generated on the land, and that adequate measures are taken to prevent adverse impacts from adjoining land.

7.22 Public Safety

Reasonable measures will be taken by Council to ensure and maintain the public safety of persons using the land.

7.23 Neighbours

Council shall endeavour to be a good neighbor and as far as possible shall consult with adjoining owners in respect of management and other activities which may affect them.



7.24 Trees, Vegetation and Landscape

Proper management of landscaping measures, trees and vegetation is important to provide a high degree of amenity on the land. Trees will be maintained, as will maintenance of appropriate growing conditions involving management of soil compaction and other encroachments, in accordance with Council's Tree Management Policy.

7.25 Weed Control

Weed control shall be by both taking preventative measures and active control measures. Prevention of weed infestation shall be by minimising actions that disturb the ground surface and discouraging the conditions that encourage weeds.

Measures shall be taken to prevent the dispersion of weeds by fill or the transport of seeds on machinery. Control measures which are acceptable include physical removal or slashing, accepted biological control techniques, bush regeneration, or chemical spraying where Council is satisfied that there will be no adverse residual effects and no adverse effect on human health.



APPENDIX A

SPECIFIC INFORMATION FOR RESERVE 44928

COBB HIGHWAY (SANDPIT) RESERVE

APPENDIX A – COBB HIGHWAY SANDPIT RESERVE

A2 INTRODUCTION

A2.3 Land to Which this Plan Applies

The land to which this plan applies is Crown Reserve 44928 and is contained in Lot 64 DP 756350 Parish Woonox County Townsend. The reserve is located on the eastern side of the Cobb Highway. The land contains a total of 41,039.81 m². The reserve for Cobb Highway was gazette on 2 March 1910 and was set aside for the purpose of Obtaining Sand. An aerial photograph, outlining the extents of the reserve, is shown below in **Figure A1**.



Figure A1 – Aerial Photograph of Cobb Highway (Reserve No. 44928)



A2.4 Land Ownership

Cobb Highway reserve is owned by the Crown and is managed by Edward River Council as Crown Land Manager under the Land Management Act 2016.

A2.5 Categorisation of the Reserve

In the case of Cobb Highway, Council has requested and obtained initial categorisation of:

- **General Community Use** for the purpose of Obtaining Sand.

The category was approved by the minister administering the *Crown Land Management Act 2016* in relation to the reserve. Council does not propose to alter the initial categories assigned by the Minister by this Plan of Management because the assigned categories most closely align with the reserved purposed of the of the land and its usage.

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

A3 RELEVANT LEGISLATION, POLICIES AND PROCEDURES

A3.6 Environmental Planning and Assessment Act 1979

The land is zoned as follows under the Conargo Local Environmental Plan 2013 (LEP):

- RU 1 Primary Production



Figure A2 – Land Use Zones for Reserve No. 44928

The objectives of the land use zones are noted below in **Table A1**.



Table A1 – Objectives of Land Use Zones for Reserve No. 44928

Land Use Zone	Objectives
RU 1 – Primary Production	<ul style="list-style-type: none">• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.• To encourage diversity in primary industry enterprises and systems appropriate for the area.• To minimise the fragmentation and alienation of resource lands.• To minimise conflict between land uses within this zone and land uses within adjoining zones.• To allow the development of non-agricultural land uses that are compatible with the character of the zone.• To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities.• To allow for the development of non-agricultural land uses that are compatible with the character of the zone.• To permit small-scale rural tourism uses associated with primary production and environmental conservation that have minimal impact on primary production and the scenic amenity of the area.• To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.

Details regarding permitted developments in these land use zones is included in the Conargo LEP 2013.

In addition to the Conargo LEP, the Deniliquin Development Control Plan was developed with the general aims to:

- (a) Promote growth and development to support and enhance the vitality of the Central Business District.
- (b) Encourage development that responds to the needs of the community.
- (c) Encourage residential development of a high standard to improve the quality of the urban environment.
- (d) Encourage development that respects and minimises the impacts on surrounding land and the wider environment.
- (e) Encourage new development that will enhance streetscapes and vistas.



- (f) Ensure that development incorporates safe, effective and convenient pedestrian, bicycle and vehicle access, movement and parking areas.
- (g) Encourage energy efficiency in building design.
- (h) Provide for effective and well-utilised open space with security and access for the community.
- (i) Control and minimise the impact of stormwater run-off.
- (j) Ensure that new development is fully integrated into Council's sewerage system wherever possible.
- (k) Promote the orderly and efficient development of land to ensure that provision of services to that land is adequate.

A4 CULTURALLY SIGNIFICANT LAND

A4.1 Aboriginal Significance

Cobb Highway reserve is not identified as having Aboriginal significance and is not declared under section 84 of the *National Park and Wildlife Act 1974*, however, any areas of Aboriginal significance that may be discovered are covered by this Plan of Management.

A4.2 Non-indigenous Significance

The reserve for Cobb Highway was gazette on 2 March 1910 and was set aside for Obtaining Sand. The Cobb Highway reserve is not specifically listed under the Conargo Local Environment Plan 2013 but is represented in the plan under the zonings RU1 Primary Production.



A5 DEVELOPMENT AND USE

A5.2 Community Strategic Plan - Outcome 4 – A region with quality and sustainable infrastructure

The direction for the Cobb Highway reserve is captured within Outcome 4 – A region with quality and sustainable infrastructure

As a community we are lucky to have well developed built infrastructure. In particular our sporting facilities and community halls are an area of immense pride. We see opportunity for improvement in our road, footpath and drainage networks and by taking a proactive approach to building maintenance.

The Pretty Pine Landfill fits directly under Targets 4.1 – Our built environment is managed, maintained and improved. The Council's role is to Where appropriate upgrade existing or provide new infrastructure and maximise funding opportunities to renew and upgrade-built infrastructure.

A5.4 Condition of the Land and Structures on Adoption of the Plan of Management

Section 36(3A)(a) of the *Local Government Act* requires the plan to include a description of the condition of the land and structures on adoption of the plan. There are no assets located on the reserve.

A5.5 Use of the Land and Structures at the Date of Adoption of the Plan of Management

Existing use of the reserve includes:

- Obtaining sand

Council is willing to work with existing and potential users to expand the usage of Cobb Highway reserve and this Plan of Management will provide an operational and strategic framework to effectively take advantage of those opportunities.

A5.6 Permitted Use Strategic Objectives

As previously noted, the classification of Cobb Highway is General Community Use with the intended purpose(s) of Obtaining Sand. Under the Conargo LEP 2013, the different lots are zoned RU 1 – Primary Production. These purposes and categories align with the reserve's past and future use and the values identified in this plan.

Projects proposed by community groups and other users of the reserve must be in line with Council strategic plans and must align with the reserve purpose and core objectives for the Reserve.

Depending on the scope of the project Council may request a written proposal outlining the project and proposed location, estimated costs, scaled plans, justification for proposed works and future maintenance requirements.



A7 PLAN OF MANAGEMENT – MANAGEMENT AND ADMINISTRATION OF THE LAND

A7.26 Alcohol

Alcohol is not permitted within the Cobb Highway Sandpit reserve.

A7.27 Companion Animals

Domestic pets may not use the grounds

Dogs are not permitted to be walked off leash unless they are within Council's designated off leash exercise areas. Dog clubs are required to seek Council permission to conduct dog obedience and training activities on all community land.

A7.28 Parking

Parking is directly available within the Cobb Highway Sandpit reserve, however, no signage is dedicated to showing where parking is permitted.



APPENDIX B

SPECIFIC INFORMATION FOR RESERVE 57705

BOOROORBAN SPORTS GROUND

APPENDIX B – BOOROORBAN SPORTS GROUND RESERVE

B2 INTRODUCTION

B2.3 Land to Which this Plan Applies

The land to which this plan applies is Crown Reserve 57705 and is contained in Lot 7308 DP 1157228 Parish Boooroban County Townsend. The reserve is located within the Boooroban township west of the Cobb Highway. The land contains a total of 33,044.16 m². The reserve for Boooroban Sports Ground was gazette on 9 January 1925 and was set aside for Public Recreation. An aerial photograph, outlining the extents of the reserve, is shown below in **Figure B1**.



Figure B1 – Aerial Photograph of Boooroban Sports Ground (Reserve No. 57705)



B2.4 Land Ownership

Booororban Sports Ground Reserve 57705 is owned by the Crown and is managed by Edward River Council as Crown Land Manager under the Land Management Act 2016.

B2.5 Categorisation of the Reserve

In the case of Booororban Sports Ground, Council has requested and obtained initial categorisation of:

- **General Community Use** for the purpose of **Public Recreation**.

The category was approved by the minister administering the *Crown Land Management Act 2016* in relation to the reserve. Council does not propose to alter the initial categories assigned by the Minister by this Plan of Management because the assigned categories most closely align with the reserved purposes of the land and its usage.

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (c) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (d) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

B3 RELEVANT LEGISLATION, POLICIES AND PROCEDURES

B3.6 Environmental Planning and Assessment Act 1979

The land is zoned as follows under the Conargo Local Environmental Plan 2013 (LEP):

- RU 1 Primary Production.

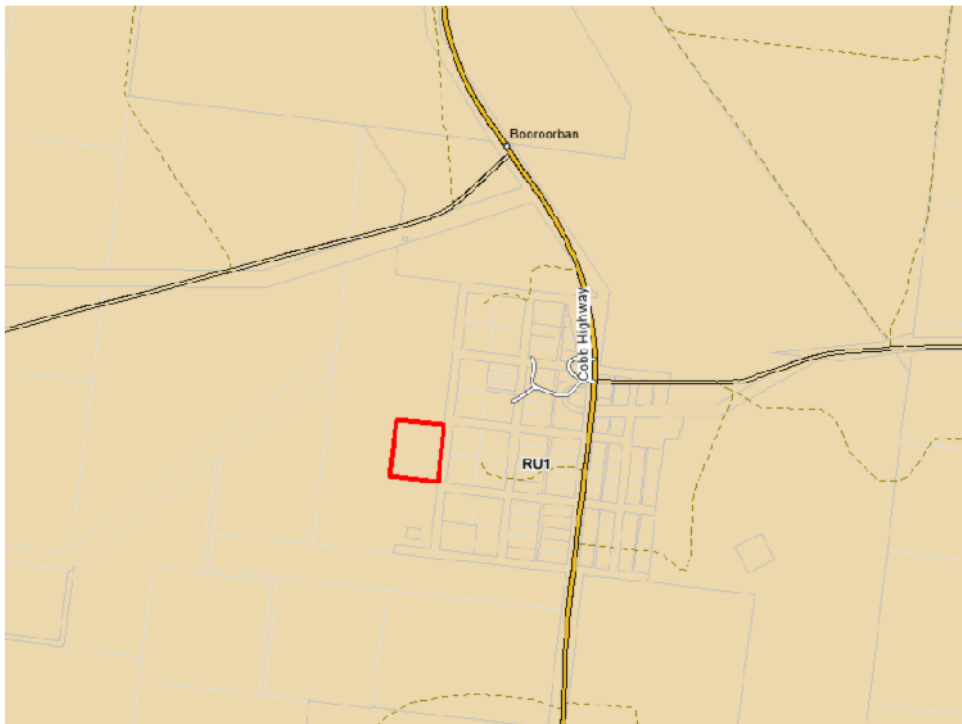


Figure B2 – Land Use Zones for Reserve No. 57705

The objectives of the land use zones are noted below in **Table B1**.



Table B1 – Objectives of Land Use Zones for Reserve No. 57705

Land Use Zone	Objectives
RU 1 – Primary Production	<ul style="list-style-type: none">• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.• To encourage diversity in primary industry enterprises and systems appropriate for the area.• To minimise the fragmentation and alienation of resource lands.• To minimise conflict between land uses within this zone and land uses within adjoining zones.• To allow the development of non-agricultural land uses that are compatible with the character of the zone.• To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities.• To allow for the development of non-agricultural land uses that are compatible with the character of the zone.• To permit small-scale rural tourism uses associated with primary production and environmental conservation that have minimal impact on primary production and the scenic amenity of the area.• To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.

Details regarding permitted developments in these land use zones is included in the Conargo LEP 2013.

In addition to the Conargo LEP, the Deniliquin Development Control Plan was developed with the general aims to:

- (a) Promote growth and development to support and enhance the vitality of the Central Business District.
- (b) Encourage development that responds to the needs of the community.
- (c) Encourage residential development of a high standard to improve the quality of the urban environment.
- (d) Encourage development that respects and minimises the impacts on surrounding land and the wider environment.
- (e) Encourage new development that will enhance streetscapes and vistas.



- (f) Ensure that development incorporates safe, effective and convenient pedestrian, bicycle and vehicle access, movement and parking areas.
- (g) Encourage energy efficiency in building design.
- (h) Provide for effective and well-utilised open space with security and access for the community.
- (i) Control and minimise the impact of stormwater run-off.
- (j) Ensure that new development is fully integrated into Council's sewerage system wherever possible.
- (k) Promote the orderly and efficient development of land to ensure that provision of services to that land is adequate.

B4 CULTURALLY SIGNIFICANT LAND

B4.1 Aboriginal Significance

Booororban Sports Ground Reserve is not identified as having Aboriginal significance and is not declared under section 84 of the *National Park and Wildlife Act 1974*, however, any areas of Aboriginal significance that may be discovered are covered by this Plan of Management.

B4.2 Non-indigenous Significance

The reserve for Booororban Sports Ground was gazette on 9 January 1925 and was set aside for public recreation. Booororban Sports Ground is not specifically listed under the Conargo Local Environment Plan 2013 but is represented in the plan under the zoning RU 1 Primary Production.



B5 DEVELOPMENT AND USE

B5.2 Outcome 1 – A great place to live

The direction for the Booroorban Sports Ground is captured within Outcome 1 – A great place to live

We love our strong sense of community, our willingness to help each other out, and the fact that our region provides an ideal environment in which to raise a family. Over the life of Edward River 2030, we want to keep our community safe, active and healthy and make sure that our public and open spaces – such as our sporting grounds, community halls, parks and gardens – provide social value and keep us connected.

The Booroorban Sports Ground fits directly under Targets 1.2 – Our community is safe, happy and healthy, both physically and mentally, and Target 3 – Our community and public spaces are accessible and inclusive and reflect our history, heritage and culture. The Council's role is to promote healthy lifestyles and Operate section 355 committees to effectively manage community halls and recreation reserves.

B5.4 Condition of the Land and Structures on Adoption of the Plan of Management

Section 36(3A)(a) of the *Local Government Act* requires the plan to include a description of the condition of the land and structures on adoption of the plan. The condition of the infrastructure on J.P. Burchfield Park upon recent inspection is shown below in **Table B2**.

Table B2 – Condition of Council Assets Located on at Booroorban Sports Ground Reserve

BUILDING DESCRIPTION	CATEGORY	CONDITION RATING
		1 – Good 5 - Unserviceable
Watering System	General Community Use	3
Fencing	General Community Use	3
Grounds	General Community Use	4



B5.5 Use of the Land and Structures at the Date of Adoption of the Plan of Management

Existing use of the reserve includes:

- Cricket Ground

Council is willing to work with existing and potential users to expand the usage of Boooroorban Sports Ground and this Plan of Management will provide an operational and strategic framework to effectively take advantage of those opportunities.

B5.6 Permitted Use Strategic Objectives

As previously noted, the classification of Boooroorban Sports Ground is General Community Use with the intended purpose(s) of Public Recreation. These purposes and categories align with the reserve's past and future use and the values identified in this plan.

Projects proposed by community groups and other users of the reserve must be in line with Council strategic plans and must align with the reserve purpose and core objectives for the Reserve.

Depending on the scope of the project Council may request a written proposal outlining the project and proposed location, estimated costs, scaled plans, justification for proposed works and future maintenance requirements.

B7 PLAN OF MANAGEMENT – MANAGEMENT AND ADMINISTRATION OF THE LAND

B7.26 Alcohol

The infrequent sale of alcohol by a sporting committee, club or user group requires the approval of the NSW Office of Liquor Gaming and Racing through the issue of a Limited Licence. The Licence should be provided to Council in each instance. When making application for the use of a passive recreational area, if the sale of alcohol is intended, applicants are required to comply with any requirements of both the Office of Liquor Gaming and Racing and Council.



B7.27 Companion Animals

Domestic pets may use Booroorban Sports Ground reserve where authorised by signage if they are always under the control of a responsible person and do not cause loss of amenity to other users of the land.

Dogs are not permitted to be walked off leash unless they are within Council's designated off leash exercise areas. Dog clubs are required to seek Council permission to conduct dog obedience and training activities on all community land.

B7.28 Parking

Parking is available in designated parking areas around the sports ground. Signage is dedicated to showing where parking is permitted.



APPENDIX C

SPECIFIC INFORMATION FOR RESERVE 65114

NORTH CONARGO RESERVE

APPENDIX C – NORTH CONARGO RESERVE

C2 INTRODUCTION

C2.3 Land to Which this Plan Applies

The land to which this plan applies is Crown Reserve 65114 and is Lots 7003-7005 DP 1025255 Parish North Conargo County Townsend. The reserve is located on the Carrathool Rd, north of Conargo. The land contains a total of 92,791.92 m². The reserve for North Conargo Reserve was gazette on 1 March 1935 and was set aside for the purpose of Access; Plantation. An aerial photograph, outlining the extents of the reserve, is shown below in **Figure C1**.



Figure C1 – Aerial Photograph of North Conargo Reserve (Reserve No. 65114)



C2.4 Land Ownership

North Conargo Reserve is owned by the Crown and is managed by Edward River Council as Crown Land Manager under the Land Management Act 2016.

C2.5 Categorisation of the Reserve

In the case of North Conargo Reserve, Council has requested and obtained initial categorisation of:

- **General Community Use** for the purpose of Access/Plantation.

The category was approved by the minister administering the *Crown Land Management Act 2016* in relation to the reserve. Council does not propose to alter the initial categories assigned by the Minister by this Plan of Management because the assigned categories most closely align with the reserved purpose of the of the land and its usage.

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (e) in relation to Access;Plantation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (f) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

C3 RELEVANT LEGISLATION, POLICIES AND PROCEDURES

C3.6 Environmental Planning and Assessment Act 1979

The land is zoned as follows under the Conargo Local Environmental Plan 2013 (LEP):

- RU 1 Primary Production

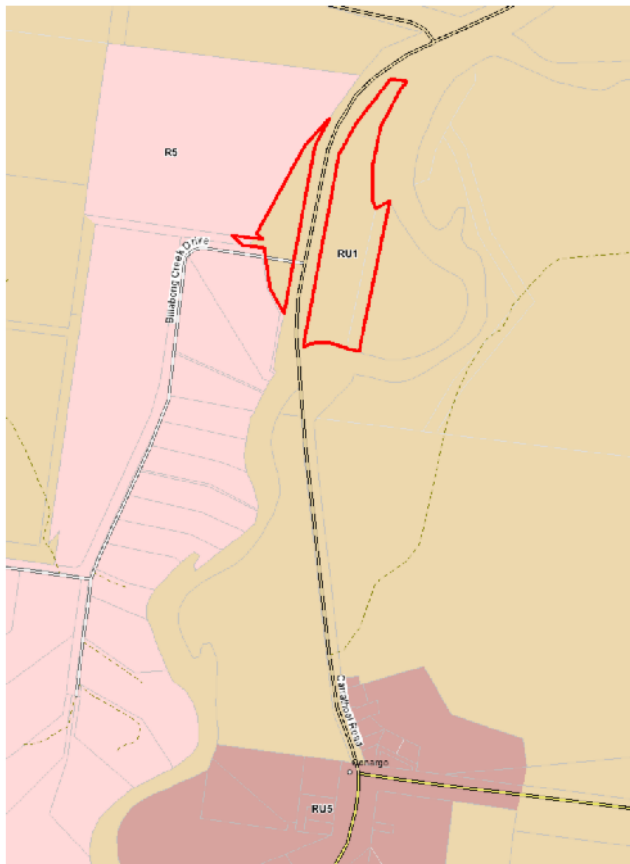


Figure C2 – Land Use Zones for Reserve No. 65114

The objectives of the land use zones are noted below in **Table C1**.



Table C1 – Objectives of Land Use Zones for Reserve No. 65114

Land Use Zone	Objectives
RU 1 – Primary Production	<ul style="list-style-type: none">• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.• To encourage diversity in primary industry enterprises and systems appropriate for the area.• To minimise the fragmentation and alienation of resource lands.• To minimise conflict between land uses within this zone and land uses within adjoining zones.• To allow the development of non-agricultural land uses that are compatible with the character of the zone.• To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities.• To allow for the development of non-agricultural land uses that are compatible with the character of the zone.• To permit small-scale rural tourism uses associated with primary production and environmental conservation that have minimal impact on primary production and the scenic amenity of the area.• To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.

Details regarding permitted developments in the land use zone is included in the Conargo LEP 2013.

In addition to the Conargo LEP, the Deniliquin Development Control Plan was developed with the general aims to:

- (a) Promote growth and development to support and enhance the vitality of the Central Business District.
- (b) Encourage development that responds to the needs of the community.
- (c) Encourage residential development of a high standard to improve the quality of the urban environment.
- (d) Encourage development that respects and minimises the impacts on surrounding land and the wider environment.
- (e) Encourage new development that will enhance streetscapes and vistas.



- (f) Ensure that development incorporates safe, effective and convenient pedestrian, bicycle and vehicle access, movement and parking areas.
- (g) Encourage energy efficiency in building design.
- (h) Provide for effective and well-utilised open space with security and access for the community.
- (i) Control and minimise the impact of stormwater run-off.
- (j) Ensure that new development is fully integrated into Council's sewerage system wherever possible.
- (k) Promote the orderly and efficient development of land to ensure that provision of services to that land is adequate.

C4 CULTURALLY SIGNIFICANT LAND

C4.1 Aboriginal Significance

North Conargo Reserve is not identified as having Aboriginal significance and is not declared under section 84 of the *National Park and Wildlife Act 1974*, however, any areas of Aboriginal significance that may be discovered are covered by this Plan of Management.

C4.2 Non-indigenous Significance

The reserve for North Conargo Reserve was gazette on 1 March 1935 and was set aside for Access/Plantation. The North Conargo Reserve is not specifically listed under the Conargo Local Environment Plan 2013 but is represented in the plan under the zonings RU 1 Primary Production.

C5 DEVELOPMENT AND USE

C5.2 Community Strategic Plan - Outcome 1 – A great place to live

The direction for the North Conargo Reserve is captured within Outcome 1 – A great place to live

We love our strong sense of community, our willingness to help each other out, and the fact that our region provides an ideal environment in which to raise a family. Over the life of Edward River 2030, we want to keep our community safe, active and healthy and make sure that our public and open spaces – such as our sporting grounds, community halls, parks and gardens – provide social value and keep us connected.

The North Conargo Reserve fits directly under Targets 1.2 – Our community is safe, happy and healthy, both physically and mentally, and Target 3 – Our community and public spaces are accessible and inclusive and reflect our history, heritage and culture. The Council's role is to promote healthy lifestyles and effectively manage community assets.



C5.4 Condition of the Land and Structures on Adoption of the Plan of Management

Section 36(3A)(a) of the *Local Government Act* requires the plan to include a description of the condition of the land and structures on adoption of the plan. The condition of the infrastructure on North Conargo Reserve upon recent inspection is shown below in **Table C2**.

Table C2 – Condition of Council Assets Located on at North Conargo Reserve

ASSET DESCRIPTION	CATEGORY	CONDITION RATING 1 – Good 5 – Unserviceable
Fencing	General Community Use	3

The North Conargo Reserve is functioning appropriately for the purposes of the area.

Photographs of the reserve are shown below in **Figure C3**.



Figure C3 – Photographs of North Conargo Reserve.



C5.5 Use of the Land and Structures at the Date of Adoption of the Plan of Management

Existing use of the reserve includes:

- Access;Plantation.

Council is willing to work with existing and potential users to expand the usage of North Conargo Reserve and this Plan of Management will provide an operational and strategic framework to effectively take advantage of those opportunities.

C5.6 Permitted Use Strategic Objectives

As previously noted, the classification of North Conargo Reserve is General Community Use with the intended purpose(s) of Access;Plantation. Under the Conargo LEP 2013, the different lots are zoned RU 1 – Primary Production. These purposes and categories align with the reserve's past and future use and the values identified in this plan.

Projects proposed by community groups and other users of the reserve must be in line with Council strategic plans and must align with the reserve purpose and core objectives for the Reserve.

Depending on the scope of the project Council may request a written proposal outlining the project and proposed location, estimated costs, scaled plans, justification for proposed works and future maintenance requirements.

C7 PLAN OF MANAGEMENT – MANAGEMENT AND ADMINISTRATION OF THE LAND

C7.26 Alcohol

Alcohol is permitted within the North Conargo Reserve at selected events if all the correct licencing procedures are followed and an application to Council is submitted and approved by whichever group.

C7.27 Companion Animals

Domestic pets may use the grounds where authorised by signage provided that they are under the control of a responsible person at all times and do not cause loss of amenity to other users of the land.

Dogs are not permitted to be walked off leash unless they are within Council's designated off leash exercise areas. Dog clubs are required to seek Council permission to conduct dog obedience and training activities on all community land.

C7.28 Parking

Parking is directly available within the North Conargo Reserve, however, no signage is dedicated to showing where parking is permitted.



APPENDIX D

SPECIFIC INFORMATION FOR RESERVE 69543

CONARGO HALL RESERVE

APPENDIX D – CONARGO HALL RESERVE

D2 INTRODUCTION

D2.3 Land to Which this Plan Applies

The land to which this plan applies is Crown Reserve 69543 and is contained in Lot 123 DP 756268, Lot 7003 DP 1025249 Parish Conargo County Townsend. The reserve is located on the Conargo Rd, North of Deniliquin. The land contains a total of 39,648.49 m². The reserve for Conargo Hall was gazette on 1 May 1936 and was set aside for the purpose of Public Recreation. An aerial photograph, outlining the extents of the reserve, is shown below in **Figure D1**.



Figure D1 – Aerial Photograph of Conargo Hall (Reserve No. 69543)



D2.4 Land Ownership

Conargo Hall is owned by the Crown and is managed by Edward River Council as Crown Land Manager under the Land Management Act 2016.

D2.5 Categorisation of the Reserve

In the case of Conargo Hall, Council has requested and obtained initial categorisation of:

- **General Community Use** for the purpose of Public Recreation.

The category was approved by the minister administering the *Crown Land Management Act 2016* in relation to the reserve. Council does not propose to alter the initial categories assigned by the Minister by this Plan of Management because the assigned categories most closely align with the reserved purpose of the of the land and its usage.

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (g) in relation to Public Recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (h) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

D3 RELEVANT LEGISLATION, POLICIES AND PROCEDURES

D3.6 Environmental Planning and Assessment Act 1979

The land is zoned as follows under the Conargo Local Environmental Plan 2013 (LEP):

- RU 5 Village



Table D1 – Objectives of Land Use Zones for Reserve No. 69543

Details regarding permitted developments in the land use zone is included in the Conargo LEP 2013.



In addition to the Conargo LEP, the Deniliquin Development Control Plan was developed with the general aims to:

- (a) Promote growth and development to support and enhance the vitality of the Central Business District.
- (b) Encourage development that responds to the needs of the community.
- (c) Encourage residential development of a high standard to improve the quality of the urban environment.
- (d) Encourage development that respects and minimises the impacts on surrounding land and the wider environment.
- (e) Encourage new development that will enhance streetscapes and vistas.
- (f) Ensure that development incorporates safe, effective and convenient pedestrian, bicycle and vehicle access, movement and parking areas.
- (g) Encourage energy efficiency in building design.
- (h) Provide for effective and well-utilised open space with security and access for the community.
- (i) Control and minimise the impact of stormwater run-off.
- (j) Ensure that new development is fully integrated into Council's sewerage system wherever possible.
- (k) Promote the orderly and efficient development of land to ensure that provision of services to that land is adequate.

D4 CULTURALLY SIGNIFICANT LAND

D4.1 Aboriginal Significance

Conargo Hall is not identified as having Aboriginal significance and is not declared under section 84 of the *National Park and Wildlife Act 1974*, however, any areas of Aboriginal significance that may be discovered are covered by this Plan of Management.

D4.2 Non-indigenous Significance

The reserve for Conargo Hall was gazette on 1 May 1936 and was set aside for Public Recreation. The Conargo Hall is not specifically listed under the Conargo Local Environment Plan 2013 but is represented in the plan under the zonings RU 5 Village



D5 DEVELOPMENT AND USE

D5.2 Community Strategic Plan - Outcome 1 – A great place to live

The direction for the Conargo Hall is captured within Outcome 1 – A great place to live

We love our strong sense of community, our willingness to help each other out, and the fact that our region provides an ideal environment in which to raise a family. Over the life of Edward River 2030, we want to keep our community safe, active and healthy and make sure that our public and open spaces – such as our sporting grounds, community halls, parks and gardens – provide social value and keep us connected.

The Conargo Hall fits directly under Targets 1.2 – Our community is safe, happy and healthy, both physically and mentally, and Target 3 – Our community and public spaces are accessible and inclusive and reflect our history, heritage and culture. The Council's role is to promote healthy lifestyles and effectively manage community assets.

D5.4 Condition of the Land and Structures on Adoption of the Plan of Management

Section 36(3A)(a) of the *Local Government Act* requires the plan to include a description of the condition of the land and structures on adoption of the plan. The condition of the infrastructure on Conargo Hall upon recent inspection is shown below in **Table D2**.

Table D2 – Condition of Council Assets Located on at Conargo Hall

ASSET DESCRIPTION	CATEGORY	CONDITION RATING 1 – Good 5 – Unserviceable
Fencing	General Community Use	2
Hall	General Community Use	2
Sewer and water infrastructure	General Community Use	2
Rubbish bins	General Community Use	2
Roads	General Community Use	2

The Conargo Hall is functioning appropriately for the purposes of the area.

Photographs of the reserve are shown below in **Figure D3**.



Figure D3 – Photographs of Conargo Hall.

D5.5 Use of the Land and Structures at the Date of Adoption of the Plan of Management

Existing use of the reserve includes:

- Community Hall.

Council is willing to work with existing and potential users to expand the usage of Conargo Hall and this Plan of Management will provide an operational and strategic framework to effectively take advantage of those opportunities.

It is noted that there currently is a Conargo Hall committee, comprising of local volunteers, that runs the day to day operations for the Hall and the reserve. The Committee works with Council regarding the Hall.

D5.6 Permitted Use Strategic Objectives

As previously noted, the classification of Conargo Hall is General Community Use with the intended purpose(s) of Public Recreation. Under the Conargo LEP 2013, the different lots are zoned RU 5 – Village. These purposes and categories align with the reserve's past and future use and the values identified in this plan.

Projects proposed by community groups and other users of the reserve must be in line with Council strategic plans and must align with the reserve purpose and core objectives for the Reserve.

Depending on the scope of the project Council may request a written proposal outlining the project and proposed location, estimated costs, scaled plans, justification for proposed works and future maintenance requirements.

D7 PLAN OF MANAGEMENT – MANAGEMENT AND ADMINISTRATION OF THE LAND

D7.26 Alcohol

Alcohol is permitted within the Conargo Hall at selected events if all the correct licencing procedures are followed and an application to Council is submitted and approved by whichever group.



D7.27 Companion Animals

Domestic pets may use the grounds where authorised by signage provided that they are under the control of a responsible person at all times and do not cause loss of amenity to other users of the land.

Dogs are not permitted to be walked off leash unless they are within Council's designated off leash exercise areas. Dog clubs are required to seek Council permission to conduct dog obedience and training activities on all community land.

D7.28 Parking

Parking is directly available within the Conargo Hall grounds, with signage is dedicated to showing where parking is permitted.



APPENDIX E

SPECIFIC INFORMATION FOR RESERVE 85270

PRETTY PINE SPORTS GROUND RESERVE

APPENDIX E – PRETTY PINE SPORTS GROUND RESERVE

E2 INTRODUCTION

E2.3 Land to Which this Plan Applies

The land to which this plan applies is Crown Reserve 85270 and is contained in Lot 7007 DP 1023663 Parish Dahwilly County Townsend Part: Lot 7008 DP 1023663 Parish Dahwilly County Townsend. The reserve is located on the western side of the Cobb Highway at Pretty Pine. The land contains a total of 114,494.64 m². The reserve for Pretty Pine Sports Ground was gazette on 26 March 1965 and was set aside for the purpose of Public Recreation. An aerial photograph, outlining the extents of the reserve, is shown below in **Figure E1**.



Figure E1 – Aerial Photograph of Pretty Pine Sports Ground (Reserve No. 85270)



E2.4 Land Ownership

Pretty Pine Sports Ground reserve is owned by the Crown and is managed by Edward River Council as Crown Land Manager under the Land Management Act 2016.

E2.5 Categorisation of the Reserve

In the case of Pretty Pine Sports Ground, Council has requested and obtained initial categorisation of:

- **General Community Use** for the purpose of Public Recreation.

The category was approved by the minister administering the *Crown Land Management Act 2016* in relation to the reserve. Council does not propose to alter the initial categories assigned by the Minister by this Plan of Management because the assigned categories most closely align with the reserved purposes of the land and its usage.

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (i) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (j) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

E3 RELEVANT LEGISLATION, POLICIES AND PROCEDURES

E3.6 Environmental Planning and Assessment Act 1979

The land is zoned as follows under the Conargo Local Environmental Plan 2013 (LEP):

- RU 1 Primary Production

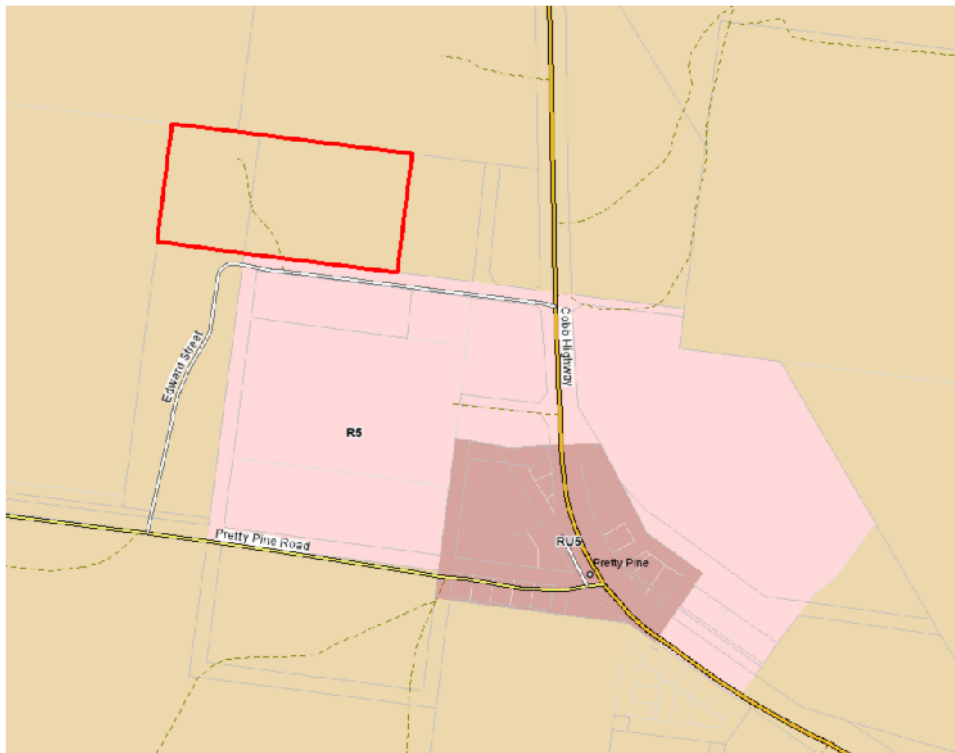


Figure E2 – Land Use Zones for Reserve No. 85270

The objectives of the land use zones are noted below in **Table E1**.



Table E1 – Objectives of Land Use Zones for Reserve No. 85270

Land Use Zone	Objectives
RU 1 – Primary Production	<ul style="list-style-type: none">• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.• To encourage diversity in primary industry enterprises and systems appropriate for the area.• To minimise the fragmentation and alienation of resource lands.• To minimise conflict between land uses within this zone and land uses within adjoining zones.• To allow the development of non-agricultural land uses that are compatible with the character of the zone.• To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities.• To allow for the development of non-agricultural land uses that are compatible with the character of the zone.• To permit small-scale rural tourism uses associated with primary production and environmental conservation that have minimal impact on primary production and the scenic amenity of the area.• To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.

Details regarding permitted developments in these land use zones is included in the Conargo LEP 2013.

In addition to the Conargo LEP, the Deniliquin Development Control Plan was developed with the general aims to:

- (a) Promote growth and development to support and enhance the vitality of the Central Business District.
- (b) Encourage development that responds to the needs of the community.
- (c) Encourage residential development of a high standard to improve the quality of the urban environment.
- (d) Encourage development that respects and minimises the impacts on surrounding land and the wider environment.
- (e) Encourage new development that will enhance streetscapes and vistas.



- (f) Ensure that development incorporates safe, effective and convenient pedestrian, bicycle and vehicle access, movement and parking areas.
- (g) Encourage energy efficiency in building design.
- (h) Provide for effective and well-utilised open space with security and access for the community.
- (i) Control and minimise the impact of stormwater run-off.
- (j) Ensure that new development is fully integrated into Council's sewerage system wherever possible.
- (k) Promote the orderly and efficient development of land to ensure that provision of services to that land is adequate.

E4 CULTURALLY SIGNIFICANT LAND

E4.1 Aboriginal Significance

Pretty Pine Sports Ground is not identified as having Aboriginal significance and is not declared under section 84 of the *National Park and Wildlife Act 1974*, however, any areas of Aboriginal significance that may be discovered are covered by this Plan of Management.

E4.2 Non-indigenous Significance

The reserve for Pretty Pine Sports Ground was gazette on 26 March 1965 and was set aside for Public Recreation. The Pretty Pine Sports Ground is not specifically listed under the Conargo Local Environment Plan 2013 but is represented in the plan under the zonings RU 1 Primary Production.



E5 DEVELOPMENT AND USE

E5.2 Community Strategic Plan - Outcome 1 – A great place to live

The direction for the Pretty Pine Sports Ground reserve is captured within Outcome 1 – A great place to live

We love our strong sense of community, our willingness to help each other out, and the fact that our region provides an ideal environment in which to raise a family. Over the life of Edward River 2030, we want to keep our community safe, active and healthy and make sure that our public and open spaces – such as our sporting grounds, community halls, parks and gardens – provide social value and keep us connected.

The Pretty Pine Sports Ground fits directly under Targets 1.2 – Our community is safe, happy and healthy, both physically and mentally, and Target 3 – Our community and public spaces are accessible and inclusive and reflect our history, heritage and culture. The Council's role is to promote healthy lifestyles and effectively manage community halls and recreation reserves and operate section 355 committees to effectively manage community halls and recreation reserves.

E5.4 Condition of the Land and Structures on Adoption of the Plan of Management

Section 36(3A)(a) of the *Local Government Act* requires the plan to include a description of the condition of the land and structures on adoption of the plan. The condition of the infrastructure on Pretty Pine Sports Ground upon recent inspection is shown below in **Table H2**.

Table E2 – Condition of Council Assets Located on at Pretty Pine Sports Ground

ASSET DESCRIPTION	CATEGORY	CONDITION RATING 1 – Good 5 – Unserviceable
Buildings	General Community Use	3
Roads	General Community Use	3
Water Infrastructure	General Community Use	3
Grounds (lawns, gardens)	General Community Use	3
Ovals	General Community Use	3
Signage	General Community Use	3
Fencing	General Community Use	3



The Pretty Pine Sports Ground is functioning appropriately for the purposes of the area.

Photographs of the reserve are shown below in **Figure E3**.



Figure E3 – A Photograph of Pretty Pine Sports Ground grounds.

E5.5 Use of the Land and Structures at the Date of Adoption of the Plan of Management

Existing use of the reserve includes:

- Public Recreation.

Council is willing to work with existing and potential users to expand the usage of Pretty Pine Sports Ground and this Plan of Management will provide an operational and strategic framework to effectively take advantage of those opportunities.

E5.6 Permitted Use Strategic Objectives

As previously noted, the classification of Pretty Pine Sports Ground is General Community Use with the intended purpose(s) of Community Purposes and an additional purpose of Rural Services. Under the Deniliquin LEP 2013, the different lots are zoned RU 1 – Primary Production. These purposes and categories align with the reserve's past and future use and the values identified in this plan.

Projects proposed by community groups and other users of the reserve must be in line with Council strategic plans and must align with the reserve purpose and core objectives for the Reserve.

Depending on the scope of the project Council may request a written proposal outlining the project and proposed location, estimated costs, scaled plans, justification for proposed works and future maintenance requirements.



E7 PLAN OF MANAGEMENT – MANAGEMENT AND ADMINISTRATION OF THE LAND

E7.26 Alcohol

Alcohol is permitted within the Pretty Pine Sports Ground reserve at selected events if all the correct licencing procedures are followed and an application to Council is submitted and approved by whichever group.

E7.27 Companion Animals

Domestic pets may use the grounds where authorised by signage provided that they are under the control of a responsible person at all times and do not cause loss of amenity to other users of the land.

Dogs are not permitted to be walked off leash unless they are within Council's designated off leash exercise areas. Dog clubs are required to seek Council permission to conduct dog obedience and training activities on all community land.

E7.28 Parking

Parking is directly available within the Pretty Pine Sports Ground, and signage is dedicated to showing where parking is permitted.



APPENDIX F

SPECIFIC INFORMATION FOR RESERVE 86089

BOORROORBAN CEMETERY RESERVE

APPENDIX F – BOORROORBAN CEMETERY RESERVE

F2 INTRODUCTION

F2.3 Land to Which this Plan Applies

The land to which this plan applies is Crown Reserve 86089 and is contained in Lot 7310 DP 1157228 Parish Booroorban County Townsend. The reserve is located on the western side of the Booroorban township. The land contains a total of 30,300 m². The reserve for Booroorban Cemetery was gazette on 2 December 1966 and was set aside for the purpose of Preservation of Graves. An aerial photograph, outlining the extents of the reserve, is shown below in **Figure F1**.

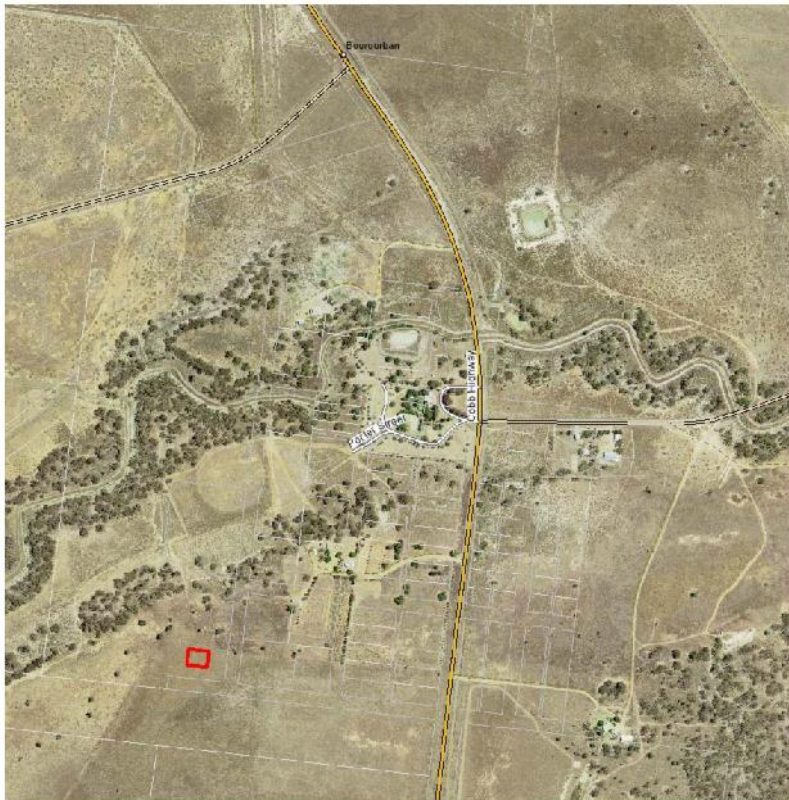


Figure F1 – Aerial Photograph of Booroorban Cemetery (Reserve No. 86089)



The Reserve's main purpose of Preservation of Graves is for the residents of Booororban.

F2.4 Land Ownership

Booororban Cemetery is owned by the Crown and is managed by Edward River Council as Crown Land Manager under the Land Management Act 2016.

F2.5 Categorisation of the Reserve

In the case of Booororban Cemetery, Council has requested and obtained initial categorisation of:

- **General Community Use** for the purpose of Preservation of Graves.

The category was approved by the minister administering the *Crown Land Management Act 2016* in relation to the reserve. Council does not propose to alter the initial categories assigned by the Minister by this Plan of Management because the assigned categories most closely align with the reserved purposes of the land and its usage.

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (k) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (l) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

F3 RELEVANT LEGISLATION, POLICIES AND PROCEDURES

F3.6 Environmental Planning and Assessment Act 1979

The land is zoned as follows under the Conargo Local Environmental Plan 2013 (LEP):

- RU 1 Primary Production

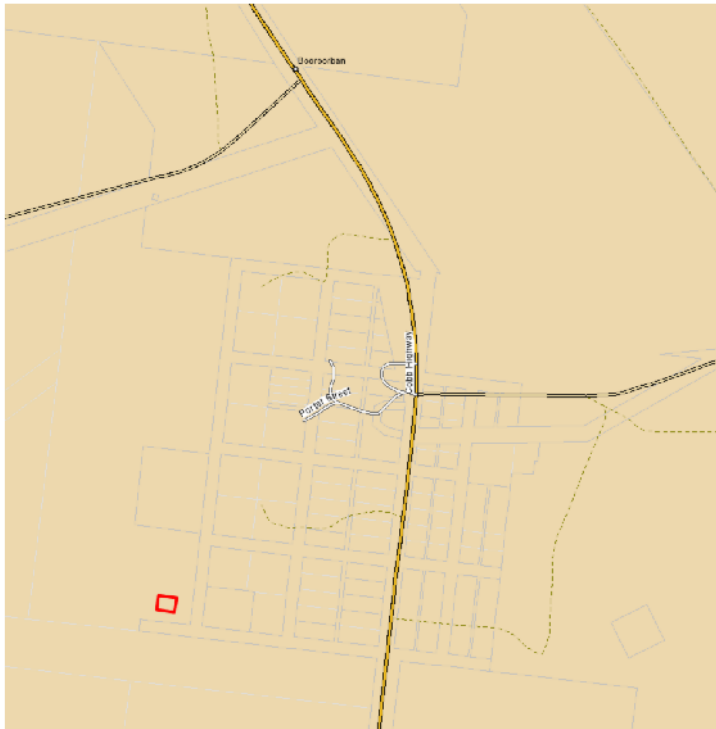


Figure F2 – Land Use Zones for Reserve No. 86089

The objectives of the land use zones are noted below in **Table F1**.



Table F1 – Objectives of Land Use Zones for Reserve No. 86089

Land Use Zone	Objectives
RU 1 – Primary Production	<ul style="list-style-type: none">• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.• To encourage diversity in primary industry enterprises and systems appropriate for the area.• To minimise the fragmentation and alienation of resource lands.• To minimise conflict between land uses within this zone and land uses within adjoining zones.• To allow the development of non-agricultural land uses that are compatible with the character of the zone.• To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities.• To allow for the development of non-agricultural land uses that are compatible with the character of the zone.• To permit small-scale rural tourism uses associated with primary production and environmental conservation that have minimal impact on primary production and the scenic amenity of the area.• To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.

Details regarding permitted developments in these land use zones is included in the Conargo LEP 2013.

In addition to the Conargo LEP, the Deniliquin Development Control Plan was developed with the general aims to:

- (a) Promote growth and development to support and enhance the vitality of the Central Business District.
- (b) Encourage development that responds to the needs of the community.
- (c) Encourage residential development of a high standard to improve the quality of the urban environment.
- (d) Encourage development that respects and minimises the impacts on surrounding land and the wider environment.
- (e) Encourage new development that will enhance streetscapes and vistas.



- (f) Ensure that development incorporates safe, effective and convenient pedestrian, bicycle and vehicle access, movement and parking areas.
- (g) Encourage energy efficiency in building design.
- (h) Provide for effective and well-utilised open space with security and access for the community.
- (i) Control and minimise the impact of stormwater run-off.
- (j) Ensure that new development is fully integrated into Council's sewerage system wherever possible.
- (k) Promote the orderly and efficient development of land to ensure that provision of services to that land is adequate.

F4 CULTURALLY SIGNIFICANT LAND

F4.1 Aboriginal Significance

Boooroorban Cemetery is not identified as having Aboriginal significance and is not declared under section 84 of the *National Park and Wildlife Act 1974*, however, any areas of Aboriginal significance that may be discovered are covered by this Plan of Management.

F4.2 Non-indigenous Significance

The reserve for Boooroorban Cemetery was gazette on 2 December 1966 and was set aside for use as a Preservation of Graves. The Boooroorban Cemetery is not specifically listed under the Conargo Local Environment Plan 2013 but is represented in the plan under the zonings RU 1 Primary Production.

F5 DEVELOPMENT AND USE

F5.2 Outcome 1 – A great place to live

F5.2 Outcome 1 – A great place to live

The direction for the Boooroorban Cemetery is captured within Outcome 1 – A great place to live

We love our strong sense of community, our willingness to help each other out, and the fact that our region provides an ideal environment in which to raise a family. Over the life of Edward River 2030, we want to keep our community safe, active and healthy and make sure that our public and open spaces – such as our sporting grounds, community halls, parks and gardens – provide social value and keep us connected.

The Boooroorban Cemetery fits directly under Target 3 – Our community and public spaces are accessible and inclusive and reflect our history, heritage and culture.



F.4 Condition of the Land and Structures on Adoption of the Plan of Management

Section 36(3A)(a) of the *Local Government Act* requires the plan to include a description of the condition of the land and structures on adoption of the plan. The condition of the infrastructure on Booororban Cemetery upon recent inspection is shown below in **Table F2**.

Table F2 – Condition of Council Assets Located on at Booororban Cemetery

ASSET DESCRIPTION	CATEGORY	CONDITION RATING
		1 – Good 5 – Unserviceable
Fencing	General Community Use	3

The Booororban Cemetery is functioning appropriately for the purposes of the area.

F5.5 Use of the Land and Structures at the Date of Adoption of the Plan of Management

Existing use of the reserve includes:

- Preservation of Graves.

Council is willing to work with the community to expand the usage of Booororban Cemetery and this Plan of Management provides an operational and strategic framework to effectively take advantage of those opportunities.

F5.6 Permitted Use Strategic Objectives

As previously noted, the classification of Booororban Cemetery is General Community Use with the intended purpose(s) of Preservation of Graves. Under the Conargo LEP 2013, the reserve is zoned RU 1 – Primary Production. These purposes and categories align with the reserve's past and future use and the values identified in this Plan.

Projects proposed by community groups and other users of the reserve must be in line with Council strategic plans and must align with the reserve purpose and core objectives for the Reserve.

Depending on the scope of the project Council may request a written proposal outlining the project and proposed location, estimated costs, scaled plans, justification for proposed works and future maintenance requirements.

F7 PLAN OF MANAGEMENT – MANAGEMENT AND ADMINISTRATION OF THE LAND

F7.26 Alcohol

Alcohol is not permitted within the Booororban Cemetery.



F7.27 Companion Animals

Domestic pets are not permitted within the Booroorban Cemetery.

F7.28 Parking

Parking is available outside the Booroorban Cemetery.



APPENDIX G

SPECIFIC INFORMATION FOR RESERVE 88854

BLIGHTY HALL & FOOTBALL GROUND RESERVE

APPENDIX G – BLIGHTY HALL & FOOTBALL GROUND

G2 INTRODUCTION

G2.3 Land to Which this Plan Applies

The land to which this plan applies is Crown Reserve 88854 and is contained Lots 67, 72 DP 756319 Parish Pungulgui County Townsend. The reserve is located on the Riverina Highway, east of Conargo. The land contains a total of 68,568.86 m². The reserve for Blighty Hall & Football Ground was gazette on 16 February 1973 and was set aside for the purpose of Public Hall; Public Recreation. An aerial photograph, outlining the extents of the reserve, is shown below in **Figure G1**.



Figure G1 – Aerial Photograph of Blighty Hall and Football Ground (Reserve No. 88854)



G2.4 Land Ownership

Blighty Recreational reserve is owned by the Crown and is managed by Edward River Council as Crown Land Manager under the Land Management Act 2016.

G2.5 Categorisation of the Reserve

In the case of Blighty Hall and Football Ground, Council has requested and obtained initial categorisation of:

- **General Community Use** for the purpose of Public Hall; Public Recreation.

The category was approved by the minister administering the *Crown Land Management Act 2016* in relation to the reserve. Council does not propose to alter the initial categories assigned by the Minister by this Plan of Management because the assigned categories most closely align with the reserved purposes of the land and its usage.

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (m) in relation to Public Hall; Public Recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (n) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

G3 RELEVANT LEGISLATION, POLICIES AND PROCEDURES

G3.6 Environmental Planning and Assessment Act 1979

The land is zoned as follows under the Deniliquin Local Environmental Plan 2013 (LEP):

- RU 1 Primary Production

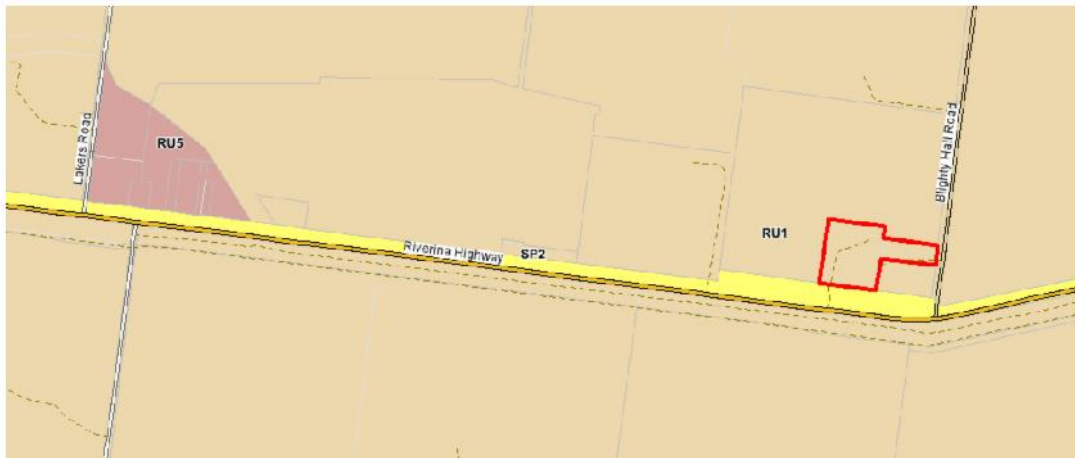


Figure G2 – Land Use Zones for Reserve No. 88854

The objectives of the land use zones are noted below in **Table G1**.



Table G1 – Objectives of Land Use Zones for Reserve No. 88854

Land Use Zone	Objectives
RU 1 – Primary Production	<ul style="list-style-type: none">• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.• To encourage diversity in primary industry enterprises and systems appropriate for the area.• To minimise the fragmentation and alienation of resource lands.• To minimise conflict between land uses within this zone and land uses within adjoining zones.• To allow the development of non-agricultural land uses that are compatible with the character of the zone.• To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities.• To allow for the development of non-agricultural land uses that are compatible with the character of the zone.• To permit small-scale rural tourism uses associated with primary production and environmental conservation that have minimal impact on primary production and the scenic amenity of the area.• To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.

Details regarding permitted developments in these land use zones is included in the Conargo LEP 2013.

In addition to the Deniliquin LEP, the Deniliquin Development Control Plan was developed with the general aims to:

- (a) Promote growth and development to support and enhance the vitality of the Central Business District.
- (b) Encourage development that responds to the needs of the community.
- (c) Encourage residential development of a high standard to improve the quality of the urban environment.
- (d) Encourage development that respects and minimises the impacts on surrounding land and the wider environment.
- (e) Encourage new development that will enhance streetscapes and vistas.



- (f) Ensure that development incorporates safe, effective and convenient pedestrian, bicycle and vehicle access, movement and parking areas.
- (g) Encourage energy efficiency in building design.
- (h) Provide for effective and well-utilised open space with security and access for the community.
- (i) Control and minimise the impact of stormwater run-off.
- (j) Ensure that new development is fully integrated into Council's sewerage system wherever possible.
- (k) Promote the orderly and efficient development of land to ensure that provision of services to that land is adequate.

G4 CULTURALLY SIGNIFICANT LAND

G4.1 Aboriginal Significance

Blighty Hall and Football Ground is not identified as having Aboriginal significance and is not declared under section 84 of the *National Park and Wildlife Act 1974*, however, any areas of Aboriginal significance that may be discovered are covered by this Plan of Management.

G4.2 Non-indigenous Significance

The reserve for Blighty Hall and Football Ground was gazette on 16 February 1973 and was set aside for Public Hall; Public Recreation. The Blighty Hall and Football Ground is not specifically listed under the Conargo Local Environment Plan 2013 but is represented in the plan under the zoning RU 1 Primary Production.



G5 DEVELOPMENT AND USE

G5.2 Community Strategic Plan - Outcome 1 – A great place to live

The direction for the Blighty Recreational reserve is captured within Outcome 1 – A great place to live

We love our strong sense of community, our willingness to help each other out, and the fact that our region provides an ideal environment in which to raise a family. Over the life of Edward River 2030, we want to keep our community safe, active and healthy and make sure that our public and open spaces – such as our sporting grounds, community halls, parks and gardens – provide social value and keep us connected.

The Blighty Hall and Football Ground fits directly under Targets 1.2 – Our community is safe, happy and healthy, both physically and mentally, and Target 3 – Our community and public spaces are accessible and inclusive and reflect our history, heritage and culture. The Council's role is to promote healthy lifestyles and effectively manage community halls and recreation reserves.

G5.4 Condition of the Land and Structures on Adoption of the Plan of Management

Section 36(3A)(a) of the *Local Government Act* requires the plan to include a description of the condition of the land and structures on adoption of the plan. The condition of the infrastructure on Blighty Hall and Football Ground upon recent inspection is shown below in **Table G2**.

Table G2 – Condition of Council Assets Located on at Blighty Hall and Football Ground

ASSET DESCRIPTION	CATEGORY	CONDITION RATING
		1 – Good 5 – Unserviceable
Buildings	General Community Use	3
Roads	General Community Use	2
Water Infrastructure	General Community Use	2
Grounds (lawns, gardens)	General Community Use	2
Ovals	General Community Use	2
Signage	General Community Use	2
Fencing	General Community Use	2

The Blighty Hall and Football Ground is functioning appropriately for the purposes of the area.

Photographs of the reserve are shown below in **Figure G3**.



Figure G3 – A Photograph of the Blighty Hall and Football Ground Reserve where the purpose of the land is for a community centre.

G5.5 Use of the Land and Structures at the Date of Adoption of the Plan of Management

Existing use of the reserve includes:

- Public Hall
- Football Ground.

Council is willing to work with existing and potential users to expand the usage of Blighty Recreational reserve and this Plan of Management will provide an operational and strategic framework to effectively take advantage of those opportunities.

G5.6 Permitted Use Strategic Objectives

As previously noted, the classification of Blighty Recreational reserve is General Community Use with the intended purpose(s) of Community Centre. Under the Conargo LEP 2013, the different lots are zoned RU 1 – Primary Production. These purposes and categories align with the reserve's past and future use and the values identified in this plan.

Projects proposed by community groups and other users of the reserve must be in line with Council strategic plans and must align with the reserve purpose and core objectives for the Reserve.

Depending on the scope of the project Council may request a written proposal outlining the project and proposed location, estimated costs, scaled plans, justification for proposed works and future maintenance requirements.



G7 PLAN OF MANAGEMENT – MANAGEMENT AND ADMINISTRATION OF THE LAND

D7.26 Alcohol

Alcohol is permitted within the Blighty Hall and Football Ground at selected events if all the correct licencing procedures are followed and an application to Council is submitted and approved by whichever group.

G7.27 Companion Animals

Domestic pets may use the grounds where authorised by signage provided that they are under the control of a responsible person at all times and do not cause loss of amenity to other users of the land.

Dogs are not permitted to be walked off leash unless they are within Council's designated off leash exercise areas. Dog clubs are required to seek Council permission to conduct dog obedience and training activities on all community land.

G7.28 Parking

Parking is directly available along within the Blighty Recreational Reserve. Signage is dedicated to showing where parking is permitted.



APPENDIX H

SPECIFIC INFORMATION FOR RESERVE 90112

EDWARD RIVER RESERVE

APPENDIX H – EDWARD RIVER RESERVE

H2 INTRODUCTION

H2.3 Land to Which this Plan Applies

The land to which this plan applies is Crown Reserve 90112 and is contained in Lot 57 DP 756570 Parish Nullum County Wakool. The reserve is located on the eastern side of southern side of the Pretty Pine Road and borders the Edward River. The land contains a total of 133,849.53 m². The reserve for Edward River Reserve was gazette on 5 May 1972 and was set aside for the purpose of Access; Preservation of Trees. An aerial photograph, outlining the extents of the reserve, is shown below in **Figure H1**.

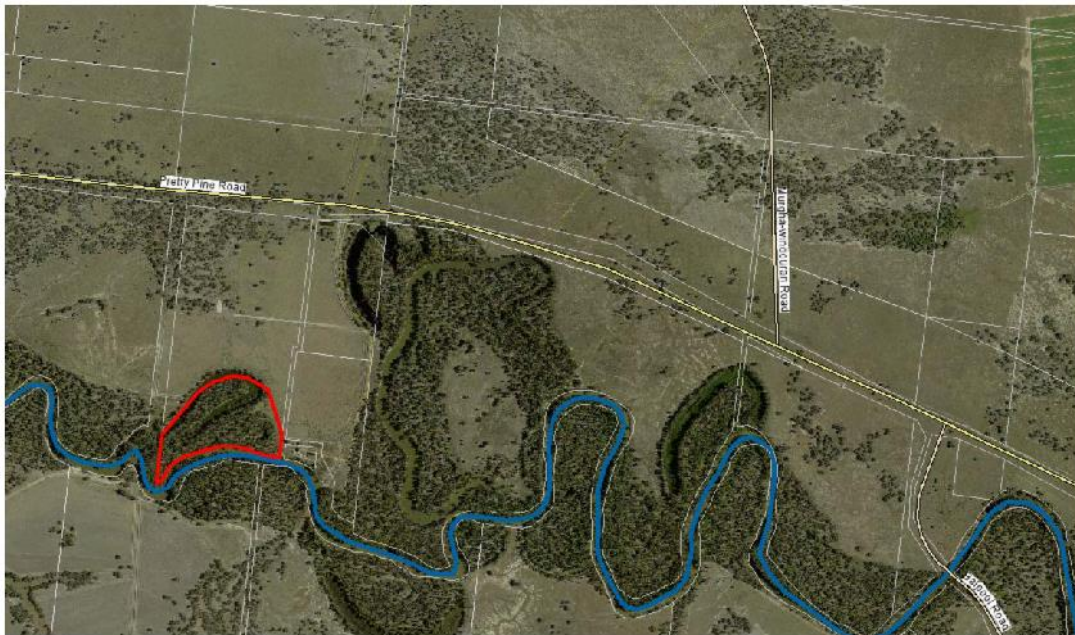


Figure H1 – Aerial Photograph of Edward River Reserve (Reserve No. 90112)



H2.4 Land Ownership

Edward River Reserve is owned by the Crown and is managed by Edward River Council as Crown Land Manager under the Land Management Act 2016.

H2.5 Categorisation of the Reserve

In the case of Edward River Reserve, Council has requested and obtained initial categorisation of:

- **General Community Use** for the purpose of Access; Preservation of Trees.

The category was approved by the minister administering the *Crown Land Management Act 2016* in relation to the reserve. Council does not propose to alter the initial categories assigned by the Minister by this Plan of Management because the assigned categories most closely align with the reserved purposes of the land and its usage.

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (o) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (p) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

H3 RELEVANT LEGISLATION, POLICIES AND PROCEDURES

H3.6 Environmental Planning and Assessment Act 1979

The land is zoned as follows under the Conargo Local Environmental Plan 2013 (LEP):

- RU 1 Primary Production

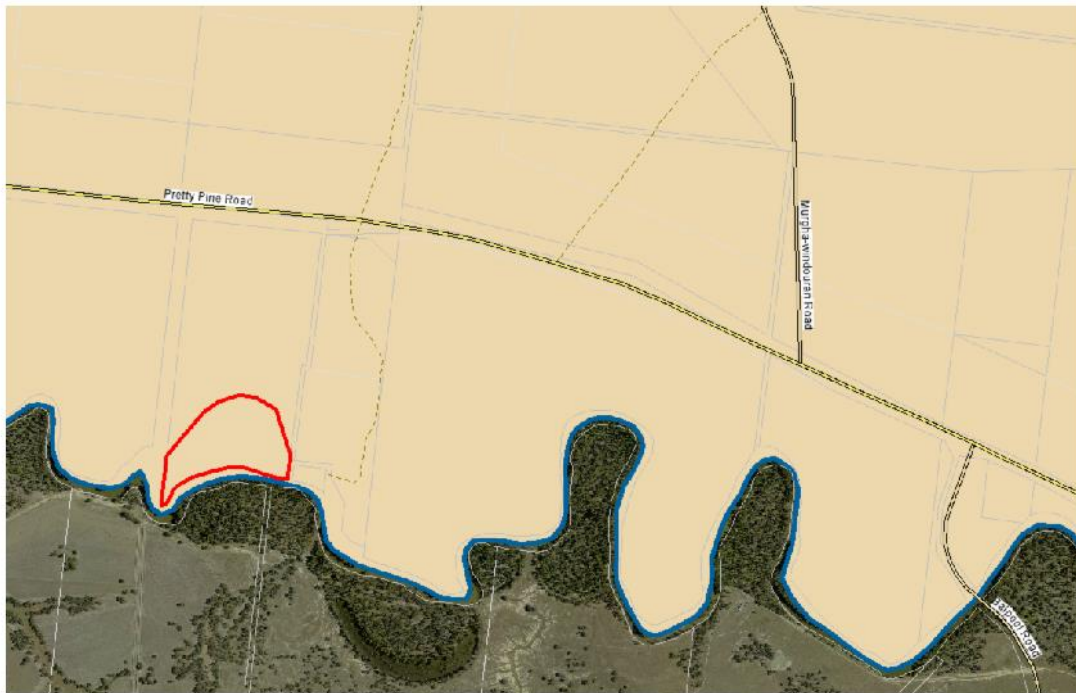


Figure I2 – Land Use Zones for Reserve No. 90112

The objectives of the land use zones are noted below in **Table H1**.



Table H1 – Objectives of Land Use Zones for Reserve No. 90112

Land Use Zone	Objectives
RU 1 – Primary Production	<ul style="list-style-type: none">• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.• To encourage diversity in primary industry enterprises and systems appropriate for the area.• To minimise the fragmentation and alienation of resource lands.• To minimise conflict between land uses within this zone and land uses within adjoining zones.• To allow the development of non-agricultural land uses that are compatible with the character of the zone.• To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities.• To allow for the development of non-agricultural land uses that are compatible with the character of the zone.• To permit small-scale rural tourism uses associated with primary production and environmental conservation that have minimal impact on primary production and the scenic amenity of the area.• To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.

Details regarding permitted developments in these land use zones is included in the Conargo LEP 2013.

In addition to the Deniliquin LEP, the Deniliquin Development Control Plan was developed with the general aims to:

- (a) Promote growth and development to support and enhance the vitality of the Central Business District.
- (b) Encourage development that responds to the needs of the community.
- (c) Encourage residential development of a high standard to improve the quality of the urban environment.
- (d) Encourage development that respects and minimises the impacts on surrounding land and the wider environment.



- (e) Encourage new development that will enhance streetscapes and vistas.
- (f) Ensure that development incorporates safe, effective and convenient pedestrian, bicycle and vehicle access, movement and parking areas.
- (g) Encourage energy efficiency in building design.
- (h) Provide for effective and well-utilised open space with security and access for the community.
- (i) Control and minimise the impact of stormwater run-off.
- (j) Ensure that new development is fully integrated into Council's sewerage system wherever possible.
- (k) Promote the orderly and efficient development of land to ensure that provision of services to that land is adequate.

H4 CULTURALLY SIGNIFICANT LAND

H4.1 Aboriginal Significance

Edward River Reserve is not identified as having Aboriginal significance and is not declared under section 84 of the *National Park and Wildlife Act 1974*, however, any areas of Aboriginal significance that may be discovered are covered by this Plan of Management.

H4.2 Non-indigenous Significance

The reserve for Edward River Reserve was gazette on 5 May 1972 and was set aside for Access; Preservation of Trees. The Edward River Reserve is not specifically listed under the Conargo Local Environment Plan 2013 but is represented in the plan under the zonings RU 1 Primary Production.



H5 DEVELOPMENT AND USE

H5.2 Community Strategic Plan - Outcome 1 – A great place to live

The direction for the Edward River Reserve is captured within Outcome 1 – A great place to live

We love our strong sense of community, our willingness to help each other out, and the fact that our region provides an ideal environment in which to raise a family. Over the life of Edward River 2030, we want to keep our community safe, active and healthy and make sure that our public and open spaces – such as our sporting grounds, community halls, parks and gardens – provide social value and keep us connected.

The Edward River Reserve fits directly under Targets 1.2 – Our community is safe, happy and healthy, both physically and mentally, and Target 3 – Our community and public spaces are accessible and inclusive and reflect our history, heritage and culture. The Council's role is to promote healthy lifestyles and effectively manage community halls and recreation reserves and operate section 355 committees to effectively manage community halls and recreation reserves.

H5.4 Condition of the Land and Structures on Adoption of the Plan of Management

Section 36(3A)(a) of the *Local Government Act* requires the plan to include a description of the condition of the land and structures on adoption of the plan. The condition of the infrastructure on Edward River Reserve upon recent inspection is shown below in **Table H2**.

Table H2 – Condition of Council Assets Located on at Edward River Reserve

ASSET DESCRIPTION	CATEGORY	CONDITION RATING 1 – Good 5 – Unserviceable
Fencing	General Community Use	3

The Edward River Reserve is functioning appropriately for the purposes of the area.

Photographs of the reserve are shown below in **Figure H3**.



Figure HI – A Photograph of Edward River Reserve grounds.

H5.5 Use of the Land and Structures at the Date of Adoption of the Plan of Management

Existing use of the reserve includes:

- Access
- Preservation of Trees

Council is willing to work with existing and potential users to expand the usage of Edward River Reserve and this Plan of Management will provide an operational and strategic framework to effectively take advantage of those opportunities.

H5.6 Permitted Use Strategic Objectives

As previously noted, the classification of Edward River Reserve is General Community Use with the intended purpose(s) of Community Purposes and an additional purpose of Rural Services. Under the Conargo LEP 2013, the different lots are zoned RU 1 – Primary Production. These purposes and categories align with the reserve's past and future use and the values identified in this plan.

Projects proposed by community groups and other users of the reserve must be in line with Council strategic plans and must align with the reserve purpose and core objectives for the Reserve.

Depending on the scope of the project Council may request a written proposal outlining the project and proposed location, estimated costs, scaled plans, justification for proposed works and future maintenance requirements.



H7 PLAN OF MANAGEMENT – MANAGEMENT AND ADMINISTRATION OF THE LAND

H7.26 Alcohol

Alcohol is permitted within the Edward River Reserve at selected events if all the correct licencing procedures are followed and an application to Council is submitted and approved by whichever group.

H7.27 Companion Animals

Domestic pets may use the grounds where authorised by signage provided that they are under the control of a responsible person at all times and do not cause loss of amenity to other users of the land.

Dogs are not permitted to be walked off leash unless they are within Council's designated off leash exercise areas. Dog clubs are required to seek Council permission to conduct dog obedience and training activities on all community land.

H7.28 Parking

Parking is directly available within the Edward River Reserve, however, no signage is dedicated to showing where parking is permitted.



APPENDIX I

SPECIFIC INFORMATION FOR RESERVE 91668

PRETTY PINE LANDFILL

APPENDIX I – PRETTY PINE LANDFILL RESERVE

I2 INTRODUCTION

I2.3 Land to Which this Plan Applies

The land to which this plan applies is Crown Reserve 91668 and is contained in Lot 84 DP 39740 Parish Dahwilly County Townsend. The reserve is located on the eastern side of the Cobb Highway at Pretty Pine. The land contains a total of 16,989.98 m². The reserve for Pretty Pine Landfill was gazette on 21 December 1979 and was set aside for the purpose of Road; Rubbish Depot. An aerial photograph, outlining the extents of the reserve, is shown below in **Figure I1**.



Figure I1 – Aerial Photograph of Pretty Pine Landfill (Reserve No. 91668)



12.4 Land Ownership

Pretty Pine Landfill reserve is owned by the Crown and is managed by Edward River Council as Crown Land Manager under the Land Management Act 2016.

12.5 Categorisation of the Reserve

In the case of Pretty Pine Landfill, Council has requested and obtained initial categorisation of:

- **General Community Use** for the purpose of Road; Rubbish Depot.

The category was approved by the minister administering the *Crown Land Management Act 2016* in relation to the reserve. Council does not propose to alter the initial categories assigned by the Minister by this Plan of Management because the assigned categories most closely align with the reserved purposes of the land and its usage.

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (q) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (r) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

13 RELEVANT LEGISLATION, POLICIES AND PROCEDURES

13.6 Environmental Planning and Assessment Act 1979

The land is zoned as follows under the Conargo Local Environmental Plan 2013 (LEP):

- RU 1 Primary Production

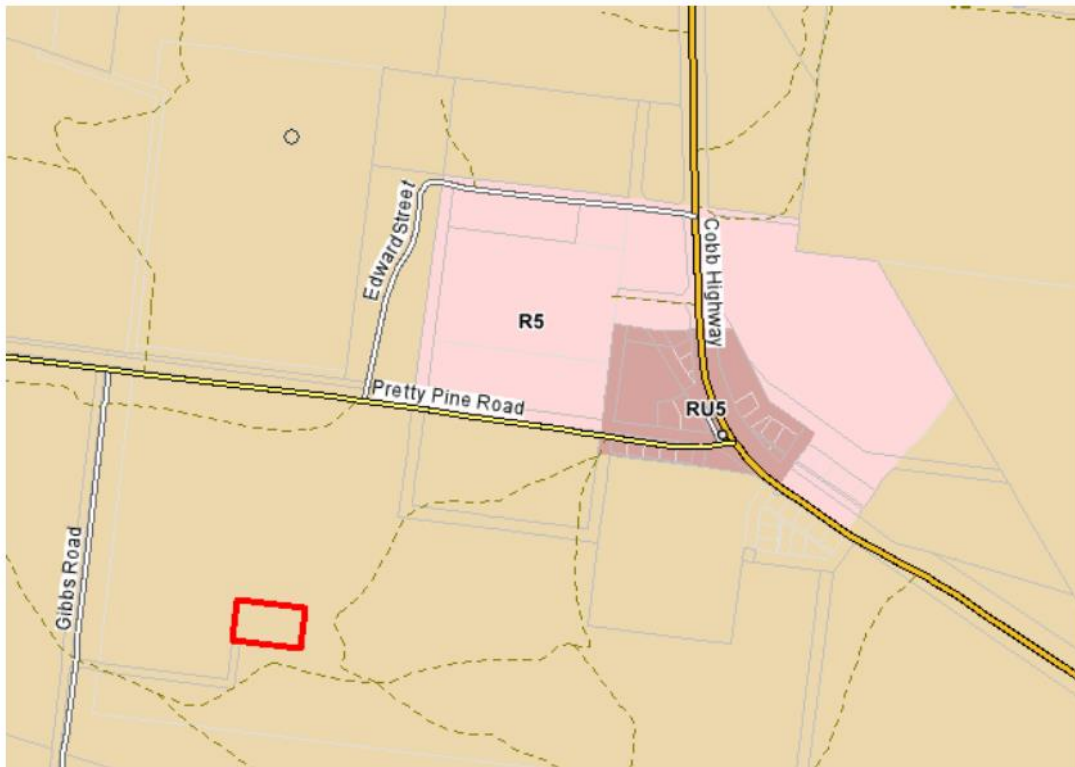


Figure I2 – Land Use Zones for Reserve No. 91668

The objectives of the land use zones are noted below in **Table I1**.



Table K1 – Objectives of Land Use Zones for Reserve No. 91668

Land Use Zone	Objectives
RU 1 – Primary Production	<ul style="list-style-type: none">• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.• To encourage diversity in primary industry enterprises and systems appropriate for the area.• To minimise the fragmentation and alienation of resource lands.• To minimise conflict between land uses within this zone and land uses within adjoining zones.• To allow the development of non-agricultural land uses that are compatible with the character of the zone.• To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities.• To allow for the development of non-agricultural land uses that are compatible with the character of the zone.• To permit small-scale rural tourism uses associated with primary production and environmental conservation that have minimal impact on primary production and the scenic amenity of the area.• To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.

Details regarding permitted developments in these land use zones is included in the Conargo LEP 2013.

In addition to the Deniliquin LEP, the Deniliquin Development Control Plan was developed with the general aims to:

- (a) Promote growth and development to support and enhance the vitality of the Central Business District.
- (b) Encourage development that responds to the needs of the community.
- (c) Encourage residential development of a high standard to improve the quality of the urban environment.
- (d) Encourage development that respects and minimises the impacts on surrounding land and the wider environment.
- (e) Encourage new development that will enhance streetscapes and vistas.



- (f) Ensure that development incorporates safe, effective and convenient pedestrian, bicycle and vehicle access, movement and parking areas.
- (g) Encourage energy efficiency in building design.
- (h) Provide for effective and well-utilised open space with security and access for the community.
- (i) Control and minimise the impact of stormwater run-off.
- (j) Ensure that new development is fully integrated into Council's sewerage system wherever possible.
- (k) Promote the orderly and efficient development of land to ensure that provision of services to that land is adequate.

I4 CULTURALLY SIGNIFICANT LAND

I4.1 Aboriginal Significance

Pretty Pine Landfill is not identified as having Aboriginal significance and is not declared under section 84 of the *National Park and Wildlife Act 1974*, however, any areas of Aboriginal significance that may be discovered are covered by this Plan of Management.

I4.2 Non-indigenous Significance

The reserve for Pretty Pine Landfill was gazette on 21 December 1979 and was set aside for Road; Rubbish Depot. The Pretty Pine Landfill is not specifically listed under the Conargo Local Environment Plan 2013 but is represented in the plan under the zoning RU 1 Primary Production



15 DEVELOPMENT AND USE

15.2 Community Strategic Plan - Outcome 1 – A great place to live

The direction for the Pretty Pine Landfill reserve is captured within Outcome 4 – A region with quality and sustainable infrastructure

As a community we are lucky to have well developed built infrastructure. In particular our sporting facilities and community halls are an area of immense pride. We see opportunity for improvement in our road, footpath and drainage networks and by taking a proactive approach to building maintenance.

The Pretty Pine Landfill fits directly under Targets 4.1 – Our built environment is managed, maintained and improved. The Council's role is to Where appropriate upgrade existing or provide new infrastructure and maximise funding opportunities to renew and upgrade-built infrastructure.

15.4 Condition of the Land and Structures on Adoption of the Plan of Management

Section 36(3A)(a) of the *Local Government Act* requires the plan to include a description of the condition of the land and structures on adoption of the plan. The condition of the infrastructure on Pretty Pine Landfill upon recent inspection is shown below in **Table 12**.

Table 12 – Condition of Council Assets Located on at Pretty Pine Landfill

ASSET DESCRIPTION	CATEGORY	CONDITION RATING
		1 – Good 5 – Unserviceable
Fencing	General Community Use	3
Roads	General Community Use	2

The Pretty Pine Landfill is functioning appropriately for the purposes of the area.

Photographs of the reserve are shown below in **Figure I3**.



Figure I3 – A Photograph of Pretty Pine Landfill grounds.

15.5 Use of the Land and Structures at the Date of Adoption of the Plan of Management

Existing use of the reserve includes:

- Rubbish Depot

Council is willing to work with existing and potential users to expand the usage of Pretty Pine Landfill and this Plan of Management will provide an operational and strategic framework to effectively take advantage of those opportunities.

15.6 Permitted Use Strategic Objectives

As previously noted, the classification of Pretty Pine Landfill is General Community Use with the intended purpose(s) of Road; Rubbish Depot. Under the Conargo LEP 2013, the different lots are zoned RU 1 – Primary Production. These purposes and categories align with the reserve's past and future use and the values identified in this plan.

Projects proposed by community groups and other users of the reserve must be in line with Council strategic plans and must align with the reserve purpose and core objectives for the Reserve.

Depending on the scope of the project Council may request a written proposal outlining the project and proposed location, estimated costs, scaled plans, justification for proposed works and future maintenance requirements.



17 PLAN OF MANAGEMENT – MANAGEMENT AND ADMINISTRATION OF THE LAND

17.26 Alcohol

Alcohol is not permitted within the Pretty Pine Landfill reserve.

17.27 Companion Animals

Domestic pets are not allowed within the Pretty Pine Landfill reserve.

17.28 Parking

Parking is directly available within the Pretty Pine Landfill. Signage is dedicated to showing where parking is permitted.

APPENDIX J
SPECIFIC INFORMATION FOR RESERVE 97439
BOOROORBAN HALL RESERVE

APPENDIX J – BOOROORBAN HALL RESERVE

J2 INTRODUCTION

J2.3 Land to Which this Plan Applies

The land to which this plan applies is Crown Reserve 97439 and is contained Lot 11 Section 15 DP 758138, Lot 7306 DP 1157228 Parish Booorooban County Townsend. The reserve is located on the eastern side of Booorooban township. The land contains a total of 15,803.69 m2. The reserve for Booorooban Hall was gazette on 21 September 1984 and was set aside for the purpose of Community Purposes, with an additional purpose of rural services. An aerial photograph, outlining the extents of the reserve, is shown below in **Figure J1**.



Figure J1 – Aerial Photograph of Booroorban Hall (Reserve No. 97439)



J2.4 Land Ownership

Booororban Hall reserve is owned by the Crown and is managed by Edward River Council as Crown Land Manager under the Land Management Act 2016.

J2.5 Categorisation of the Reserve

In the case of Booororban Hall, Council has requested and obtained initial categorisation of:

- **General Community Use** for the purpose of Community Purposes.

The category was approved by the minister administering the *Crown Land Management Act 2016* in relation to the reserve. Council does not propose to alter the initial categories assigned by the Minister by this Plan of Management because the assigned categories most closely align with the reserved purposes of the land and its usage.

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (s) in relation to Community Services and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (t) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

J3 RELEVANT LEGISLATION, POLICIES AND PROCEDURES

J3.6 Environmental Planning and Assessment Act 1979

The land is zoned as follows under the Conargo Local Environmental Plan 2013 (LEP):

- RU 1 Primary Production

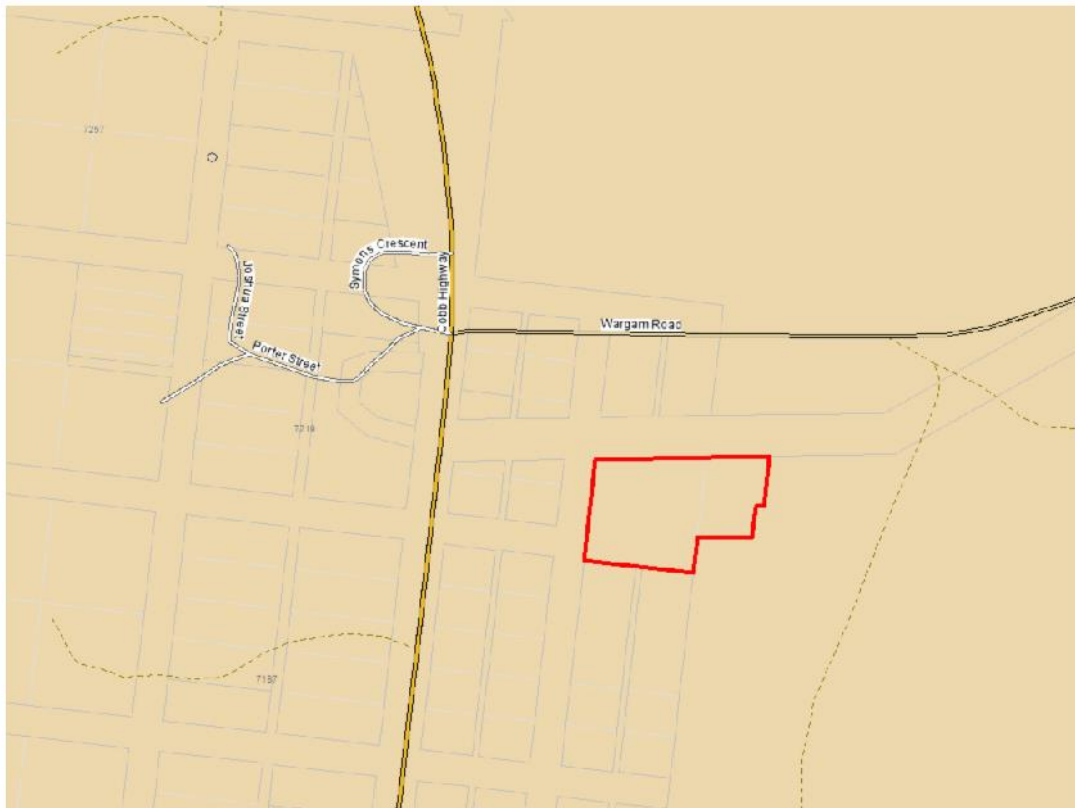


Figure J2 – Land Use Zones for Reserve No. 97439

The objectives of the land use zones are noted below in **Table J1**.



Table J1 – Objectives of Land Use Zones for Reserve No. 97439

Land Use Zone	Objectives
RU 1 – Primary Production	<ul style="list-style-type: none">• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.• To encourage diversity in primary industry enterprises and systems appropriate for the area.• To minimise the fragmentation and alienation of resource lands.• To minimise conflict between land uses within this zone and land uses within adjoining zones.• To allow the development of non-agricultural land uses that are compatible with the character of the zone.• To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities.• To allow for the development of non-agricultural land uses that are compatible with the character of the zone.• To permit small-scale rural tourism uses associated with primary production and environmental conservation that have minimal impact on primary production and the scenic amenity of the area.• To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.

Details regarding permitted developments in these land use zones is included in the Conargo LEP 2013.

In addition to the Deniliquin LEP, the Deniliquin Development Control Plan was developed with the general aims to:

- (a) Promote growth and development to support and enhance the vitality of the Central Business District.
- (b) Encourage development that responds to the needs of the community.
- (c) Encourage residential development of a high standard to improve the quality of the urban environment.
- (d) Encourage development that respects and minimises the impacts on surrounding land and the wider environment.
- (e) Encourage new development that will enhance streetscapes and vistas.



- (f) Ensure that development incorporates safe, effective and convenient pedestrian, bicycle and vehicle access, movement and parking areas.
- (g) Encourage energy efficiency in building design.
- (h) Provide for effective and well-utilised open space with security and access for the community.
- (i) Control and minimise the impact of stormwater run-off.
- (j) Ensure that new development is fully integrated into Council's sewerage system wherever possible.
- (k) Promote the orderly and efficient development of land to ensure that provision of services to that land is adequate.

J4 CULTURALLY SIGNIFICANT LAND

J4.1 Aboriginal Significance

Booororban Hall is not identified as having Aboriginal significance and is not declared under section 84 of the *National Park and Wildlife Act 1974*, however, any areas of Aboriginal significance that may be discovered are covered by this Plan of Management.

J4.2 Non-indigenous Significance

The reserve for Booororban Hall was gazette on 21 September 1984 and was set aside for Community Purposes. The Booororban Hall is not specifically listed under the Conargo Local Environment Plan 2013 but is represented in the plan under the zonings RU 1 Primary Production.



J5 DEVELOPMENT AND USE

J5.2 Community Strategic Plan - Outcome 1 – A great place to live

The direction for the Booororban Hall reserve is captured within Outcome 1 – A great place to live

We love our strong sense of community, our willingness to help each other out, and the fact that our region provides an ideal environment in which to raise a family. Over the life of Edward River 2030, we want to keep our community safe, active and healthy and make sure that our public and open spaces – such as our sporting grounds, community halls, parks and gardens – provide social value and keep us connected.

The Booororban Hall fits directly under Targets 1.2 – Our community is safe, happy and healthy, both physically and mentally, and Target 3 – Our community and public spaces are accessible and inclusive and reflect our history, heritage and culture. The Council's role is to promote healthy lifestyles and effectively manage community halls and recreation reserves and operate section 355 committees to effectively manage community halls and recreation reserves.

J5.4 Condition of the Land and Structures on Adoption of the Plan of Management

Section 36(3A)(a) of the *Local Government Act* requires the plan to include a description of the condition of the land and structures on adoption of the plan. The condition of the infrastructure on Booororban Hall upon recent inspection is shown below in **Table J2**.

Table F2 – Condition of Council Assets Located on at Booororban Hall

ASSET DESCRIPTION	CATEGORY	CONDITION RATING
		1 – Good 5 – Unserviceable
Buildings	General Community Use	3
Roads	General Community Use	4
Water Infrastructure	General Community Use	3
Grounds (lawns, gardens)	General Community Use	4
Signage	General Community Use	3
Fencing	General Community Use	2

The Booororban Hall is functioning appropriately for the purposes of the area.

Photographs of the reserve are shown below in **Figure J3**.



Figure J3 – A Photograph of Booororban Hall grounds.

J5.5 Use of the Land and Structures at the Date of Adoption of the Plan of Management

Existing use of the reserve includes:

- Community Purposes.

Council is willing to work with existing and potential users to expand the usage of Booororban Hall and this Plan of Management will provide an operational and strategic framework to effectively take advantage of those opportunities.

F5.6 Permitted Use Strategic Objectives

As previously noted, the classification of Booororban Hall is General Community Use with the intended purpose(s) of Community Purposes and an additional purpose of Rural Services. Under the Deniliquin LEP 2013, the different lots are zoned RU 1 – Primary Production. These purposes and categories align with the reserve's past and future use and the values identified in this plan.

Projects proposed by community groups and other users of the reserve must be in line with Council strategic plans and must align with the reserve purpose and core objectives for the Reserve.

Depending on the scope of the project Council may request a written proposal outlining the project and proposed location, estimated costs, scaled plans, justification for proposed works and future maintenance requirements.



J7 PLAN OF MANAGEMENT – MANAGEMENT AND ADMINISTRATION OF THE LAND

J7.26 Alcohol

Alcohol is permitted within the Booroorban Hall reserve at selected events if all the correct licencing procedures are followed and an application to Council is submitted and approved by whichever group.

J7.27 Companion Animals

Domestic pets may use the grounds where authorised by signage provided that they are under the control of a responsible person at all times and do not cause loss of amenity to other users of the land.

Dogs are not permitted to be walked off leash unless they are within Council's designated off leash exercise areas. Dog clubs are required to seek Council permission to conduct dog obedience and training activities on all community land.

J7.28 Parking

Parking is directly available within the Booroorban Hall, however, no signage is dedicated to showing where parking is permitted.

APPENDIX K
SPECIFIC INFORMATION FOR RESERVE 150050
WOODBURY WOODLOT

APPENDIX K – WOODBURY WOODLOT RESERVE

K2 INTRODUCTION

K2.3 Land to Which this Plan Applies

The land to which this plan applies is Crown Reserve 150050 and is contained in Lot 209 DP 756305 Parish Narrama County Townsend. The reserve is located on the Woodbury Rd. The land contains a total of 8,109.02 m². The reserve for Woodbury Woodlot was gazette on 8 April 1993 and was set aside for the purpose of Environmental Protection. An aerial photograph, outlining the extents of the reserve, is shown below in **Figure K1**.



Figure K1 – Aerial Photograph of Woodbury Woodlot (Reserve No. 150050)



K2.4 Land Ownership

Woodbury Woodlot 150050 is owned by the Crown and is managed by Edward River Council as Crown Land Manager under the Land Management Act 2016.

K2.5 Categorisation of the Reserve

In the case of Woodbury Woodlot, Council has requested and obtained initial categorisation of:

- **General Community Use** for the purpose of Environmental Protection.

The category was approved by the minister administering the *Crown Land Management Act 2016* in relation to the reserve. Council does not propose to alter the initial categories assigned by the Minister by this Plan of Management because the assigned categories most closely align with the reserved purpose of the of the land and its usage.

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (u) in relation to Preservation of Fauna; Public Recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (v) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

K3 RELEVANT LEGISLATION, POLICIES AND PROCEDURES

K3.6 Environmental Planning and Assessment Act 1979

The land is zoned as follows under the Conargo Local Environmental Plan 2013 (LEP):

- RU 1 Primary Production

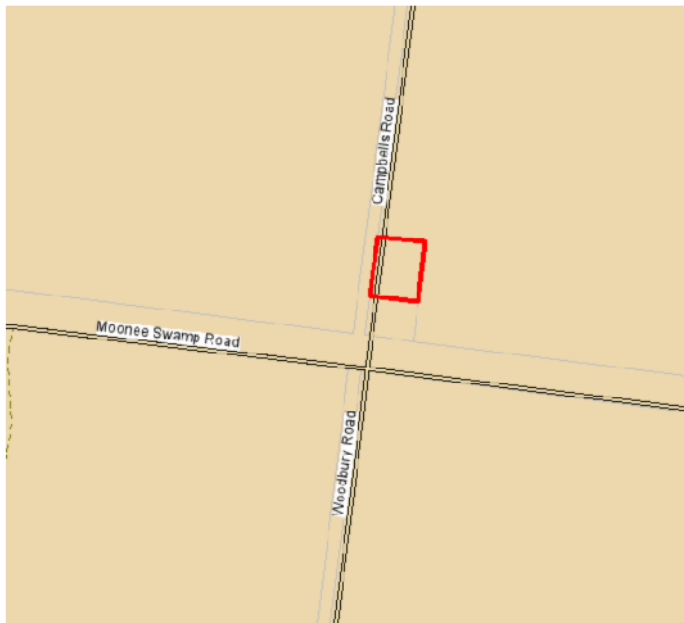


Figure K2 – Land Use Zones for Reserve No. 150050

The objectives of the land use zones are noted below in **Table K1**.



Table K1 – Objectives of Land Use Zones for Reserve No. 150050

Land Use Zone	Objectives
RU 1 – Primary Production	<ul style="list-style-type: none">• To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.• To encourage diversity in primary industry enterprises and systems appropriate for the area.• To minimise the fragmentation and alienation of resource lands.• To minimise conflict between land uses within this zone and land uses within adjoining zones.• To allow the development of non-agricultural land uses that are compatible with the character of the zone.• To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities.• To allow for the development of non-agricultural land uses that are compatible with the character of the zone.• To permit small-scale rural tourism uses associated with primary production and environmental conservation that have minimal impact on primary production and the scenic amenity of the area.• To provide opportunities for employment-generating development that adds value to local agricultural production and integrates with tourism.

Details regarding permitted developments in the land use zone is included in the Conargo LEP 2013.

In addition to the Conargo LEP, the Deniliquin Development Control Plan was developed with the general aims to:

- (a) Promote growth and development to support and enhance the vitality of the Central Business District.
- (b) Encourage development that responds to the needs of the community.
- (c) Encourage residential development of a high standard to improve the quality of the urban environment.
- (d) Encourage development that respects and minimises the impacts on surrounding land and the wider environment.
- (e) Encourage new development that will enhance streetscapes and vistas.



- (f) Ensure that development incorporates safe, effective and convenient pedestrian, bicycle and vehicle access, movement and parking areas.
- (g) Encourage energy efficiency in building design.
- (h) Provide for effective and well-utilised open space with security and access for the community.
- (i) Control and minimise the impact of stormwater run-off.
- (j) Ensure that new development is fully integrated into Council's sewerage system wherever possible.
- (k) Promote the orderly and efficient development of land to ensure that provision of services to that land is adequate.

K4 CULTURALLY SIGNIFICANT LAND

K4.1 Aboriginal Significance

Woodbury Woodlot is not identified as having Aboriginal significance and is not declared under section 84 of the *National Park and Wildlife Act 1974*, however, any areas of Aboriginal significance that may be discovered are covered by this Plan of Management.

K4.2 Non-indigenous Significance

The reserve for Woodbury Woodlot was gazette on 08 April 1993 and was set aside for Environmental Protection. The Woodbury Woodlot is not specifically listed under the Conargo Local Environment Plan 2013 but is represented in the plan under the zonings RU 1 Primary Production.

K5 DEVELOPMENT AND USE

K5.2 Outcome 1 – A great place to live

The direction for the Woodbury Woodlot is captured within Outcome 1 – A great place to live

We love our strong sense of community, our willingness to help each other out, and the fact that our region provides an ideal environment in which to raise a family. Over the life of Edward River 2030, we want to keep our community safe, active and healthy and make sure that our public and open spaces – such as our sporting grounds, community halls, parks and gardens – provide social value and keep us connected.

The Woodbury Woodlot fits directly under Targets 1.2 – Our community is safe, happy and healthy, both physically and mentally, and Target 3 – Our community and public spaces are accessible and inclusive and reflect our history, heritage and culture. The Council's role is to promote healthy lifestyles and effectively manage community assets.



K5.4 Condition of the Land and Structures on Adoption of the Plan of Management

Section 36(3A)(a) of the *Local Government Act* requires the plan to include a description of the condition of the land and structures on adoption of the plan. The condition of the infrastructure on Woodbury Woodlot upon recent inspection is shown below in **Table A2**.

Table K2 – Condition of Council Assets Located on at Woodbury Woodlot

ASSET DESCRIPTION	CATEGORY	CONDITION RATING
		1 – Good 5 – Unserviceable
Fencing	General Community Use	3

The Woodbury Woodlot is functioning appropriately for the purposes of the area.

K5.5 Use of the Land and Structures at the Date of Adoption of the Plan of Management

Existing use of the reserve includes:

- Environmental Protection.

Council is willing to work with existing and potential users to expand the usage of Woodbury Woodlot and this Plan of Management will provide an operational and strategic framework to effectively take advantage of those opportunities.

K5.6 Permitted Use Strategic Objectives

As previously noted, the classification of Woodbury Woodlot is General Community Use with the intended purpose(s) of Preservation of Fauna, Public Recreation. Under the Conargo LEP 2013, the different lots are zoned RU 1 – Primary Production. These purposes and categories align with the reserve's past and future use and the values identified in this plan.

Projects proposed by community groups and other users of the reserve must be in line with Council strategic plans and must align with the reserve purpose and core objectives for the Reserve.

Depending on the scope of the project Council may request a written proposal outlining the project and proposed location, estimated costs, scaled plans, justification for proposed works and future maintenance requirements.



K7 PLAN OF MANAGEMENT – MANAGEMENT AND ADMINISTRATION OF THE LAND

K7.26 Alcohol

Alcohol is permitted within the Woodbury Woodlot at selected events if all the correct licencing procedures are followed and an application to Council is submitted and approved by whichever group.

K7.27 Companion Animals

Domestic pets may use the grounds where authorised by signage provided that they are under the control of a responsible person at all times and do not cause loss of amenity to other users of the land.

Dogs are not permitted to be walked off leash unless they are within Council's designated off leash exercise areas. Dog clubs are required to seek Council permission to conduct dog obedience and training activities on all community land.

K7.28 Parking

Parking is not available within the Woodbury Woodlot, however, parking along the roadside is possible. No signage is dedicated to showing where parking is permitted.



APPENDIX L

NATIVE TITLE ASSESSMENT

The Crown Land Management Act 2016 – Section 8.7 (1) (d) requires that Council as Crown Land Manager obtains the written advice of its Native Title Manager prior to its approval or submission for approval of a plan of management for the land that authorises or permits any kinds of dealings referred to in Section 8.7.

1 The Land to which this report applies

The land to which the Plan of Management applies is shown below in **Table L1**.

Table L1 – Land to Which this Report Applies

Reserve Number	Reserve Description	Land Description	Reserve Gazettal Date
44928	Cobb Highway Sandpit	Lot 64 DP 756350	2 March 1910
57705	Boorooban Sports Ground	Lot 7308 DP 1157228	9 January 1925
65114	North Conargo Reserve	Lots 7003-7005 DP 1025255	1 March 1935
69543	Conargo Hall	in Lot 123 DP 756268, Lot 7003 DP 1025249	1 May 1936
85270	Pretty Pine Sports Ground	Lot 7007 DP 1023663	26 March 1965
86089	Boorooban Cemetery	Lot 7310 DP 1157228	2 December 1966
88854	Blighty Hall and Football Ground	Lots 67, 72 DP 756319	16 February 1973
90112	Edward River Reserve	Lot 57 DP 756570	5 May 1972
91668	Pretty Pine Waste Depot	Lot 84 DP 39740	21 December 1979
91668	Boorooban Hall	Lot 11 Section 15 DP 758138, Lot 7306 DP 11572282	21 September 1984
150050	Woodbury Woodlot	Lot 209 DP 756305	8 April 1993

Edward River Council is the Crown Land Manager of the Land. The management and use of the and is subject to the provisions contained in the Crown Land Management Act 2016.



2. Details of activity on Crown Land

This Plan of Management has been prepared by Council and provides direction as to the use and management of the reserves included in the Plan.

The Plan of Management is required in accordance with Section 3.23 of the Crown Lands Management Act 2016 and Section 36 of the Local Government Act 1993.

The Plan of Management outlines the way the reserve will be used and provides the framework for Council to follow in relation to the Leasing, Licencing and Permit processes for the land.

The Plan of Management also provides for the granting of easements over the land and the further development of the land, buildings and infrastructure on the land.

The Plan of Management provides strict guidelines such that each activity requires a Native Title Assessment and validation under the Native Title Act 1993 to be carried out by Council's Native Title Manager prior to the commencement or approval of that activity.

The Plan of Management is clear that the management of those activities that could be considered a future act must consider the reserve purpose for the land.

Accordingly, the activities authorised under the Plan of Management could be validated under Subdivision J of the Native Title Act 1993.

2a. Is the activity a future act?

The Plan of Management provides authorisation for granting of leases, licences and other Estates over the land and the granting of easements and further development of the land, buildings and infrastructure on the land. These activities could be a future act within the meaning of Section 233 of the Native Title Act 1993.

2b. If it is, why? if it is not, why not?

The activities authorised under the Plan of Management could be a future act within the meaning of Section 233 of the Native Title Act 1993.



3. If the activity is a future act, which of the following subdivisions of the future act regime under the Native Title Act 1993 validate it?

The authorisation of the activities that could be considered a future act within the Plan of Management provides for the activity to be carried out in accordance with the reserve purpose of the land.

The Plan of Management does not provide authorisation for any activity that is not in accordance with the reserve purpose of the land.

Accordingly, the activities could be validated under Subdivision J of the Native Title Act 1993.

4. Requirements to notify any representative body.

The Plan of Management provides strict guidelines such that each activity requires a Native Title assessment and validation under the Native Title Act 1993 to be carried out by Council's Native Title Manager prior to the commencement or approval of that activity.

Notification will be assessed on a case by case basis and parties will be notified when an activity is assessed.

As the Plan of Management authorises activities that could be future acts within the meaning of Section 233 of the Native Title Act 1993. Council will notify NTSCorp and the Deniliquin Aboriginal Land Council prior to adoption of the plan.

Requirement	Section 24JA	Requirement satisfied
The reservation was created on or before 23 December 1996; and	s.24JA(1)(a)	Yes
The reservation was valid; and	s.24JA(1)(b)	Yes
The creation of the reservation was done by the Crown (the Commonwealth or State); and	s.24JA(1)(c)	Yes
The whole or part of any land or waters under the reservation was to be used for a particular purpose; and	s.24JA(1)(d)	Yes
The issue of the licence is done in good faith under or in accordance with the reservation, or	s.24JA(1)(e) (i)	Yes
In the area covered by the reservation, so long as the act's impact on Native Title is no longer greater than the impact that any act that could have been done under or in accordance with the reservation would have had	s.24JA(1)(e) (ii)	Yes



Summary:

The Plan of Management authorises activities that could be considered as future acts within the meaning of Section 233 of the Native Title Act 1993.

The Plan of Management guidelines provide that those activities are only to be authorised if they are in accordance with the reserve purpose of the land.

Those activities that are consistent with the reserve purpose of the land may be validated under Subdivision J if the land was subject to a reservation created prior to 23 December 1996 and the reservation was done by the Crown.

Therefore, requirements of S24JA(1) (a)-(e) are met.

s.24JA(1)(a) is satisfied as the relevant land was subject to reservation created before 23 December 1996.

s.24JA(1)(b) is satisfied as the Reserve was notified in the Government Gazette of 2 May 1986.

s.24JA(1)(c) is satisfied as the reservation was carried out by the Crown under the provision of the Crown Lands Consolidation Act, such reservation has been carried out by a statutory power, exercised by the minister on behalf of the Crown.

s.24JA(1)(d) is satisfied as the land was to be used for a specific purpose being a reservation under the Crown Lands Consolidation Act which reserved the land from sale for the purpose of Public Recreation.

s.24JA(1)(e) (ii) is satisfied as the adoption of a Plan of Management that authorises activities to be done in accordance with the reservation purpose in the area covered by the reservation, so long as the act's impact on native title is no longer greater than the impact that any act that could have been done under or in accordance with the reservation would have had.

10.13 ASSET MANAGEMENT PLAN UPDATE

Author: Mark Dalzell, Manager Engineering Assets

Authoriser: Oliver McNulty, Director Infrastructure

RECOMMENDATION

That Council:

1. Notes this report regarding the Asset Management Plans, and;
2. Receives a further report in December 2020 regarding the Asset Management Plans.

BACKGROUND

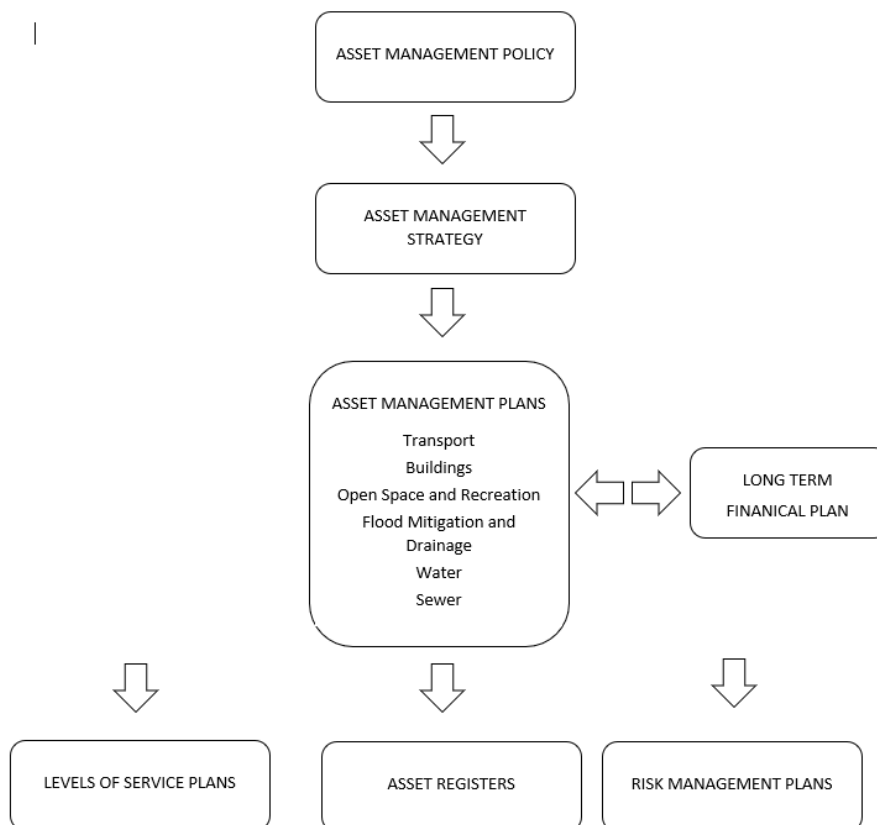
Council, at its 16 July 2020 meeting, resolved the following regarding the Asset Management Plan project:

That Council:

1. *Note the current Transport, Buildings, Open Space and Recreation, Flood Mitigation and Drainage, Water and Sewerage Asset Management Plans;*
2. *Undertake a project to update the Asset Management Plans based on the outcomes from the Asset Revaluation project; and*
3. *Receive a further report in October 2020 regarding the Asset Management Plans.*

ASSET MANAGEMENT PLANNING

Council's Asset Management Planning includes the following documents:



The status of these documents is shown in the table below:

Document	Current Status	Future Actions
Asset Management Policy	Council has adopted an AM Policy.	AM Policy to be reviewed every year
Asset Management Strategy	Council has adopted an AM Strategy.	AM Strategy to be revised following adoption of the Asset Management Plans.
Asset Management Plans	Council's AM Plans require review and updating following the 2020 Asset Revaluation.	Council staff are currently working on the updating of the AM Plans.
Levels of Service Plans	Peak Services have prepared draft Levels of Service plans for the services that Council provides.	Council is working on completing the project to document its Levels of Service, relating to infrastructure and operations..
Asset Registers	Asset Registers have been uploaded into Tech1 and commissioned for use.	Asset Registers to be reviewed and updated as part of future asset revaluations.
Risk Management Plans	Council has endorsed an Organisation Risk Management Plan.	AM Plans to be updated with information from the
Long Term Financial Plan	Council adopted the Long Term Financial Plan in June 2020 for the 2020/21 financial year.	Long Term Financial Plan to be updated yearly.

ASSET MANAGEMENT PLANS

Council's current Asset Management Plans (AM Plans) were compiled by Peak Services and based on the 2018/19 financial statements. The completion of the Asset Revaluation project in February 2020 has changed the following information that shall impact the results in the AM Plans:

- Gross replacement value,
- Current fair value,
- Depreciated value,
- Annual depreciation rate, based on gross replacement value and useful lives, and
- Condition and consumption ratings.

Council has obtained the master documents from Peak Services for the AM Plans and will update these the information from the Asset Revaluation and Tech 1. This is being done by Council staff, rather than Peak Services or other consultants, so that Council staff fully understand the information included in the AM Plans and how this information impacts Council's financial position into the future.

At present staff have been reviewing and updating the Transport AM Plan in order to determine what information is required and how this information is to be present. It is expected that the Transport AM Plan will be completed by the end of October. This can then act as a template for the

remaining five AM Plans, as they all use similar templates, and all of Council's AM Plans will be updated by the end of the year.

ASSET MANAGEMENT STEERING COMMITTEE

To assist with asset management, an Asset Management Steering Committee has been created. This committee includes Council's Executive Management Team as well as managers and staff from several departments. The Committee will oversee the review and ongoing implementation of asset management across the whole of Council. The committee has not met during the COVID-19 impacted period, with the next meeting to be held in mid-October. The Committee will then meet on a monthly basis to oversee the completion of the AM Plans and Strategy as well as the Levels of Service plans and how the AM Plans will be implemented for the 2021/22 Operational Plan.

STRATEGIC IMPLICATIONS

It is essential that Council manages its assets in a strategic manner on behalf of the community so that they are sustainable in the long term.

COMMUNITY STRATEGIC PLAN

This project meets the objectives of *Outcome 4 – A region with quality and sustainable infrastructure* in the Community Strategic Plan, including:

- Target 4.1 – Our built environment is managed, maintained and improved.

FINANCIAL IMPLICATIONS

Nil.

LEGISLATIVE IMPLICATIONS

Council is required to adopt Asset Management Plans in accordance with the requirements of the *Local Government (General) Regulations* and the Integrated Planning and Reporting framework.

ATTACHMENTS

Nil

10.14 PLAN OF MANAGEMENT - MURRAY VALLEY INDUSTRY PARK

Author: Mark Dalzell, Manager Engineering Assets

Authoriser: Oliver McNulty, Director Infrastructure

RECOMMENDATION

That adopts the Plan of Management for the Murray Valley Industry Park , contained in Attachment 1 to this report, for the following Crown Land reserves

BACKGROUND

At its October 2019 meeting, Council received a report regarding the Plan of Management for the Murray Valley Industry Park. At the time Council was not able to adopt the Plan of Management due to issues regarding the Native Title determination as required by the *Crown Lands Management Act*.

Council has now received further information regarding this matter and the Plan of Management for the Murray Valley Industry Park is now ready for adoption by Council.

ISSUE/DISCUSSION

Following discussions with staff from Crown Lands, the Plan of Management for the Murray Valley Industry Park has been completed and is ready for adoption. The Plan has also been reviewed by an experienced Crown Land management consultant, who provided additional advice regarding the Native Title determination. A copy of the Plan of Management for the Murray Valley Industry Park is attached to this report.

The Plan of Management will allow commercial leases on the site as well as continuing agistment opportunities and leasing out of the dwelling. The Plan also continues the agreement between Council and Local Land Services (LLS) regarding the native seed bank that LLS operate from the site. This was part of the original handover of the site to Council as part of the crown lands that Council manage.

Following its adoption by Council, the Plan of Management will be sent to Crown Lands for their endorsement prior to being implemented. At the present time Crown Lands endorsement of adopted Plans of Management is taking around three to four months to finalise.

STRATEGIC IMPLICATIONS

It is important that Council strategically manages the crown land, for which it is trustee, for the betterment of the community. This includes providing access to the crown land area and supporting responsible development of these areas where required.

COMMUNITY STRATEGIC PLAN

This project meets the objectives of *Outcome 1 – A great place to live* in the Community Strategic Plan, including:

- Target 1.3 – Our community and public spaces are accessible and inclusive and reflect our history, heritage and culture.

FINANCIAL IMPLICATIONS

Council has received funding from Crown Lands to assist with the preparation of the Plans of Management.

LEGISLATIVE IMPLICATIONS

In accordance with requirements of the Crown Lands Management Act, all Plans of Management need to be adopted by 31 June 2021.

ATTACHMENTS

- 1. Plan of Management - Murray Valley Industry Park**
- 2. Native Title Determination for Murray Valley Industry Park reserve**

PLAN OF MANAGEMENT

**MURRAY VALLEY INDUSTRY PARK
RESERVE**

RESERVE No. 1013408



PLAN OF MANAGEMENT DOCUMENT CONTROL

Responsible Officer				
Reviewed By				
Date Adopted				
Council Resolution				
Review Due Date				
Current Version				
Version	Description of Amendments	Author	Review	Council Minute No. (If Relevant)

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1 KEY INFORMATION

The Murray Valley Industry Park Reserve Plan of Management (Plan of Management) has been prepared by Edward River Council (Council) to provide direction regarding the use and management of the Murray Valley Industry Park – Crown Reserve 1013408. This Plan of Management is required in accordance with Section 3.23 of the *Crown Land Management Act 2016* and Section 36 of the *Local Government Act 1993*.

The Plan of Management outlines the way the reserve will be used and provides the framework for Council to follow in relation to the Leasing, Licensing and Permit processes for the land. The Plan may be used to determine the allocation of resources and funds.

2 INTRODUCTION

2.1 Background

Edward River Council was proclaimed on 12 May 2016, following the amalgamation of the former Conargo Shire Council and Deniliquin Council into one strong, cohesive and dynamic organisation. Deniliquin is located approximately 725km south west of Sydney and 285km north east of Melbourne. The Council is situated within the Murray region of New South Wales and close to the Victorian border. It shares borders with Hay Shire to the north, Murrumbidgee Council to the east, Murray River Council to the south-west and Berrigan Council to south-east.

The Council provides services and support to a community of approximately 9,000 permanent residents across a region covering 8,881 square kilometres, including the town of Deniliquin and the six rural villages of Blighty, Boorooban, Conargo, Mayrung, Pretty Pine and Wanganella. A map of the local government area is shown below in **Figure 1**.



Figure 1 - Edward River Council Local Government Area

Edward River Council is responsible for care and control of many community land parcels. With the introduction of the *Crown Land Management Act 2016*, Council has been appointed the Crown Land Manager for all Crown reserves where it was previously the reserve trust manager under the revoked Crown Lands Act 1989. Council now manages these Crown reserves as if the land is 'community land' under the provisions of the *Local Government Act 1993*.

2.2 Strategic and Corporate Objectives

Edward River Council has set out several strategic objectives in the Community Strategic Plan, as shown below in **Figure 2**:

1 A great place to live	1.1 Our community has access to essential services 1.2 Our community is safe, happy and healthy, both physically and mentally 1.3 Our community and public spaces are accessible and inclusive and reflect our history, heritage and culture
2 A prosperous and vibrant economy	2.1 Our economy is strong and diverse 2.2 We develop our key assets to enhance agriculture, boost tourism and support existing business 2.3 Our region provides strong education, employment and training opportunities
3 A valued and enhanced natural environment	3.1 We are committed to resource recovery and waste management 3.2 Our natural environment is protected and enhanced 3.3 We plan for the future to accommodate and facilitate sustainable growth and development
4 A region with quality and sustainable infrastructure	4.1 Our built environment is managed, maintained and improved 4.2 Our road network is a source of pride 4.3 Our water and sewer infrastructure is efficient and fit for purpose
5 A community working together to achieve its potential	5.1 Our community is informed and engaged 5.2 We collaborate and pursue partnerships that achieve great outcomes for our community 5.3 Our local government is efficient, innovative and financially sustainable

Figure 2 – Edward River Council's Strategic Objectives from the Community Strategic Plan

2.3 Land to Which this Plan Applies

The land to which this plan applies is Crown Reserve 1013408 and is contained in Lot 1 DP 262203, Lot 102 DP 756335 Parish Wandook, County Townsend. The reserve is located on the north side of Deniliquin accessed by Todds Lane off Moonee Swamp Road. The land contains a total of 995,334.01m². The reserve for Murray Valley Industry Park Reserve was gazette on 11 May 2007 and was set aside for Rural Services. Murray Valley Industry Park is situated seven kilometres east of Deniliquin, the Murray Valley Industry Park (MVIP) is approximately 100 hectares in area and has been developed to comply with Berriquin Land and Water Management plan best practices. An aerial photograph, outlining the extents of the reserve, is shown below in **Figure 3**.



Figure 3 – Aerial Photograph of Murray Valley Industry Park Reserve (Reserve No. 1013408)

2.4 Land Ownership

Murray Valley Industry Park Reserve 1013408 is owned by the State of NSW as Crown land and is managed by Edward River Council as Crown Land Manager under the Crown Land Management Act 2016.

2.5 Categorisation of the Reserve

Under Section 3.23(2) of the Crown Land management Act 2016, Council Crown Land managers must assign to all Crown Land under their management one or more initial categories of community land referred to in section 36 of the Local Government Act 1993.

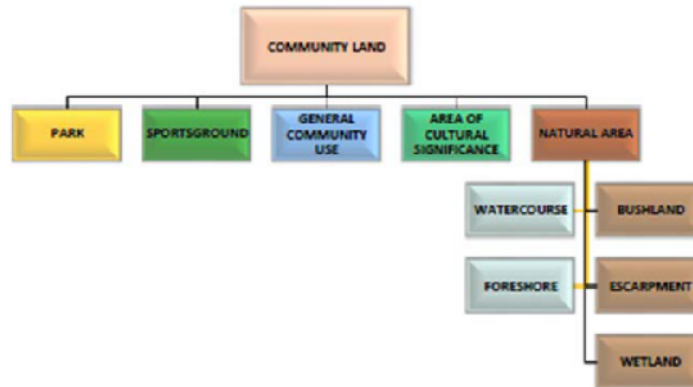


Figure 4 – Categories of Community Land referred to in Section 36 of the *Local Government Act 1993*

Council must assign a category that they consider to be most closely related to the purpose(s) that the land is dedicated or reserved. Multiple categories are assigned to Crown land where the Crown land is subject to multiple reservations and/or dedications.

The degree to which the reserve purpose relates to the assigned category of the land is important for ongoing management of the land. This is because Council must obtain Native Title Manager advice as to the validity of the activities that they wish to undertake on the land prior to dealing with it.

In the case of Murray Valley Industry Park, Council has requested and obtained initial categorisation of:

- **General Community Use** for the purpose of **Rural Services**

The category was approved by the Minister administering the *Crown Land Management Act 2016* in relation to the reserve. Council does not propose to alter the initial categories assigned by the Minister by this Plan of Management because the assigned categories most closely align with the reserved purposes of the land and its usage.

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (a) in relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (b) in relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).

Activities of the land will reflect the intent of the public purpose and will be assessed for compliance with relevant Local Government and Crown Lands legislation. This includes assessment of that activity under the *Native Title Act 1993*.

Use of the land for any activity is subject to the application and approval. Assessment will consider compliance with the objectives and relationship to that impact on the public purpose for the which the land was set aside. Other uses that do not comply with this Plan of Management or zoning of the land under Council's Local Environmental Plan will not be considered.

3 RELEVANT LEGISLATION, POLICIES AND PROCEDURES

3.1 Local Government Act 1993 and Local Government (General) Regulations 2005

Under section 36(1) of the *Local Government Act 1993*, Plans of Management must be prepared for all community land. Community land is land which is kept for use of the general public. Clause 101(2) of the *Local Government General Regulation 2005* requires Council to have regard to the guidelines for categorisation of community land set out in Clauses 102 to 111 of that regulation.

This Plan of Management has been prepared in accordance with the *Local Government Act 1993* using the land categories approved by the Minister administering the *Crown Land Management Act 2016*. The minimum requirements for a Plan of Management are set out under section 36(3) of the *Local Government Act 1993*.

A Plan of Management must identify

- the category of the land
- the objective and performance targets of the plan with respect to the land
- the means by which Council proposes to assess its performance with respect to the plan's objectives and performance targets

These conditions may require the approval of Council for the carrying out of any specified activity on the land.

Section 36 (3A) specifies that for Plans of Management that are specific to one area of land, must also describe

- the condition of the land as at the adoption of the plan
 - the buildings on the land as at adoption, and
 - the use of the buildings and the land as at adoption
- Additionally, the Plan must also state the purposes for which the land will be allowed to be used and the scale and intensity of that use.

Sections 36E – 36N of the *Local Government Act 1993* specifies the core objectives for the management of each category of community land.

3.2 Crown Land Management Act 2016

Division 3.6 of the *Crown Lands Management Act 2016* deals with the requirements that Council must meet in relation to Plans of Management and other Plans.

Section 3.23(6) of the *Crown Land Management Act 2016* requires Council to adopt a Plan of Management for any Crown reserve for which it is appointed Crown Land Manager, and that is classified as community land under the *Local Government Act 1993*.

3.3 Native Title Act 1993 (Federal)

All activities on the land must address the issue of native title. Whilst a successful claim for native title will lead to official recognition of native title rights, native title rights are considered to pre-date such recognition. Native title can therefore be relevant to activities carried out on the land even if no native title claim has been made or registered.

The native title process must be considered for each activity on the land and a native title assessment must be undertaken. Almost all activities and public works carried out on the land will affect native title and require validation of the future act procedures in Division 3 of the *Native Title Act* by Council's Native Title Manager.

3.4 *Aboriginal Land Rights Act 1983*

In New South Wales, Aboriginal Land Rights sits alongside native title and allows Aboriginal Land Council's to claim 'claimable' Crown land.

Generally, the *Aboriginal Land Rights Act* is directed at allowing Council's to claim Crown land that is unlawfully used or occupied. If a claim is successful, the freehold estate of the land is transferred to the Land Council.

Council is mindful that any activity on Crown land is lawful in relation to the reserve purpose of the land and that it ensures that Crown land under its control is always lawfully used and occupied.

When planning an activity of the land such as the issue of a lease or licence or any public works, Council is expected to search to determine whether an Aboriginal Land Rights claim has been made in relation to the land. If a claim is registered, the activity must be postponed until the claim is resolved.

Strategies which allow Council to validly carry out a project or activity under the *Native Title Act* may not deal with project risks arising in relation to the *Aboriginal Land Rights Act*.

3.5 *Threatened Species Conservation Act 1995*

Council has legislative responsibility under this Act to appropriately manage Threatened Species Populations and Vulnerable or Endangered Ecological Communities and their habitats wherever they occur despite the categorisation of the land.

Where identified Council is bound by the Act to take any appropriate action necessary to implement measures and must not make decisions that are inconsistent with the provisions of any Threat Abatement or Recovery Plan.

3.6 *Environmental Planning and Assessment Act 1979*

The land is zoned as follows under the Deniliquin Local Environmental Plan 2013 (LEP):

- RU 1 Primary Production



Figure 5 – Land Use Zones for Reserve No. 1013408

The objectives of the land use zones are noted below in **Table 1**.

Table 1 – Objectives of Land Use Zones for Reserve No. 1013408

Land Use Zone	Objectives
RU1 – Primary Production	<ul style="list-style-type: none"> • To encourage sustainable primary industry production by maintaining and enhancing the natural resource base. • To encourage diversity in primary industry enterprises and systems appropriate for the area. • To minimise the fragmentation and alienation of resource lands. • To minimise conflict between land uses within this zone and land uses within adjoining zones. • To allow the development of non-agricultural land uses that are compatible with the character of the zone.

Details regarding permitted developments in these land use zones is included in the Deniliquin LEP 2013.

In addition to the Deniliquin LEP, the Deniliquin Development Control Plan was developed with the general aims to:

- (a) Promote growth and development to support and enhance the vitality of the Central Business District.
- (b) Encourage development that responds to the needs of the community.
- (c) Encourage residential development of a high standard to improve the quality of the urban environment.
- (d) Encourage development that respects and minimises the impacts on surrounding land and the wider environment.
- (e) Encourage new development that will enhance streetscapes and vistas.
- (f) Ensure that development incorporates safe, effective and convenient pedestrian, bicycle and vehicle access, movement and parking areas.
- (g) Encourage energy efficiency in building design.
- (h) Provide for effective and well-utilised open space with security and access for the community.
- (i) Control and minimise the impact of stormwater run-off.
- (j) Ensure that new development is fully integrated into Council's sewerage system wherever possible.
- (k) Promote the orderly and efficient development of land to ensure that provision of services to that land is adequate.

3.7 Council Plans, Strategies, Policies and Procedures

This Plan of Management is to be used in conjunction with the appropriate Council plans, policies and procedures that govern the use and management of community land and any facilities located on the land.

Additional Council policies, plans and strategies adopted after the date of this plan that have relevance to the planning, use and management of community land will apply as though they were in force at the date of adoption of the Plan of Management.

3.8 Legislation and Statutory Control

This Plan of Management does not overrule existing legislation that also applies to the management of community land.

Other legislation and policies to be considered in the management process include, but are not limited to:

- *Public Works Act 1912* (as amended);
- *Native Vegetation Act 2003*;
- *Water Management Act 2000*;

- *Clean Waters Act 1970*;
- *Companion Animals Act 1998*;
- *Rural Fires Act 1997*;
- *Rural Fires and Environmental Assessment Legislation Amendment Act 2002*;
- *Noxious Weeds Act 1993*;
- *Pesticides Act 1999*;
- State Environmental Planning Policies;
- Deniliquin Local Environmental Plan 2013;
- Deniliquin Development Control Plans 2016;
- Guidelines supporting development control plans; and
- Council plans, strategies, policies, procedures and guidelines, generally, as amended.

3.9 **Reclassification of Reserves**

From time to time certain parcels of Community land may be identified as surplus to the existing and future needs of the community. Section 3.21 of the *Crown Land Management Act 2016* outlines provisions of Management of dedicated or reserved Crown land within meaning of the *Local Government Act 1993*. Section 3.21 (2) advises that a Council manager is authorised to manage its dedicated or reserved Crown land as if it were community land or operational land but only as permitted or required by Division 3.4 of the *Crown Land Management Act 2016*.

3.9 **Review of this Plan**

The use and management of Murray Valley Industry Park is regulated by this Plan of Management. Whilst the guidelines and principles outlined in the plan may be suitable at present, the Plan should be reviewed from time to time, to confirm its relevance.

The review of this Plan of Management will take place within five (5) years of adoption of this plan.

3.10 **Community Consultation**

Consultation with the community is an important part of the preparation of this Plan of Management. Consultation gives Council a better understanding of the range of local issues affecting the use and enjoyment of the land to which this Plan of Management applies and gives all sectors of the community the chance to have an input into the direction of policy development being undertaken by Council.

All stakeholders are given the opportunity to express their opinions and provide relevant information in relation to the planned management of the land, however, as the land is Crown land final approval for the Plan of Management rests with the Minister administering the *Crown Lands Act 2016* as owner of the land.

Council is required to submit the draft Plan of Management to NSW Department of Industry, as representative of the owner of the land under section 39 of the *Local Government Act*. As shown below in **Figure 6** - Flowchart for Consultation and Approval of an Initial Plan of Management, this process occurs prior to public exhibition and community consultation of the Plan of Management. Section 3.23(7)(d) of the CLM Act states that, if the draft first Plan of Management alters the initial categories assigned, the council must obtain the Minister's consent if the re- categorisation would require an addition to the purposes for which the land is dedicated or reserved. The Minister cannot

give consent under section 3.23(7)(d) if it is considered that the alteration is likely to materially harm the use of the land for its reserve purpose.

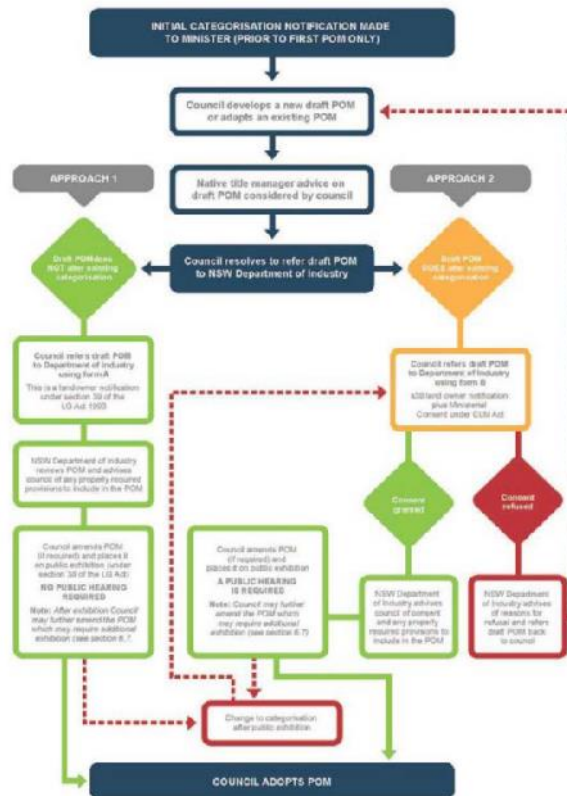


Figure 6 – Flowchart for Consultation and Approval of an Initial Plan of Management

If after public consultation there is no change to categorisation and no additional purpose needs to be added to the reserve, no additional ministerial consent is required, and Council can proceed to adopt the Plan of Management as per the process outlined under Approach 1 of the Flowchart for Consultation and Approval of an Initial Plan of Management.

If there is a proposed change to the categorisation of the land following public consultation the Plan of Management must again be referred to the Minister Administering the Crown Lands Act 2016 and the process outlined in Approach 2 of the Flowchart for Consultation and Approval of an Initial Plan of Management is followed. A change of Categorisation will require a public hearing under Section 40A of the *Local Government Act 1993*.

4 CULTURALLY SIGNIFICANT LAND

4.1 Aboriginal Significance

Deniliquin is in the country of the Wamba Wamba Perrepa Perrepa nation and members of the community are closely connected to the town and surrounding lands. The Wamba Wamba and Perrepa Perrepa people of this region developed a way of life over many generations which was in harmony with the land and its natural rhythms. They developed a sophisticated farming system based on the indigenous vegetation communities which supported large family groups. In Deniliquin a comparatively high number of people identified themselves as Aboriginal and / or Torres Strait Islanders (4.6%) compared to the average for NSW (2.9%).

The Deniliquin Local Environmental Plan 2013 describes places of Aboriginal Heritage significance as an area of land, the general location of which is identified in an Aboriginal heritage study adopted by the Council after public exhibition and that may be shown on the Heritage Map, that is:

- the site of one or more Aboriginal objects or a place that has the physical remains of pre-European occupation by, or is of contemporary significance to, the Aboriginal people. It may (but need not) include items and remnants of the occupation of the land by Aboriginal people, such as burial places, engraving sites, rock art, midden deposits, scarred and sacred trees and sharpening grooves, or
- a natural Aboriginal sacred site or other sacred feature. It includes natural features such as creeks or mountains of long-standing cultural significance, as well as initiation, ceremonial or story places or areas of more contemporary cultural significance.

In addition, an Aboriginal object means any deposit, object or other material evidence (not being a handicraft made for sale) relating to the Aboriginal habitation of an area of 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.

Murray Valley Industry Park Reserve is not identified as having Aboriginal significance and is not declared under section 84 of the *National Park and Wildlife Act 1974*, however, any areas of Aboriginal significance that may be discovered are covered by this Plan of Management.

4.2 Non-indigenous Significance

Murray Valley Industry Park Reserve is an important agricultural field station where innovation in agriculture can be researched and showcased. The former NSW Agriculture Field Station provides the right environment, with water availability and viable farm resources to sustain the expansion of the Murray Valley Industry Park. The site is versatile and large enough to host a range of agribusiness ventures as well as becoming a regional show piece for clean technologies and an incubator for knowledge transfer and new business development. In 2009, it was agreed that the site be converted into an industry park to attract new agribusiness, develop infrastructure such as seminar rooms, broadband technology, field trials, support business tenants and recruit environmental energy ventures.

5 DEVELOPMENT AND USE

5.1 Overview

One of the primary responsibilities of Local Government is to provide an acceptable level of service for public assets to its community within budgetary constraints. Council's ongoing commitment to the development and maintenance of these areas depend on financial resources and forward planning. The implementation of actions identified in this Plan of Management are consistent with Edward River Council's corporate objectives as detailed in the following strategic documents:

- Edward River Council 2030 Community Strategic Plan - <https://www.edwardriver.nsw.gov.au/Council/Integrated-Planning-and-Reporting/Community-Strategic-Plan>
- Edward River Council Combined Delivery Program 2018-21 and Operational Plan 2019-20 - <https://www.edwardriver.nsw.gov.au/Council/Integrated-Planning-and-Reporting/Delivery-Program-and-Operational-Plan>
- Edward River Council Resource Strategy - <https://www.edwardriver.nsw.gov.au/Council/Integrated-Planning-and-Reporting/Resourcing-Strategy>
- Edward River Open Space Strategy - <https://www.edwardriver.nsw.gov.au/Council/Council-Information/Corporate-Plans-and-Strategies>
- Deniliquin Public Space Strategy – <https://www.edwardriver.nsw.gov.au/Council/Council-Information/Corporate-Plans-and-Strategies>
- Deniliquin Masterplan - <https://www.edwardriver.nsw.gov.au/Council/Council-Information/Corporate-Plans-and-Strategies>

5.2 Community Strategic Plan

The Edward River 2030 Community Strategic Plan is the highest-level plan that Council prepares in accordance with the Integrated Planning and Reporting Framework. The purpose of the Community Strategic Plan is to identify the community's main priorities and aspirations for the future and to plan strategies for achieving these goals. In doing this, the planning process considers the issues and pressures that may impact the community and the level of resources that will realistically be available to achieve its aspirations. At an operational level, the Community Strategic Plan is implemented through Council's Four Yearly Delivery Program and annual Operational Plans, which outline the activities and actions that are the responsibility of Council in achieving our shared vision. The relationship between these planning documents is shown below in **Figure 7**.

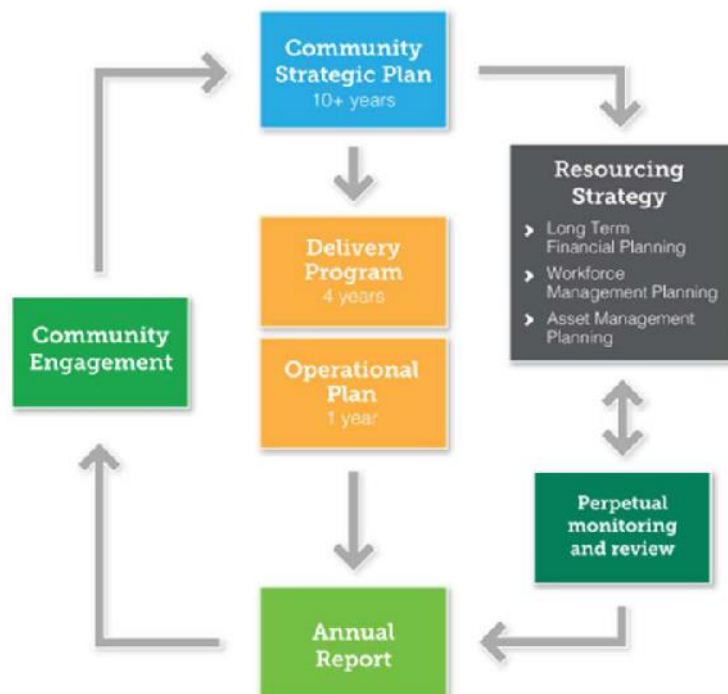


Figure 7 – Integrated Planning and Reporting Framework

During consultation with the community a vision was developed for the Edward River to strive toward:

We are the centre of the Southern Riverina. Home to a connected and engaged community, driven by a diverse economy. We work together to lead our community, achieve our potential and embrace our future.

This vision is designed to encourage commitment to our future and engender a sense of common purpose and responsibility in all stakeholders responsible for delivering *Edward River 2030*. In 2030, our community wants the Edward River region to be:

- A great place to live
- A prosperous and vibrant economy
- A valued and enhanced natural environment
- A region with quality and sustainable infrastructure
- A community working together to achieve its potential

The direction for Murray Valley Industry park is captured within Outcome 1 – A great place to live and Outcome 2 – A prosperous and vibrant economy.

5.3 Outcome 2 – A prosperous and vibrant economy

Part of a vibrant economy is providing support framework for agriculture in the form of education and research areas such as the Murray Valley Industry Park.

This outcome will be achieved by reaching three main targets:

- 2.1 Our economy is strong and diverse;
- 2.2 We develop our key assets to enhance agriculture, to boost tourism and support existing business;
- 2.3 Our region provides strong education, employment and training opportunities

In line with Outcome 2 – A prosperous and vibrant economy, the Murray Valley Industry Park aims to:

- provide a learning centre for community environmental education;
- create a business hub for new agricultural technologies and future farming systems;
- serve as a business hub that encourages and promotes clean technology products (solar); and
- enables education and training programs to be delivered locally in collaboration with government, industry, universities and TAFE training providers.

5.4 Condition of the Land and Structures on Adoption of the Plan of Management

Section 36(3A)(a) of the *Local Government Act* requires the plan to include a description of the condition of the land and structures on adoption of the plan. The condition of the infrastructure on Murray Valley Industry Park Reserve upon recent inspection is shown below in **Table 2**.

Table 2 – Condition of Council Assets Located on at Murray Valley Industry Park Reserve

BUILDING DESCRIPTION	CATEGORY	CONDITION RATING
		1 – Good 5 - Unserviceable
Dwelling	General Community Use	3
Roads	General Community Use	3
Sheds	General Community Use	3
Silos	General Community Use	3
Signage	General Community Use	3
Garbage Bins	General Community Use	3

BUILDING DESCRIPTION	CATEGORY	CONDITION RATING 1 – Good 5 - Unserviceable
Water infrastructure	General Community Use	3
Power	General Community Use	3
Sewer infrastructure	General Community Use	3
Fencing	General Community Use	3
Irrigation Infrastructure	General Community Use	3

Murray Valley Industry Park Reserve is currently functioning appropriately for the purposes of the area.



Figure 8 – Photographs of Murray Valley Industry Park Reserve infrastructure and use as an education facility

5.5 Use of the Land and Structures at the Date of Adoption of the Plan of Management

Existing use of the reserve includes:

- Existing residence that is leased out by Edward River Council;
- Murray Valley Industry Park, per an existing agreement with Crown lands;
- Providing new agribusiness models and frameworks that can be adopted on farm;
- Encouraging the adoption of new clean technologies on farm;
- Providing extension services, a learning environment for exchange of ideas and best practise intensive high production crops and agricultural practises;
- Providing tenancy, business mentoring and infrastructure to new enterprises.

Council is willing to work with existing and potential users to expand the usage of Murray Valley Industry Park and this Plan of Management will provide an operational and strategic framework to effectively take advantage of those opportunities.

5.6 Permitted Use Strategic Objectives

As previously noted, the classification of Murray Valley Industry Park is General Community Use with the intended purpose of rural services. These purposes and categories align with the reserve's past and current use and the values identified in this plan.

Projects proposed by community groups and other users of the reserve must be in line with Council strategic plans and must align with the reserve purpose and core objectives for the Reserve.

Depending on the scope of the project Council may request a written proposal outlining the project and proposed location, estimated costs, scaled plans, justification for proposed works and future maintenance requirements.

5.7 Further Development

Whilst maintenance of existing infrastructure is a priority there is scope to improve the park if the development is in line with the purposes for the reserve and relevant legislation such as the *Local Government Act 1993*, *Crown Land Management Act 2016*, *Aboriginal Land Rights Act 1983* and the *Native Title Act 1993*.

A comprehensive site development plan and a landscape management plan is recommended for larger projects to ensure a strategic approach to development.

5.8 Leases, Licences and other Estates

Leases, licences and other estates formalise the use of community land by groups such as sporting clubs and non-profit organisations, or by commercial organisations and individuals providing facilities and services for public use. Activities should be compatible with the zoning and reservation purpose of the land and provide benefits and services for facilities to the users of the land.

Occupation of the land other than by lease or licence or other estate or for a permitted purpose listed in the *Local Government Regulations 2005* is prohibited.

The terms of the authorisation for a lease licence or other estate should include Native Title assessment and validation under the Native Title Act 1993 and should include advice that the land is not subject to a claim under the Aboriginal Land Rights Act 1983. The authorisation should ensure the proper management and maintenance of the land and the interests of Council and the public are protected. A lease is normally issued where exclusive control of all or part of an area by a user is proposed. In all other instances a licence or short term licence or hire agreement will be issued.

This Plan of Management expressly authorises the issue of leases, licences and other estates over Murray Valley Industry Park, provided that:

- the purpose is consistent with the core objectives for the category of the land;
- the lease, licence or other estate is for a permitted purpose listed in the *Local Government Act 1993* or the *Local Government Regulations 2005*;

- the issue of the lease, licence or other estate and the provisions of the lease, licence or other estate can be validated by the provisions of the *Native Title Act 1993*;
- the land is not subject to a claim under the *Aboriginal Land Rights Act 1983*;
- the lease, licence or other estate is granted and notified in accordance with the provisions of the Local Government Act 1993 or the Local Government Regulations 2005;
- the issue of the lease, licence or other estate will not materially harm the use of the land for any of the purposes for which it was dedicated or reserved.

Areas held under lease, licence or regular occupancy shall be maintained by the user. The user will be responsible for maintenance and outgoings as defined in the lease or licence or agreement for use.

Specific expressed authorisations are listed below.

Table 3 - -Expressed Authorisations

What	How	Purpose
Lease of seed compound as per agreement with the Murray Local Land Service	Formal lease of a duration of 5 years with the option of a further 5 years	To store native seedlings in a controlled environment and storage of equipment
Lease of the residence situated at the MVIP	Annual rental	To ensure the property is not left vacant
Education in rural activities	Hire agreement	To ensure that our rural sector is given the opportunity to be informed on industry trends and changes
That stock be agisted at the facility	Hire agreement	To graze the facility to reduce fodder levels, weeds and prevent fire
Lease the facility for agricultural pursuits	By lease of minimum 5 years	To ensure the land is maintained and utilized for rural services
Exhibitions and field days	Hire agreement	To ensure that our rural sector is given the opportunity to be informed on industry trends and changes

5.9 Native Title Assessment

The *Crown Land Management Act 2016* – Section 8.7 (1) (d) requires that Council, as Crown Land Manager, obtains the written advice of its Native Title Manager prior to its approval or submission for approval of a plan of management for the land that authorises or permits any kinds of dealings referred to in **Section 5.8**.

6 PLAN OF MANAGEMENT - OBJECTIVES AND ACTIONS

6.1 *Plan of Management Objectives*

The general objectives of this Plan of Management are shown below in **Table 4**.

Table 4 – Plan of Management Objectives

	Plan of Management Objectives
1.	To ensure that relevant legislation is complied with in relation to the land.
2.	To inform Council staff and the community of the way the land will be managed.
3.	To implement specific policies, guidelines and works identified in the plan of management.
4.	To progressively improve the values of the land and to minimize the long-term cost of maintenance to the Council
5.	To make provisions for appropriate leases, licences and agreements in respect to the land.
6.	To identify and recognise existing uses and improvements on the land.
7.	To set in place and administrative structure to ensure the achievement of land management objectives.
8.	To ensure that the management of the land is not likely to materially harm the use of the land for any of the purposes for which it is dedicated or reserved.

Table 5 - Specific targets and performance indicators for Murray Valley Industry Park

Performance Target	Means of Achievement	Assessment
Promote, encourage and provide for the use of the land for agriculture research and education	Research and education being conducted on annual basis	Annual usage and reporting
Maintain a high level of occupancy of the buildings, residence and the land	Maintain existing tenants for the duration of current leases, licences and agreements. Actively manage the property and invite public expressions of interest in accordance with permitted uses.	Review financial reports
To encourage education and research in the agricultural field	Encourage use by way of hire agreements with various bodies (i.e. TAFE, Schools)	Annual usage and reporting
To ensure the land and infrastructure in maintained and fit for purpose	Ensure that all agreements encompass the state of the land and infrastructure	Annual inspections
Ensure the land is operated in accordance with requirements and maintained in a proper state of repair suited to approved uses	Ensure regular maintenance and reporting schedules are upheld	Annual inspections and reporting
Ensure land is operated in accordance with requirements	Comply with requirements of development consent, Community Management Statement and restrictions on title.	Level of compliance

6.2 Action Plan

The Plan of Management specifies performance targets and priorities for actions to be taken in relation to the land to which the plan applies.

Assessment of achievement of the objectives of the plan is to be undertaken. A summary of indicators and targets for major objectives is outlined in the **Table 6** below.

Table 6 – Indictors and Targets for Plan of Management Objectives

OBJECTIVES AND PERFORMANCE TARGETS OF THE PLAN IN RESPECT TO THE LAND	MEANS BY WHICH THE COUNCIL PROPOSES TO ACHIEVE THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS	MANNER IN WHICH COUNCIL PROPOSES TO ASSESS ITS PERFORMANCE WITH RESPECT TO THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS
To ensure that relevant legislation is complied with in relation to preparation of Plans of Management.	The Plan is prepared in accordance with the Act. Native Title Manager advice is sought during the preparation of the Plan.	The Plan is reviewed by Council's Native Title Manager and Department of Industry Crown Lands then exhibited and adopted by Council if there are no changes to the approved plan. If changes are made following exhibition the plan must again be approved by Department of Industry Crown Lands.
To inform Council staff and the community of the way the land will be managed.	The Plan is exhibited in accordance with the Local Government Act.	The Plan is exhibited and adopted by Council.
To implement the specific policies, guidelines and works identified in the plan of management.	Ensure that the Plan is referenced to identify specific policies, guidelines and works.	All works are carried out in accordance with the Plan.
To progressively improve the values of the land to minimise the long-term cost of maintenance to the Council.	Carry out all works identified in Council's long-term plan.	All works are completed, and minimal maintenance of the improvements is required.
To make provision for leases, licences and agreements in respect of the land.	The Plan of Management expressly authorises the provision of leases, licences and agreements where appropriate.	Any leases are prepared, exhibited and adopted in accordance with the provisions of the Local <i>Government Act 1993 and the Crown Land Management Act 2016.</i> Native Title Manager advice and a check for a claim under the Aboriginal Land Rights Act is received for all proposed leases and licences.

OBJECTIVES AND PERFORMANCE TARGETS OF THE PLAN IN RESPECT TO THE LAND	MEANS BY WHICH THE COUNCIL PROPOSES TO ACHIEVE THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS	MANNER IN WHICH COUNCIL PROPOSES TO ASSESS ITS PERFORMANCE WITH RESPECT TO THE PLAN'S OBJECTIVES AND PERFORMANCE TARGETS
To identify and recognise existing uses and improvements on the land.	Physical inspection.	The Plan is exhibited and adopted by Council.
To provide a reference and data bank in relation to information relevant to present and future management of the land.	Physical inspection and file research.	The Plan is exhibited and adopted by Council.
To set in place an administrative structure to ensure the achievement of land management objectives.	Ensure that all sections of Council are aware of the contents of the Plan.	All future works are carried out in accordance with the Plan.
To identify the major management issues applying to the land.	Consultation and staff discussions.	The Plan is exhibited and adopted by Council.
To simplify the process of management as far as possible.	Preparation of the Plan in accordance with the Act.	The Plan is exhibited and adopted by Council.

7 PLAN OF MANAGEMENT – MANAGEMENT AND ADMINISTRATION OF THE LAND

7.1 Management Authority

For the purposes of this plan, the management authority for the reserve is Edward River Council, in accordance with the provisions of the *Crown Land Management Act 2016* and the *Local Government Act 1993*. Where Council's responsibilities have been delegated, the provisions of this management plan continue to apply.

7.2 Management Issues

The management of the land must consider the reserve purpose(s) of the land and the purpose for which the land is classified and categorised.

7.3 Staff Resources

Council shall provide adequate staff resources for the management of the land in accordance with this Plan of Management. Staff shall have appropriate qualifications and/or experience.

7.4 Environmental Assessment of Activities

The environmental impact of activities carried out on the land will be assessed having regard to the requirements under the *Environmental Planning and Assessment Act*.

7.5 Role of Other Activities

Other government authorities may have responsibilities or involvement in the management of the land or of immediately adjacent land. This will be considered and, where appropriate, consultation will take place with relevant authorities.

7.6 Activities Carried Out by Other Authorities

Where activities are carried out on the land by other authorities, Council will make the authorities aware of the provisions of this Plan of Management and will seek to ensure that any activities are compatible with the objectives and guidelines of this Plan of Management, and in accordance with the provisions of the *Crown Land Management Act 2016* and the *Local Government Act 1993*.

7.7 Principles for the Development of Adjoining Land

Council's development control practices recognise and endeavor to minimize the impacts upon adjoining land parcels. Council will consider the impacts of activities carried out on the reserve on adjoining land.

7.8 Community Involvement in Management

Where appropriate, Council will undertake community consultation after the making of this Plan of Management and may give community groups a role in management.

7.9 Contract and Volunteer Labour

In managing the land Council may use contract and volunteer labour but shall ensure that supervisors and staff have appropriate qualifications and/or experience and are made aware of the requirements of this plan.

7.10 Existing Assets

Existing assets on the land shall be identified and measures taken to maintain them in a satisfactory manner. Council may make arrangement for community groups and users to undertake maintenance for specific facilities on Council's behalf.

7.11 Public Liability Insurance

All users of the land, including lease and licence holders, must have public liability insurance coverage, incorporating the following:

- At least \$20M coverage for any one instance; and
- Edward River Council named in the policy as an interested party; and

A copy of the cover note for the insurance is to be provided to Council prior to use of the reserve. Where the use of the reserve is for longer than one year, as may be the case for leases and licences, up to date copies of the cover note shall be provided.

7.12 Commercial Activities

Commercial activities may be carried out on the land, provided that the activity is ancillary to the purpose of the land or for a purpose authorised under this Plan of Management. Any commercial activity is subject to Council approval prior to the commencement of the activity.

This includes such commercial activities as agistment of animals and operation of field days.

7.13 Emergencies

This Plan of Management authorises necessary activities to be carried out during declared emergencies as may be decided by the General Manager or delegate. Following carrying out of any activities, periodic monitoring will be undertaken, and rehabilitation works undertaken if necessary.

7.14 Land Proposed for Future Development

Land proposed in any of Council's plans for future development for a specific purpose may be utilized for other purposes on an interim basis until required for that purpose.

7.15 Undeveloped Land

Land to which this Plan of Management applies that is undeveloped and unused for the purpose of the land may upon assessment, be used for any activity that does not prevent or inhibit future use for the purpose of the land, including tree planting and mowing.

7.16 Information Monitoring and Research

Monitoring and collection of information relating to the land to which the Plan of Management applies are important to enable good management. Where a demonstrated need has been identified, an educational programme shall be developed to encourage use appropriate to the purpose to all or part of the land to which this Plan of Management applies.

Management arrangements shall be implemented to regularly monitor the use of the land, environmental conditions and facilities. Surveys of visitation and/or satisfaction with the facilities may be undertaken to facilitate the management and use of the land.

7.17 Alcohol

The infrequent sale of alcohol by a sporting committee, club or user group requires the approval of the NSW Office of Liquor Gaming and Racing through the issue of a Limited Licence. The Licence should be provided to Council in each instance. When making application for the use of a passive recreational area, if the sale of alcohol is intended, applicants are required to comply with any requirements of both the Office of Liquor Gaming and Racing and Council.

The infrequent sale of alcohol by a sporting committee, club or user group may also require Development Approval from Edward River Council in accordance with Part 4 of the *Environmental Planning and Assessment Act*.

7.18 Companion Animals

Domestic pets are not permitted within the Murray Valley Industry Park, except for the dwelling located in the northwest corner of the site. The keeping of domestic pets shall be in accordance with the lease conditions.

During field days and exhibitions working dogs may be required, and permissible according to Council rules and regulations.

Dog clubs if seeking to use the Reserve are required to seek Council permission to conduct dog obedience and training activities on all community land.

7.19 Parking

Parking is available at Murray Valley Industry Park Reserve in designated parking areas.

7.20 Buildings and Amenities

Buildings and amenities may be provided where consistent with the need to facilitate the purpose of the land, provided that a Native Title assessment has been carried out by Council's Native Title Manager, the land is not subject to a claim under the *Aboriginal Land Rights Act 1983* and the provisions of the *Local Government Act 1993* and the *Crown Land Management Act 2016* have been complied with. Buildings and amenities are to be maintained in a safe condition for users and the public.

7.21 Infrastructure

Any necessary infrastructure to service the purpose of the land may be constructed provided that a Native Title assessment has been carried out by Council's Native Title Manager, the land is not subject to a claim under the *Aboriginal Land Rights Act 1983*, and the provisions of the *Local Government Act 1993* and the *Crown Land Management Act 2016* have been complied with.

7.22 General Maintenance

General maintenance will match the level and type of use and wherever possible users will be encouraged to help. Areas held under lease, licence or regular occupancy shall be maintained by the user where appropriate.

Existing assets on the land shall be identified and measures taken to maintain them in a satisfactory manner. The Council may decide for community groups to undertake maintenance for specific facilities on Council's behalf.

7.23 Development Activities

Development activities shall be undertaken in a way that minimizes the area, degree and duration of disturbance, and areas are to be restored to the greatest extent practicable.

7.24 Pollution Control

Management should seek to ensure that no pollution is generated on the land, and that adequate measures are taken to prevent adverse impacts from adjoining land.

7.25 Public Safety

Reasonable measures will be taken by Council to ensure and maintain the public safety of persons using the land.

7.26 Neighbours

Council shall endeavour to be a good neighbor and as far as possible shall consult with adjoining owners in respect of management and other activities which may affect them.

7.27 Trees, Vegetation and Landscape

Proper management of landscaping measures, trees and vegetation is important to provide a high degree of amenity on the land. Trees will be maintained, as will maintenance of appropriate growing conditions involving management of soil compaction and other encroachments, in accordance with Council's Tree Management Policy.

7.28 Weed Control

Weed control shall be by both taking preventative measures and active control measures. Prevention of weed infestation shall be by minimising actions that disturb the ground surface and discouraging the conditions that encourage weeds.

Measures shall be taken to prevent the dispersion of weeds by fill or the transport of seeds on machinery. Control measures which are acceptable include physical removal or slashing, accepted biological control techniques, bush regeneration, or chemical spraying where Council is satisfied that there will be no adverse residual effects and no adverse effect on human health.



CGM PLANNING
Experienced land use planning specialists
for government and private sector

NATIVE TITLE MANAGER ADVICE

Draft Plan of Management

Murray Valley Industry Park Reserve

Crown Reserve No. 1013408

Prepared for: Edward River Council

Native Title Manager: Carl Malmberg

Accredited: February 2020

7 October 2020

CGM Planning & Development P/L

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Executive Summary

Edward River Council has sought advice from an accredited Native Title Manager for a draft plan of management prepared under the provisions of S.3.23 of the *Crown Land Management Act 2016* and Division 2 of the *Local Government Act 1993* for the Crown Reserve (R1013408) – the Murray Valley Filled Station (Murray Valley Industry Park).

Edward River Council is defined as a 'responsible person' under the *Crown Land Management Act 2016* and, as Council is a Crown land manager (Council Manager) of Crown land reserved for a purpose, must ensure its dealings and activities on Crown reserves that it manages comply with the native title legislation.

The land involved is 'relevant land' under the *Crown Land Management Act 2016* and is Crown land reserved for the purposes of Rural Services, comprised of the whole of Lot 1 DP 262203 and whole of 102 DP 756335, in the Parish of Wandook, County Townsend, Edward River Local Government Area.

This written native title manager report provides the following advice.

Native title and excluded land

There are no active Native Title Claims that include the Crown reserve land, nor have there been any Native Title Determinations, registered Indigenous Land Use Agreements, Native Title Future Act Applications and Determinations, or Native Title Certificates issued for the whole of Lot 1 DP 262203 and whole of 102 DP 756335, in the Parish of Wandook, County Townsend, Edward River Local Government Area.

Native title rights must be assumed to remain in existence as the land is not 'excluded land' under the *Crown Land Management Act 2016*.

Crown Reserve (R1013408): Murray Valley Industry Park

The Crown Reserve was validly created by the State of NSW (the Crown) and management of the reserve has continued throughout the reserve's existence.

Previous exclusionary possession acts

The land in Crown Reserve R1013408 was previously freehold land as a result of Crown Grants of freehold title confirmed 9 July 1896.

Council may have confidence that in the event of any native title claim over the Crown land in R1013408 that the past act of Crown Grant for freehold ownership, inconsistent with the existence of native title will be regarded for the purposes of the *Native Title Act 1993* (Cwlth) and the *Native Title Act 1994* (NSW) as having extinguished native title rights over the land.

The plan of management

The adoption of the plan of management, following approval by the Minister administering the *Crown Land Management Act 2016*, will not have an effect on native title rights as the previous exclusive possession acts (past act freehold grants of the land) have the effect of extinguishing native title over the land in R1013408 under the *Native Title Act 1994* (NSW).

Recommendation

Edward River Council may endorse the draft plan of management as a draft for referral to the landowner: The Minister administering the *Crown Land Management Act 2016* as a representative of the State of NSW.

Disclaimer:

The advice within this report is correct to the best of author's knowledge, as of 7 October 2020, and is opinion prepared in good faith and with all available knowledge provided by Council or sourced through Government records. The advice is based upon, and has referenced, the NSW Government: 'Native Title Managers Handbook' 2nd Edition 2019

1. Introduction

1.1 Crown Land Management Act 2018

- a) Edward River Council (the Council) is a Crown land manager (Council Manager) for the purposes of the *Crown Land Management Act 2018* (CLM Act).
- b) A Council Manager is responsible for the care, control and management of Crown reserves where the Council was previously appointed as Crown reserve trust manager under the former Crown Lands Act 1989.
- c) Crown reserves under the management of a Council Manager are enabled by the CLM Act to manage the reserves as public land under the *Local Government Act 1993* (LG Act). Most of this public land is managed by Council as if it is community land under the LG Act.
- d) Community land is required to have a Council-adopted plan of management to authorise tenures (lease, licences and other estates) and to guide the use, management and development of the community land. The CLM Act requires Council Managers to have adopted plans of management for Crown reserve community land in place by 30 June 2021.

1.2 Native Title and Edward River Council

- a) The CLM Act requires the Council Manager (as a 'responsible person') to ensure Council's dealings and activities on Crown reserves that it manages comply with the native title legislation.
- b) Council managers need to employ or engage native title managers to ensure compliance with native title legislation. Edward River Council has engaged an accredited Native Title Manager: Carl Malmberg, Director, CGM Planning & Development P/L. See **Appendix D** for letter of accreditation.
- c) The relevant legislation is the *Crown Land Management Act 2016*, the *Native Title Act 1993* [NT Act (Cwth)] and the *Native Title Act 1994* [NT Act (NSW)].
- d) The CLM Act requires native title managers to provide written advice to the Council Manager when the Council Manager intends to perform one of the following functions in relation to the land it manages or own:
 - i. grant leases, licences, permits, forestry rights, easements or rights of way;
 - ii. mortgage the land or allow it to be mortgaged;
 - iii. impose, require or agree to (or remove or release, or agree to remove or release) covenants, conditions or other restrictions on use in connection with dealings involving the land, or
 - iv. approve (or submit for approval) a plan of management for the land that authorises or permits any of the kinds of dealings referred to in i to iii above.

1.3 Written Native Title Manager advice

Council is the Council Manager of Crown Reserve (R1013408): the Murray Valley Industry Park. Council has prepared a draft plan of management in accordance with the CLM Act and the LG Act.

This report meets Council's requirement under the CLM Act to obtain written Native Title Manager's advice as Council is considering submission of the draft Murray Valley Industry Park plan of management for approval to the Hon. Melinda Jane Pavey, MP, Minister for Water, Property and Housing, representing the Crown as landowner of the reserved Crown land.

2. The Land

2.1 Identification of the Crown land (reserves) and purposes.

- a) The Murray Valley Industry Park is located at 218 Todds Lane, Deniliquin, NSW. It is situated to the north-east of Deniliquin between the Conargo and Moonee Swamp Roads.

See Figure 1 Locality Map.

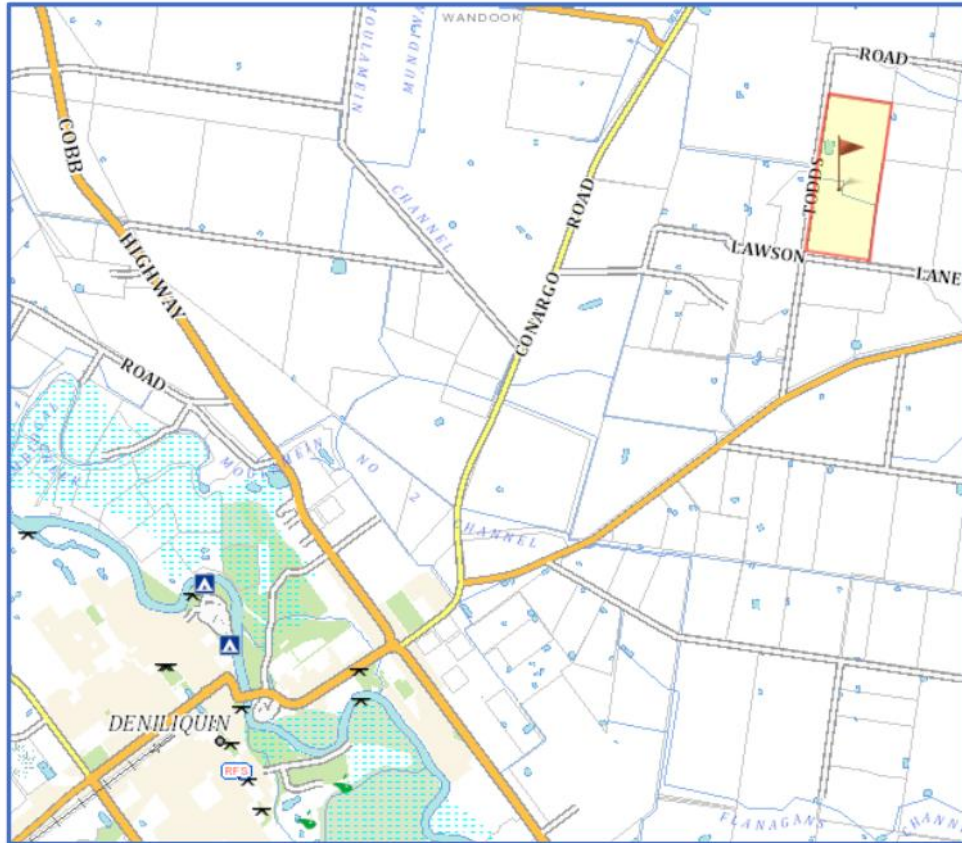


Figure 1: Locality Map – Murray Valley Industry Park – marked with flag

Source: NSW Six Maps

- b) The land to which this plan of management applies is the Murray Valley Industry Park. It is a Crown Reserve number: R1013408, created and notified by NSW Gazette notice 11 May 2007, and reserved for the purpose of Rural Services.

Table 1: Murray River Industry Park – reserve details

Reserve Number	1013408
Reserve Type	Reserve
Reserve Name	Murray Valley Field Station
Gazetted Date	11/5/2007
Status	Current
Management Type	Council Crown Land Manager
Manager	Edward River Council
Purpose	Rural Services
Lots	Whole: Lot 1 DP 262203, Lot 102 DP 756335
Parish	Wandook
County	Townsend
LGA	Edward River
Council	Edward River Council
Suburb	Deniliquin
Area (m2)	995,334.01

Source: *DPIE – Crown Land Managers Reserves Portal*

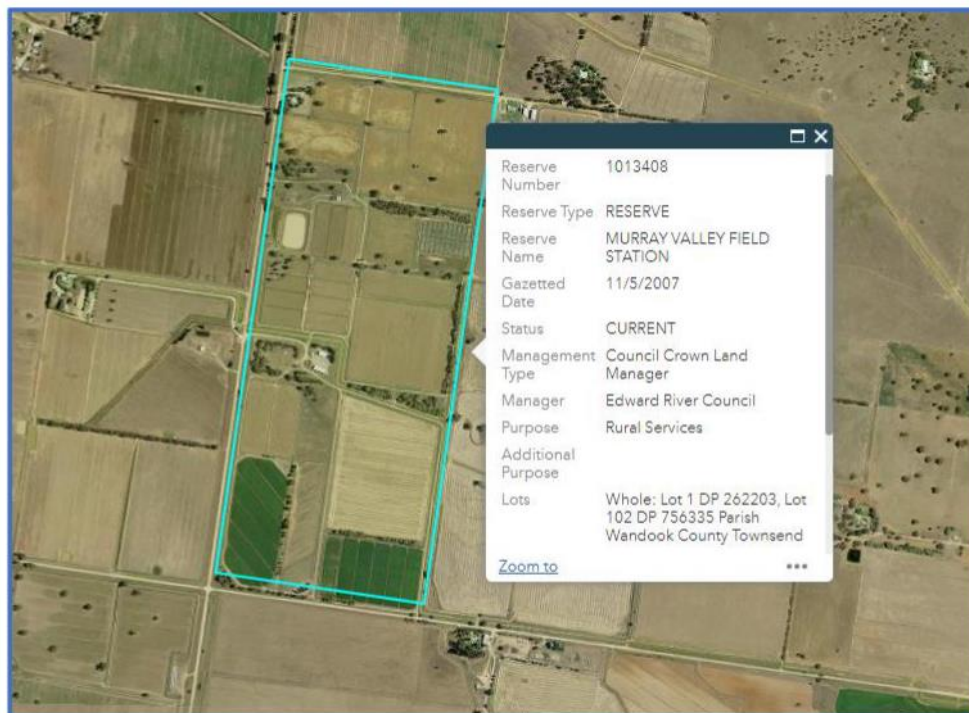


Figure 2: Reserve map

Source: *DPIE – Crown Land Managers Reserves Portal*

- a) The reserve is approximately 99.534 hectares and is comprised of the following land parcels:
 - Whole: Lot 1 DP 262203;
 - Whole of Lot 102 DP 756335;
 In the Parish of Wandook, County of Townsend, Edward River local government area.
- b) The certificates of Title show the land is in the ownership of the State of NSW (First Schedule) and are Crown reserves within the meaning of the (now) CLM Act (Second Schedule). See **Appendix A** for Certificates of Titles (search results).

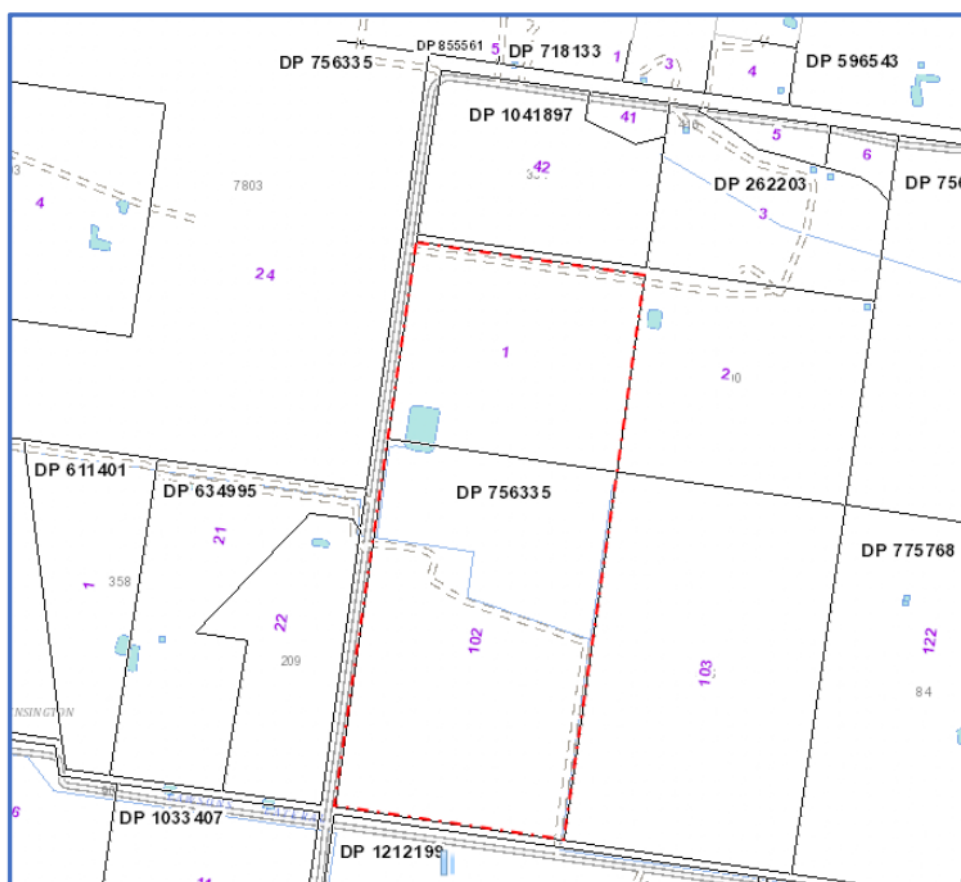


Figure 3: Real Property Identification Plan

Source: *NSW Six Maps*

Native Title Manager advice 1.

The land covered by the plan of management is owned by the State of NSW and is Crown land reserved for purposes of Rural Services

2.2 Is the Land excluded land as defined by the CLM Act ?

- a) 'Excluded land under the CLM Act native title provisions is land where there is no native title, or native title has either been extinguished, surrendered, under protection, or acquired or where a native title certificate has been issued by the Minister responsible for the CLM Act.
- b) The CLM Act Section 8.1 defines 'Excluded land' means each of the following:
 - Land subject to an approved determination of native title (as defined in the NT Act (Cw/th) that has determined that:
 - all native title rights and interests in relation to the land have been extinguished, or
 - there are no native title rights and interests in relation to the land,
 - Land where all native title rights and interests in relation to the land have been surrendered under an indigenous land use agreement – an ILUA, (as defined in the *Native Title Act 1993* of the Commonwealth) registered under that Act,

- An area of land to which section 24FA protection applies, defined in the NT Act (Cwlth) where a non-claimant application under S.24FA, permits dealing with the land where native title may exist, even if the act affects native title,
- Land where all native title rights and interests in relation to the land have been compulsorily acquired,
- Land for which a native title certificate is in effect.

i. Native Title Claims

There have been six applications lodged with the Federal Native Title Tribunal between 1994 and 2020 over land within the Edward River Council LGA.

Two applications were withdrawn, one application dismissed, one application discontinued, and two applications determined.

The determined applications involved:

- Lot 512 DP 728946, Local Government Area Deniliquin; and
- Lot 529 DP 822986, Local Government Area Deniliquin.

The determined applications do not include the whole of Lot 1 DP 262203 and whole of 102 DP 756335, in the Parish of Wandook, County Townsend, Edward River Local Government Area.

There has not been a native title claim over the whole of Lot 1 DP 262203 and whole of 102 DP 756335, in the Parish of Wandook, County Townsend, Edward River Local Government Area.

ii. Native Title Determinations

There have been no Determinations that include the whole of Lot 1 DP 262203 and whole of 102 DP 756335, in the Parish of Wandook, County Townsend, Edward River Local Government Area.

iii. Register of Indigenous Land Use Agreements

The Native Title Tribunal Register of Indigenous Land Use Agreements (ILUAs) does not include the whole of Lot 1 DP 262203 and whole of 102 DP 756335, in the Parish of Wandook, County Townsend, Edward River Local Government Area.

iv. Native Title Future Act Applications and Determinations

There are no Future Act Applications and Determinations listed in the Native Title Tribunal Register that include the whole of Lot 1 DP 262203 and whole of 102 DP 756335, in the Parish of Wandook, County Townsend, Edward River Local Government Area.

v. Native Title Certificate

Section 8.4 of the CLM Act provides for the Minister to issue native title certificates.

No Native Title Certificate has been requested or issued for the whole of Lot 1 DP 262203 and whole of 102 DP 756335, in the Parish of Wandook, County Townsend, Edward River Local Government Area.

Native Title Manager advice 2.

The land in the Murray Valley Industry Park, comprised of the whole of Lot 1 DP 262203 and whole of 102 DP 756335, in the Parish of Wandook, County Townsend, Edward River Local Government Area, is not 'excluded land' under the provisions of the CLM Act S8.1.

3. Valid creation of the Murray Valley Industry Park Crown Reserve

3.1 Crown Reserve (R1013408)

R1013408 for Rural Services - Parish of Wandook - County Townsend

R1013408 for Rural Services was gazetted on 11 May 2007 and comprised the whole of Portion 102 and part of Portion 100 in the Parish of Wandook.

It is noted that the Certificate of Title indicates the proprietor of both portions of R1013408 is shown as the Murray Valley Field Station Reserve Trust (a corporate trust appointed under the CLA 1989). The trust has been replaced by Edward River Council as Crown land manager (Council manager) of the reserve.

The NSW Government regional charting map shows the land reserved.

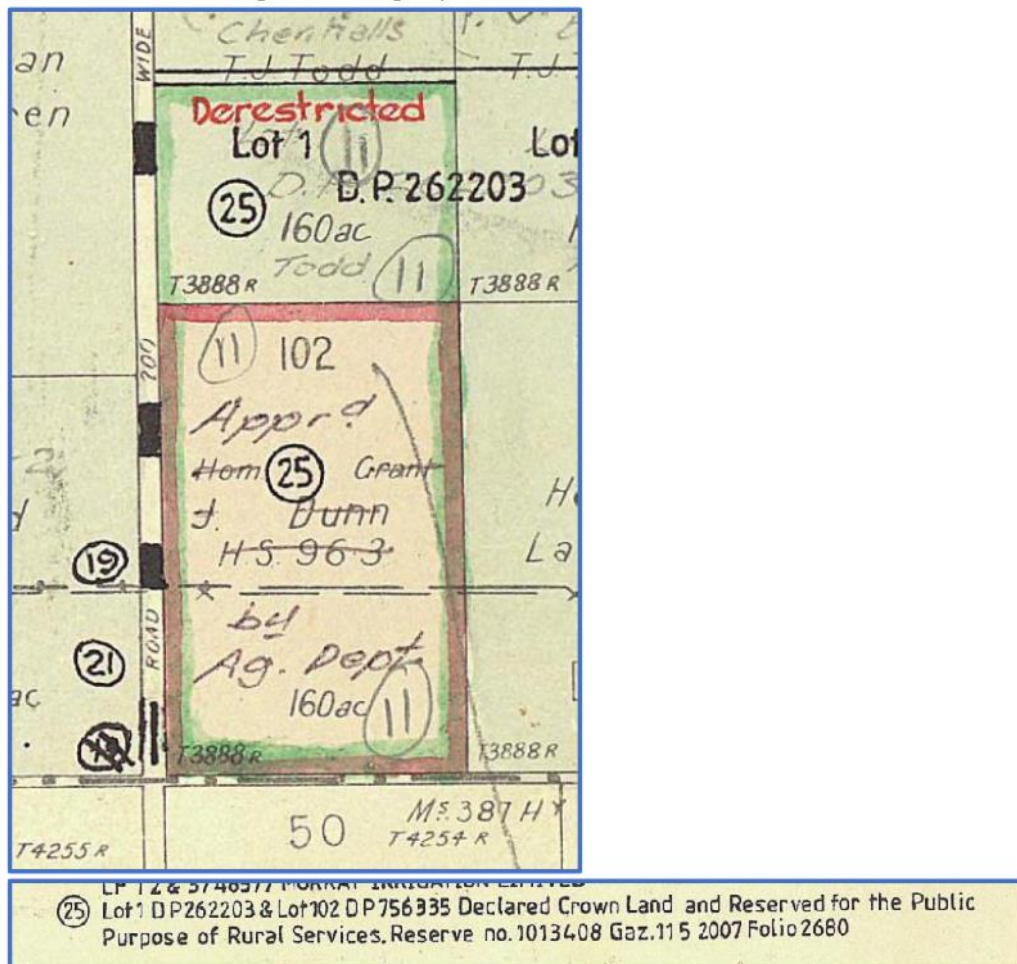


Figure 4: NSW Government regional charting map

Source: LRS Historical Viewer: digitised mapping

The land in Crown Reserve R1013408 was declared to be Crown land, the land was reserved for Rural Services purposes, and the reserve trust manager: The Department of Primary Industries was appointed, by NSW Gazette Notice on 11 May 2007.

HAY OFFICE 126 Lachlan Street (PO Box 182), Hay NSW 2711 Phone: (02) 6993 1306 Fax: (02) 6993 1135			
ESTABLISHMENT OF RESERVE TRUST		RESERVATION OF CROWN LAND	
PURSUANT to section 92 (1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder is established under the name stated in that Column and is appointed as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.		PURSUANT to section 87 of the Crown Lands Act 1989, the Crown land specified in Column 1 of the schedule hereunder is reserved as specified opposite thereto in Column 2 of the Schedule.	
TONY KELLY, M.L.C., Minister for Lands		TONY KELLY, M.L.C., Minister for Lands	
SCHEDULE		SCHEDULE	
<i>Column 1</i> Department of Primary Industries	<i>Column 2</i> Reserve No. 1013408 Public Purpose: Rural Services Notified: This day File Reference: HY05 H 1	<i>Column 1</i> Land District: Deniliquin Local Government Areas: Deniliquin and Conargo Locality: Deniliquin	<i>Column 2</i> Reserve No. 1013408 Public Purpose: Rural Services
		<div style="text-align: right;"> <i>Parish County</i> Lot 1 DP 262203 Wandook Townsend Lot 102 DP 756335 Wandook Townsend Area: 99.46ha File Reference: HY05 H 1 </div>	
DECLARATION OF LAND TO BE CROWN LAND			
PURSUANT to section 138 of the Crown Lands Act 1989, the land described in the Schedule hereunder, is declared land that may be dealt with as if it were Crown Land within the meaning of that Act.			
TONY KELLY, M.L.C., Minister for Lands			
SCHEDULE			
<i>Land District – Deniliquin; Local Government Areas – Deniliquin and Conargo; Parish – Wandook; County – Townsend</i>			
Lot 1, Deposited Plan 262203 of 34.72ha being land said to be in the possession of Her Majesty Queen Elizabeth II and Lot 102 in Deposited Plan 756335 of 64.74ha being land said to be in the possession of Her Majesty Queen Elizabeth the Second for and on behalf of the Department of Agriculture.			
File No.: HY05 H 1.			

Source: NSW Government Gazette

The reserve trust was subsequently dissolved by NSW Government Gazette Notice on 16 August 2013 which effectively removed The Department of Primary Industries as reserve trust manager. The same Gazette added the reserved land (R1013408) to the management of the Deniliquin Reserves Reserve Trust Manager: Deniliquin Council.

HAY OFFICE

126 Lachlan Street (PO Box 182), Hay NSW 2711
Phone: (02) 6990 1800 Fax: (02) 6993 1135

**NOTICE OF ADDITIONAL PURPOSE PURSUANT
TO SECTION 34A(2)(B) OF THE CROWN LANDS
ACT 1989**

PURSUANT to section 34A(2)(b) of the Crown Lands Act 1989, the Crown reserve specified in Column 2 of the Schedule is to be occupied for the additional purpose specified in Column 1 of the Schedule.

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Grazing and Dam (Relevant Interest – S34A – Licence RI 513679).	Reserve No.: 755193. Public Purpose: Future public requirements. Notified: 29 June 2007. File No.: 13/09356.

**APPOINTMENT OF RESERVE TRUST AS TRUSTEE
OF A RESERVE**

PURSUANT to section 92(1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder, is appointed as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Deniliquin Council Crown Reserves Reserve Trust.	Reserve No.: 1013408. Public Purpose: Rural services. Notified: 11 May 2007. File No.: HY05 H 1.

DISSOLUTION OF RESERVE TRUST

PURSUANT to section 92(3) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder, which was established in respect of the reserve specified opposite thereto in Column 2 of the Schedule, is dissolved.

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Murray Valley Field Station Reserve Trust	Reserve No.: 1013408. Public Purpose: Rural services. Notified: 11 May 2007. File No.: HY05 H 1.

The commencement of the CLM Act on 1 July 2018 automatically amended Crown Reserve Trust managers to Council Managers (Crown Land Managers), with the residual reserve trust being abolished 1 July 2019. At this point, Edward River Council became the Council Manager of Crown Reserve R1013408: Murray Valley Industry Park.

Native Title Manager advice 3.

The Crown Reserve R1013408 was validly created (a 'valid act') by the State of NSW (the Crown) and Edward River Council validly appointed as Crown land manager for the reserve.

4. Previous Exclusionary Possession Acts

The NT Act (Cwlth) Division 2B provides for the confirmation of past extinguishment of native title by certain valid or validated acts. The NT Act (NSW) mirrors the provisions of the NT Act (Cwlth) as to the extinguishing effect of a previous exclusionary possession act (PEPA) where the act was done by the State of NSW.

The NT Act (Cwlth), Division 2B, Section 23A (2) states:

*If the acts were **previous exclusive possession acts** (involving the grant or vesting of things such as freehold estates or leases that conferred exclusive possession, or the construction or establishment of public works), the acts will have completely extinguished native title.*

To be a previous exclusive possession act, the act:

- must be valid (including because it is a past act or intermediate act);
- have taken place on or before 23 December 1996; and
- must consist of the grant or vesting of acts listed in s. 23B(2)(c); set out in the table below entitled 'Extinguishing effect of categories of previous acts – Div. 2B'.

The following table sets out the extinguishing effect of PEPAs:

Table 2: Extinguishing effect of previous exclusive possession acts (PEPAs)

Category	Acts in the category	Extinguishing effect
PEPAs	<ul style="list-style-type: none"> • Freehold estates¹⁴⁹ • Construction or establishment of public works • Acts set out in Schedule 1 of the NT Act (Cwlth) • Commercial leases (not being an agricultural or pastoral lease) • Exclusive agricultural leases • Residential leases • Community purposes leases • Separate leases • Any lease (other than a mining lease) that confers a right of exclusive possession¹⁵⁰ 	The act extinguishes any native title in relation to the land or waters ¹⁵¹

Source: NSW Government – Native title managers workbook

4.1 Crown Grant to Freehold

An historical search of the land titles of the Crown land in R1013408, being whole of Lot 1 DP 262203 and whole of 102 DP 756335, (See **Appendix C**) demonstrate that all the land had been Crown land granted in freehold estate.

The reserve was originally within R752 from Lease notified 7 April 1884. The land was declared Homestead Selection Area No. 73 on 8 November 1895.

- **Portion 100** (comprising Lot 1 in DP 262203 being part R1013408) was granted to Ian Patrick Corcoran as Homestead Selection 96/1.
- **Portion 102** (comprising Lot 102 in DP 756335 being part R1013408) was granted to James Dunn as Homestead Selection 96/3.

Both grants were confirmed 9 July 1896 (See **Appendix C**).

Native Title Manager advice 4.

The land in Crown Reserve R1013408 was previously freehold land as a result of Crown Grants in 1895, confirmed in 1896. Council may have confidence that in the event of any native title claim over the Crown land in R1013408 that the act of Crown Grant for freehold ownership will be regarded for the purposes of the NT Act (Cwlth) and the NT Act (NSW) as the act has the effect of having extinguished native title rights over the land.

5. The draft plan of management

The NT Acts and the CLM Act are clear in that unless the land is defined as excluded land, then native title rights should be considered to be in existence.

Reserves where native title is not extinguished as a result of being excluded land will generally require examination against the NT Act (Cwlth) 'future acts regime' to determine if dealings or developments on the land impact on presumed native title rights or may 'valid acts'.

5.1 Future Acts Regime

The NT Act NSW does not validate future acts. The only way that future acts may be validated is through the future acts regime in Div. 3 of Pt. 2 of the NT Act (Cwlth).

A future act is defined in s. 233 of the NT Act (Cwlth):

Section 233

- 1) *Subject to this section, an act is a future act in relation to land or waters if:*
 - a) *either:*
 - i. *it consists of the making, amendment or repeal of legislation and takes place on or after 1 July 1993; or*
 - ii. *it is any other act that takes place on or after 1 January 1994; and*
 - b) *it is not a past act; and*
 - c) *apart from this Act, either:*
 - i. *it validly affects native title in relation to the land or waters to any extent; or*
 - ii. *the following apply:*
 - A. *it is to any extent invalid; and*
 - B. *it would be valid to that extent if any native title in relation to the land or waters did not exist; and*
 - C. *if it were valid to that extent, it would affect the native title.*

To be a future act, the act must:

- 'affect' native title;
- be valid (or be valid if it were not for native title)
- have occurred on or after 1 January 1994 when the NT Act (Cwlth) commenced, and
- *not* be a past act.

5.2 Extinguishment Effect

It should be noted, however, that where native title has been extinguished by the Crown's grant of a certain interest that is inconsistent with native title, any subsequent act will not be a future act, as the act cannot 'affect' native title and compliance with the native title legislation and future acts regime is not required.

Section 23E of the NT Act (Cwlth) enables states and territories to enact laws which confirm the extinguishment of native title by previous exclusive possession act attributable to them. Accordingly, the NT Act (NSW) in Part 2, Division 2 provides similar provisions of the NT Act (Cwlth) as to the extinguishing effect of a previous exclusive possession act where the act was done by the State of NSW.

The grant of the land that is now R1013408 in freehold estate, confirmed in 1896, as identified in section 4.12 above, is a previous exclusive possession act, is a 'past act inconsistent with the continued existence, enjoyment or exercise of the native title rights. Part 2, Division 2 of the NT Act (NSW) has the effect of extinguishing native title over those land parcels to the extent of the inconsistency.

Native Title Manager Advice 5

The adoption of the plan of management, following approval by the Minister administering the CLM Act, will not have an effect on native title rights as the previous exclusive possession acts (past act freehold grants of the land) have the effect of extinguishing native title over the land in R1013408 under the *Native Title Act 1994* (NSW).

6. **Conclusion**Native title and excluded land

There are no active Native Title Claims that include the Crown reserve land, nor have there been any Native Title Determinations, registered Indigenous Land Use Agreements, Native Title Future Act Applications and Determinations, or Native Title Certificates issued for:

- Whole: Lot 1 DP 262203;
- Whole of Lot 102 DP 756335;
in the Parish of Wandook, County of Townsend, Edward River local government area.

Native title rights must be assumed to remain in existence as the land is not 'excluded land' under the *Crown Land Management Act 2016*.

6.2 Crown Reserve (R1013408): Murray Valley Industry Park

The Crown Reserve was validly created by the State of NSW (the Crown).

6.3 Previous exclusionary possession acts

The land in Crown Reserve R1013408 was previously freehold land as a result of Crown Grants in freehold land title confirmed 9 July 1896. The reserve was originally within R752 from Lease notified 7 April 1884. The land was declared Homestead Selection Area No. 73 on 8 November 1895.

Portion 100 (comprising Lot 1 in DP 262203 being part R1013408) was granted to Ian Patrick Corcoran as Homestead Selection 96/1.

Portion 102 (comprising Lot 102 in DP 756335 being part R1013408) was granted to James Dunn as Homestead Selection 96/3.

Council may have confidence that in the event of any native title claim over the Crown land in R1013408 that the act of Crown Grant for freehold ownership will be regarded for the purposes of the NT Act (Cwlth) and the NT Act (NSW) as having extinguished native title rights over the land.

6.4 The plan of management

The adoption of the plan of management, following approval by the Minister administering the CLM Act, will not have an effect on native title rights as the previous exclusive possession acts (past act freehold grants of the land) have the effect of extinguishing native title over the land in R1013408 under the *Native Title Act 1994* (NSW).

6.5 Outcome of advice

Edward River Council may endorse the draft plan of management as a draft for referral to the landowner: The Minister administering the *Crown Land Management Act 2016* as a landowner representative of the State of NSW.

APPENDICES

- Appendix A: Certificate of Titles (search result)
- Appendix B: Gazette Notices
- Appendix C: Previous Freehold Land
- Appendix D: Native Title Manager letter of accreditation

APPENDIX A: CERTIFICATE OF TITLE SEARCH RESULTS



FOLIO: 102/756335

SEARCH DATE	TIME	EDITION NO	DATE
23/9/2020	3:34 PM	1	19/1/1988

LAND

LOT 102 IN DEPOSITED PLAN 756335
AT NORTH DENILIQUIN
LOCAL GOVERNMENT AREA EDWARD RIVER
PARISH OF WANDOOK COUNTY OF TOWNSEND
(FORMERLY KNOWN AS PORTION 102)
TITLE DIAGRAM CROWN PLAN 3888.1803

FIRST SCHEDULE

MURRAY VALLEY FIELD STATION RESERVE TRUST (R AE179648)

SECOND SCHEDULE (3 NOTIFICATIONS)

- * 1 LAND EXCLUDES MINERALS (S.171 CROWN LANDS ACT 1989)
- * 2 AE179648 RESERVE NO. 1013408 FOR RURAL SERVICES
- * 3 THE LAND IS A RESERVE WITHIN THE MEANING OF PART 5 OF THE CROWN LANDS ACT 1989, AND THE CONSENT OF THE MINISTER IS REQUIRED TO SALE, LEASE, EASEMENT, MORTGAGE OR LICENCE - SEE SECTION 102.

NOTATIONS

NOTE: THE CERTIFICATE OF TITLE FOR THIS FOLIO OF THE REGISTER DOES NOT INCLUDE SECURITY FEATURES INCLUDED ON COMPUTERISED CERTIFICATES OF TITLE ISSUED FROM 4TH JANUARY, 2004. IT IS RECOMMENDED THAT STRINGENT PROCESSES ARE ADOPTED IN VERIFYING THE IDENTITY OF THE PERSON(S) CLAIMING A RIGHT TO DEAL WITH THE LAND COMPRISED IN THIS FOLIO.

AD202681 NOTE: CERTIFICATE OF TITLE 102/756335 EDITION 1 DATED 19/1/1988 PRODUCED & DESTROYED

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Edward River

PRINTED ON 23/9/2020

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided electronically by the Registrar General in accordance with Section 96B(2) of the Real Property Act 1900.

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Received: 23/09/2020 15:34:33



LAND REGISTRY SERVICES Title Search



NEW SOUTH WALES LAND REGISTRY SERVICES - TITLE SEARCH

FOLIO: 1/262203

SEARCH DATE	TIME	EDITION NO	DATE
23/9/2020	3:34 PM	1	11/11/1987

LAND

LOT 1 IN DEPOSITED PLAN 262203
AT DENILIQUIN
LOCAL GOVERNMENT AREA EDWARD RIVER
PARISH OF WANDOOK COUNTY OF TOWNSEND
TITLE DIAGRAM DP262203

FIRST SCHEDULE

MURRAY VALLEY FIELD STATION RESERVE TRUST (R AE179648)

SECOND SCHEDULE (4 NOTIFICATIONS)

- * 1 LAND EXCLUDES MINERALS (S.171 CROWN LANDS ACT 1989)
- 2 DP262203 EASEMENT FOR WATER SUPPLY AFFECTING THE PART(S)
SHOWN SO BURDENED IN THE TITLE DIAGRAM
- * 3 AE179648 RESERVE NO. 1013408 FOR RURAL SERVICES
- * 4 THE LAND IS A RESERVE WITHIN THE MEANING OF PART 5 OF THE CROWN
LANDS ACT 1989, AND THE CONSENT OF THE MINISTER IS REQUIRED TO
SALE, LEASE, EASEMENT, MORTGAGE OR LICENCE - SEE SECTION 102.

NOTATIONS

NOTE: THE CERTIFICATE OF TITLE FOR THIS FOLIO OF THE REGISTER DOES
NOT INCLUDE SECURITY FEATURES INCLUDED ON COMPUTERISED
CERTIFICATES OF TITLE ISSUED FROM 4TH JANUARY, 2004. IT IS
RECOMMENDED THAT STRINGENT PROCESSES ARE ADOPTED IN VERIFYING THE
IDENTITY OF THE PERSON(S) CLAIMING A RIGHT TO DEAL WITH THE LAND
COMPRISED IN THIS FOLIO.

AD202681 NOTE: CERTIFICATE OF TITLE 1/262203 EDITION 1 DATED
11/11/1987 PRODUCED & DESTROYED

UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

Edward River

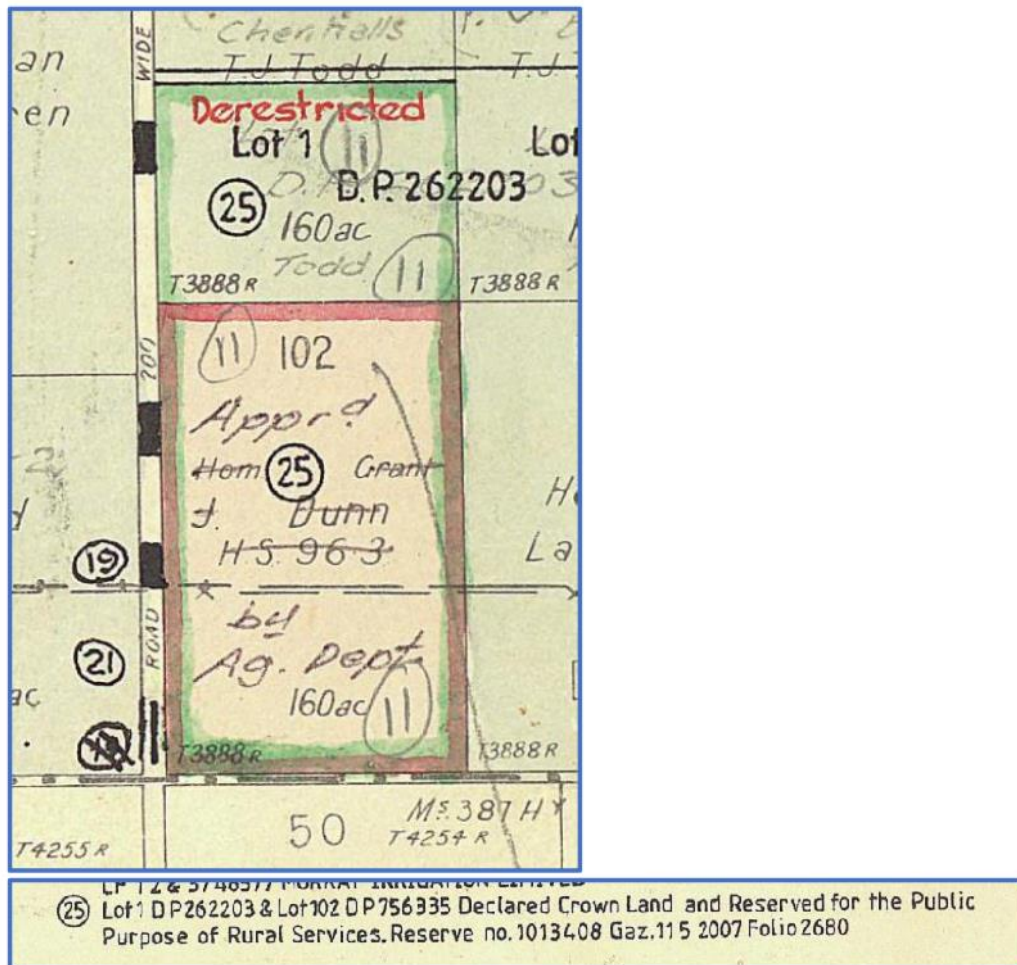
PRINTED ON 23/9/2020

* Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title. Warning: the information appearing under notations has not been
formally recorded in the Register. InfoTrack an approved NSW Information Broker hereby certifies that the information contained in this document has been provided
electronically by the Registrar General in accordance with Section 98B(2) of the Real Property Act 1900.

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Received: 23/09/2020 15:34:32

APPENDIX B: GAZETTE NOTICES, ETC FOR VALID CREATION



Source: LRS Historical Viewer – digitised maps

HAY OFFICE
126 Lachlan Street (PO Box 182), Hay NSW 2711
Phone: (02) 6993 1306 Fax: (02) 6993 1135

ESTABLISHMENT OF RESERVE TRUST

PURSUANT to section 92 (1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder is established under the name stated in that Column and is appointed as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.

TONY KELLY, M.L.C.,
Minister for Lands

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Department of Primary Industries	Reserve No. 1013408
	Public Purpose:
	Rural Services
	Notified: This day
	File Reference: HY05 H 1

DECLARATION OF LAND TO BE CROWN LAND

PURSUANT to section 138 of the Crown Lands Act 1989, the land described in the Schedule hereunder, is declared land that may be dealt with as if it were Crown Land within the meaning of that Act.

TONY KELLY, M.L.C.,
Minister for Lands

SCHEDULE

*Land District – Deniliquin;
Local Government Areas – Deniliquin and Conargo;
Parish – Wandook; County – Townsend*

Lot 1, Deposited Plan 262203 of 34.72ha being land said to be in the possession of Her Majesty Queen Elizabeth II and Lot 102 in Deposited Plan 756335 of 64.74ha being land said to be in the possession of Her Majesty Queen Elizabeth the Second for and on behalf of the Department of Agriculture.

File No.: HY05 H 1.

RESERVATION OF CROWN LAND

PURSUANT to section 87 of the Crown Lands Act 1989, the Crown land specified in Column 1 of the schedule hereunder is reserved as specified opposite thereto in Column 2 of the Schedule.

TONY KELLY, M.L.C.,
Minister for Lands

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Land District: Deniliquin	Reserve No. 1013408
Local Government Areas:	Public Purpose:
Deniliquin and Conargo	Rural Services
Locality: Deniliquin	
	<i>Parish County</i>
Lot 1 DP 262203 Wandook Townsend	
Lot 102 DP 756335 Wandook Townsend	
Area: 99.46ha	
File Reference: HY05 H 1	

Source: NSW Government Gazette – NLA Trove

HAY OFFICE**126 Lachlan Street (PO Box 182), Hay NSW 2711****Phone: (02) 6990 1800 Fax: (02) 6993 1135****NOTICE OF ADDITIONAL PURPOSE PURSUANT
TO SECTION 34A(2)(B) OF THE CROWN LANDS
ACT 1989**

PURSUANT to section 34A(2)(b) of the Crown Lands Act 1989, the Crown reserve specified in Column 2 of the Schedule is to be occupied for the additional purpose specified in Column 1 of the Schedule.

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Grazing and Dam (Relevant Interest – S34A – Licence RI 513679).	Reserve No.: 755193. Public Purpose: Future public requirements. Notified: 29 June 2007. File No.: 13/09356.

**APPOINTMENT OF RESERVE TRUST AS TRUSTEE
OF A RESERVE**

PURSUANT to section 92(1) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder, is appointed as trustee of the reserve specified opposite thereto in Column 2 of the Schedule.

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Deniliquin Council Crown Reserves Reserve Trust.	Reserve No.: 1013408. Public Purpose: Rural services. Notified: 11 May 2007. File No.: HY05 H 1.

DISSOLUTION OF RESERVE TRUST

PURSUANT to section 92(3) of the Crown Lands Act 1989, the reserve trust specified in Column 1 of the Schedule hereunder, which was established in respect of the reserve specified opposite thereto in Column 2 of the Schedule, is dissolved.

ANDREW STONER, M.P.,
Minister for Regional Infrastructure and Services

SCHEDULE

<i>Column 1</i>	<i>Column 2</i>
Murray Valley Field Station Reserve Trust.	Reserve No.: 1013408. Public Purpose: Rural services. Notified: 11 May 2007. File No.: HY05 H 1.

Source: **NSW Government Gazette – NLA Trove**

APPENDIX C: PREVIOUS FREEHOLD LAND



Plan shows Corcoran and Dunn as grantees of the land, being Portions 100 and 102.

Appendix D: Native Title Manager letter of accreditation



Reference: LBN20/38

Mr Carl Malmberg
Council Crown Land Management
GPO Box 5477
Sydney NSW 2000

Dear Mr Malmberg,

Subject: Confirmation of approved training as Native Title Manager
Crown Land Management Act 2016

This letter provides confirmation that Carl Malmberg, having completed the approved training below, is qualified to act as a Native Title Manager for the purposes of Part 8 of the *Crown Land Management Act 2016* which commenced on 1 July 2018.

Introductory Native Title Training
Delivered by the NSW Department of Planning, Industry and Environment,
Sydney, NSW on 3 December 2019

For further information about the qualified training, please contact Mr Todd Craig, Native Title Operations, Crown Lands in the NSW Department of Planning, Industry and Environment: via email: todd.craig@crowland.nsw.gov.au

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Rodney Hodder'.

Rodney Hodder
A/Executive Director Strategy and Policy
Crown Lands

6/2/2020

10.15 MAJOR PROJECTS PROGRAM - OCTOBER 2020 PROGRESS REPORT

Author: Nicole Rogers, Executive Assistant

Authoriser: Oliver McNulty, Director Infrastructure

RECOMMENDATION

That Council note the Major Projects Program from various funding sources - Progress Report for October 2020.

BACKGROUND

The Stronger Communities Fund was established by the NSW Government to provide newly merged Councils with funding to spend on priority community initiatives.

Edward River Council received \$10 million in the original funding allocation. An amount of \$1.4 million was allocated to various community groups for projects under the Community Grants Program. The remaining \$8.6 million has been allocated for the Major Project Program. In addition to the original funding allocation a further \$3,990,000 has been received for Round 2. All projects adopted by the Stronger Communities Fund Assessment Panel are as follows:

Project – Stronger Communities Fund (Original)	Grant Amount
Deniliquin Swim Centre Revitalisation	\$880,000
Community Masterplans & Initial Works	\$2,105,000
Deniliquin Regional Sports & Entertainment Stadium Extension	\$540,000
Blighty Community Netball & Tennis Facility	\$550,000
Deniliquin Children's Centre Extension	\$500,000
Deniliquin Netball Facility Improvement Works	\$320,000
Rural Villages Beautification Project	\$300,000
Beach to Beach Walk Connectivity Improvements	\$300,000
Deniliquin Community Facility Refurbishments	\$165,000
Urban Road Infrastructure Program	\$2,390,000
Deniliquin Airport Heritage Centre Development	\$50,000
Unallocated Funding for New Council	\$500,000
Total	\$8,600,000

Project – Stronger Communities Fund (Round 2)	Grant Amount
Cressy Street CBD	\$1,200,000
Riverfront Enhancement	\$700,000
Waring Gardens Upgrade	\$640,000
Lagoon Walk Road Treatments	\$250,000
Truck Stop	\$400,000
Peppin Heritage / Visitor Centre Upgrade	\$200,000
Deniliquin Ute Muster	\$600,000
Total	\$3,990,000

Edward River Council also has been allocated funding from the Stronger Country Communities Program Round One to a total value of \$1,269,841 these are detailed below. In addition to these a further allocation in Round Two of the Stronger Country Communities program of \$3.3 million has also been approved and is also detailed below.

Project – Stronger Country Communities (Round 1)	Grant Amount
Scott's Park – A destination Playground	\$676,620
Deniliquin Swim Centre – All Abilities Facilities	\$295,796
Lagoons to River Walk	\$297,425
Total	\$1,269,841

Project – Stronger Country Communities (Round 2)	Grant Amount
The Deniliquin Town Hall	\$1,315,170
Deni Central Streetscape (Napier Street)	\$401,500
Deniliquin Memorial Park	\$786,000
Deniliquin RAMS Facility Upgrades	\$559,000
Deni Lawn Tennis Club	\$198,910
Deni Golf Club	\$111,170
Total	\$3,371,750

The Federal Government released additional funding under the Murray Darling Basin Regional Economic Diversification Funding programme to Council in February 2019 for the following projects:

Murray Darling Basin Regional Economic Diversification Funding	Grant Amount
Deniliquin Industrial Park Road Works	\$350,000
Crossing Café and Peppin Heritage Centre Revitalisation	\$300,000
Rotary Park Earthworks	\$100,000
Total	\$750,000

The Commonwealth has released additional funding through the Department of Infrastructure, Regional Development and Cities 'Our Region Our River' Regional Growth Fund, Edward River Council has been allocated funding of \$1,673,080 for the following Projects:

Regional Growth Fund	Grant Amount
Riverfront Revitalisation	\$550,000
CBD Revitalisation	\$1,123,080
Total	\$1,673,080

The Commonwealth has approved funding under the Drought Communities Programme (DCP) Extension. Edward River Council has been allocated \$1,000,000 for the following projects:

Drought Communities Program	Grant Amount
Drought Support Officer	\$100,000
Tourism Marketing Program	\$50,000
CBD Painting	\$100,000
Town Entrance - Crispe Street	\$200,000
Town Entrance - Davidson Street	\$100,000
Road Upgrades - Harfleur and Wyatt Street	\$250,000
Booroorban Lay-By	\$200,000
Total	\$1,000,000

The Commonwealth has approved funding under the Drought Communities Programme Round 2 – Extension for the following seven projects. A Project Manager has been engaged.

Initially Project Activities were to be complete by December 2020, however on 19 September 2020, Council were informed the Commonwealth would give sympathetic consideration to requests for extensions with project activities now due for completion 30 June 2021.

These projects have been identified as orange at this time. All the projects have now commenced and will be changed to green once an extension of time has been received.

Drought Communities Program (Round 2)	Proposed Grant Amount
Visit Deni Tourism Campaign	\$50,000
Rural Villages Business Painting	\$100,000
Waring Gardens Upgrade (toilets and rotunda)	\$200,000
Signage Strategy Implementation	\$140,000
Rotary Park (clubrooms and pitches)	\$200,000
Deniliquin Town Hall	\$210,000
North Tennis Court Redevelopment	\$100,000
Total	\$1,000,000

Council have received additional funding for the Town Hall through the Federal Government's Building Better Regions Fund.

Building Better Regions Fund	Grant Amount
Town Hall	\$630,883
Total	\$630,883

Council have received additional funding through the Stronger Country Communities (Round 3).

Stronger Country Communities (Round 3)	Grant Amount
Town Hall	\$964,500
North Deni Rest Stop	\$300,000
Total	\$1,264,500

Council has received additional funding from NSW Showgrounds Stimulus Program for the Memorial Park Showground.

NSW Showgrounds Stimulus Program – Memorial Park Showground	Grant Amount
Phase 1 – Option A & B (Seating)	\$133,540
Phase 1 – Option B (Fencing)	\$67,650
Phase 1 – Options C (car parking and entrance)	\$111,000
Total	\$312,190

Council has received funding from Infrastructure NSW for the sealing of the remaining unsealed section of Maude Road.

TfNSW, Fixing Country Roads, HVSP, Regional Roads REPAIR 20/21	Grant Amount
Regional Roads REPAIR 20/21	\$245,000
Regional Roads BLOCK Grant 20/21	\$245,000

Regional Roads BLOCK Grant 21/22	\$93,554
Fixing Country Roads	\$1,604,622
HVSSP (federal)	\$729,392
Total	\$2,917,568

State Government has approved funding under the Local Roads and Community Infrastructure Program (LRCI). In June 2020 Council resolved (resolution 2020/18) to apply this funding to the following Projects.

Local Roads and Community Infrastructure Program (LRCI)	Grant Amount
Community Facilities Refurbishment	\$350,000
Airport Hangar Refurbishment (Belman Hangars)	\$100,000
Urban and Rural Cemetery Upgrades	\$180,000
Memorial Park Amenities Upgrade	\$153,170
Off Leash Dog Park	\$80,000

Council have received funding from the Federal Government for the Deniliquin Aerodrome Upgrade through the Commonwealth Regional Airport Program – Round 1. This funding will be provided over the next two years.

Commonwealth Regional Airport Program – Round 1	Grant Amount
Funding	\$2,500,000
FY 2020/21 (Council loan)	\$1,250,000
FY 2021/22 (Council loan)	\$1,250,000
Total	\$5,000,000

Council have received funding from the State Government (TfNSW) under the Fixing Local Roads for the upgrade of sections of Poitiers Street

Fixing Local Roads	Grant Amount
Poitiers Street	\$1,052,055
Total	\$1,052,055

A project summary update report for all programs for October 2020 is attached to this report.

COMMUNITY STRATEGIC PLAN

This report aligns with outcome 1 – *A great place to live* and outcome 4 – *A region with quality and sustainable infrastructure* of the Community Strategic plan

FINANCIAL IMPLICATIONS

Projects funded through these programs include costs for the design, documentation, and supervision costs for each project.

LEGISLATIVE IMPLICATIONS

Council must ensure that these projects are completed within the timeframes set out within the funding agreements.

ATTACHMENTS

1. Major	Projects	Summary	-	Oct	20
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Stronger Community Grants - Summary Report – October 2020							No	
Time, Cost & Quality		Task/Activity – Completed ✓ or Progressing - on Time, Cost and Quality					59	
Time, Cost & Quality		Task/Activity – Progressing - requires monitoring and or action to minimise risk of not meeting performanace targets					9	
Time, Cost & Quality		Task/Activity – Stalled/Stopped - High Risk or will not meet Performanace Target.					1	
Time, Cost & Quality		Task/Activity- Pending - is currently not commenced					0	
							Total	69
Project Phase								
Project Description	Initiation and Communication	Design, Documentation and Approvals	Quotes and Tendering	Delivery and Handover	Code	Comments/Milestones		
STRONGER COMMUNITIES GRANT FUNDING (ORIGINAL)								
Blighty Community Netball and Tennis Facility \$550,000	Complete	Complete	Complete	Complete	✓	• Project complete		
Unallocated Funds \$500,000 plus Interest earned on investment approx. \$800,000 (~ total \$1,300,000)	Complete	Complete	Complete	Complete	✓	• \$310,260 allocated towards Napier Street. • \$142,000 allocated to Swim Revitalisation Centre • \$110,000 allocated to Swim Centre – All Abilities Centre • \$3,500 allocated to the Boat Club (Total \$53,500) • \$10,000 allocated to South West Music - complete • \$395,000 allocated to Regional Sports & Entertainment (Total \$935,000) • ~\$329,000 (remaining amount) allocated to Town Hall		
Regional Sports & Entertainment Stadium Extension \$540,000 + \$395,000 (Unallocated Funding)	Complete	Complete	Complete	Complete	✓	• Project complete.		
Children’s Centre Extension \$500,000	Complete	Complete	Complete	Complete	✓	• Project complete.		
Netball Facility Improvements								
Deniliquin Netball Assoc \$160,000 + \$30,000 (Crown Lands Grant)	Complete	Complete	Complete	Pending		• Discussions ongoing with preferred contractors to commence works		
Deniliquin RAMS \$160,000	Complete	Complete	Complete	Complete	✓	• Project complete		
Swim Centre Revitalisation- \$880,000 + \$142,000 (from unallocated funds)	Complete	Complete	Complete	Complete	✓	• Project complete.		
Rural Villages Beautification \$300,000 Blighty, Booroorban, Conargo, Mayrung, Prettv Pine, Wanganella	Complete	Complete	Complete	Complete	✓	• Project complete		

Community Plans and Initial Works \$2,105,000						
1) Riverfront Masterplans and Initial Works \$750,000 + \$700,000 + (Stronger Communities Round 2) \$550,000 (Regional Growth Fund)	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> • Work on East and West Riverfront complete. • Contract for Pontoons has been awarded
2) Napier Street (CBD) \$750,000 + \$400,000 (Stronger Country Communities Round 2) + \$100,000 (Council contribution) + \$310,260 (unallocated funds)	Complete	Complete	Complete	Complete	✓	<ul style="list-style-type: none"> • Project complete
3) Water Tower Project \$36,500	Complete	Complete	Complete	Complete	✓	<ul style="list-style-type: none"> • Project complete
4) Town Hall Revitalisation \$435,000 + \$1,315,170 (Stronger Country Communities Round 2) + ~\$329,000 (Unallocated Funding), +\$630,883 (Building Better Regions Fund), \$964,500 (Stronger Country Communities Round 3)	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> • Works on Civic Precinct have commenced
5) Memorial Park Masterplan \$50,000	Complete	Complete	Complete	Complete	✓	<ul style="list-style-type: none"> • Project complete
6) Recreation Strategy \$50,000	Complete	Complete	Complete	Complete	✓	<ul style="list-style-type: none"> • Project complete
Beach to Beach Walk Connectivity Improvements \$300,000	Complete	Complete	Complete	Complete	✓	
1) McLean's Beach Pathway	Complete	Complete	Complete	Complete	✓	<ul style="list-style-type: none"> • Project complete
2) Island Sanctuary Lower Bridge	Complete	Complete	Complete	Complete	✓	<ul style="list-style-type: none"> • Project complete
3) Improved access and bridge works Island Sanctuary	Complete	Complete	Complete	Complete	✓	<ul style="list-style-type: none"> • Project complete
Community Facilities Refurbishments \$165,000					✓	<ul style="list-style-type: none"> • Project complete
1) Scout Hall	Complete	Complete	Complete	Complete		
2) Deni Boat Club	Complete	Complete	Complete	Complete		
Urban Road Infrastructure Program- \$2,390,000	Complete	Complete	Complete	Complete	✓	<ul style="list-style-type: none"> • Crispe Street project complete • Victoria Street project complete • Wood Street project complete • Harfleur and Hardinge Street project complete. • Harfleur Street and Napier Street project complete
Airport Heritage Program \$50,000	Complete	Complete	Complete	Complete	✓	<ul style="list-style-type: none"> • Project complete
Stronger Community Grant Funding (Original) - Sub-Total \$8,600,000						

STRONGER COMMUNITIES GRANT FUNDING (ROUND 2)						
Cressy Street CBD Redevelopment- \$1,200,000 + \$1,123,080 (Regional Growth Fund)	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Mains power complete with request to liven the system in mid-September Majority of QCC staff to recommence work early September
Riverfront Enhancement \$750,000 + \$550,000 (Regional Growth Fund) + \$750,000 (Stronger Communities Original)	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Work on East and West Riverfront complete. Contract for Pontoons has been awarded
Waring Gardens Upgrade \$640,000	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Work on hold due to heritage issue. This issue is being worked through.
Lagoon Walk Road Treatments \$250,000	Complete	Complete	Complete	Complete	✓	<ul style="list-style-type: none"> Project Complete
Truck Stop Strategic Plan \$10,000	Pending	Pending	Pending	Pending		<ul style="list-style-type: none"> Discussions with stakeholders to be coordinated
Civic Plaza \$390,000	Completed	In Progress	In Progress	Pending		<ul style="list-style-type: none"> Works on Civic Precinct have commenced.
Crossing Café and Peppin Heritage Centre Revitalisation \$200,000 + \$300,000 (Murray Darling Bain Regional Economic Diversification Program) + \$200,000 (Stronger Communities Round 2) + \$100,000 (Capital Works) + \$123,000	Complete	Complete	Complete	Complete	✓	<ul style="list-style-type: none"> Complete
Deniliquin Ute Muster – Café Facility \$600,000	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> To be managed fully by the Deni Play on the Plains Milestone 4 complete (Audit complete awaiting payment)
Stronger Communities Grant Funding (Round 2) – Sub-Total \$3,390,000						
REGIONAL GROWTH FUND						
Riverfront Revitalisation \$550,000 + \$750,000 (Stronger Communities Original), + \$700,000 (Stronger Communities Round 3)	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Work on East and West Riverfront substantially completed. Pontoons contract will be awarded in August and work will progress dependent on Covid-19 restrictions.
CBD Revitalisation \$1,123,080 + \$1,200,000 (Stronger Communities Fund)	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Works have stopped due to issues relating to border controls and ability to get permits. Minor works to water and power will progress.
Regional Growth Fund – Sub-Total \$1,673,080						

MURRAY DARLING BASIN REGIONAL ECONOMIC DIVERSIFICATION FUNDING						
Deniliquin Industrial Park Road Works \$350,000	Complete	Complete	Complete	Complete	✓	• Project complete
Crossing Café and Peppin Heritage Centre Revitalisation \$300,000 + \$200,000 (Stronger Communities Round 2) + \$100,000 (Capital Works) + \$123,000	Complete	Complete	Complete	In Progress		• Additional minor maintenance works required to the building identified to be completed. 90% complete
Rotary Park Earthworks \$100,000	Complete	Complete	Complete	Complete	✓	• Project complete
Murray Darling Basin Regional Economic Diversification Funding – Sub-Total \$750,000						

STRONGER COUNTRY COMMUNITIES GRANT FUNDING (ROUND 1)						
Scott's Park – A Destination Program \$676,620	Complete	Complete	Complete	Complete	✓	• Project complete
Swim Centre – All Abilities Centre- \$295,796 + \$110,000 (Unallocated Funding)	Complete	Complete	Complete	Complete	✓	• Project complete
Lagoons to River Walk \$297,425	Complete	Complete	Complete	Complete	✓	• Project complete
Stronger Country Communities Grant Funding (Round 1) - Sub-Total \$1,269,841						

STRONGER COUNTRY COMMUNITIES GRANT FUNDING (ROUND 2)						
Deniliquin Town Hall & Arts & Cultural Precinct \$1,315,170 + \$435,000 (Stronger Communities Grant Funding Original) + \$329,000 (Unallocated Funding), + \$630,883 (Building Better Regions Fund), \$964,500 (Stronger Country Communities Round 3)	Complete	In Progress	In Progress	In Progress		• Work on Civic Precinct have commenced
Napier Street Redevelopment \$400,000 + \$750,000 (Stronger Country Communities Original) + \$100,000 (Council contribution) + \$310,260 (unallocated funds)	Complete	Complete	Complete	Complete	✓	• Project complete
Memorial Park \$786,000	Complete	In Progress	Pending	Pending		• DA application and Design have been submitted for assessment • Technical Drawings have been received • Drainage work has commenced.
RAMS Facility \$559,000 + \$130,000	Complete	Complete	Complete	In Progress		• Building is nearing lock up stage with internal plastering being undertaken – 75% complete • Playground has been delivered and pad excavated ready for installation - complete by end of Nov 20
Deniliquin Lawn Tennis \$198,910	Complete	Complete	Complete	In Progress	✓	• Complete
Deniliquin Golf Club \$111,170	Complete	Complete	Complete	Complete	✓	• Complete
Stronger Country Communities Grant Funding (Round 2) – Sub-Total \$3,371,750						

STRONGER COUNTRY COMMUNITIES GRANT FUNDING (ROUND 3)					
Town Hall \$964,500, + \$1,315,170 (Stronger Country Communities Round 2) + \$435,000 (Stronger Communities Grant Funding Original) +~\$329,000 (Unallocated Funding), +\$630,883 (Building Better Regions Fund)	Complete	In Progress	In Progress	In Progress	• Works on Civic Precinct have commenced
North Deni Rest Stop \$300,000	Complete	Pending	Pending	Pending	PM appointed
Stronger Country Communities Grant Funding (Round 3) – Sub-Total \$1,264,500					

DROUGHT COMMUNITIES PROGRAMME FUNDING (ROUND 1)					
Drought Support Officer and Drought Event Initiatives \$100,000	Complete	Complete	Complete	Complete	✓ • Project complete
Tourism Marketing Program \$50,000	Complete	Complete	Complete	Complete	✓ • Project complete
CBD Painting Program \$100,000	Complete	Complete	Complete	Complete	✓ • Project complete
Town Entrance – Crispe Street \$200,000	Complete	Complete	Complete	Complete	✓ • Project complete
Town Entrance – Davidson Street \$100,000	Complete	Complete	Complete	Complete	✓ • Project complete
Road Upgrades – Harfleur and Wyatt Street \$250,000	Complete	Complete	Complete	Complete	✓ • Project complete
Booroorban Heavy Vehicle Lay-by \$200,000	Complete	Complete	Complete	Complete	✓ • Project complete
Drought Communities Programme Funding (Round 1) – Sub-Total \$1,000,000					

DROUGHT COMMUNITIES PROGRAMME FUNDING (ROUND 2)					
Visit Deni Tourism Campaign \$50,000	Pending	Pending	Pending	Pending	
Rural Villages Business Painting \$100,000	Pending	Pending	Pending	Pending	• Scoping document commenced
Waring Gardens Upgrade \$200,000	Complete	In Progress	In Progress	In Progress	• Project Plans complete. Architect appointed to complete required design for DA
Signage Strategy Implementation \$140,000	Pending	Pending	Pending	Pending	• Scoping document commenced
Rotary Park (clubrooms and pitches) \$200,000	Completed	In Progress	In Progress	In Progress	• Building assessment complete
Deniliquin Town Hall – Civic Plaza \$210,000	Completed	Complete	In Progress	In Progress	• Works on Civic Precinct have commenced
North Tennis Court Redevelopment \$100,000	Completed	In Progress	In Progress	In Progress	• PM appointed
Drought Communities Programme Funding (Round 2) – Sub-Total \$1,000,000					

BUILDING BETTER REGIONS FUND						
Town Hall \$630,883 + \$964,500 (Stronger Country Communities Round 3), + \$1,315,170 (Stronger Country Communities Round 2) + \$435,000 (Stronger Communities Grant Funding Original) + ~\$329,000 (Unallocated Funding),	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Works on Civic Precinct have commenced
Building Better Regions Fund – Sub-Total \$630,883						
Local Roads and Community Infrastructure Program Funding						
1) Community Facilities Refurbishment (\$350,000)	Complete	In Progress	Pending	Pending		<ul style="list-style-type: none"> Scoping documents commenced PM appointed
2) Deni Visitor Information Centre & V+CS area (\$200,000)	Complete	In Progress	Pending	Pending		<ul style="list-style-type: none"> Scoping documents commenced PM appointed
3) Airport Hangar Refurb (\$100,000)	Complete	In Progress	Pending	Pending		<ul style="list-style-type: none"> Scoping documents commenced PM appointed
4) Urban & Rural Cemeteries (180,000)	Complete	In Progress	Pending	Pending		<ul style="list-style-type: none"> Scoping documents commenced PM appointed
5) Memorial Park Amenities Upgrade (\$153,170)	Complete	In Progress	Pending	Pending		<ul style="list-style-type: none"> Scoping documents complete. PM appointed
6) Off Leash Dog Park (\$80,000)	Complete	Pending	Pending	Pending		<ul style="list-style-type: none"> Scoping documents commenced. PM Appointed
Sub-Total \$963,170						
NSW Showground Stimulus Funding – Memorial park Showground						
Phase 1 Option A Seating (\$133,190)	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Materials ordered for seating Extension of time has been requested and granted
Option B Fencing (\$68,000)	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Materials ordered for fencing Extension of time has been requested and granted
Option C (\$111,000)	Complete	Complete	Complete	In Progress		<ul style="list-style-type: none"> Construction underway Works substantially complete
Sub-Total \$312,190						
Infrastructure NSW						
Maude Road reconstruction	Complete	In Progress	Pending	Pending		<ul style="list-style-type: none"> Scoping document commenced
Restart NSW - Sub-Total \$3.2M						

Commonwealth Regional Airport Program – Round 1						
Deniliquin Aerodrome Upgrade (loan by ERC to source additional \$2.5m for 50:50) 20/21 - \$1,250,000 21/22 - \$1,250,000	Complete	In Progress	Pending	Pending		<ul style="list-style-type: none"> Scoping document commenced RFQ for Survey and Designs sent out for Design and Construct
Commonwealth Regional Airport Program Fund – Sub-Total \$2,500,000						

Infrastructure NSW						
Fixing Local Roads – Poitiers Street	In Progress	Pending	Pending	Pending		<ul style="list-style-type: none"> Designs commenced
Restart NSW - Sub-Total \$1,052,055M						

PROJECT SUMMARY NOTES	
<p>Summary, most projects are progressing well with only a few highlighted in Red that will require stringent management and action to bring them under control.</p> <p>The projects in Yellow will need attention to detail to ensure that they progress to the agreed Time, Quality & Cost outcomes.</p> <p>Other challenges that face council staff and project delivery is access to quality project managers that will be required to complete all Stronger Community grants by the agreed timelines. Staff are currently in discussion with managers to source the required resources. All costs will be recovered as part of the project delivery costs. Existing council staff and contractors are working extremely well in keeping most projects on Time, Cost and Quality.</p>	

11 NOTICES OF MOTIONS

Nil

12 QUESTIONS WITH NOTICE

Nil

13 CONFIDENTIAL MATTERS

RECOMMENDATION

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 10A(2) of the Local Government Act 1993:

13.1 Contract C2021/01 - Russell Street Reconstruction 20/21

This matter is considered to be confidential under Section 10A(2) - d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

13.2 Sale and Development of Lots 33,34, 35 and 36 Saleyards Road, Deniliquin

This matter is considered to be confidential under Section 10A(2) - c and d(i) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business and commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

14 CLOSE OF MEETING