



**FEDERATION  
COUNCIL**

# Agenda

Tuesday, 18 April 2017

Council Chambers, Corowa

Meeting Commencement 10:00 am



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## 5. GENERAL MANAGER REPORT

### 5.1 BALLOON RELEASE POLICY

#### Summary

Federation Council was approached by the Mayor of Eurobodalla Shire Council to support their initiative to ban the release of balloons at Council events and in Council managed reserves due to the negative impact they have on the environment.

Council is seeking the support of a 'no balloon release' policy stance at all Council reserves and events, formalised via the inclusion of a 'no balloon release' provision in Council's Festival and Events Guidelines.

#### Background

As highlighted by Eurobodalla Shire Council "...Balloons can cause significant harm to the natural environment. Although some balloons are made from a natural latex and are marketed as an environmentally friendly option, these will still take months to break down and are known to harm and kill animals in both the marine environment and on land. Balloons can travel large distances once released, with balloons being found on Eurobodalla beaches from as far away as Sydney, Victoria and the Riverina. These balloons were identified by their logos."

In November 2000 the NSW Government enacted the Protection of the Environment Operations Amendment(Balloons) Act 2000. Since that date, it is illegal to release 20 or more gas-inflated balloons at or about the same time. It is deemed an aggravated offence where a person releases more than 100 balloons. There are a number of exceptions to these offences, for example whether the balloons are released specifically for scientific purposes.

Whilst balloon release is not a major or obvious litter item in the Federation Council area, it does negatively impact on our environment.

Council can play a more active role in encouraging a 'no balloon release' across Federation Council by formalising a 'no balloon release' at all Council reserves and events. This proactive approach will contribute to the preservation of Federation and our surrounding Council's natural environment.

#### Financial Implications

Nil financial implications.

#### **RECOMMENDED::**

1. THAT the release of balloons be banned at all Council events and in Council owned or managed reserves; and
2. THAT the inclusion of a 'no balloon release' provision in Council's Events Guidelines be effected.

### 5.2 ORGANISATIONAL UPDATE

#### Summary

The organisation is working hard to maintain current services and at the same time work through many change initiatives.

## Background

### Capital works program

Staff have been working hard supported by contractors to deliver a large capital works program. Progress is outlined later in the business paper.

While some good results have been achieved the flood damage has put the program back. Some carry over works will not be completed as the winter season needs to pass prior to major works proceeding. The 2017/18 program is well developed and an additional \$ 3.8 million allocated through Stronger Regions fund. This will see a large road expenditure in 2017/18 which was a specific need identified by the community in the Customer Satisfaction Survey conducted several months ago.

### 2017/18 budget

Business plans are currently being reviewed by each department to inform the draft budget prior to community consultation during May. Some departments have not previously had formal business plans so this is a good learning and development opportunity. The business plan template captures a range of data to support a systematic service review across the organisation. The aim is to document service levels and standards so that staff can support the elected representatives in September, 2017.

The budget preparation has required a large volume of additional work to combine previous ledgers, upgrade systems, review depreciation schedules and many other activities including training. Urana Office staff have been supported to deliver payroll services on the new corporate financial systems. This has been challenging and has been well done.

The budget will be based on a new valuation which has seen a significant increase in the value of rural land by as much as 30% in some instances. This will have an impact on who pays rates from respective rate classes. Rural rates are likely to increase above the level of residential rates although a full analysis needs to be completed and valuation objections are still being considered.

The themes for the upcoming budget include:

- More capital works for roads across the Council area;
- A tight operating budget;
- An increased emphasis on staff training and innovation;
- Delivery of a range of community facilities and the projects from the Stronger Regions fund;
- A focus on design and scoping of major projects prior to inclusion in budgets; and
- Rate increases will be 7% in the former Corowa Shire and 1.5% in the former Urana Shire. This is because of government direction about rate structures and rate capping.

The Minister for Local Government has been asked to consider the impact of rate freeze policy on low rating councils however any change may take time to achieve.

### Cultural Change Program

Council's senior and middle management are working together to build a high performance culture that supports staff to be customer focussed, work in a positive and proactive manner and to ensure we do not ignore important issues that need to be addressed. Staff feedback from the initial stage of this work has been very positive and the engagement has been effective and appropriate.

A comprehensive Organisational Development Plan will be completed by August and resources aligned to support the Council becoming the best employer it can be.

### Plant replacement

A number of major items of plant have been replaced including two loaders and a water cart. A full review has been completed and approximately \$4.0 million in purchases will occur prior to the next construction period

commencing. The Council's outdoor staff have appreciated this program being finalised and are committed to looking after and maintaining the equipment well.

As part of this work a gravel road maintenance training program is being considered by the outdoor staff.

#### **Communications and community engagement**

An officer has been appointed to the position of Communications Officer and will commence within four weeks. At this point a review of councils' communication and engagement process will be undertaken to ensure council has good engagement systems in place. A large part of this work is the delivery of a modern website reported in the Director Corporate and Community Services report.

Council continues to get very positive feedback which encourages staff to contribute generously. It is great to see the community very positively embracing the new Council. Staff remain very proactive and positive and are maintaining a mature approach to the negative approaches sometimes evidenced over the phone or through newspapers or social media when individuals or groups have less than positive comments to make.

#### **Financial position**

In a period of consolidation normal reporting schedules get disrupted however the budgets are in control and no concerns about budget are evident. Staff are soon to undertake training in procurement and associated compliance and an internal audit committee is in the process of being established.

#### **Information systems and innovation**

A business analyst has been appointed to assist review and document systems and staff are encouraged by this support to improve council systems and processes. Every effort will be made to use technology to best advantage and to provide staff with modern business systems.

Attracting staff into this specialist field is not easy but is underway.

#### **Work Health and Safety**

The Council Work Health and Safety Committee is working proactively and accidents have been at low levels although one injury is one too many. Regular inspections and audits are scheduled and will be an important piece of ongoing work. Federation Council is the only council that has not experienced a stress claim of the merged councils according to council's work cover provider. This is important for both social and financial reasons.

#### **Industrial relations**

Council staff, management and unions are working collaboratively through a range of change issues and I would like to thank both staff and unions for what has been a very positive approach to change.

Staff understand that positive behaviour is important and no one really respects anyone who is negative all of the time.

Absenteeism is well down and a council wellness program has been initiated and well received.

Leave liability continues to decrease and is closely monitored.

#### **Customer Service**

Staff are struggling to comply with Council's Customer Service Charter which is not a situation likely to persist. Improved planning and progress through the merger implementation plan will allow more focus on this critical council work.

Apart from the issue previously mentioned feedback on the capital works program, many community events and presentation of public spaces has been positive. The community is seeing things done and staff are getting good acknowledgement for their work.

Feedback on development proposals for playgrounds and other community initiatives has been appreciated.

**Development**

The development staff are reviewing all systems and processes and are supporting a significant increase in activity levels which is pleasing. A number of economic development initiatives are being supported one of which should be capable of announcement soon and will create 15 jobs in Corowa.

Having detailed many things are going well there are many issues still to be resolved or addressed including considering how best to support a newly elected council in September.

**FOR information.**

**C GILLARD**  
**GENERAL MANAGER**



## 6. DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

### 6.1 NSW SENIORS FESTIVAL - BABY BOOMERS BUS ABOUT

#### Summary

A successful program of events was held last month to celebrate the 2017 NSW Seniors Festival from 3 to 12 March.

The Baby Boomers Bus About was a new initiative facilitated by Federation Council to bring together senior residents and recognise their contribution to the community.

#### Background

The series of free organised tours across four locations was well supported by the community and attended by 230 people.

'Monday at the Movies' commenced with morning tea in the lounge of the Yarrawonga Mulwala Golf Club Resort. Sixty people attended and were treated to the ultimate cinema experience with a screening of the Academy Award winning 'La La Land'.

The next event was the 'Garden of Earthly Delights Tour' at the Corowa Tree of Life Community Gardens. An overview was provided about the history of the garden and how this community project has evolved. The concept, the amazing mosaics, the chickens and beautiful abundance of fresh fruit and vegetables impressed each of the twenty-four people who attended. Lunch was prepared and enjoyed using fresh produce from the garden.

On Thursday morning, thirty guests made their way to the Howlong Golf Resort for Bingo. The majority of guests came across from the Mulwala Lifestyle Village. They enjoyed a delicious lunch of fish and chips or quiche and salad, served in the bistro area of the club.

One hundred and five people made the trip to Oaklands RSL Bowling Club for the final event of the week. Oaklands Central School children provided entertainment for the day, with students performing dance routines, singing, circus and gymnastics routines. Lunch was served and guests mingled with old friends and made new ones. A number of guests were visiting Oaklands for the first time and were interested to hear from locals about the town and the history of the area.

Council would like to thank the Corowa Tree of Life Community Gardens, Howlong Golf Resort, Oaklands Central School, Oaklands Swimming Pool Committee and the Yarrawonga Mulwala Golf Club Resort for their support of the initiative.

There has been a fantastic amount of positive feedback about the event and a level of excitement exists for next year's event.

#### Financial Implications

The total cost of the Baby Boomer Bus About was \$8,198.96.

**FOR information.**



## 6.2 NEW FEDERATION COUNCIL WEBSITE

### Summary

Federation Council's new corporate website was launched on 1 March 2017. This was a major project within the Amalgamation Implementation Plan and will support improved communication and engagement with residents and visitors.

### Background

As previously reported, Council engaged Seamless to deliver their OpenCities platform for the new corporate site. A number of excellent features are available as part of the platform and are gradually being deployed to the site, subject to priorities and resources.

A key aspect of managing the site is reviewing analytical data and trends so that appropriate action can be taken to maximise usage. This information provides valuable insights into what information visitors are seeking on the site, how they are journeying around the site and what can be done to improve this experience.

The data for the first four weeks of being live is very pleasing and has provided some good insight into a number of simple improvements that will further enhance the site.

Organic and referral traffic equates to more than 6,500 sessions on the new site. This is a high number, particularly given there is no spend on marketing campaigns to direct traffic to the site. Social referrals are substantially higher to the new site and this has resulted from including direct page links in Facebook posts.

The table below highlights some key comparisons between the new Federation Council site and the old Corowa Shire site (please note, analytical data was not available for the old Urana Shire site).

<b>Key Measures</b>	<b>New Federation Council Site March 2017 – site live for 4 weeks</b>	<b>Old Corowa Shire Site February 2017</b>
Bounce %	34.99%	54.56%
Exit %	25.64%	37.31%
Users	5,046	3,622
Sessions	7,323	5,467
Page Views	28,566	14,653
Mobile Sessions	2,455	1,949
Tablet Sessions	600	439
Desktop Sessions	4,268	3,079
Avg Time on Page	56 seconds	1.21 minutes
Avg Page Load Time	4.09 seconds	1.74 seconds
Organic Search	3,567 sessions	4,229 sessions
Direct Traffic	3,044 sessions	801 sessions

Social Traffic	411 sessions	39 sessions
Referral Traffic	301 sessions	398 sessions
Top 5 Page views	Home 9,555 Careers 2,395 Job Application Form 788 Connect 671 Contact Us 605	Home 2,465 Jobs 837 Contact 809 News 413 Planning 358

Attached to the report is an infographic representing analytical data for the new Federation Council site.

There are a number of features within the site that are not currently being utilised, yet will further enhance the users experience and offer a higher level of service to customers. A plan is being developed to support this work and ensure optimal use of the platform.

Council has received positive feedback in regards to the site and has been contacted by a number of other Council's seeking information and guidance to support the development of their own corporate sites.

It will be critical moving forward that all areas of the organisation support the development of content, to ensure the site continues to meet the needs of users and delivers an ongoing return on investment.

#### Financial Implications

N/A.

**FOR information.**

### 6.3 LIVEABLE COMMUNITIES GRANT

#### Summary

Federation Council has been successful in securing a grant for \$30,000 through the NSW Government's Liveable Communities grant program.

The program is designed to improve the lives of older people living in NSW.

#### Background

Federation Council is committed to ensuring that senior residents are well supported and actively engaged in their communities. This project will address a number of key areas that will ensure the Federation Council area is a liveable community for senior residents.

With a high proportion of residents aged over 60 years of age, this is a critical plan that will assist Council to meet the needs of an ageing population.

The 'Liveable communities for seniors' project will be a collaborative approach to developing a long-term plan consisting of clear strategies and actions. It will identify needs and community priorities specific to senior residents that are closely aligned to Council's corporate planning framework.

As part of the project, a steering committee will be established to drive the development of the long term plan. An expression of interest process will be run to appoint members of the community to the committee, which will be supported by council staff.

Utilising existing networks and people within the community is more likely to achieve the desired outcome by developing strong partnerships and ensuring the needs and priorities are accurately reflected within the plan. Members of the steering committee will be provided with the necessary training to equip them with the tools needed to facilitate focus groups within the community.

Sessions will be held across the council area and residents aged over 55 will be invited to participate. Key focus areas within the plan will include:

#### Health and wellbeing

- Active and healthy lifestyle choices for seniors well being
- Adequate provision of health and home help services
- Promotion of local services and activities focused at seniors

#### Working and retiring

- Working beyond retirement
- Volunteer opportunities

#### Housing choices

- Local age care and supporting services
- Assisting residents to age in place
- Support for affordable housing

#### Getting around

- Local community transport options and information
- Promotion of services available
- Use of transport options for local events and activities
- Senior friendly public spaces

#### Inclusive communities

- Services and programs available to seniors
- Services and programs that might be needed, but currently not available
- Groups or people at risk of social isolation
- Building stronger local neighbouring connections

The project will commence in July, with the draft plan to be considered by the newly elected Council in October.

#### Financial Implications

A grant has been received for \$30,000 to fund the community engagement process, development of the plan and some priority, short term actions. Future budget and resourcing implications will need to be considered as part of the plans development.

**FOR information.**

## 6.4 NSW YOUTH WEEK

### Summary

2017 Youth Week was held from 31 March - 9 April and is an opportunity to celebrate young people in the community.

### Background

Following the success of last year's event, Federation Council again hosted the Flicks in the Sticks event at Ball Park in Corowa. Council worked closely with the Youth Advisory Committee to deliver the event, with 'organising events for young people, with young people' being one of the key objectives of Youth Week.

More than 150 people attended the event, which aired two popular movies under the stars on the outdoor cinema screen. The first screening was the family friendly movie, Finding Dory and the second movie Nerve, was targeted towards teenagers.

Young people attending the event received a bag of Youth Week items including earphones, a card holder, pack of cards and wrist bands. This was also an opportunity to distribute information about the range of services available to young people in the region, which is all included on a pull out pen. The Federation Youth Information (FYI) pens was an initiative of Council and the Youth Advisory Committee.

The Flicks in the Sticks event was supported by the Corowa Rutherglen United Hockey Club who ran the canteen for the night as a fundraising activity.

### Financial Implications

A grant for \$2,260 was received from the NSW Government to host Youth Week activities. The total cost of the event was \$3,128.30, and the remaining amount was funded from Council's budget.

**FOR information.**

## 6.5 DISABILITY INCLUSION ACTION PLAN

### Summary

In August 2014, the NSW Disability Inclusion Act 2014 was passed. This Act requires all NSW Councils to develop a Disability Inclusion Action Plan to help remove barriers and enable people with a disability to participate fully in their communities.

Federation Council is pleased to present its draft plan for consideration.

### Background

Council's Disability Inclusion Action Plan aims to:

- promote positive attitudes and behaviours in the community;
- provide better access to information, services and facilities;
- provide a more liveable and accessible community;
- enhance employment opportunities; and
- increase opportunities for people with disability to participate.

This Disability Inclusion Action Plan was developed through a community consultation and research process which included review of Council documents and relevant Government policies.

The consultation process involved talking to regional and local service providers, people with disability, carers and the broader community. A number of meetings and focus groups were held to identify gaps and discuss issues and a community survey was undertaken.

A Disability Access committee consisting of community members, has been established as a result of this process. This group will be actively involved in the ongoing development, implementation and formal review process of the plan and Council looks forward to working closely with this committee.

#### Financial Implications

The development of this plan has been completed internally.

Implementation of the plan will need to be considered in future budgets and work is currently underway to further understand financial implications. This information will be included in the final plan adopted by Council.

**RECOMMENDED that** the draft Disability Inclusion Action Plan be placed on public exhibition for a period of 28 days.

### 6.6 NSW REGIONAL GROWTH - ENVIRONMENT AND TOURISM FUND

#### Summary

Expressions of Interest are currently open for applications under the NSW Government's Rebuilding NSW Program, the Regional Growth – Environment and Tourism Fund (RGETF).

The program aims to increase tourist visitation by investing in regional environment and tourism infrastructure, particularly focusing on assets that will grow and further diversify NSW regional economies.

#### Background

Tourism product development and foreshore improvements is a key focus area for council and the community.

This program is an exciting opportunity to implement two longstanding foreshore development masterplans in Corowa and Mulwala, in addition to constructing a bicycle trail connecting the destinations - also an initiative identified and investigated some time ago. The project aligns with relevant state and local strategic policy and objectives for tourism development and if successful, is expected to have a significant economic impact on the region.

The project involves:

#### Corowa Riverfront Masterplan

- Bangerang Park Adventure Playground
- Corowa board walk
- Riverside walking track
- River revegetation
- Interpretive signage
- Rehabilitation to Rowers Park Wall

#### Corowa Mulwala Trail

- Construction of 42.9km of trail
- Interpretative signage

A range of foreshore initiatives identified in the Mulwala Foreshore Masterplan at;

- Miss Ross Hill
- Digger Loughnan Park
- Apex Park (boat ramp)
- Owen Bridges
- Purtle Park

Urban Enterprise have been engaged to complete a strategic and economic assessment of the project, which will support the Expression of Interest due on 20 April.

Council has also been working with Murray Regional Tourism who will incorporate this project into an overall application for the Murray Region in partnership with other Councils.

Expressions of interest will be reviewed and shortlisted projects will be invited to submit a full application.

#### Financial Implications

The total project costs are expected to be \$4,981,200. An application for \$2,481,200 will be made under the program, should Council be invited to submit a full application. This project will need to be shown as part of Councils long term financial plan which is currently being reviewed. Funding has already been allocated for many aspects of the project but ongoing maintenance costs will need to be carefully considered.

**RECOMMENDED that** Council submit an Expression of Interest under the RGETF for the Corowa Mulwala Foreshore Trail project and consider this project and necessary funds as part of the current review of Council's long term financial plan and Delivery Program.

## 6.7 FEDERATION COUNCIL COMMUNITY GRANTS PROGRAM

### Summary

The second round of the 2016/2017 Federation Council Community Grants Program closed on the 31 March 2017.

Five eligible grant applications were received, requesting a total of \$10,812.23 in grant funding. A summary of the applications received is attached to the agenda.

### Background

The purpose of the Community Grants Program is to foster community partnerships that will deliver positive outcomes for members of the community. This may be through improved services and resources, skill development and training opportunities, arts and culture, community participation and cohesion and improved quality of life and wellbeing.

This program is an excellent opportunity for Council to support community projects that deliver positive benefits to the local community and we are pleased to make the following recommendations for funding.

- \$2,679.98 to Big Moz Disco Inc. for the purchase of equipment (speakers, projector) for Mobile Movies to be shown in hospitals and age care facilities across the council area.
- \$2,931 to the Corowa Civic Croquet Club Inc. to build and install a safety step with handrails to enable easy and safe access to playing area.

- \$1,811.25 to the Corowa and District Historical Society for the workshop 'Mosaic for Museums' for ten volunteers to assist with the digital cataloguing of the museum collection.
- \$1,440 (in-kind) to the Corowa Sing Australia Group for the use of Oddfellows Hall for weekly rehearsals, plus 2 additional days to host concerts. Further, \$250 (cash) for the purchase of a new pull up banner to replace the existing Corowa Shire logo.
- \$1,700 to the Howlong Historical Society for the purchase of a desk top computer with large screen and office programs suitable for museum volunteers to use to digitally store records and information.

#### Financial Implications

A total of \$9,372.23 in cash is recommended for funding and \$1,440 of in kind contributions, totalling an allocation of \$10, 812.23.

The total annual budget available for two funding rounds is \$30,000.

**RECOMMENDED that** the abovementioned applications be approved for funding.

### 6.8 LEASE OF 44 QUEEN STREET COROWA (OLD UNIT Y BUILDING)

#### Summary

Following Council's endorsement of a proposal by the Corowa Tree of Life Community Garden and Men's Shed Group to lease 44 Queen Street Corowa, this proposal was placed on public display for 28 days to provide the opportunity for community input.

#### Background

No submissions were received raising concern in relation to the proposal by the Men's Shed Group.

#### Financial Implications

Minor administration expense in setting up the lease and possible removal of some furniture.

**RECOMMENDED that** Council allow the lease of 44 Queen Street Corowa to the Corowa Tree of Life Community Garden and future Men's Shed group and that the lease is free of charge but all utility, waste and any rates applicable be paid for by the group. The lease agreement should also require the group to be responsible for all building maintenance including any future structural needs.

### 6.9 PROPOSAL TO LEASE COMMUNITY LAND - PART 2 REISLING STREET, COROWA

#### Summary

Community input was sought in relation to a proposal from an investment group to lease community land in the Ball Park area, Corowa (Part of 2 Reisling Street) for the purpose of a fun park.

#### Background

Council has received a request from an investment group to lease community land. Community input was sought in respect to this proposal. The purpose of this report is to determine if Council would be willing to provide in principle support to lease this land. No assessment has been made of the proposal as a planning application or management plan has not been submitted at this time but if support to lease the land is



provided, the group have advised they will proceed with this as the next step. Crown Lands approval is also required.

Please find attached to the agenda a summary of submissions received in response to the public display of this proposal.

The proposal has generated much interest from the local community with 21 responses received.

Overall most people (19) were in support of the proposed development.

Whilst only two responses were against the proposed development they identified the location as being the main issue citing reasons such as safety, cost for families, commercial viability and sustainability.

A different approach was identified in a response that neither opposed nor, supported the project with a strong push to have the focus on the caravan park and river precinct.

If Council determines that it is willing to lease the land following consideration of this community input along with other factors as previously reported, it is recommended that in principle approval only be provided subject to an acceptable agreement being reached in respect to the lease fee, satisfactory management plan being submitted by the group and importantly the completion of a satisfactory Development Application and all necessary Planning approvals being gained.

While there is no strong evidence to suggest that leasing this community land would be detrimental to the community, a fundamental consideration needs to be the suitability of the land for the proposed purpose. This cannot be determined until more detail has been provided including a planning application.

A section of the land should also be reserved for the proposed walking track as per the Corowa Riverfront Master Plan.

It should be noted that Council is currently preparing a Master Plan for Ball Park Caravan Park which will guide the future development and tendering of the Park. This process is considering a further development option for the new Corowa Swimming Pool, which would see the collocation of the Swimming Pool and Children's Splash Park as part of the Caravan Park. It is intended that these facilities would be open to the wider community which may compromise the business interests of this group and should be considered by the investment group.

#### Financial Implications

It is proposed that a commercial lease fee should be established for the land, and a valuation by a registered valuer will be completed for consideration as part of this.

**RECOMMENDED that** in principle support to lease Part 2 Riesling Street Corowa subject to a satisfactory management plan being submitted, all necessary planning approvals gained and an acceptable commercial agreement being reached in respect to the lease fee.

## 6.10 PROPOSED POLLING VENUES - SEPTEMBER 2017 LOCAL GOVERNMENT ELECTIONS

### Summary

The NSW Electoral Commission has been appointed to run the September 2017 Local Government Elections for Federation Council.

### Background

Please see attached to the agenda, the Electoral Commission proposed list of polling place. Council has the opportunity to provide input towards this and to determine additional polling places if required.

Most venues are proposed to remain the same as those conducted in the last Local Government Election for Corowa and Urana Shire Councils. The exceptions to this are the Balldale Recreation Reserve which the NSW Electoral Commission recommend be abolished due to very low and declining votes and close proximity to Lowesdale Public School and Corowa venues.

As well as this it is recommended that the Boree Creek venue be abolished. The Australian Electoral Commission abolished this venue at the time of the 2016 Federal Government elections and the NSW Electoral Commission abolished the venue in 2015 for the State elections - due to the very low number of votes. It is now recommended that this be abolished for Local Government elections to remain consistent with other elections. This proposal was of concern given that Boree Creek residents will not be able to vote in Lockhart or other Council areas (which are in closer proximity than Urana) as they would have for both the State and Federal Government elections - however as this venue has already not been used for the last two elections, more than half of the potential voters at this location are now registered postal voters.

Given that a number of residents within Federation Council will be located more than 8 km's from a polling venue, it will be important for Council to assist the NSW Electoral Commission in respect to the promotion of postal voting options for these residents.

### Financial Implications

The NSW Electoral Commission has not yet provided its financial estimate in respect to the cost of running the September elections. Council is required to fully fund these costs.

Further venues can be introduced if required and the minimum cost for venues accepting under 100 votes will be above \$2,000.

**RECOMMENDED that** Council endorse the proposed list of Polling Places for the September 2017 Local Government Elections.

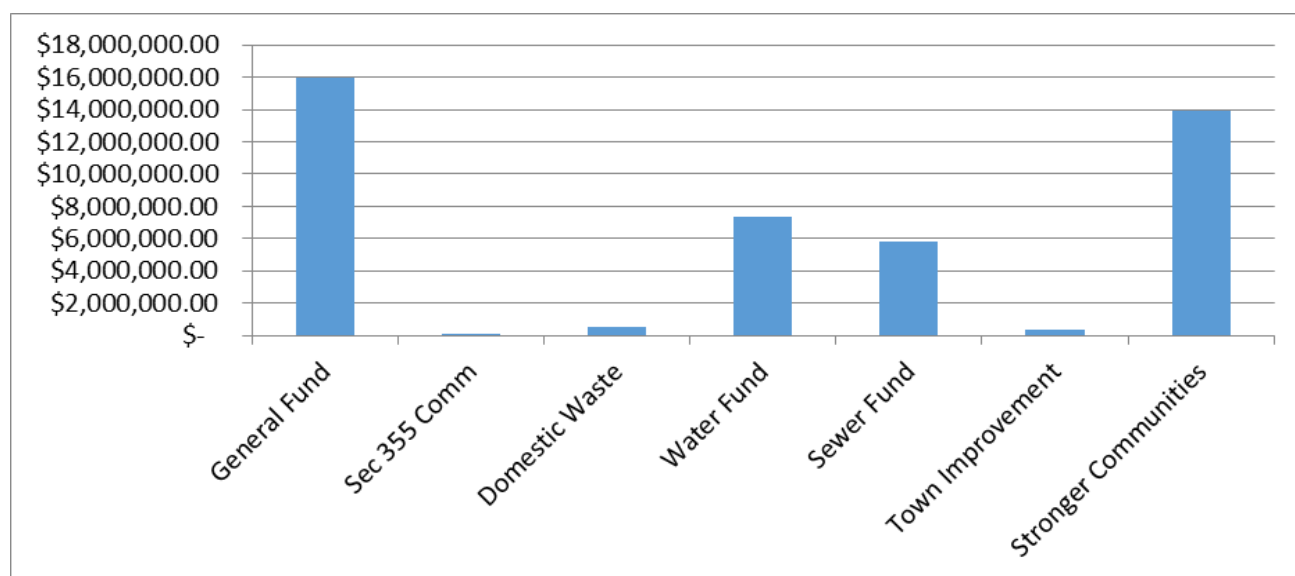
KJ KAY

DIRECTOR CORPORATE AND COMMUNITY SERVICES

**7. DIRECTOR FINANCE AND ORGANISATION DEVELOPMENT REPORT**

**7.1 STATEMENT OF BANK BALANCES AND RECONCILIATION AS AT 31 MARCH 2017**

Balance as per Bank Statement:		
General Account	0000 0022	254,479.78
General Account	1007 7409	80,517.69
Business Online Saver Account	1014 2522	871,391.95
Business Online Saver Account	1016 1811	105,000.00
Investments		42,663,263.27
	Sub Total	43,974,652.69
Plus Deposits not yet lodged:		
Corowa	31-Mar-17	7,809.64
Tourism	31-Mar-17	3.50
	Sub Total	43,982,465.83
Less Unpresented Cheques:		1,993.40
Balance as per Ledger		43,980,472.43
Less External Restricted Funds		27,991,354.24
<b>Balance of General Fund Ledger</b>		<b>15,989,118.19</b>



**CERTIFICATE OF RECONCILIATION**

*I CERTIFY THAT THE COUNCIL'S GENERAL LEDGER BANK ACCOUNTS HAVE BEEN RECONCILED WITH THE APPROPRIATE BANK STATEMENTS AS AT 31 MARCH 2017.*

**S NORMAN**  
**MANAGER FINANCE**

**RECOMMENDED** that the report on Statement of Bank Balances and Reconciliation as at 31 March 2017 be noted.

**7.2 SCHEDULE OF INVESTMENTS AS AT 31 MARCH 2017**

The following list of investment securities is held as at 31 March 2017. Investment of funds on behalf of Council has been undertaken in accordance with the Local Government Act and Regulations.

**INVESTMENTS**

<b>Investment Type</b>	<b>Institution</b>	<b>Amount Lodged</b>	<b>Date Lodged</b>	<b>Rate</b>	<b>Days</b>	<b>Maturity Date</b>
Term Deposit	CBA	\$500,000.00	30/11/2016	2.57	125	04/04/2017
Term Deposit	Bank of Sydney	\$330,000.00	28/11/2016	2.65	127	04/04/2017
Term Deposit	Bank of Sydney	\$390,000.00	03/01/2017	2.75	91	04/04/2017
Term Deposit	CBA	\$500,000.00	30/11/2016	2.57	132	11/04/2017
Term Deposit	Bank of Sydney	\$310,000.00	06/12/2016	2.65	133	18/04/2017
Term Deposit	CBA	\$500,000.00	30/11/2016	2.57	139	18/04/2017
Term Deposit	Westpac	\$500,000.00	25/08/2016	3.00	243	25/04/2017
Term Deposit	NAB	\$1,213,404.88	29/11/2016	2.65	154	02/05/2017
Term Deposit	CBA	\$500,000.00	30/11/2016	2.60	160	09/05/2017
Term Deposit	NAB	\$1,315,423.04	09/12/2016	2.65	158	16/05/2017
Term Deposit	Westpac	\$609,024.66	21/02/2017	2.35	91	23/05/2017
Term Deposit	NAB	\$2,519,497.46	20/12/2016	2.65	161	30/05/2017
Term Deposit	NAB	\$1,313,995.66	20/06/2016	2.65	161	30/05/2017
Term Deposit	Bank of Sydney	\$400,000.00	31/01/2017	2.85	126	06/06/2017
Term Deposit	CBA	\$1,029,025.38	05/12/2016	2.62	183	06/06/2017
Term Deposit	CBA	\$400,000.00	13/12/2016	2.62	182	13/06/2017
Term Deposit	Bendigo	\$2,000,000.00	20/06/2016	2.85	365	20/06/2017
Term Deposit	NAB	\$3,047,630.14	27/12/2016	2.65	182	27/06/2017
Term Deposit	NAB	\$2,090,741.51	02/01/2017	2.65	183	04/07/2017
Term Deposit	NAB	\$2,559,886.11	03/01/2017	2.65	189	11/07/2017
Term Deposit	BOQ – FIIG	\$390,000.00	17/01/2017	2.75	182	18/07/2017
Term Deposit	BOQ – FIIG	\$390,000.00	17/01/2017	2.75	182	18/07/2017
Term Deposit	ANZ	\$2,134,052.68	17/01/2017	2.45	189	25/07/2017
Term Deposit	Westpac	\$509,000.00	29/03/2017	2.60	122	29/07/2017
Term Deposit	CBA	\$1,015,784.92	20/01/2017	2.56	193	01/08/2017
Term Deposit	ANZ	\$1,041,060.92	03/02/2017	2.40	186	08/08/2017
Term Deposit	Westpac	\$506,369.86	24/01/2017	2.50	196	08/08/2017
Term Deposit	Bendigo	\$230,000.00	10/01/2017	2.40	210	08/08/2017
Term Deposit	Westpac	\$506,534.25	31/01/2017	2.50	196	15/08/2017
Term Deposit	NAB	\$1,363,850.92	21/02/2017	2.55	182	22/08/2017
Term Deposit	Bankwest	\$150,000.00	14/02/2017	2.60	189	22/08/2017
Term Deposit	CBA	\$720,000.00	14/02/2017	2.53	189	22/08/2017

## Federation Council Ordinary Council Meeting

**18 APRIL 2017**

Term Deposit	ANZ	\$1,000,000.00	17/02/2017	2.65	193	29/08/2017
Term Deposit	ANZ	\$1,042,541.76	28/02/2017	2.45	182	29/08/2017
Term Deposit	NAB	\$300,000.00	08/03/2017	2.55	181	05/09/2017
Term Deposit	NAB	\$200,000.00	08/03/2017	2.55	181	05/09/2017
Term Deposit	ANZ	\$1,000,000.00	17/02/2017	2.65	200	05/09/2017
Term Deposit	ANZ	\$1,000,000.00	17/02/2017	2.65	207	12/09/2017
Term Deposit	ANZ	\$1,000,000.00	17/02/2017	2.65	214	19/09/2017
Term Deposit	CBA	\$1,000,000.00	09/03/2017	2.55	201	26/09/2017
Term Deposit	CBA	\$507,958.36	21/03/2017	2.60	196	03/10/2017
Term Deposit	CBA	\$1,020,464.70	21/03/2017	2.60	203	10/10/2017
Term Deposit	Bendigo	\$2,042,548.39	17/03/2017	2.40	214	17/10/2017
Term Deposit	CBA	\$504,313.42	28/03/2017	2.59	210	24/10/2017
Term Deposit	CBA	\$1,060,154.25	28/03/2017	2.59	217	31/10/2017

**\$42,663,263.27**

### CERTIFICATE OF RECONCILIATION

*I CERTIFY THAT THE INVESTMENTS HAVE BEEN MADE IN ACCORDANCE WITH SECTION 625 OF THE LOCAL GOVERNMENT ACT 1993, THE REGULATIONS AND COUNCIL'S POLICIES.*

**S NORMAN**  
**MANAGER FINANCE**

**RECOMMENDED that** Council note the report on the schedule of investments as at 31 March 2017.

**KC PARKER**  
**DIRECTOR FINANCE AND ORGANISATION DEVELOPMENT**

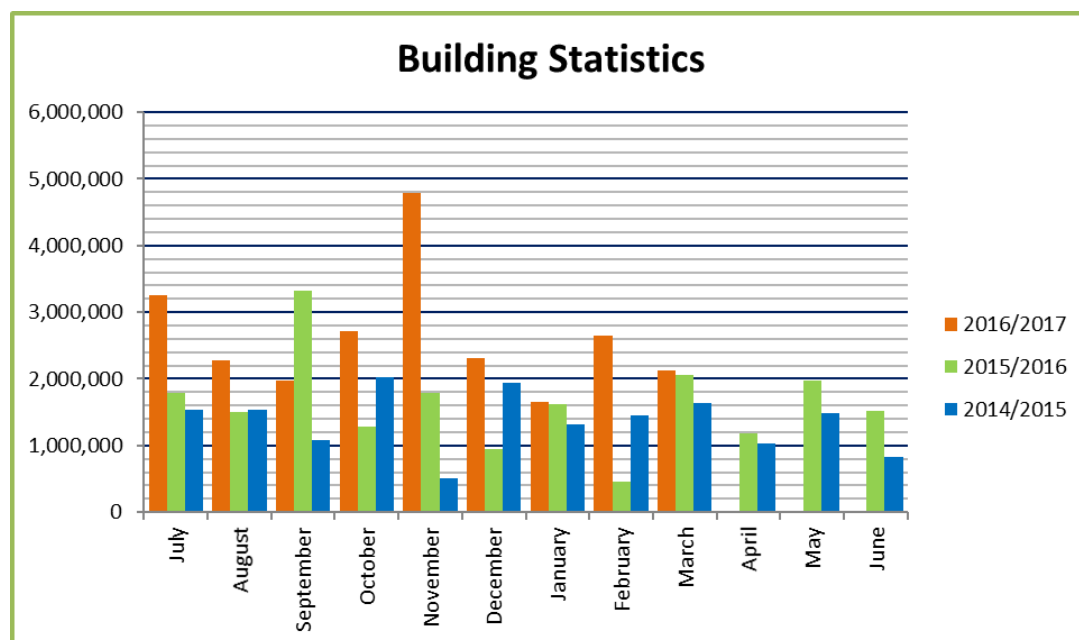
**8. DIRECTOR INFRASTRUCTURE AND ENVIRONMENT REPORT**

**8.1 BUILDING APPROVALS – COMPLYING AND CONSTRUCTION CERTIFICATES APPROVED**

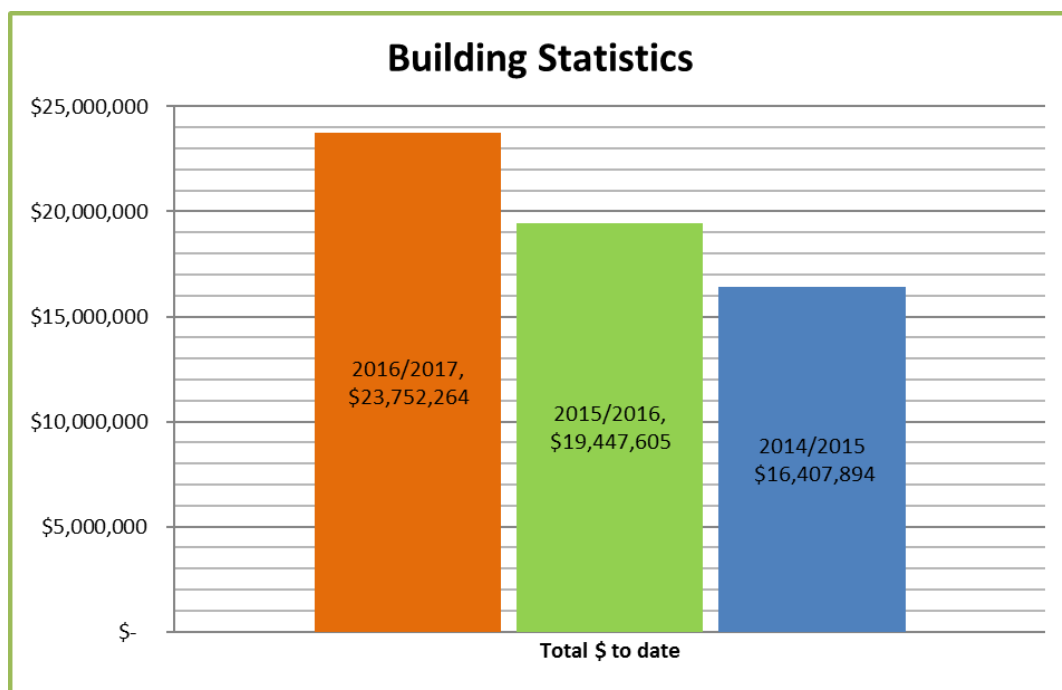
This report provides for Council’s information, the construction and complying development certificates issued since the report prepared for the March 2017 Council meeting. The report also includes graphs on the value of works approved, over the last three financial years (NB. Data as of 1 July is for Federation Council. Historical Data is for Corowa Shire Council only). These graphs show that building activity is continuing to grow each year, which is a positive indicator for the local economy and developer confidence.

2016/182	18 Gibson Place Howlong	2 Sheds
2016/214	45-55 Orford Street Corowa	Dwelling and Shed
2017/17	734 Emu Park Coreen	Farm Machinery Shed
2017/20	19 Grevillea Terrace Mulwala	Inground Pool
2017/27	14 Kingfisher Drive Mulwala	Dwelling
2017/35	147 Hume Street Corowa	Dwelling
2017/37	36 Payne Street Mulwala	Carport
2017/38	161-169 Larmer Street Howlong	Shed
2017/42	1 Gilson Place Howlong	Dwelling with Garage
2017/44	36 Gallipoli Street Corowa	Alterations and Additions
2017/9	80-86 Corowa Road Mulwala	Change of Use
CDC2017/12	11 Victoria Street Howlong	Verandah
CDC2017/18	18 Acacia Drive Mulwala	Dwelling
CDC2017/19	171 Golf Club Drive Howlong	Swimming Pool

**TOTAL \$2,118,869**



\* Data as of 1 July 2016 is for Federation Council. Historical data is for Corowa Shire Council only.



\* Data as of 1 July 2016 is for Federation Council. Historical data is for Corowa Shire Council only.

**RECOMMENDED that** Council note the report on construction/complying development certificates issued since the March 2017 Council meeting.

## **8.2 DEVELOPMENT APPLICATIONS APPROVED UNDER DELEGATED (STAFF) AUTHORITY SINCE LAST ORDINARY COUNCIL MEETING**

This report provides for Council's information, the Development approvals that have been determined under delegated authority by the granting of consent subject to conditions, since the last ordinary Council meeting.

### DEVELOPMENT APPLICATION REGISTERED NO. 2016/238

Application for a Depot on primary production land being Lot 2; DP 534006; Spring Drive, Mulwala.

### DEVELOPMENT APPLICATION REGISTERED NO. 2017/18

Application for Shed Additions on low density residential land being Lot A; DP 330555; 104-106 Wanstead Street, Corowa.

### DEVELOPMENT APPLICATION REGISTERED NO. 2017/21

Application for a Demolition on general residential land being Lot 3; DP 2999; 15 Erne Street, Mulwala.

### DEVELOPMENT APPLICATION REGISTERED NO. 2017/22

Application for a Storage Shed on low density residential land being Lot 55; DP 1202116; 19 Grevillea Terrace, Mulwala.

### DEVELOPMENT APPLICATION REGISTERED NO. 2017/23

Application for a Demolition on general residential land being Lot 19; DP 978429; 17 Henry Street, Corowa.

### DEVELOPMENT APPLICATION REGISTERED NO. 2017/25

Application for a Demolition on low density residential land being Lot 1; DP 7816; 24 Birdwood Street, Corowa.



DEVELOPMENT APPLICATION REGISTERED NO. 2017/26

Application for a Shed Extension on general residential land being Lot 404; DP1001595; 170-184 Melbourne Street, Mulwala.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/29

Application for a Transportable Dwelling on environmental management land being Lot 5; DP 582651; 3327 Spring Drive, Mulwala.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/33

Application for a Dwelling on general residential land being Lot 21; DP 193072; 31 Steel Street, Corowa.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/39

Application for a Demolition on primary production land being Lot 2; DP 758877; Bull Plain Road, Rennie.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/4

Application for a Subdivision on general industrial land being Lot 19; DP 1092714; 42-44 McCarthy Street, Mulwala.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/43

Application for a Swimming Pool on general residential land being Lot 25; DP 1069818; 131 Read Street, Howlong.

**RECOMMENDED that** Council note the report on the Development approvals that have been determined under delegated authority by the granting of consent subject to conditions, since the last ordinary Council meeting.

**8.3 PROGRESS REPORT ON 2016/17 INFRASTRUCTURE WORKS PROGRAM AS AT END OF MARCH 2017**

**Summary**

The following activities were undertaken within the month of March 2017 by the Infrastructure team. A summary of the activities is provided below for information.

**ROAD MAINTENANCE**

(a) Road Maintenance Grading, Gravel Patching and re-sheeting.

**Maintenance grading**

- Burnewang Road
- Sandy Ridges Road
- Glenlea Road
- Emu Park
- Wells Lane
- Lowesdale Town Streets
- Jamison's Road
- Colindina Road
- Boiling down Road
- Skehans Lane
- Corona Road
- Balldale pit Road
- Whittakers Lane
- Lillydale Road

**Gravel re-sheeting**

- Davis Road
- Lucelle Road
- Wongalea Road
- Summerglenn Road
- Cemetery Road
- Bullecourt Road

- (b) Shoulder grading and re-sheeting
  - Spring Drive
  - Drain Lane
- (c) Sealed Road Patching Work
  - Carried out preparation works for reseals.
- (d) Works Requests
  - Closed out 37 works requests.
- (e) Incidents
  - A traffic accident occurred on the 26 March on the Riverina Highway. Council provided traffic control and costs related to this incident are intended to be claimed from the Roads and Maritime Services through the existing MoU agreement.
- (f) Footpath Works
  - 118m<sup>2</sup> of footpath maintenance works completed in Urana.

#### CONSTRUCTION ACTIVITIES

Works started or completed since last report:

- Hume Street water main – Project completed;
- Honour Avenue service road – Sealing works are completed. The offset to one of the driveways is being fixed shortly;
- Gray Street – Construction works have commenced. The scope of work includes 150 lineal meters of storm water drainage, 315 lineal meters of kerb and channel and 1750 tonnes of road base in order to complete the planned scope of works;
- Bull Plain Road - Construction works completed;
- Greenvale Road - Geotechnical investigation completed. Construction works have commenced with an expected completion in April (weather dependent). The expected total cost of the project is \$240,000, against a budgeted amount of \$90,000. The additional costs of the project is due to poor pavement conditions at the existing subgrade. This is being funded by reallocation of other funds, and will not adversely influence other projects. This will be documented in the next quarterly budget review;
- Urana Skate Park - Geotechnical investigation complete. This investigation indicated highly reactive clays and building rubble is present under the ground, with the result being the site is classified as P (Problematic). A re-design and new costing has been developed with the budget being extended to allow for concrete construction. Budget variations will be reported in the next quarterly budget review;
- Stephens Street footpath – This project is completed;
- Widgiewa Street drainage/seal Morundah - Site investigations have commenced with surveys. Preliminary surveys are complete and further detailed surveys required, works ongoing and expected to finish by the end of May 2017;
- Corowa Road Reconstruction - Geotechnical works have commenced, and outcome of the investigation is expected by the end of March 2017. This project is expected to be finished by the end of the Financial Year 2016/17 assuming 3 crews working to achieve these three projects on time;
- North sector sealed road network – Annual inspections of the Urana sealed road network is complete. Shoulder repair works program being developed including 5 Year reseal program. The program is expected to be finished by the end of May 2017. This program is largely expected to be used for the preparation of priorities for financial year 2018/19;

- Guard Rail upgrade - Inspections are underway throughout the northern sector highlighting approximately 14 location for upgrade. Schedule and costing are being developed are likely to be finalised by the end of April 2017;
- Urana, Corowa, Mulwala and Howlong Urban Drainage – Investigations are underway in order to develop a 10 year works program for consideration as a part of the draft budget for 2017/18;
- TV coverage at the Caravan Park Urana – Investigations are underway to provide better TV coverage for the Caravan Park. Recommendations and approximate costs are likely to be presented to Council by the end of May 2017;
- Reseals on Spring Drive – Works completed under Road Maintenance Council Contract (RMCC) and costs related to this work are planned to be recovered through the existing contractual arrangements between Federation Council and Roads and Maritime Services;
- Reseals on local roads are well underway and are expected to be finished by the end of May 2017;
- The Heavy patching program is running to schedule and is expected to finish by the end of April 2017;
- Level 3 bridge inspections are about to commence and are likely to be finalised by the end of the Financial Year 2016/17;
- Daysdale-Walbundrie Road Floodway - Construction is well underway and is expected to be completed by the end of April 2017;
- MR370 Howlong-Kywong Road – The tender for construction has been issued on Tender Link and responses are awaited;
- Melbourne Street, Mulwala - RMS have withdrawn the funding for this project. We are still progressing with the planning and design however construction will be delayed indefinitely. The Council allocated funds are being reallocated elsewhere to fund other expenditures;
- Back Berrigan Road – The tender for construction has been issued and this project is expected to be finalised by the end of 2016/17;
- Stage 1 of Inglis Street/Pool Avenue carpark has commenced. Stage 2 is to commence after Easter;
- The 4.5km section of reconstruction works on Federation Way north of Urana, is 75% completed; and
- The Blackspot funded shoulder widening project on Federation Way north of Urana is completed.

#### STRATEGIC ACTIVITIES

- The Roads and Drainage department staff attended a two day bus trip to inspect the projects in next year's works program. The scopes were determined, and the projects are being prioritised providing sufficient information to commence survey, geo tech and design works to then allow more accurate costing estimates.
- The development of maintenance programs for the southern region has commenced. By undertaking proactive maintenance, Council ensures every asset is serviced at the required interval, and by doing so, aims to reduce the number of reactive works requests.
- The Infrastructure Design Manual is being updated.

**RECOMMENDED that** Council note the report on the Infrastructure/Engineering Operations – Works Update Report for the April 2017 Ordinary Council meeting.

#### 8.4 URANA OAKLANDS RAND BOREE CREEK AND MORUNDAH FLOOD STUDY PROJECT

##### Summary

This report provides an update on the Floodplain Management Program at Urana, Boree Creek, Morundah, Rand and Oaklands, and allows for the consideration for the continuation of the program through an application to The Floodplain Management Program for the 2017-2018 funding round.

##### Background

The NSW Government's Floodplain Management Program has been providing financial assistance to government bodies responsible for floodplain risk management for many years. This Program is aimed at data collection, floodwater modelling, development of planning controls and the construction of infrastructure to reduce the risk associated with flooding within an area.

This Program offers financial assistance across 4 key stages including:

- Stage 1 – Flood Study
- Stage 2 – Preparation of A Risk Management Plan
- Stage 3 – Feasibility /design of works identified in the Risk Management Plan
- Stage 4 – Implementation of Actions identified at other stages.

In 2013 the Urana Shire Council applied for the Flood study, as a result of the floods of 2010 and 2012. In November 2013 a grant was awarded from the NSW Office of Environment and Heritage (OEH) for the 5 towns Urana, Boree Creek, Morundah, Rand and Oaklands to part fund Stage 1 of this Floodplain Program. The project was valued at \$200,000 with a 6:1 ratio \$ split from OEH to Council. OEH was to contribute \$171,700 and Council \$28,300.

A contract of around \$130,000 was awarded to the Jacobs Group Australia Pty Ltd in October 2014 to undertake the specialist study. The contract was to be completed by the end of 2015 but is currently at stage 3 of the proposed 6 stages with approx. 65% of the funds paid out.

The contract has not met its milestones to date, as there have been significant staffing changes at both Jacobs and Council and a number of unresolved modelling issues. The contract had stalled and the grant lapsed.

On the 22 Feb 2017 Federation Council appointed Ms Penny Craig as Project officer, to review the issues and finalise the contract. Ms Craig takes over from the previous Project Manager Mr Trevor Stephens, who tragically passed away in mid-2016, and Ms Craig is the former Director Engineering at Urana Shire, and was with Council when this project commenced.

Ms Craig is working closely with Mr Ian Burns - OEH's Albury Senior Natural Resource Management Officer (Floodplain Management) to resolve the study's issues, ensure compliance with the grant conditions and to finalize the contract.

Since reactivation of the project the following activities have been undertaken:

- Reapplication for an extension to the Grant to February 2018 (now approved);
- Meeting with the Community Committee (minutes attached);
- Forwarding of correspondence to the contractor providing a process for issue resolution; and
- Establishment of new milestones and targets ensuring project completion by February 2018.

This Floodplain Management Study was stage 1 of the Program and application must be made for each additional stage when the previous stage is near to or completed. As this contract is now back on target,

consideration should be given to progression of the Floodplain Management Program and the sourcing of external funding.

The Floodplain Management Program for the 2017-2018 funding round has opened and an invitation has been extended to Council to apply for stage 2 – preparation or review floodplain risk management study and plan. Council applied for this funding in 2016 however, due to the stalling of the stage 1 contract it was not processed.

#### Conclusion

It is recommended that Council continue the Floodplain management Program for the townships of Urana, Boree Creek, Morundah, Rand and Oaklands by applying for financial assistance through the NSW Government's Floodplain Management Program for the 2017-18 funding round.

#### Financial Implications

This Program is usually funded through a \$2 Grant to \$1 Council. Applicants may apply for special consideration based on capacity and the significance of the flooding. If successful with the application for stage 2 funding, Council will be required to allocate funds of the order of \$35,000 - \$85,000 across the next 3 financial years (dependant on funding ratio).

#### RECOMMENDED:

1. THAT Council note the report on the progress of the Urana, Boree Creek, Morundah, Rand and Oaklands flood study; and
2. THAT Council continue the Floodplain management Program for the townships of Urana, Boree Creek, Morundah, Rand and Oaklands by applying for financial assistance through the NSW Government's Floodplain Management Program for the 2017-18 funding round.

### 8.5 SWIMMING POOL INSPECTION PROGRAM

#### Summary

This report provides for Council's consideration a Swimming Pool Inspection Program Policy. The aim is to ensure that Federation Council has an up to date policy which reflects the current requirements for the compliance of swimming pools.

#### Background

The Swimming Pools Act 1992, Section 22B requires the development and adoption by Federation Council of a program for the inspection of swimming and spa pools in its area to ensure compliance with the requirements of Part 2 – access to swimming pools – of the Swimming Pools Act 1992.

It was resolved to place the Swimming Pool Inspection Program policy on public exhibition at the February 2017 Ordinary Council Meeting.

Draft Swimming Pool Inspection Program Policy was on public exhibition from 1 March 2017 through to 21 March 2017. There were no submission received in relation to this policy.

#### Financial Implications

The Policy does not propose any significant changes to the previous policies adopted by the former Corowa Shire and Urana Shire Council's.

**RECOMMENDED that** Council adopt the Swimming Pool Inspection Program Policy.

8.6 CONTAMINATED LAND MANAGEMENT POLICY

Summary

COROWA OFFICE

This report provides for Council's consideration a Contaminated Land Management Policy. The aim is to ensure that Federation Council has an up to date policy which reflects the current requirements for the management of contaminated land

Background

It was resolved to place the Contaminated lands management policy on public exhibition at the January 2017 Ordinary Council Meeting.

The draft contaminated land management policy was place on public exhibition from 8 February 2017 through to 8 March 2017. No submissions were received in relation to this policy.

Financial Implications

Nil.

**RECOMMENDED that** Council adopt the Contaminated Land Management Policy.

A BUTLER  
DIRECTOR INFRASTRUCTURE AND ENVIRONMENT

## 9. NOTICE OF MOTION / QUESTION WITH NOTICE

No Items

## 10. REPORTS FROM COMMITTEES

### 10.1 COROWA HEALTH, SOCIAL & COMMUNITY SUPPORT COMMITTEE

#### MINUTES AND REPORT OF A MEETING OF THE COROWA HEALTH, SOCIAL & COMMUNITY SUPPORT COMMITTEE HELD IN THE SOCIAL ENTERPRISE CENTRE, COROWA ON MONDAY, 10 APRIL 2017 COMMENCING AT 6.30 PM

##### PRESENT

Mr. Peter Wortmann	Chairperson – NSW Ambulance
Mr. Paul Miegel	Federation Council Representative Committee
Mrs. Barbara Robinson	Challenge Foundation
Mr. Geoff Bartlett	LHAC
Dr. Heinz Deiter	Corowa Medical Centre
Kristen M	Corowa Medical Centre
Mrs. Margaret McDonald	Australian Unity
Ms Kay Fredericks	Community Representative
Mrs. Beth Tidd	Community Representative

##### APOLOGIES

RECOMMENDED that apologies be accepted from K. Cofield.

B. ROBINSON & M. McDONALD

##### MINUTES

RECOMMENDED that the minutes of the meeting held on 13 February 2017 be accepted.

K. FREDERICKS & G. BARTLETT

##### BUSINESS ARISING

Memory Bus: - 32 people attended the information day at the Oddfellows Hall. There was positive feedback from those that attended regarding the information and contacts provided.

##### PRESENTATIONS BY LOCAL HEALTH SERVICE PROVIDERS:

###### Federation Council

The amalgamation process is progressing well.

Considerable capital works being undertaken in Corowa with upgrades to footpaths, roads, and water mains.

Time period for community feedback regarding upgrade proposals to Bangerang and RSL Parks has closed.

###### Australian Unity

Now operating under new systems, which have presented some teething problems.

Clients are now being informed by letter if they have received care packages and are required to inform the organization if they accept the options available to them.

Marg McDonald announced that she will be on leave from 3 July and will retire on the 1 September 2017.

Her position will be advertised some time during mid-April.



#### Local Health Advisory Committee

Meeting held on 13<sup>th</sup> March with Setchin Brimson from MLHD to develop the committee's priorities for the Corowa community. Areas identified included access to services, Drug & Alcohol addiction, Mental Health and suicide prevention, NDIS and a list of vulnerable people within the community.

Murrumbidgee Primary Health Network (MPHN) provided a foot Health seminar on 29 March in Corowa with positive feedback received. They are also conducting a Drug & Alcohol training seminar to service providers and the community at the Corowa Civic Centre on 3 May.

#### Corowa Medical Centre

Have welcomed 2 new registrar GP's (Dr. Hoo & Dr. Chau) at the beginning of the year who are both working full time. Dr. Rachel Day has resigned from the practise due to family reasons.

Dr. Sally Smith will commence maternity leave in June and Dr. Wen Guha will return from her anaesthetics training in August.

Currently have 11 GP's providing 7 full time equivalents (FTE's) whilst community demand could easily accommodate 9 FTE's across the Corowa and Rutherglen surgeries.

The practise now has a 24-hour emergency number that will provide direct access to a GP.

#### Challenge Foundation

Have been busy with a 6-day visit from 27 disabled orphans (40-50 yo) last weekend.

The Amaranth Foundation are proposing to lease another 8 rooms which is currently before the Challenge Foundation board.

#### NSW Ambulance

Peter attended the LHAC forum in Narrandera from 7-8 April, which provided a range of interesting speakers. MPHN is providing \$1000 to each LHAC for cancer awareness. There appears to be a push towards the concept of tele-health however there is a shortfall in the funding for rural areas. Mental Health was identified as one area where tele-health is not as effective although there have been positive experiences via the Corowa Hospital.

#### General Business

Following a presentation at the LHAC forum regarding Council assistance to the establishment of rural and remote medical practises, there was general discussion regarding the proposed medical practise in Oaklands.

**MEETING CLOSED** 8 pm.

Next Meeting: 8 May 2017.

### 11. PRÉCIS OF CORRESPONDENCE REQUIRING COUNCIL ACTION/FOR INFORMATION

No Items

### 12. CONFIDENTIAL ITEMS

No items

### 13. CLOSURE OF MEETING



### Council Website Summary

Data From Google Analytics

Users

5,385

↑ 19,132.1%

Sessions

7,921

↑ 5,216.1%

Page Views

30,978

↑ 869.0%

Bounce Rate

35.0%

↑ 117.1%

% Exit

25.6%

↑ 448.6%

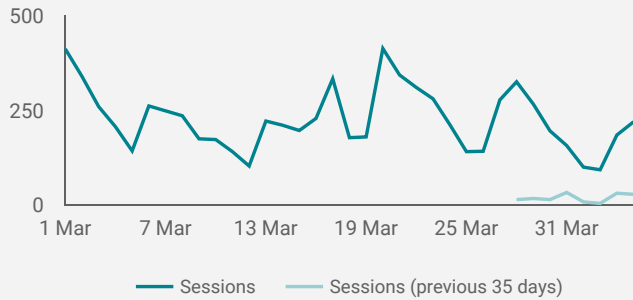
Avg. Session Duration

02:45

↓ -91.1%

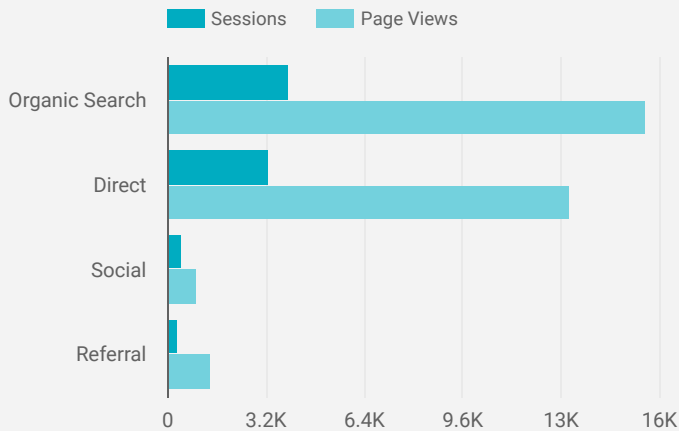
### How are site sessions trending?

Last 30 days vs. previous period



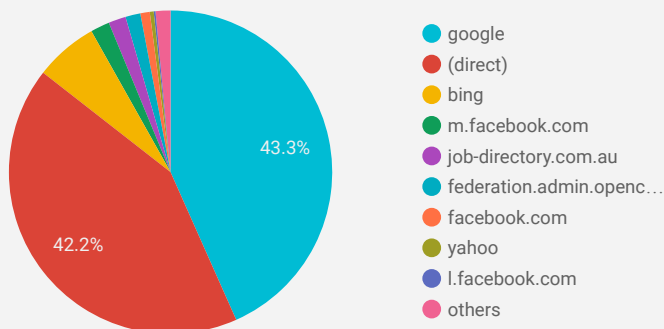
### Which channels are driving engagement?

Goal: Engaged Users



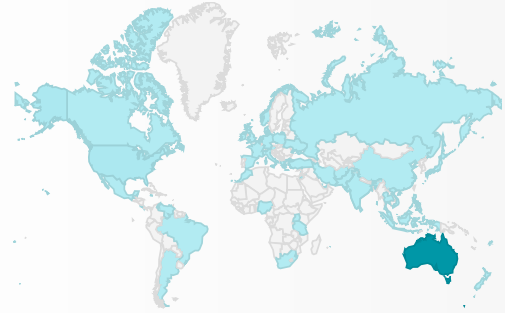
### What is the source of incoming traffic?

Users route to the website



### What are the top countries by sessions?

Sessions over the last 30 days



Country	Sessions	Page Views
1. Australia	7,388	~15,000
2. United States	237	~500
3. Philippines	57	~100
4. New Zealand	44	~100
5. India	38	~100

1 - 5 / 55

### Which pages were visited?

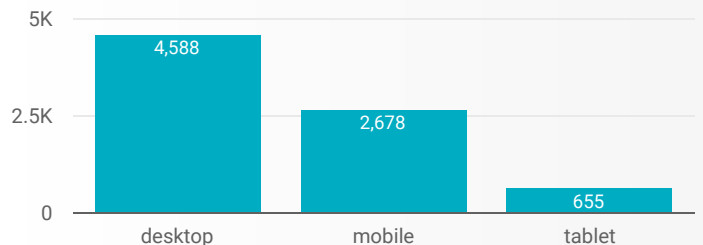
Top ranked pages

Page	Sessions
1. /Home	6,305
2. /Connect/Have-your-Say/Corowa-Play-Spaces	198
3. /Council/Careers	192
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### What devices were used to visit site?

Technology preference



# Disability Inclusion Action Plan

federationcouncil.nsw.gov.au

Record No: DRAFT

Version No: 1



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## 1. MESSAGE FROM THE GENERAL MANAGER

**CHRIS GILLARD**

GENERAL MANAGER – FEDERATION COUNCIL

I am very excited council has completed this Disability Access and Inclusion Plan.

An accessible and inclusive community is one where community members have positive attitudes and behaviours toward people of all abilities. It is a community where people of all abilities have the opportunity to live, learn, work and play; and to actively participate in decision making.

The Access and Inclusion Action Plan sets out actions to support the development of a truly inclusive and accessible community. The actions in the plan seek to address the barriers identified by the community survey and to adopt accessible and positive practices in our workplaces, clubs and businesses. These practices include actively engaging and employing people with disability and ensuring that programs and strategies are developed with consideration of the impact on people with disability.

The Access and Inclusion Action Plan presents actions under four Key Objectives

1. Develop Positive Community Attitudes and Behaviour
2. Create Liveable Communities
3. Support Access to Meaningful Employment
4. Improve Access to Services through Better Systems and Processes

A community that supports and celebrates people of all abilities is a better community for everyone.

## 2. ACCESS COMMITTEE

Federation Council will establish a Disability Access Committee made up of people with disability, service providers and interested community members to advise Council on the barriers that prevent people with disabilities participating in programs, services and facilities.

Roles of the committee include raising awareness of the positive contributions of people with a disability and the importance of accessibility for all people and to providing input into decisions relating to alterations to Council buildings and streetscape, and the development of programs that improve the quality of life of people with a disability.

Federation Council - Disability Inclusion Action Plan

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### 3. BACKGROUND

In August 2014 the NSW Disability Inclusion Act 2014 was passed. This Act requires all NSW Councils to develop a Disability Inclusion Action Plan to help remove barriers and enable people with disability to participate fully in their communities.

Federation Council's vision is for an inclusive, respectful and diverse community where people of all abilities have the opportunity to live, learn, work and play as they choose and are able to actively participate in decisions that may impact on them.

Council's Disability Inclusion Action Plan aims to promote positive attitudes and behaviours in the community, to provide better access to information, services and facilities, to provide a more liveable and accessible community, to enhance employment opportunities and to increase opportunities for people with disability to participate.

This Disability Inclusion Action Plan was developed through a community consultation and research process which included review of Council documents and Government policy. The consultation process involved talking to regional and local service providers, to people with disability and carers. Agency meetings and focus groups were held to identify gaps and discuss issues and a community survey conducted.

A Disability Access committee, consisting of community members has been established due to this process and this committee will be actively involved in the ongoing development, implementation and formal review process of this plan.

### 4. INFORMING THE PLAN

National Disability Strategy 2010-2020, National Disability Insurance Scheme, Disability Inclusion Act (NSW) 2014, Local Government Act 1993, Federation Council Ageing Well Strategy, Pedestrian Access Mobility Plan, Community Consultation Procedure and Equal Employment Opportunity Policy.

*The plan was endorsed at Council's April 2017 meeting and placed on public exhibition. The final Plan will be formally adopted at Council meeting June 2017.*



## 5. COMMUNITY PROFILE

The Disability Inclusion Act 2014 defines disability as:

*“The long-term physical, mental, intellectual or sensory impairment which in interaction with various barriers may hinder the full and effective participation in society on an equal basis with others.”*

Federation Council has a population of approx. 12,500 people and is home to the diverse communities of Corowa, Howlong, Mulwala, Oaklands, Urana, Balldale, Boree Creek, Buraja-Lowesdale, Coreen, Daysdale, Morundah, Rand, Rennie and Savernake.

Located within an agriculturally rich and diverse area on the border of New South Wales and Victoria, the Southern Riverina region is the centre of one of the most productive wool, grain, lamb and beef-cattle growing areas of Australia.

Only three hours from Melbourne, four hours from Canberra and six hours from Sydney, the region boasts a great climate and vibrant atmosphere and is an ideal location for families, businesses and visitors to experience its exceptional lifestyle and opportunities

Information about disability in Federation Council is based on the Australian Bureau of Statistics (ABS) data on people who identify as needing help with mobility, self-care or communication due to disability or long-term health conditions.

### Disability Snapshot in Federation Council

According to the Bureau of Statistic data for 2011 there are 612 people (5%) living in Federation Council who receive a disability Support Pension. This pension is provided to people who have a physical, intellectual or psychiatric condition that stops them from working or people who are permanently blind. Of these, 220 are people under 65 years old.

Services NSW has 648 people living in the municipality registered as having current Disabled Parking Permits.

The ABS data shows that 1147 or 9.2% of people living in Federation Council were receiving a Carer Payment benefit in 2011. This payment is made to people who personally provide constant care, in the home, to someone with a severe disability, medical condition, or who is frail aged.



## 6. CONSULTATION

Over a four-month period conversations and meetings were held with stakeholders including local and regional service providers, individuals with disability, carers and interested community members. In February 2017 the Disability Inclusion and Access Survey was undertaken which invited the community to tell us what they thought could be done to improve access and inclusion in Federation Council

The survey told us that accessibility in the community was very important to our residents and that more could be done to improve access.

### What respondents told us was **MOST** important:

#### 1. For changing attitudes and behaviours

- Involving people with disability in developing communication campaigns regarding inclusion.
- Developing public messages and campaigns that highlight inclusion and recognise the rights and contribution of people with disabilities in the community.
- Integrating staff training on access and inclusion into induction practices

#### 2. For making communities liveable and accessible

- Ensuring community programs and events are accessible through early consideration of venues, transport, toilets, parking
- Providing continuous paths of travel between facilities and services in towns and public areas
- Providing accessible toilets in all public buildings

#### 3. For improving employment opportunities

- Changing people's attitudes
- Accessible workplaces

- Flexible working hours and locations
- Designing roles suitable for people with disabilities

#### 4. For improving accessibility of systems and processes

- Ensuring all information is available in different formats for all abilities
- Creating ways to provide feedback for inclusion and accessibility e.g. Council access advisory committee
- Ensuring workplaces internal systems and processes are accessible



### **What can be done to change behaviour and attitudes?**

Respondents told us that to change behaviours and attitudes in the community toward people with disability - education and awareness, increased visibility, positive promotion of people with disability and providing more accessible places were essential.

### **What are the current barriers?**

The Biggest barriers to access businesses were lack of staff awareness, poor physical accessibility (including toilets) and no clear signage. Barriers to community spaces were similar.

### **Who Responded to the Survey?**

Responses were from individuals with disability, service providers representing people with disability and carers. Respondents came from Corowa, Howlong, Mulwala and Urana. The majority were aged between 35 and 65 years old and identified with disabilities including mental health, physical, intellectual, visual and hearing impairment.

## **Information from the DIAP Survey and discussions with service providers has been used to inform the Access and Inclusion Action Plan**

### **What is being done well?**

Respondents identified some good examples of accessibility in local businesses. These included Corowa Arcade, Target, Post office (ramp), newsagent, hospital, RSL toilets, chemist and takeaway food store.

Good examples of accessibility in Council facilities include the automatic door at the entrance to Corowa offices, Sanger Street pedestrian refuges, rowers park, some of the playgrounds and parks, and disabled parking on flat ground.

### **What can be done better?**

Respondents also told us where businesses and council could do better. For businesses, including hotels, clubs and cafes having steps and narrow entry doors reduced access. For Council and public facilities, the main difficulties identified were the access ramp at council offices in Corowa, the lack of disabled toilets, no continuous accessible footpaths (to library, council offices and some parks) and the location of disabled parking.

## 7. DISABILITY INCLUSION ACTION PLAN KEY OBJECTIVES

The Disability Inclusion Action Plan presents actions under the following Key Objectives:

1. Positive Attitudes and Behaviours
2. Create Liveable Communities
3. Support Access to Meaningful Employment
4. Improve Access to Services through Systems and Process



## **8. POSITIVE ATTITUDES AND BEHAVIOUR**

The attitude of the general community towards people with disability is described as the single greatest barrier to full inclusion.

Negative attitudes can impact the lives of people with disability across education, employment and community participation.

Attitudes towards disability can change over time. Through a combination of large public campaigns and local initiatives, people can learn more about disability and how their words and action matter.

## 9. POSITIVE ATTITUDES AND BEHAVIOUR OBJECTIVES AND ACTIONS

Objectives & Actions	Responsibility	Timeline	Measure	
Objective 1	Develop, promote & support positive community attitudes and behaviour			
Action 1	Develop and facilitate Disability Awareness Training for staff (include access and inclusion awareness in induction practices)	Human Resources	Medium	A range of disability awareness education and awareness programs undertaken by Federation Council staff  Participation in International Day of People with Disability  Awards program for Access and Inclusion developed  Positive public images of people with disability in Council publications and promotional materials including face book and webpage
Action 2	Include images of people with disability in council publications and in promotion of council events, not just disability specific activities	Communications Community Development	Short	
Action 3	Recognise and celebrate the contribution of people with disability during annual International Day of People with Disability	Communications Community Development	Short	
Action 4	Facilitate the development of Access and Inclusion Awards for Individuals, community groups, businesses	Community  Economic Development	Medium	
Action 5	Develop public messages and campaigns that highlight inclusion and recognise the rights and contribution of people with disability in the community	Communications community development	Medium	
Action 6	Provide and/or support activities that increase awareness of people with disability and their contribution to our community	Community Development	Short	

Objectives & Actions	Responsibility	Timeline	Measure
Objective 2 Encourage and support local groups, agencies and organisations to provide more opportunities for people with disability to participate			The Community Grants Program actively supporting initiatives that are inclusive, accessible and welcoming to people of all abilities  Federation Council supporting and promoting local programs and activities that give people with disability the opportunity to be physically and socially active
Action 1 Promote and encourage programs and activities that give people with disability the opportunity to be physically and socially active	Community Development	Short	
Action 2 Support community initiatives and the delivery of programs that engage and develop people with disability and their carers	Community development	Medium	
Action 3 Support recreation groups, clubs and programs that provide opportunities for people of all abilities to participate in and enjoy community activities	Community Development	Medium	
Action 4 Strengthen partnerships with health & community services and disability service providers to ensure services available in our local communities meet our needs	Community Development	Short	

Objective & Actions	Responsibility	Timeline	Measure
Objective 3	Create opportunities for people with disability to be actively engaged in community decision making		Access Committee established
Action 1	Facilitate the establishment of Federation Council Access Committee	Community Development	Short
Action 2	Through the Access Committee involve people with disability in the development of communication campaigns regarding access and inclusion	Communications Community Development	Short
Action 3	Through the Access Committee ensure that people with disability are provided with opportunities to input into community developments and master plans within the Shire; including CBD upgrades, recreation and open space developments and community facilities	Community Development	Medium
			<p>Systems and Processes in place to enable input from Access Committee on Council actions that impact on people with disability.</p> <p>Access Committee involved in the development of public messages and campaigns regarding access and inclusion</p> <p>Access Committee providing input and advice on Council decisions and new developments that impact on people with disability</p>



## **10. CREATE LIVEABLE COMMUNITIES**

Liveable communities are places where people have the opportunity to live, learn, work and play as the wish.

Physical accessibility is important, but liveable communities are also about the opportunity for social engagement, personal and business interactions, feeling safe and secure and being included in community activity

## 11. CREATE LIVEABLE COMMUNITIES OBJECTIVES AND ACTIONS

Objectives & Actions	Responsibility	Timeline	Measure	
Objective 1 : Increasing Physical Accessibility of buildings and community facilities			Planning decisions based on accurate and updated information relating to the needs of people with disability  Audit of Council owned or leased buildings undertaken  Disability Access Improvement Program developed  Access Committee engaged in decisions regarding new infrastructure and buildings  Investigation into retrofit program for community groups and clubs	
Action	Conducting audits of buildings owned or leased by council to assess compliance with Australian standards for access and mobility (AS1428 parts 1-5)	Access Committee  Community Services		Medium
Action 2	Establish Disability Access Improvement Program to improve access to Council facilities and services. Making older Council buildings compliant with Australian building codes and other access requirements. Includes ground surface indicators, adaptive equipment and technologies for libraries, sliding doors, hearing loops in chambers, ramps, handrails, accessible toilets, adult change tables.	Planning		Medium
Action 3	Making equity and access key criteria for decisions about physical infrastructure, and information and communications technology	Council		Short
Action 4	Engaging people with disability in the design and planning phases of new infrastructure and buildings to support accessible and inclusive assets.	Planning		Short
Action 5	Support community groups and clubs to access funding to retrofit inaccessible buildings and facilities to enable use by all community members	Council		Long
Action 6	Provide accessible toilets in Council public buildings	Planning		Long

Action 7	Ensure that accessibility and inclusiveness for people with disability is considered in the planning of Council programs, planning and activities	Planning	Short	
Action 8	Provide continuous accessible paths of travel (see PAMP) between facilities and services in town centres	Planning	Medium	
Action 9	Ensure signage throughout the Shire is easy to read for all community members	Planning	Medium	

Objective & Actions	Responsibility	Timeline	Measure	
Objective 2: Increasing accessibility of programs, services and activities			Access committee engaged, monitoring DIAP and providing feedback and advice to Council regarding access and inclusion matters  Audit of council run programs and activities undertaken (inclusiveness and accessibility)  Information resources developed for people with disability  Road safety initiatives undertaken	
Action 1	Establish and support an Access committee established to provide advice and feedback on matters relating to access for people with disabilities to Council facilities and services and within the community generally	Community Development		Short
Action 2	Develop, implement and monitor the Access and Inclusion Action plan in consultation with Access Committee	Access Committee		Short
Action 3	Ensure that council facilities are accessible, inclusive welcoming and well promoted	Council		Long
Action 4	Ensuring community recreation, cultural and social programs are inclusive and accessible	Council		Long
Action 5	Provide information resources for people with disability to facilitate access to local services and activities. Including the development of an Access and Mobility Kit with map showing locations of accessible businesses, facilities and toilets.	Communication		Medium
Action 6	Implement road safety initiatives throughout the municipality including mobility scooter workshops and pedestrian safety	Road Safety Officer	Medium	

## **12. SUPPORT ACCESS TO MEANINGFUL EMPLOYMENT**

People with disability often face barriers seeking employment, through the recruitment process and within the workplace.

Removing these barriers requires employers to be mindful of the information and access needs of people with disability and to gain an appreciation of the positive practices that can be adopted to provide accessible interviews, reasonable workplace adjustments and work experience opportunities.

### 13. SUPPORT ACCESS TO MEANINGFUL EMPLOYMENT OBJECTIVES AND ACTIONS

Objectives & Actions		Responsibility	Timeline	Measure
Objective: Providing and Supporting Inclusive and flexible work environments				Reasonable adjustment to workplace to support employees with disability  Review of recruitment procedures including advertisements for new employees
Action 1	Making diversity and inclusion a key consideration for strategic workforce planning and develop position advertisements that welcome disability	Human Services	Short	
Action 2	Actively develop a respectful and welcoming work culture including flexibility and accountability for all staff in the way that they work as well as specific attraction and retention strategies	Human Services	Medium	
Action 3	Engage with local disability employment providers to identify strategies to enhance opportunities for employment of people with disability	Human Services	Medium	
Action 4	Review recruitment procedures to support non-discrimination of people with disability	Human Services	Medium	
Action 5	Undertake reasonable adjustment to the workplace - to change a work process, practice, procedure or environment to support an employee with disability to perform their job	Human Services	Long	
Action 6	Provide opportunity for representation on committees, groups and Council from people with disability	Council	Short	
Action 7	Support community initiatives that facilitate the engagement of people with disability in employment	Community Development	Short	

## **14. IMPROVE ACCESS THROUGH BETTER SYSTEMS AND PROCESSES**

The systems and processes required to access services in the community can be complex. This can be more so for people with disability. Simple tasks such as gaining a driver's license can be difficult and costly for a person with disability.

It is the responsibility of each nsw government department, local council and community and business organisation to ensure everyone has equitable access to information and services.

This can be more so for people with disability. Simple tasks such as gaining a driver's license can be difficult and costly for a person with disability.

It is the responsibility of each NSW Government department, local council and community and business organisation to ensure everyone has equitable access to information and services.

## 15. SYSTEMS AND PROCESSES OBJECTIVES AND ACTIONS

Objective & Actions	Responsibility	Timeline	Measure
Objective 1: Adoption of systems and process that increase opportunities for people with disability to actively participate in the community			Specific training needs and resources identified to support current and future employees with disability
Action 1 Implement practices that ensure that all Council information distributed to the community is clear and easy to understand and in a range of formats to support different needs and capabilities	Communications	Short	Review of communication material undertaken to ensure it is accessible and inclusion compliant
Action 2 Ensuring service users have access to communications supports such as hearing loops, touch screens and translation services	Communications	Long	Accessible complaint mechanism adopted
Action 3 Ensuring feedback and complaint mechanisms can be accessed by people with a range of disabilities	Communications	Medium	
Action 4 Ensuring web content is compliant with at least conformance level AA in the W3Cs Web Content Accessibility Guidelines	Communications	Medium	
Action 5 Providing a mechanism for feedback on access and inclusion in the council area (Access Committee)	Community Development	Short	
Action 6 Ensuring internal systems and processes are designed to allow for inclusion of staff with a range of disabilities	Human Services	Short	
Action 7 Using non-technology reliant communications methods such as local newspapers, letterbox drops and library information boards	Communications	Medium	
Action 8 Ensure people with disability and their carers are involved in appropriate Council community engagement processes to support the understanding and reflection of their needs	Communications	Short	



## 16. REVIEW

The Disability Inclusion Action Plan provides a framework for actions over the next three years. In order for this plan to remain relevant, it is important to include an ongoing monitoring and review requirement.

The Disability Access Committee in consultation with the community will review performance measures outlined in the DIAP on an annual basis.

Consultation with people with disabilities to gain feedback in relation to progress of the Disability Inclusion Access Plan through the Federation Council's Disability Access Committee will be undertaken.



## 17. SCHEDULE OF CHANGES & AMENDMENTS

Version	Date	Changes / Amendments

**Note this is a controlled document if you are reading a printed copy please check you have the latest version by checking the Council's electronic document system. Printed or downloaded versions of this document are not controlled.**

## Community Grants Program: Summary of Applications Received: Round 2 - 2016/17

ORGANISATION GROUP	AMOUNT TO BE FUNDED	Request Amount	Project Description	Geographic Area	Access & Importance to community Links to community strategic plan	Organisation's community input	Recognition of Council's contribution	Comment	Notes/Conditions
Big Moz Mobile Disco Inc	\$2,679.98	\$2,679.98	Purchase of equipment (speakers, projector) for Mobile Movies to be shown in hospitals and age care Facilities in the municipality	Federation Council	Support for activities that promote connections within the community. Providing accessible entertainment for hospital patients and older residents in municipality.	6 years PCYC Blue Light events in <b>Urana</b> and <b>Oaklands</b> areas	Logo display and verbal recognition at all shows/events.	<i>Not for profit community organisation</i>	
Corowa Civic Croquet Club Inc	\$2,931	\$2,931	Build and install a safety step with handrails to enable easy and safe access to playing area	Corowa area plus guests from clubs in other areas of municipality and region	Increase opportunities for local people to participate in health and fitness activities. Support activities that provide opportunities for community connection	Local sports Club that encourages health and fitness activities and provides connections within community	Photo and article in free press local paper and plaque.		
Corowa District Historical Society	\$1,811.25	\$1,811.25	Workshop "Mosaic for Museums" for 10 volunteers to assist digital cataloguing of museum collection	Corowa and surrounds plus visitors to the museum	Encourage cultural growth in community. Support skills development of museum volunteers.	Corowa Historical Society and museum very active in the community	Article in Free Press Recognition through facebook page. Also in newsletter.		
Corowa Sing Australia Group	\$1,440 \$250	\$1,440 \$250	Use of Oddfellows Hall for weekly rehearsal plus 2 additional days to host concerts. Purchase of new pull up banner to replace the one with Corowa Shire logo.	Corowa and surrounds	Increase community use of existing facilities. Support activities that provide opportunities for community connection and participation.	The group provides fellowship and recreational activity. Performing at local events, institutions and community events/celebrations	Every performance recognition is given to Council for their support. Pull up Banner stating supported by Federation Council.	<i>Amount based on community group hire rate and conditional on cleaning being done by group.</i>	Contact front desk to fill in necessary forms and book dates.
Howlong Historical Society	\$1,700	\$1,700	Purchase of desk top computer with large screen and office programs suitable for museum volunteers to use to digitally store records and information.	Howlong and surrounds plus visitors to the museum	Encourage cultural growth in community. Support and encourage and equip volunteers	Howlong Historical Society has an office in the Howlong library resource centre. Very active in community	Acknowledging Federation Council on front of book and in publicity. Logo	<i>Some records have been stored on private computers. These need to be re-located into a central system owned by the Historical Society.</i>	
<b>RECOMMENDED FOR FUNDING: Hall Hire Costs</b>	<b>\$9,372.23</b> <b>HALL USE</b> <b>**\$1440</b>	\$10,812.23							



**Proposed Fun park summary of feedback**

**The proposal has generated much interest from the local community with 21 responses received.**

**Overall most people were in support of the proposed development with 19 submissions in favour.**

*"The splash park would provide families with a great resource of outdoor entertainment".*

*"As a mother of young children it has been a frustration of mine that there is no such facilities in our area. We travel out of this town to utilise these facilities in other towns."*

*"We live in South Corowa and love to bring the kids into town for entertainment."*

*"Me not being able to travel outside Corowa, I have no means of getting my grandchildren to other facilities like this in the area."*

**Many commented on the boost to tourism and the benefit to the community by ensuring money is spent in the town.**

*"The town would also bring entertainment and tourists to the town from surrounding and far districts."*

*"The Splash Park will promote tourism throughout Corowa and make our town more of a 'destination'".*

*"The Splash Park will also aid small businesses within the Corowa and Federation Shire by increasing the flow of tourists through the town".*

*"This will be a fantastic addition to our town instead of having to take our money to other places around the region to find a waterslide we will have one here."*

*"It's about time we have things to keep people in town spending money. So many are going to other towns including Mulwala to do things."*

*"In the past we have frequently visited Yarrawonga to enjoy the same facilities as proposed."*

*"Over the past few years the numbers have been on decline due to the amount of activities we have to offer young families."*

*"We have a great tourism in this area but nothing to keep them here. Over the past ten years of working in retail in this town and having spoken to many visitors I know of their frustration also."*

**Whilst only two responses were against the proposed development they identified the location as being the main issue citing reasons such as safety, cost for families, commercial viability and sustainability.**

*"The park should be incorporated into the Swimming Pool area. To have two water activity areas makes no sense to me. Why not have these two groups work together. They are both commercial activities - one would go reasonably well, two would both struggle. Two kiosks to run and twice the staff."*

*"The idea that community groups will band together and run this voluntarily and hopefully share in the profits sounds good, however it may be some time before these funds are forthcoming due to initial infrastructure costs and ongoing maintenance. Enthusiasm may drop off as members from those groups rostered on move on to other things."*

*“Parents would have to have two season tickets as sometimes families would like to go to the pool, other times the splash park.”*

*“Not everyone swims and other people enjoy this area. It would mean loss of the dog exercise area and access to the river from Bangerang Park.”*

*“The walkway including cycling, from that area right around to the Corowa lagoon and which forms part of a proposed river front plan, is currently and will be, a popular thing to do and so this requires careful evaluation. Access to the river and along the front of the Guide cabin will need to be maintained.”*

*“Facilities should form part of an overall aquatic facility and be located in the same vicinity as the Corowa Pool to enable the supervision and operation of the facilities to be done efficiently by appropriately qualified personnel. This type of equipment would provide another source of income complementing the existing infrastructure to make the Pool facility more financially viable.”*

*“The consortium has proposed one full time employee to oversee the operation. 38 hours per week is insufficient to adequately supervise the operation. The wages would considerably eat in to profits promised to participating community groups.”*

*“The proposed additional supervision of the facility by community groups is fraught with danger. Firstly, it could very easily result in inappropriately qualified or non-qualified people operating the slides, putting the lives of the patrons using the facility at risk. Secondly, a roster system is a noble idea, but one suspects that, eventually, the groups operating the slides would lose interest or be unable to fill the slots required to maintain the operations in the manner expected. We know that most community groups are already struggling to find volunteers to perform task for their organisations. Operating the Slide has the potential to become a low priority for volunteers, especially when not in peak periods. Volunteers are also unlikely to be available to operate the park until after business hours. Most community groups' free time is already taken up doing the activities of the community group, ie the rowers row, the swimmers swim, hockey, cricket and footy players play, Rotarians rotate and the apex people apex?(....ride trains!), ...they don't have free time!”*

*“Ongoing maintenance costs would need to be paid from the funds raised and eat in to the profits earned (if any) by the community organisations. Water quality would be a vital factor for the safe operation of the park. What community group has that expertise? Expected returns would not justify the effort required from community groups to run a safe and vibrant facility.”*

*“Most of the time, there would be insufficient patrons to justify a profitable operation. One suspects that only during 3-4weeks of the year would there be a significant demand for the facility in the proposed location.”*

*“The infrastructure would be an eyesore in the proposed location. That area is used by a lot of people for access to the river, parking on market days and other larger events held at Bangarang Park and the Tennis Club. Given the large amount of time that the facility would not be open it would be very disruptive to other users of the area. One can also imagine numerous tennis balls entering the area from the Tennis Courts requiring people to enter the facility to retrieve them, increasing the risk of accidents and damage to the facility.”*

*“The pool desperately needs redevelopment. Anything to do with water play should be included in the pool facility to give it diversity to improve its chances of covering its operating costs, this includes water play equipment and splash park equipment. The pool facility has qualified staff, water quality expertise and existing water and administration infrastructure that would complement the structures.”*

*“One would expect that the waterpark would not be operating for a large proportion of the year (winter and the fringes of autumn/spring) and also for only limited hours for all but a few peak weeks of the year. The rest of the time it would stand as an eyesore in such a prominent location. Even if it is well presented initially, the ageing infrastructure will deteriorate over the years adding to the cost of dismantling or renovating and taking away from the beautiful natural park environment that already exists there “*

*“In short, it is a great idea to build something like this, but I believe that the consortium has not fully thought out the longer term logistics of the operation and the potential for community cost should it fail. If located within an all-encompassing pool/water facility that works with other tourism interests, it would have a better chance of success, le good idea/ wrong location - Build it in the pool grounds and share the costs, resources and expertise.”*

**Similar comments were identified by one of the supporters, with concerns raised about safety and supervision as well as potential for delinquent behaviour.**

*“It is vital that the Splash Park is adequately supervised at all times to prevent and reduce any injuries.”*

*“The Splash Park will also need to be heavily policed as it may be a potential location for annual conflicts between local youth and tourists “*

*“We also would like to see that the development of the Splash Park complements the refurbishment of the Corowa pool.”*

*“With supervision comes cost to the local community or council and the question: Who will pay for it? We would like to encourage members of our community to support this new and exciting attraction in Corowa.”*

**A different approach was identified in a response that neither opposed nor, supported the project with a strong push to have the focus on the caravan park and river precinct.**

*“No doubt a water splash park would be great for the region and it could have been a part of the pool plans. The Ball Park caravan park should be modernised in the style of riverfront tourist parks like Renmark to Swan Hill and capture year round tourists. If modernised a splash park would be in the plans.”*

*“The location is stunning and currently it is an eyesore on the river and an ugly look as one crosses the river into town. It is not a good tourism look. Potential to grow tourism goes begging at this park.”*

*“A modern tourist park would have a water splash park as part of its attractions and modern facilities and amenities. Corowa needs a modern tourist park to keep pace with the growth of motor home/caravan tourism for which Corowa is ideally situated and has lagged for long.”*

*“The weekends Postcards program showed how well located Corowa is and the cross border delights we are a part of. Not enough is done to connect with the delights of Rutherglen on Corowa's doorstep and the gateway form NSW.”*

*“The river front needs many things and the rowers club should be a place to have a drink or a coffee and lunch or dinner on the river. Energising the river to be a tourist destination is a must for the growth of town and job creation. The same old same old is not good enough and innovation and plans must be explored and efforts made to get private sector investment on some river front locations.”*

## Federation Council - Proposed Polling Venues September 2017 Election

Ward	USVN	Venue Name	Venue Address	Locality	PC	Venue Access	MW	MC	Shared with Council Area	Ordinary Votes Taken 2012	Projected Ordinary Votes	Projected Enrolment Votes	Projected Other Votes	Comments From Council
Undivided	Corowa Public	Corowa Public School	244 Honour Avenue	Corowa	2646	A				Uncontested	2050	20	20	
Undivided	Corowa Sth Public	Corowa South Public School	158 Hume Street	Corowa South	2646	A				Uncontested	820	5	3	
Undivided	Howlong Public	Howlong Public School	Hawkins Street	Howlong	2643	A				Uncontested	1500	10	10	
Undivided	Lowesdale Public	Lowesdale Public School	Riverina Highway	Lowesdale	2646	A				Uncontested	150	3	2	
Undivided	Mulwala Civic Cntr	Mulwala Civic Centre	71 Melbourne Street	Mulwala	2647	F				Uncontested	1000	30	10	
Undivided	Oaklands School	Oaklands Central School	Coreen Street	Oaklands	2646	A				Uncontested	150	3	2	
Undivided	Urana School	Urana Central School	62 William Street	Urana	2645	A				52 in Ward A	190	5	3	see below
<b>Totals:</b>											<b>5860</b>	<b>76</b>	<b>50</b>	

## RO Office &amp; Additional Pre-poll Locations

Location	Venue Type	Number of days open for pre-polling	Comments from Council
Corowa	RO Office	11	
Urana	Additional Pre-poll	6	

Total Projected Election Day Votes:	5986
Enrolment as at 22/11/2016:	9137
Projected % turnout Election Day:	65.5%
Enrolment as at 10/09/2012:	8824
% Ordinary turnout Election Day 2012:	Majority uncontested

## Proposed Declared Institutions

Ward	VenueName	LongVenueName	AddressLine1	LocalityName	Postcode	Comments from Council
Undivided	Corowa Hospital	Corowa Hospital	Guy Street	COROWA	2646	
Undivided	Karinya House - Aged Care Host	Karinya House - Aged Care Hostel	125 Guy Street	COROWA	2794	
Undivided	Oolong Hostel	Oolong Hostel Howlong	91-97 Sturt Street	HOWLONG	2643	
Undivided	Urana MPS	Urana Multi-Purpose Service	Princess Street	URANA	2645	

Legend	
USVN	Unique Short Venue Name (a unique shortened version of the full venue name for results reporting)
MW	Multi Ward Polling Place (a polling place that will accept votes from more than 1 ward)
MC	Multi Council Polling Place (a polling place that will accept votes from more than 1 council)
A	Away Polling Place (a polling place venue which is not in the ward or council it will take votes for)
H	Home Polling Place (a polling place venue that will also have an away polling place sharing the venue)
Venue Access	A = Assisted access, F = Full wheelchair Access

## Abolished Venues from 2012

Ward	VenueName	LongVenueName	AddressLine1	LocalityName	Postcode	Ordinary Votes 2012	Reason	Comments from Council	Response from NSWEC	Final comments from council
Undivided	Balldale Rec Reserve	Balldale Recreation Reserve Club	Coreen Road	Balldale	2646	Uncontested	The AEC abolished this venue in 2016. Recommend abolishing this venue due to low (under 100) and declining votes and close proximity to Lowesdale Public and Corowa venues.			
Undivided	Boree Crk Public	Boree Creek Public School	Namoi Street	Boree Creek	2652	82	The AEC abolished this venue in 2016 and NSWEC abolished it in 2015 due to votes being below 100. Recommend abolishing this venue for 2017 to remain consistent with other elections.	My only concern is the removal of the Boree Creek venue. We would like to see this added to the list of Polling Places. The removal of this venue in 2015 and 2016 would not have had a major impact on residents then for the State or Federal election - as they would have driven into Lockhart (17 mins) however it is a 45 min drive to Urana from Boree Creek.	As this venue has not being used for the last 2 elections at least half of these electors are likely to be registered postal voters. Electors will also have the ability to attend pre-poll voting in Urana in the week prior to election day. If venue is re-establish it will only be projected to take 60 ordinary votes at a minimum cost of \$2000. Could council please confirm the wish to re-establish this venue.	
Undivided	Corowa High	Corowa High School	69 Redlands Road	Corowa	2646	Uncontested	Due to decreasing votes and increasing pre-poll there is not a requirement for 3 polling places in Corowa. This venue was abolished for the 2015 state election and 2 venues were sufficient in Corowa as Corowa Public and Corowa Sth Public can handle the additional votes.			
Undivided	Rennie Comm. Cntr	Rennie Community Centre	Bull Plain Road	Rennie	2646	Uncontested	There has not been a polling place in Rennie since the 2008 LG election as the AEC and NSWEC abolished the Rennie Polling place for State and Federal Elections due to the low votes. Electors in this area will now be registered postal voters or use to travelling to Cowora to pre-poll or another polling place on election day.			



## Flood Committee Meeting - Minutes

<b>Meeting</b>	Progress Meeting – Stage 3
<b>Chairman</b>	Adrian Butler
<b>Recorder</b>	
<b>Date/Time</b>	6:40pm 28 March 2017
<b>Location</b>	Federation Council Office – Urana Meeting Room

ATTENDEES		
Craig McIntyre	Adrian Butler	Michael Dore
Pat Smith	Noel Carpenter	Penny Craig
APOLOGIES		
Ian Burns	Pat Bourke	Angus Macneil

ITEM	DESCRIPTION	DESIRED RESULT	PERSON RESPONSIBLE
1	Introduction	Welcome by Chair. Introduction of Noel Carpenter as Committee Member and Penny Craig as Project officer. Invite to be extended to John Geppert to continue on Committee.	A Butler – acting Chair
2	Acceptance previous minutes	As presented. Moved - Pat Smith          Seconded – Michael Dore	
3	Status of Project – timeframes, management, new members	P Craig advised that the contract is currently in stage 3 and that the process has stalled due to staffing changes and report issues. A letter has been prepared and forwarded to Jacobs outlining the issues and process to be followed for the remainder of the contract.	P Craig
4	Stage 3 Reports	Members were provided with USB Drives containing Stage 3 reports and Floodplain Development Manual. Comments to P Craig by end April. A Butler provided with additional copies	Members
5	Review Gantt Chart	Presented and new timelines discussed. An application has been made to OEH to vary the Study Grant	
6	General Business	<ul style="list-style-type: none"> <li>P Craig to reapply for Stage 2 of the Flood Grant</li> <li>Floodway bypass at the Urana Aquatic Centre and flood levels at Noel Carpenters property discussed. P Craig to forward details to Jacobs.</li> <li>The Jerilderie Road Bridge at Urana and the road at that location acting as a levee was discussed. P Craig to forward this to Jacobs.</li> </ul>	
6	Date of Next Meeting	To be advised	P Craig
7	Close of Meeting	7:40pm	



# Swimming Pool Inspection Program

federationcouncil.nsw.gov.au

Record No: 17/9251

Adopted: Enter Adoption Date



<b>Document Title</b>	Swimming Pool Inspection Program
<b>Council Adopted</b>	Adoption Date
<b>Council Resolution No</b>	Enter Resolution No
<b>Version Number</b>	1.0
<b>Responsible Department</b>	Planning and Environment
<b>Date to be Reviewed</b>	5 years after adoption or after legislative change

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# 1. INTRODUCTION

## 1.1 Purpose

The Swimming Pools Act 1992, Section 22B requires the development and adoption by Federation Council of a program for the inspection of swimming and spa pools in its area to ensure compliance with the requirements of Part 2 – access to swimming pools – of the Swimming Pools Act 1992.

## 1.2 Relevant Legislation and Council Policies

The legislation, regulation, standards and Council Policies that apply to this Swimming Pool Safety Inspection Program include:

- ~ Swimming Pools Act 1992
- ~ Swimming Pools Regulation 2008
- ~ Swimming Pools Amendment Act 2012
- ~ Swimming Pools Amendment (Consequential Amendments) Regulation 2013
- ~ Building Code of Australia
- ~ Australian Standards AS1926.1
- ~ Australian Standards AS1926.2
- ~ Federation Council Revenue Policy

## 1.3 Background

A comprehensive review of swimming pool legislation has been undertaken by the NSW Division of Local Government. The change in legislation has been brought about because of the rate of preventable drowning's and near drowning's in privately owned swimming pools and the high rate of non-compliance of swimming pool barriers in NSW.

Under the legislation local government has a regulatory responsibility for swimming and spa pool safety. Federation Council is required to develop and implement a locally appropriate swimming pool inspection program in consultation with the community, for privately owned swimming pools.

## 1.4 The Importance of Pool Safety

Swimming and spa pools offer a social amenity that is of great benefit to those who have use and access to it. With this however goes an obligation outlined in legislation to maintain the pool in a safe manner.

The regulatory regime of pools and spas on private property has been the subject of ongoing legislative review and reform since 2008 due to the tragic increase of infant and toddler injury and death in swimming and spa pools.

Children aged 4 years and under are the most vulnerable. They are completely dependent on their parents or carers for their safety. The personal and social cost associated with the death of a vulnerable child is enormous and cannot be adequately described. The death of a young child in circumstances that could have been prevented is a tragedy for all.

## 2. Swimming Pool Registration

### 2.1 To what properties does this program apply?

The program applies to swimming pools, both indoor and outdoor, and spas that are situated or installed, on a premises on which a residential building, a moveable dwelling or tourist and visitor accommodation is located, but does not apply to swimming pools and spas that are situated, or proposed to be constructed or installed, on any premises occupied by the crown or by a public authority.

### 2.2 Is registration of a swimming pool compulsory?

The owner of the premises on which a swimming pool or spa is located must register their pool(s) on an online register provided by the Department of Local Government. The owner is also required to self-assess, and state in the register that, to the best of their knowledge, their swimming pool barrier complies with the applicable standard when registering their pool.

## 3. The Inspection Program

### 3.1 Introduction

Federation Council are required to have in place and to implement a program of swimming pool inspections. The purpose of inspections is to issue a certificate indicating that the pool barriers in place comply with pool safety requirements

### 3.2 In what circumstances will Council inspect swimming pools and spa pools as part of the barrier inspection program?

Circumstance Requiring Inspection	Time Frame For Inspection
<b>Mandatory Inspections – Perceived high risk scenarios</b>	
Where the swimming pool or spa barrier is subject of a complaint	3 working days
Where a request has been received to inspect the pool barrier by the owner for pool registration	3 working days
Where a request has been received to inspect the pool barrier by the owner or an agent of the owner prior to the sale or lease of the premises.	5 working days
Where an inspection by a Council officer reveals an inadequately fenced pool or spa or unauthorised pool or spa at the subject premises or at a neighbouring premises	3 working days
Where the premises is subject of a Building Certificate inspection, regardless if it relates to the swimming pool or spa.	5 working days

Pools associated to multi-unit developments	3 yearly intervals
Child care centre/family day care or premises accessed regularly by children other than domestic purposes.	3 yearly intervals
Pools associated to tourist and visitor accommodation	1 yearly intervals to coincide with the Public Health Act requirements associated to water quality guidelines for public swimming pools.
Where Council has been informed that a swimming pool has been removed from the state register	5 working days
<b>Non-Mandatory Inspections – Perceived low risk scenarios</b>	
Where a swimming pool exists on premise subject to a Development Application	As staff resources are available
Where a swimming pool exists on a premises subject to a complying Development Certificate Application lodged with Council	As staff resources are available
Random inspections of any other registered pool that is not considered high risk.	As staff resources are available

### 3.3 In what circumstances will Council not inspect a swimming pool barrier?

Random inspections will not be undertaken on a swimming pool or spa in respect of which there is a valid certificate of compliance or a relevant occupation certificate. A relevant occupation certificate is an occupation certificate issued under the Environmental Planning and Assessment Act 1979 that is less than 3 years old and that authorises the use of the swimming pool.

### 3.4 What type of swimming pools and spa pool structures are subject of the barrier inspection program?

Swimming pools including inflatable pools which are capable of being filled to a depth of water greater than 300mm and Spa pools

### 3.5 Inspection fees

The Swimming Pool Act provides that Federation Council may charge a fee for inspection conducted by an authorised officer, being a fee that is not greater than the maximum fee prescribed by the swimming pools regulation. In such cases Federation Council may not charge a separate fee for issuing a certificate of compliance.

In addition, the Swimming Pools Act provides that Council may charge a fee for one reinspection.

Council will charge a fee of \$150 for an initial inspection (which includes the issue of a certificate of compliance of compliance for complying pool fences) and \$100 for one follow up inspection. Council will not charge additional fees for the conduct of subsequent inspections.

This approach is seen as being the fairest way to inspect pools across the city without passing compliance costs on to residents who don't have a pool.

### **3.6 What is a Pool Certificate of Compliance?**

A Certificate of Compliance is issued once a pool and/or spa has been inspected against the relevant pool safety requirements. A pool certificate of compliance is valid for a period of three years. A pool may be inspected more frequently if a complaint has been received with respect to pool safety or there is good reason to suspect the pool no longer complies with the pool safety requirements.

### **3.7 What happens if a Pool Certificate of Compliance cannot be issued?**

A Pool Certificate of Compliance cannot be issued if the pool does not meet the various requirements under the applicable standards. In such a case either Council or an accredited certifier must issue a notice specifying the works required. If the works are not undertaken or the pool cannot pass a subsequent inspection, then a Penalty Infringement Notice may be issued. Continuing refusal to comply could result in legal action.

### **3.8 What is the “applicable standard” that applies?**

In certain, very limited circumstances an older pool may be exempted from the current pool safety standards. The rules around exemptions are many and can be quite complex. An exemption may apply to a swimming pool provided the owner can demonstrate that the pool has always complied with the swimming pool standard at the time the pool was installed.

The exemption is lost if the pool has not continuously been maintained to the standard at the time of installation or if significant building works have taken place elsewhere on the site. In such cases the pool must be upgraded to the current standard.

### **3.9 What are the relevant standards for swimming pool and spa barriers?**

All swimming pools are at all times to be surrounded by a child resistant barrier that separates the swimming pool from any residential building situated on the premises and from any place (whether public or private) adjoining the premises, and that is designed, constructed, installed and maintained in accordance with the standards prescribed by the Swimming Pools Regulations.

Generally this means that a child resistant barrier is required to comply with the Swimming Pools Act 1992 and the relevant Australian Standard 1926.

Access to spa pools is to be restricted in accordance with the Swimming Pools Act 1992 which includes being fitted with a lockable lid.

### **3.10 What is the methodology of investigating complaints?**

An authorised officer will firstly check whether a life threatening circumstance exists, and if so determine an immediate course of action. In the event the incidence is not considered immediately life threatening, the matter will be prioritised accordingly by the authorised officer.



### 3.11 What is the methodology of undertaking random inspections?

Council will compare its records with the public register held by the Division of Local Government to identify swimming pools and spas which have not been registered. Council will then contact the owners of unregistered pools in writing to arrange a suitable time for an inspection. If no contact is made Council will then utilise its entry powers under the Swimming Pools Act and Local Government Act to inspect these swimming and spa pools and the surrounding child resistant barrier.

In addition to the above and where resources permit, Council will undertake random inspections of child resistant barriers surrounding swimming pools. Pool owners who have been selected will be notified in writing prior to the inspection.

### 3.12 What are the standard investigation and inspection procedures?

In determining the extent of the upgrade and the period of compliance, the following factors will be taken into consideration:

- ~ Whether there is an immediate threat to life safety
- ~ Accessibility from public land
- ~ The year the pool was constructed
- ~ Conditions of approval relating to the pool and barrier
- ~ The condition of the existing pool barrier
- ~ The location of the swimming pool and the barrier
- ~ Any special characteristics or uses of the pool e.g. a physiotherapy pool
- ~ The type and use of building on the site where the pool is constructed
- ~ Previously issued compliance certificates, occupation certificates and building certificates
- ~ The relevant legislation and Australian Standards

The rules of evidence collection apply and are critical in the event that an immediate threat to life safety is present and/or if enforcement action is required to rectify a breach.

The Swimming Pools Act 1992 has very specific provisions in terms of pool safety compliance. Specifically for taking action after investigations, the Notices, Directions, Penalty Infringement Notices and Offences provisions under the Act are applicable.

In addition, the following procedures will generally apply:

- i) Owners of swimming and spa pools will be contacted by Council to arrange a time for an inspection of the premises and pay appropriate inspection fees.
- ii) Swimming pools and barriers will be inspected by Council's officer in the presence of owners or their representatives (if preferred).
- iii) Photos and/or videos may be taken of the pool fence for record purposes.
- iv) Where it is identified there are outstanding pool safety matters, Council will issue a Notice of Intention, followed by a Direction under Section 23 of the Swimming Pools Act. Where there is an immediate safety threat a Direction will be served without a preceding Notice of Intention.
- v) The Direction will outline what works are required and give a prescribed period of time for the works to be completed. Council may review the time period for completion where it is considered reasonable to do so. All requests for extension in time are to be in writing and must provide reasons for such a request, including a schedule for completion of the works if appropriate.
- vi) An owner who is the recipient of a Direction has a right of appeal to the Land and Environment Court.
- vii) Failure to carry out the works within the prescribed period may result in the issue of Penalty Infringement Notices and/or the instigation of legal proceedings to enforce Councils Direction.

viii) Inspection fees will be charged in accordance with Council's Schedule of Fees and Charges and the requirements of the Swimming Pools Act and Regulations thereunder.

Council will view pool safety offences as serious and issue Notices and Directions as standard procedure. Penalty notices will be issued at the discretion of the authorised officer.

### 3.13 Ongoing education and awareness

Pool owner education and awareness is essential in contributing to the success of the inspection program.

An ongoing and complementary community education and awareness program will be delivered through community publications, media releases, website information, owner self-assessment pool fence checklists and public interaction with the pool safety inspection officers.

## 4. Definitions

<b>Barrier:</b>	means a fence or a wall, and includes: <ul style="list-style-type: none"><li>a) Any gate or door set in the fence or wall, and</li><li>b) Any other structure or thing declared by the regulations to be a barrier for the purposes of the Swimming Pools Act.</li></ul>
<b>Certificate of compliance:</b>	means a certificate issued under Section 22D of the Swimming Pools Act.
<b>Direction:</b>	The local authority may, by order in writing served on the owner of any premises in or on which a swimming pool is situated, direct the owner to take, within such reasonable time as is specified in the direction, such measures as are so specified to ensure that the swimming pool or premises comply with the requirements of Part 2 of the Swimming Pools Act.
<b>Emergency Direction:</b>	A direction given where there is serious risk to safety. An emergency direction can require immediate action without service of a notice of intention beforehand.
<b>Notice of Intention:</b>	Before giving a direction, the local authority who gives the direction must give notice to the person to whom the direction is proposed to be given of the intention to give the direction.
<b>Relevant Occupation Certificate:</b>	In respect of a swimming pool means an occupation certificate issued under the Environmental Planning and Assessment Act 1979 that is less than 3 years old and that authorises the use of the swimming pool.
<b>Residential building:</b>	means a building (such as a dwelling-house, residential flat building or boarding-house) that is solely or principally used for residential purposes, and includes any structure (such as a garage or shed) that is ancillary to any such building, but does not include: <ul style="list-style-type: none"><li>a) A building that merely forms part of a complex of buildings (such as a school or recreational centre) that is principally used for non-residential purposes, or</li><li>b) A moveable dwelling, or</li><li>c) Tourist and visitor accommodation, or</li></ul>

- d) A shed that is ancillary to a swimming pool and the primary purpose of which is to store equipment that is used in connection with the swimming pool (but not a shed of a kind prescribed by the regulations), or
- e) A building or structure of a kind prescribed by the regulations.

**Spa pool:** includes any excavation, structure or vessel in the nature of a spa pool, flotation tank, tub or the like.

**Swimming pool means an excavation, structure or vessel:**

- a) That is capable of being filled with water to a depth greater than 300 millimetres, and
- b) That is solely or principally used, or that is designed, manufactured or adapted to be solely or principally used, for the purpose of swimming, wading, paddling or any other human aquatic activity, and includes a spa pool, but does not include a spa bath, anything that is situated within a bathroom or anything declared by the regulations not to be a swimming pool for the purposes of the Swimming Pool.

## 5. Policy History

Version	Date	Changes / Amendments
Draft	13 February 2017	Development of document for Federation Council
1.0		Re-branding and adoption by Federation Council

**NOTE: This is a controlled document. If you are reading a printed copy please check that you have the latest version by checking it on Councils Electronic Document system. Printed or downloaded versions of this document are uncontrolled.**

Attachment 8.6.1

# Policy Document

## Contaminated Land Management Policy



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RIVERINA EASTERN REGIONAL  
ORGANISATION OF COUNCILS



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- RAMROC Executive Officer – Mr Ray Stubbs
- REROC Executive Officer – Ms Julie Briggs
- Project Officer RCLM Program – Ms Jacqui Bright
- Albury City Council Director Planning and Environment – Mr Michael Keys
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- Project Manager RCLM Program – Matthew Dudley (Albury City Council)

Document contributions were also made by the Contaminated Land Working Group made up of the following Councils:

- Albury City Council
- Coolamon Shire Council
- Corowa Shire Council
- Former Deniliquin Council (Edward River Council)
- Griffith City Council
- Temora Shire Council
- Tumbarumba Shire Council
- Tumut Shire Council
- Wagga Wagga City Council



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# Policy

## 1. ABOUT THIS POLICY

This policy, known as the Contaminated Land Management Policy, outlines requirements relating to the use and / or development of land that is or may be contaminated.

This policy has been developed under the provisions of the *Contaminated Land Management Act*<sup>1</sup> (CLM Act), its associated State Environmental Planning Policy No. 55 – Remediation of land<sup>2</sup> and the Managing Land Contamination – Planning Guidelines<sup>3</sup> in regards to the principles of:

- i. Ensuring that changes of land use, or new development proposals, will not increase the risk to human health or the environment;
- ii. Avoiding inappropriate restrictions on land use; and
- iii. Providing information to support decision making and to inform the community.

### 1.1 LAND TO WHICH POLICY APPLIES

All land in the Federation Local Government Area (LGA).

### 1.2 DATE ADOPTED BY COUNCIL

This policy was adopted by Council at XXXXX on XXXX.

### 1.3 TERMS AND DEFINITIONS

Terms and definitions are set out in Appendix 1.

### 1.4 PURPOSE

This policy provides a framework for the management of contaminated or potentially contaminated land in the Federation LGA. The policy identifies how the management of contaminated land is integrated into Council's planning and development processes.

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<sup>1</sup> Contaminated Land Management Act 1997  
<http://www.legislation.nsw.gov.au/maintop/view/inforce/act+140+1997+cd+0+N>

<sup>2</sup> State Environmental Planning Policy No. 55 – Remediation of Land  
[http://www5.austlii.edu.au/au/legis/nsw/consol\\_reg/seppn55ol537/](http://www5.austlii.edu.au/au/legis/nsw/consol_reg/seppn55ol537/)

<sup>3</sup> Managing Land Contamination – Planning Guidelines  
[http://www.epa.nsw.gov.au/resources/clm/gu\\_contam.pdf](http://www.epa.nsw.gov.au/resources/clm/gu_contam.pdf)



## 1.5 OBJECTIVES

The integration of contaminated land management into the local planning and development control process will enable Council to:

- Ensure that the Council exercises its functions in relation to the development of contaminated land with a reasonable standard of care and diligence and that decisions are made in good faith;
- Ensure that the likelihood of land contamination is considered as early as possible in the planning and development control process;
- Ensure that planning and development decisions take into account available information relating to the likelihood of land contamination;
- Link decisions about the development of land with the information available about contamination possibilities;
- Ensure that any development of contaminated land will not result in unacceptable levels of risk to human health or the environment;
- Avoid inappropriate restrictions on the development of contaminated land;
- Ensure that site investigations and remediation work are carried out in a satisfactory manner, and where appropriate, are independently verified by site audits;
- Facilitate the provision of consistent and reliable information to the public about land contamination;
- Ensure that ongoing responsibility for management and monitoring of contaminated land is clearly and legally assigned;
- Ensure that the community is not unduly disadvantaged by increased health and environmental risks or increased management costs when accepting the dedication of public assets;
- Adopt a policy approach that will provide strategic and statutory planning options based on the information about contamination; and
- Exercise statutory planning functions with a standard of care.

## 1.6 POLICY APPLICATION

This policy applies to the following planning functions of Council:

- The preparation and amendment of Local Environmental Plans
- The preparation, approval and amendment of Development Control Plans
- The preparation and adoption of Plans of Management for Community Land
- The determination of Development Applications
- The modification of Development Consents;
- The determination of activities pursuant to Part 5 of the Environmental Planning and Assessment Act 1979; and
- The storage and sharing of contaminated land information through Section 149 planning certificates.

## 1.7 GUIDELINES

This policy has been developed from the State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) and in conjunction with the *Contaminated Land Management Act 1997* (CLM Act), Corowa Local Environmental Plan 2012 and Urana Local Environmental Plan 2011.

Effective management of contaminated land in land-use planning is necessary in managing the risk of harm potentially posed by land contamination to human health and the environment.

In the context of land contamination, councils are the planning and consent authorities and are thereby expected to act in “good faith” and in accordance with the requirements of the NSW CLM Act. “Good faith” provisions also extend to the subordinate State Environmental Planning Policy No.55 – Remediation of Land (SEPP 55), and its Planning Guidelines.

Councils have responsibilities under the *Environmental Planning and Assessment Act*<sup>4</sup> (EP&A Act) in regard to the early identification of contaminated sites, the consideration of land contamination issues in planning functions, data and information management regarding land contamination, and to inform the public on contamination matters (e.g. Section 149 planning certificates).

Under the CLM Act, the Environment Protection Authority (EPA) regulates contaminated sites where the contamination is significant enough to warrant regulation. Contaminated sites that are not regulated by the EPA are managed by local councils through land-use planning processes.

## **1.8 CHANGE MANAGEMENT**

This policy will require management and review every 5 years or as legislation and regulations are updated. Any change must be made in accordance with the relevant legislation and regulations applicable at the time, and/or any regulatory changes.

## **2. OBLIGATIONS**

### **2.1 DUTY TO REPORT**

The CLM Act requires persons to notify the EPA if they become aware that their activities have contaminated land so as to present an unacceptable risk to human health or the environment.

The Act also requires landowners to notify the EPA if they become aware that their land has been contaminated so as to present an unacceptable risk of harm to human health or the environment. This requirement applies whether the contamination occurred before or during the current owner’s tenure of the land and the notification must be made as soon as practicable after becoming aware of the risk (See Appendix 2 – Activities that may cause contamination).

To assess this risk, the land owner and/or persons who have caused the contamination should consult Guidelines on the Duty to Report Contamination under the CLM Act.<sup>5</sup>

Section 60 of the CLM Act imposes a duty on owners of land, and persons who have contaminated land, to immediately notify the EPA when they become aware that contamination presents a significant risk of harm.

According to the Guidelines on the Duty to Report Contamination under the CLM Act, a person is taken to be aware of the contamination if it is considered that they are aware or should have reasonably become aware of the contamination. Factors taken into account in determining when a person should reasonably have become aware of the contamination are;

- i. The persons’ abilities, including their experience, qualifications and training

- ii. Whether the person could reasonably have sought advice that would have made them aware of the contamination
- iii. The circumstances of the contamination.

## 2.2 CONSULTANTS

Contaminated land consultant certification schemes have been developed to ensure any consultants dealing with contaminated sites have the necessary competencies to carry out the work. The certification schemes recognised by the EPA under the Consultants and Site Auditor Scheme are detailed on the EPA website<sup>6</sup>.

Where reports are required to be submitted to the EPA and/or Council they must comply with the requirements of the CLM Act to be prepared, or reviewed and approved, by a practitioner certified under an EPA recognised scheme. This requirement includes reports associated with a:

- Preliminary investigation order
- Management order
- Voluntary management proposal
- Ongoing maintenance order
- Duty to report contamination

Where required to be submitted to Council, reports must be prepared in accordance with the current relevant guidelines approved under the CLM Act and in accordance with SEPP 55. Council will require the following to be submitted:

- Preliminary investigation
- Detailed investigation
- A Remediation Action Plan
- Validation, monitoring and remediation reporting

The front cover of a submitted report must include the details of the consultant's certification. For a CLA Specialist CEnvP this involves affixing the CEnvP logo and for SCPA the certified practitioner is to affix their seal.

As the contaminated land consultant certification schemes are new, there is a 24 month transition period to enable consultants to become certified. Any requirements for reporting undertaken after 1 July 2017 must be prepared, or reviewed and approved, by a certified consultant.

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<sup>4</sup> Environmental Planning and Assessment Act  
<http://www.legislation.nsw.gov.au/viewtop/inforce/act+203+1979+first+0+N>

<sup>5</sup> Guidelines on the Duty to Report Contamination under the *Contaminated Land Management Act*  
<http://www.epa.nsw.gov.au/clm/150164-land-contamination.htm>

<sup>6</sup> EPA Consultants and the Site Auditor Scheme  
<http://www.epa.nsw.gov.au/clm/selectaclmcons.htm>

### **3. COUNCIL RECORDS AND INFORMATION MANAGEMENT**

Council has a responsibility to provide information regarding land use history, land contamination and remediation.

The SEPP 55 Guidelines emphasises the importance of local government information systems in ensuring that adequate information is available to Council staff and the community in relation to both actual and potential land contamination.

Council also has a statutory responsibility to include certain information regarding land contamination on planning certificates issued under Section 149(2) and 149(5) of the EP&A Act.

Council's records regarding contaminated land are dynamic and will change over time as land is investigated, remediated and validated, and as new sites of potential contamination are identified. Existing records in relation to contaminated land should be kept on individual property files for each parcel of land. To assist Council in the management of information the following is (without limitation) recorded for individual parcels of land (where available / known):

- a) Site contamination reports submitted to Council (i.e. Preliminary Investigation, Detailed Investigation, Remedial Action Plans Validation and Monitoring Reports);
- b) Site Audit Statements received;
- c) EPA declarations and orders issued under the CLM Act (Including voluntary investigation management proposals approved by the EPA);
- d) Development Applications for Category 1 remediation works;
- e) Prior notification to Council of Category 2 remediation works;
- f) Notification of completion of Category 1 and Category 2 remediation works;
- g) Information regarding previous or current land uses which are likely to have resulted in land contamination; and
- h) Written complaints to Council about contamination.

Notations may be made on Council's property information system in relation to investigations and remediation work carried out for individual properties. This will assist staff to identify land that has been fully remediated or remediated for specific land uses. Some properties listed on the information system may be subject to legal notices under legislation administered by the EPA. The public should also consult with the EPA for up-to-date information on any such land in the local government area.

#### **4. PLANNING (SECTION 149) CERTIFICATES**

Under Section 149 of the EP&A Act a person may request from Council a planning certificate that contains advice on land contamination matters about a property from Council. For example, a planning certificate would show the existence of a council policy to restrict the use of land.

Such matters relating to land contamination that must be included on section 149(2) planning certificates are as set out in section 59(2) of the CLM Act and will also include:

- a) Whether Council has adopted a policy to restrict the use of land due to the risk of land contamination;
- b) Whether the land is an investigation area or remediation site;
- c) Whether the land is subject to an investigation order or remediation order; and
- d) Whether a site audit statement of the land is held by Council.

Council is formally advised whenever a notice is issued under the CLM Act and accordingly annotates its planning certificates. Section 149(2) planning certificates will not include specific information about actual or potential contamination (such as the types, extent and level of contamination) on a parcel of land.

Council may also elect to provide additional information on Section 149(5) certificates regarding the contamination status of a property.

# Procedure

## **1. ABOUT THIS PROCEDURE**

The procedure applies to a planning process in which there is a need to consider a potential or known contaminated site in the development application or a planning proposal process. It is premised on SEPP 55 Planning Guidelines and sets out steps to ensure decisions are made in good faith, adequately manage harm and that the land is appropriate for its intended use.

A separate procedure exists for the management of data and information relating to potential or to known contaminated land, including managing notifications from the NSW EPA, Site Assessment Statements, consultant reports, historical land use information, etc (See Appendix 12).

## **2. COUNCIL'S PROCEDURE FOR CONSIDERING LAND CONTAMINATION ISSUES FOR PLANNING PROPOSALS**

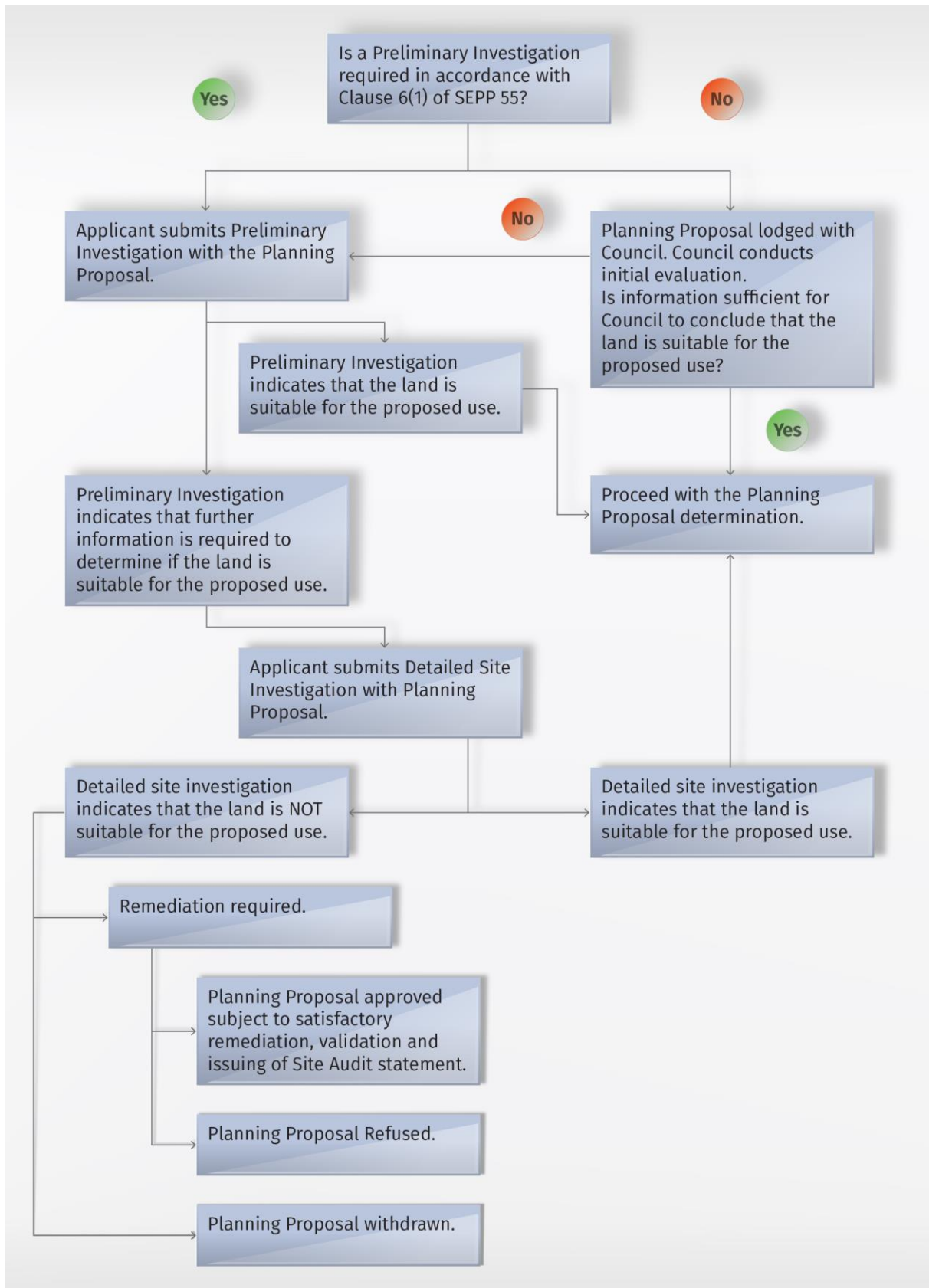
All land subject to a planning proposal must be considered as to whether the issue of contamination is relevant. If it is, investigations may be required to determine the level of contamination present on the land and identify any remediation works necessary to support the proposed zoning or land use.

An initial evaluation is an assessment of readily available factual information. Its purpose is to determine whether contamination is an issue that requires further investigation as a part of the preparation and finalisation of the planning proposal and whether a site investigation is required to be carried out.

The preliminary investigation is to identify any past or present potentially contaminating activities and to provide a preliminary assessment of site contamination. The preliminary investigation typically contains a detailed appraisal of the site history and a report based on visual site inspection and assessment.

The detailed site investigation shall be undertaken by an experienced and certified consultant at the cost of the applicant, and shall be undertaken in accordance with the guidelines made or approved by the EPA under Section 105 of the CLM Act.

Figure 1: Preliminary Investigation process for planning proposals



## 2.1 INITIAL EVALUATION

An initial evaluation is to comprise an assessment of readily available factual information. Its purpose is to determine whether contamination is an issue that requires further investigation prior to the preparation of the plan, or to determine the matter and whether a site investigation process is required.

The initial evaluation will be based on readily available factual information and should be carried out regardless of the nature of the proposed use or the current use. This information may include:

- the current zoning and permissible land uses;
- records from previous zoning;
- historical land uses;
- aerial photographs (including historical aeriels);
- development and building applications; and
- property files and information provided by the applicant or other information available to Council.

Council may also carry out a site inspection of the land as part of the initial evaluation process.

As part of the initial investigation, applicants may request Council undertake a search of its records to determine previous approved developments at the site.

If Council is satisfied that the initial evaluation concludes that contamination is not an issue, then Council will not require any further investigation.

If, after an initial evaluation, there is nothing to suggest that the land might be contaminated, or that further enquiry is warranted, Council and the proponent may proceed without further reference to this policy. However; if there are indications that:

- the land is or may be contaminated; or
- there is insufficient information on which to make a decision;

a site investigation process is to be carried out in accordance with the Contaminated Land Planning Guidelines.

Insufficient information on which to a make a decision exists if there are significant gaps in historical information for a site, or if land uses are not described in sufficient detail to identify the presence or absence of possible contaminating land uses during periods in which such uses could be lawfully carried out.

The circumstances in which a site investigation process is required also include those specified in clause 6 of SEPP 55 – Remediation of Land. In accordance with this clause, Council will require a preliminary investigation to be submitted with zoning and rezoning applications or a subdivision or development application where the land concerned is:

- Land that is within an investigation area;
- Land on which a potentially contaminating land use is being, or is known to have been carried out;



- Land on which it is proposed to carry out development for residential, educational, recreational, child care purposes or for a hospital;
- Where there is no knowledge or incomplete knowledge as to whether potentially contaminating development has been carried out on the land; and
- Where it would have been lawful to carry out such development on the land during any period in respect of which there is no knowledge or incomplete knowledge.

See Appendix 5: Council procedure for Initial Evaluation for steps on undertaking this process.

## **2.2 PRELIMINARY INVESTIGATION**

The objectives of a preliminary investigation are to identify any past or present potentially contaminating activities and to provide a preliminary assessment of site contamination. The preliminary investigation typically contains a detailed appraisal of the site history and a report based on visual site inspection and assessment.

Where contaminating activities are suspected to have had an impact on the land, sampling and analysis will be required to confirm and support any conclusion reached from the site history appraisal.

When undertaking a preliminary investigation landowners should consider that the information gained should be in accordance with the Guidelines on the Duty to Report Contamination under the CLM Act and may include:

- Description of activities that have occurred on the site
- Any large gaps in history that might hide a use
- Reliability of sources
- Historical permissible uses that may have occurred on site where there is a gap in land history
- Does that site pose a significant threat to human health or the environment?
- Does information conform to the relevant EPA guidelines?

As part of the preliminary investigation, applicants may request Council search its records to determine previous approved developments at the site.

Council will require further investigation (preliminary investigation) to be conducted and results submitted with planning proposals where it is found through the initial evaluation that the land concerned is:

- Land that is or that has been notified to the EPA under s60, or is regulated by the EPA under any other section, of the CLM Act;
- Land on which activities referred to in Appendix 2 are being undertaken, or are known to have been carried out; or
- Land on which there is incomplete knowledge about whether activities referred to in Appendix 2 are being, or are known to have been carried out, and if the proposed development involved residential, educational, recreational, child care or hospital purposes.

Where an initial evaluation by Council identified that the land was previously used for agricultural or horticultural purposes, Council may request a preliminary investigation to be undertaken to determine the history of the property. If the preliminary investigation shows that the land was only used for broad acre agriculture then the application may, in most cases, proceed. Although it is likely that herbicides and pesticides were used for broad acre farming, the likelihood of elevated levels of residual pesticides in the soil would be low. However, if investigations show that the land was used for intensive agriculture or horticulture, or if there are any other reasons for Council to be concerned about contamination or misuse of potential contaminants then a further investigation may be required.

Council may also require further investigation when:

- There are reasonable grounds to believe that the land is contaminated because of its history, condition, or other factual information known (where it is available);
- The site has been investigated or remediated but there is insufficient information available about the nature and extent of contamination or remediation, or whether these circumstances have changed;
- The land use changes to a more sensitive land use (i.e. residential, recreational, school or hospital);
- There are restrictions on, or conditions attached to, the use of the site by regulatory or planning authority that are, or may be related to contamination, but there is insufficient information available about the nature and extent of contamination;
- Council records have demonstrated that the site is associated with pollution incidents or illegal dumping of waste; or
- The site is adjoining land that has been associated with activities that may cause contamination listed in Appendix 2 and it is likely that this may have contaminated the subject site.

The preliminary site contamination investigation shall be reported in accordance with the requirements of the NSW EPA Guidelines for Consultants Reporting on Contaminated Sites. The applicant is responsible for engaging a suitably certified, qualified and experienced consultant to undertake the preliminary site contamination investigation and is responsible for all costs borne in engaging the consultant and the works involved.

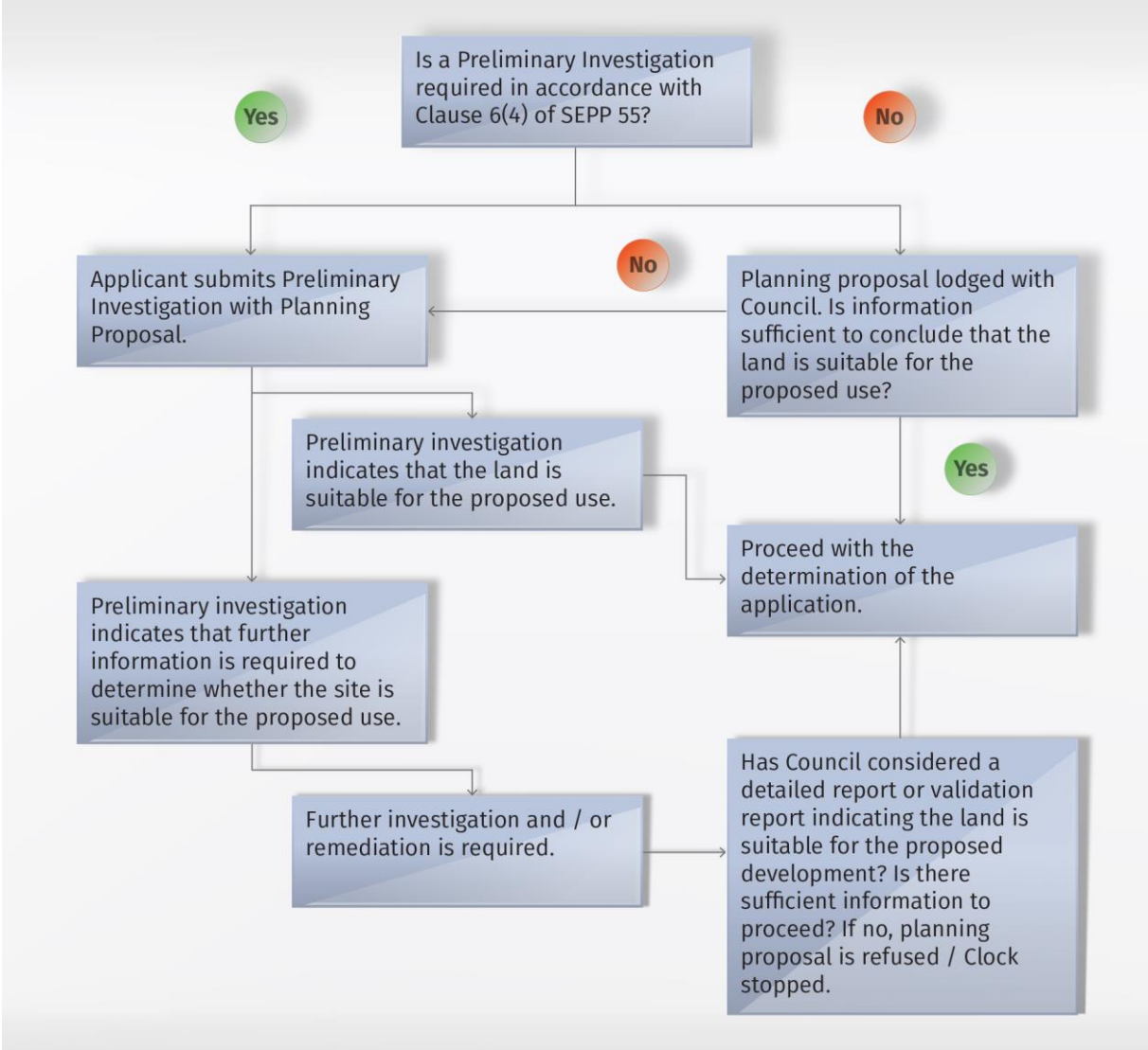
If after the preliminary investigation Council is satisfied that contamination is not an issue, then any further investigation may not be required.

See Appendix 6: Council procedure for Preliminary Site Investigation for steps on undertaking this process.

## **2.3 DETAILED INVESTIGATION**

If the result of the preliminary investigation demonstrates the potential for, or existence of, contamination that may preclude the land from being suitable for the proposed zone or use, Council may require a detailed contamination investigation, which is described below. In some cases, the preliminary and detailed investigations may be combined (e.g. where it is known that the land is contaminated or that the land has been used for a potentially contaminating activity).

**Figure 2: Consideration of planning proposals**



The detailed site contamination investigation is to be undertaken, in accordance with the guidelines made or approved by the EPA under Section 105 of the CLM Act, by a suitably certified, qualified and experienced consultant at the cost of the applicant. The objectives of a detailed site investigation are to:

- Define the extent and degree of contamination;
- Assess the potential risk posed by contaminants to human health and the environment; and
- Obtain sufficient information for the development of a Remedial Action Plan (if necessary).

The detailed site contamination investigation shall state whether the site is suitable for the proposed use, and for all other purposes permissible in the zone if it can be made suitable through remediation.

If remediation is required, the report should also list the feasible remediation options available to make the site suitable for any purpose permitted within that zone. If a feasible option is available, the planning proposal can proceed with certain provisions.

If site contamination investigations show that the site is contaminated, but there are feasible remediation options, the land owner may enter into a Voluntary Planning Agreement (VPA) or Council may impose a Deferred Commencement condition, to ensure that remediation is addressed prior to the redevelopment of the land.

Section 4 outlines the process for remediation and validation prior to development in accordance with the approved planning proposal.

If the detailed site investigation shows that the site is contaminated, but there are no options to remediate, Council may not allow the planning proposal to proceed.

In the event that a detailed site investigation report is required to be assessed by Council, Council may hire an independent third party consultant to assess the investigations on Council's behalf, at the applicant's expense.

See Appendix 7: Council procedure for Detailed Site Investigation for steps on undertaking this process.

### **3. COUNCIL'S PROCEDURE FOR CONSIDERING LAND CONTAMINATION ISSUES FOR DEVELOPMENT APPLICATIONS**

#### **3.1 GENERAL**

Section 79C of the EP&A Act requires Council to consider the suitability of the site for the proposed development when assessing development applications. This includes any risk from contamination to public health and/or the environment.

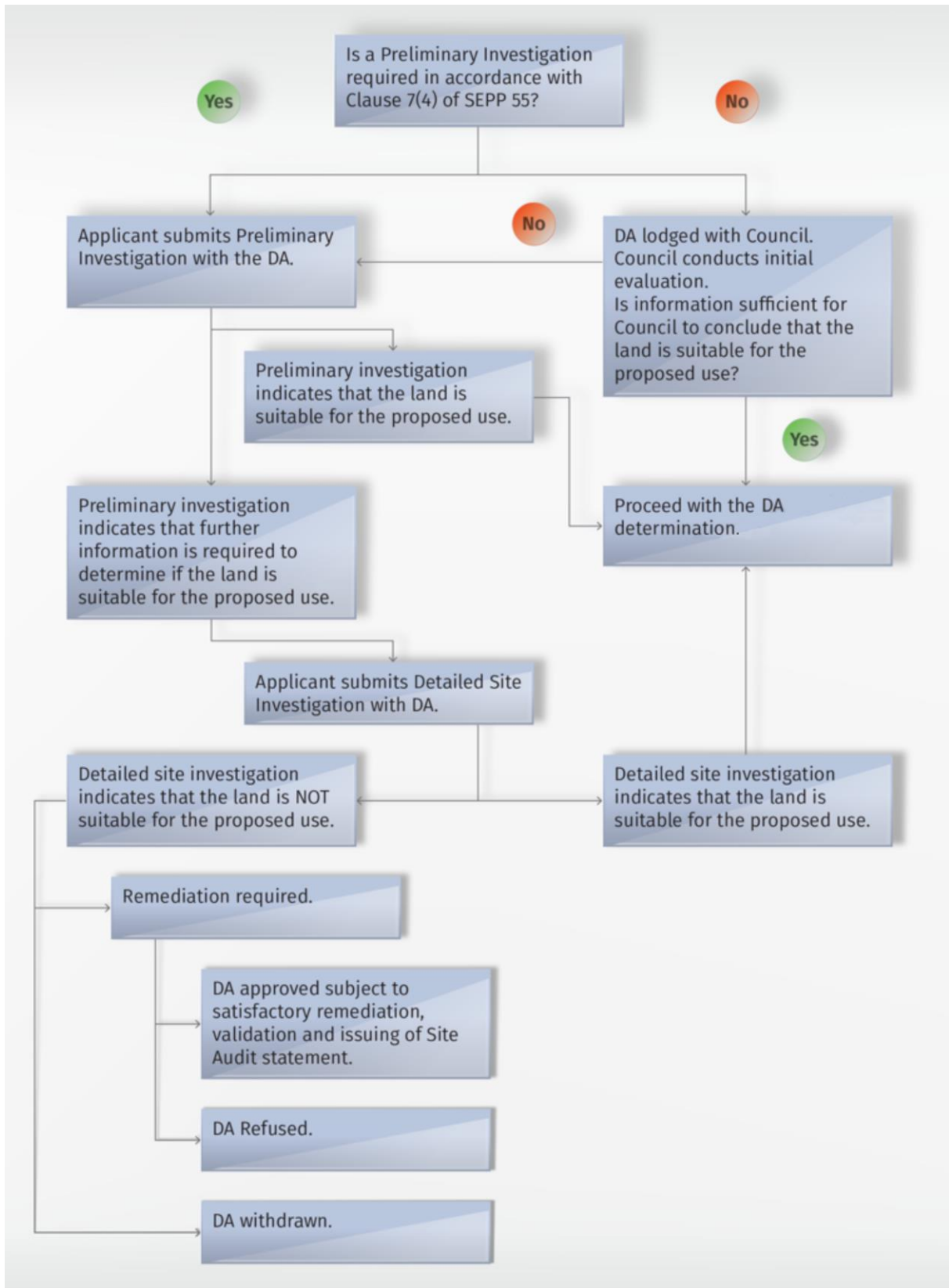
Council will not grant consent to the development of any land unless there has been consideration of whether the land is contaminated, and;

- If the land is contaminated, Council is satisfied that the land is suitable in its contaminated state (or will be suitable after remediation) for the purposes of the proposed development; and
- If the land requires remediation to be made suitable for any purpose for which the development is proposed, Council is satisfied that the land will be remediated before the land is used for that purpose.

Upon lodging a development application for a change of use, the applicant can also become liable for the clean-up of any contamination on the site prior to their proposal being authorised. This is because when a change of use is approved, it can result in an increased risk of harm, even if the contamination itself does not change.

The following sections outline situations when Council will require site contamination information to be submitted with applications.

Figure 3: Preliminary Investigation process for development applications



### 3.2 INITIAL EVALUATION

Council will conduct an initial evaluation as part of the assessment process for a development application to determine if contamination is likely to be an issue and whether sufficient information is available to make a decision in good faith.

The initial evaluation will be based on readily available, factual information provided by the applicant and any other available information (e.g. previous contamination investigations, previous zoning and land use and restrictions relating to contamination issued by the EPA). For that purpose, the contamination may be within a building/structure or other structure on the land, rather than only within the soil of that land.

Where an initial evaluation by Council identified that the land was previously used for agriculture or horticulture purposes, Council may request a preliminary investigation to be undertaken to determine the history of the property. If the preliminary investigation shows that the land was only used for broad acre agricultural then the application may proceed. Although it is likely that herbicides and pesticides were used for broad acre farming, the likelihood for elevated levels of residual pesticides in the soil would be low. However, if investigations show that the land was used for intensive agriculture or horticulture, or if there are any other reasons for Council to be concerned about contamination or misuse of potential contaminants then a further investigation may be required.

See Appendix 5: Council procedure for Initial Evaluation for steps on undertaking this process.

### 3.3 PRELIMINARY INVESTIGATION

The objectives of a preliminary investigation are to identify any past or present potentially contaminating activities and to provide a preliminary assessment of site contamination. The preliminary investigation typically contains a detailed appraisal of the site history and a report based on visual site inspection and assessment.

Council will require further investigation where it is found through the initial evaluation that the land concerned is:

- Land that is within an investigation area, under Div. 2 of Part 3 of the CLM Act, that has been notified as such by the EPA;
- Land on which activities referred to in Appendix 2 are being, or are known to have been carried out; or
- Land on which there is incomplete knowledge about whether activities referred to in Appendix 2 are being carried out, and if the proposed development involves residential, educational, recreation, child care or hospital purposes.

Council may also require further investigation when:

- There are reasonable grounds to believe that the land is contaminated because of the land's history, condition, or other information known (where it is available);
- The site has been investigated or remediated but there is insufficient information available about the nature and extent of contamination or remediation, or where these circumstances have changed;

- The land use has changed to a more sensitive land use (i.e. residential, recreational, school or hospital);
- There are restrictions on, or conditions attached to the use of the site by a regulatory or planning authority that are, or may be related to contamination, but there is insufficient information available about the nature and extent of contamination;
- Council records have demonstrated that the site is associated with pollution incidents or illegal dumping of wastes; or
- The adjoining land has been associated with activities that may cause contamination listed in Appendix 2 and is likely that this may have contaminated the subject site.

The preliminary site contamination investigation shall be carried out in accordance with the requirements of the *NSW EPA Guidelines for Consultants Reports on Contaminated Sites*. The applicant is responsible for engaging a suitably qualified and experienced consultant to undertake the preliminary site contamination investigation and is responsible for all costs borne in engaging the consultant.

As part of the preliminary investigation, applicants may request Council undertake a search of its records to determine previous approved developments at the site.

If after the preliminary investigation Council is satisfied that contamination is not an issue, then any further investigation may not be required.

See Appendix 6: Council procedure for Preliminary Investigation for steps for undertaking this process.

### **3.4 DETAILED INVESTIGATION**

If the results of the preliminary investigation demonstrate the potential for, or existence of, contamination which may preclude the land from being suitable for the proposal, Council may require a detailed contamination investigation, which is described below. In some cases, the preliminary and detailed investigations may be combined (e.g. where it is known that the land is contaminated or that the land has been used for an activity that could cause contamination).

The lodgement of a development application may trigger the management and/or remediation of any significant contamination on the site prior to the development being authorised. The detailed site contamination investigation is to be undertaken by a suitably certified, qualified and experienced consultant (at the cost of the applicant) in accordance with the guidelines made or approved by the EPA under Section 105 of the CLM Act.

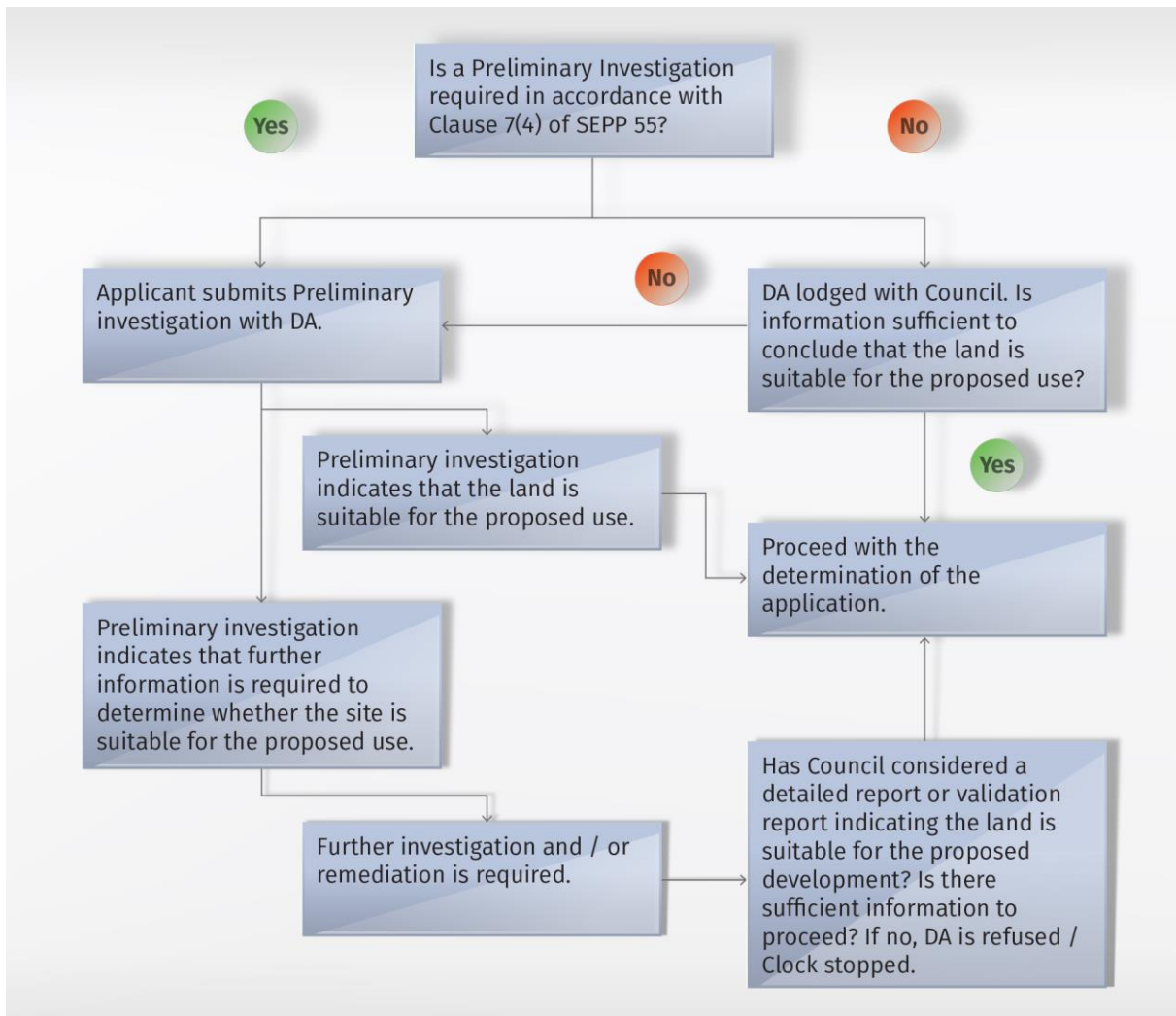
The objectives of a detailed site investigation are to:

- Define the extent and degree of contamination;
- Assess the potential risk posed by contaminants to human health and the environment; and
- If necessary, obtain sufficient information for the development of a Remedial Action Plan.

The detailed site contamination investigation shall state whether the site is suitable for the proposed use and for all other purposes permissible in the zone, or if remediation is necessary. If remediation is required, a remediation action plan will need to be prepared for Council outlining the feasible remediation options available to make the site suitable for the proposed use.

If the detailed site contamination investigation states (and Council is satisfied) that the site is suitable for the proposed use, then Council may determine the development application through Council's usual procedures.

**Figure 4: Consideration of development applications**



If the results of the detailed site contamination investigation demonstrate the existence of contamination that may preclude the land from being suitable for the proposed use, the applicant may choose to either withdraw the application or to remediate the land. Council's response will then depend on whether the remediation work constitutes Category 1 or Category 2 remediation work. A detailed explanation of what constitutes Category 1 remediation or Category 2 remediation is provided in Section 4.5 and 4.6 respectively.

If the remediation proposed is Category 1 remediation work (i.e. remediation work that requires development consent), Council may:

- Require the applicant to amend the application (if already submitted) to include a remediation proposal; or
- Require a new development application for the remediation to be submitted before the application is considered for the final use of the site.



If the proposed remediation is Category 2 remediation work (i.e. remediation work that does not require consent), Council may;

- Impose conditions on the development consent for the use, requiring the site to be remediated and validated either before other work commences or before occupation of the site; or
- Issue deferred commencement consent for the use of the site, and require the site to be remediated and validated before other work commences.

If the investigation finds that the land is unsuitable for the proposed use and may not be appropriately remediated, or the applicant does not wish to remediate:

- The application may be withdrawn and a new development application lodged for a use that is suitable for the land without remediation; or
- The application should be refused.

See Appendix 7: Council procedure for Detailed Investigation for steps outlining this process.

## **4. REMEDIATION PROCESSES**

### **4.1 REMEDIATION**

A Remedial Action Plan (RAP), is documentation describing remedial actions that should be prepared for all remediation proposals. A formal RAP must be developed by an experienced and certified consultant and be submitted to Council for all Category 1 remediation work (i.e. remediation work that required development consent). The RAP should also contain an environmental management plan and workplace health and safety plan for the remediation works and shall be submitted to Council prior to DA approval.

The objectives for the RAP are to:

- Set remediation objectives;
- Determine the most appropriate remedial strategy; and
- Identify necessary approvals that need to be obtained from any other regulatory authorities.

Remedial Action Plans are to be consistent with the SEPP 55 Planning Guidelines and all remediation is to be carried out in accordance with the EPA guidelines made under the CLM Act. The applicant is responsible for engaging an experienced and certified consultant to prepare the RAP and for all associated costs, including any remediation works as well as site audit costs if requested by Council.

The previous Figure 3 outlines the relationships between the Planning System and the CLM Act, and the role of Council in the process of site remediation.

See Appendix 8: Council procedure for Remediation for steps for undertaking this process.

## 4.2 VALIDATION AND MONITORING REPORT

The objective of the validation and monitoring report is to demonstrate that the objectives of the RAP have been achieved and that any conditions of development consent in regard to contaminated land have been complied with.

Council will require a validation and monitoring report to be submitted by the applicant after remediation works have been completed, and prior to the commencement of any development works. Council will place a condition on the development consent requiring the submission and approval of a validation and monitoring report prior to the issue of a construction certificate, or if a construction certificate is not required, prior to occupying the site, or within a specified timeframe as stipulated in conditions of consent. The validation report will be required to be submitted to the satisfaction of the Council.

Alternatively, Council may issue a deferred commencement or staged consent for the proposed use or development, requiring that remediation and validation is undertaken prior to any other work commencing.

Ideally the same certified consultant should undertake the site investigation, remediation and validation of the site. The Validation Report must confirm that the remediated site complies with the clean-up criteria set for the site in the RAP and be prepared in accordance with the *EPA Guidelines for Consultants Reporting on Contaminated Sites*.

Council may require independent review of the remediation and validation by an EPA accredited auditor.

## 4.3 VOLUNTARY REMEDIATION

Section 60 of the CLM Act places a duty on the owner and the polluter of contaminated land to report contamination to the EPA.

Owners of land that has been identified as being contaminated or potentially contaminated may wish to voluntarily undertake investigation and/or remediation at any time, regardless of whether they intend to carry out development, or apply for a planning proposal regarding that land.

Investigation by the owner must be undertaken in accordance with the relevant EPA guidelines by an experienced and certified consultant. Remediation must be carried out according to the NSW legislation and the process outlined in this Policy. Requirements for remediation are provided below in Section 4.4.

Council will consider the results of any investigation or remediation prior to providing a Section 149 planning certificate for the property.

See Appendix 9: Council procedure for Voluntary Remediation for steps for undertaking this process.

#### **4.4 REQUIREMENTS FOR REMEDIATION**

In some situations remediation work itself has the potential for environmental impact and the planning process must ensure that these impacts are adequately identified and mitigated. Remediation work is classified as either Category 1 remediation work (i.e. remediation that requires development consent), or Category 2 remediation work (i.e. remediation work where no consent is required however the work must still be carried out in accordance with the requirements of SEPP 55).

All remediation work must be carried out by an experienced and certified consultant in conjunction with a Remedial Action Plan. Council's procedure for considering site remediation proposal is shown in Figure 3.

#### **4.5 CATEGORY 1 REMEDIATION WORK**

Development consent is generally only required for remediation work where there is potential for significant environmental impacts from the work.

Remediation work that requires development consent is known as Category 1 remediation work. Category 1 work includes any work that is:

- Designated development; or
- Carried out on land that is declared to be critical habitat (for threatened species); or
- Likely to have a significant impact on critical habitat or a threatened species, population or ecological community; or
- Development for which another State Environmental Planning Policy or a regional environmental plan requires development consent; or
- In an area or zone to which any of the following classifications apply under an environment planning instrument:
  - A. Coastal protection;
  - B. Conservation or heritage conservation;
  - C. Habitat area, habitat protection area, habitat or wildlife corridor;
  - D. Environment protection;
  - E. Escarpment, escarpment protection or escarpment preservation;
  - F. Floodway;
  - G. Littoral rainforest;
  - H. Nature reserve;
  - I. Scenic area or scenic protection;
  - J. Wetland; or
- On any land in a manner that does not comply with a policy made under the contaminated land planning guidelines by the council for any local government area in which the land is situated.

All category 1 remediation work must be carried out in accordance with:

- The contaminated land planning guidelines;
- The guidelines published under the CLM Act; and
- A Remedial Action Plan prepared in accordance with the contaminated land planning guidelines and approved by the consent authority.

All other remediation work may be carried out without development consent and is known as Category 2 remediation work.

Note: under Clause 9(f) of SEPP 55, Council can nominate Category 1 remediation works. It's not a good idea to nominate everything, but if there is a concern, e.g. removal of USTs/UPSS not being undertaken correctly or shallow groundwater, adjacent to a waterway etc., then the Council is able to nominate these works as Category 1.

#### **4.6 CATEGORY 2 REMEDIATION WORK**

Category 2 remediation works is all remediation work that is not defined as Category 1 remediation work. Category 2 remediation work does not require development consent.

- Part 5 of the EP&A Act applies where development consent is not required under a planning instrument but where approval from a public authority is required. Each determining authority will consider the potential significance of any environment impacts from the proposed remediation.
- If the remediation is likely to significantly impact the environment, an Environmental Impact Statement (EIS) would be required.
- If consent is not required under SEPP 55 (e.g. Category 2 remediation works), it is unlikely that the remediation works will significantly impact the environment and therefore an EIS would not be required, however this would be determined on a case-by case basis.

Under Part 5 of the EP&A Act, Category 2 remediation works must take full account of all matters likely to impact the environment.

SEPP 55 requires that Council must be notified at least 30 days before Category 2 remediation works commence. Prior notice of Category 2 remediation works must also address the information in Appendix 3 – Requirements for Category 2 Remediation Works.

A copy of the Validation and Monitoring Report and Site Audit Statement from an EPA accredited auditor must be forwarded to Council within 30 days of the completion of remediation works. Council will not consider any subsequent development applications for the site until it is satisfied that the site is suitable for the proposed use.

See Appendix 9: Council procedure for Remediation for steps for undertaking Category 1 and Category 2 remediation works.

## 4.7 SITE AUDITING

A site audit is an independent review of any or all stages of the site investigation process, conducted in accordance with the CLM Act. A site audit may review a preliminary investigation, a detailed investigation, a Remedial Action Plan, or validation report.

A site audit will lead to the provision of a certificate called a Site Audit Statement, stating for what use the contaminated land is suitable. A Site Audit Statement must be prepared by an EPA accredited site auditor in accordance with the legislation.

Council may request a site audit to be undertaken at any stage during the contamination investigation or remediation works if Council:

- Believes on reasonable grounds that information, including that related to potential contamination or previous land use history, provided by the applicant is incorrect or incomplete;
- Wishes to verify whether the information provided by the applicant has adhered to appropriate standards, procedures and guidelines; or
- Does not have the internal resources to undertake a technical review.

If Council requires a site audit, the cost shall be borne by the applicant.

A site auditor can comment on, or verify information provided by the applicant:

- to determine if the contaminated land consultant complied with all appropriate standards, procedures and relevant EPA guidelines;
- to determine if further investigations or remediation is required before the land is suitable or determine any specified use or range of uses.
- to determine if the proposed remediation is adequate and, if undertaken, will render the site suitable for the proposed use.
- to determine if there is any acceptable off-site migration of contaminants, particularly via ground water; or
- to determine if the contamination conditions at the site are suitable for in-ground absorption of stormwater.

Before issuing a Site Audit Statement, the site auditor must prepare a Site Audit Summary Report. This report is a requirement of the EPA. It contains the key information and the basis of consideration that leads to the issue of the Site Audit Statement. The EPA Guideline for the NSW Site Auditor Scheme provides guidelines on the content of the statement and audit report.

See Appendix 10: Council procedure for Site Auditing for undertaking process steps.

## **5. PLANNING (SECTION 149) CERTIFICATES**

Under Section 149 of the EP&A Act a person may request from Council a planning certificate that contains advice on land contamination matters about a property. For example, a planning certificate would show the existence of a council policy to restrict the use of land.

Such matters relating to land contamination that must be included on section 149(2) planning certificates are as set out in section 59(2) of the CLM Act and will also include:

- a) Whether Council has adopted a policy to restrict the use of land due to the risk of land contamination;
- b) Whether the land is an investigation area or remediation site;
- c) Whether the land is subject to an investigation order or remediation order; and
- d) Whether a site audit statement of the land is held by Council.

Council is formally advised whenever a notice is issued under the CLM Act and accordingly annotates its planning certificates. Section 149(2) planning certificates will not include specific information about actual or potential contamination (such as the types, extent and level of contamination) on a parcel of land.

Additional information regarding the contamination status of the site can be placed on the Section 149(5) section of a planning certificate.

See Appendix 11: Section 149 Certificates procedure for undertaking this process steps.

## APPENDIX 1: TERMS AND DEFINITIONS

Category 1 Remediation Work under SEPP 55 <i>As defined in the SEPP 55 guidelines.</i>	Remediation work that requires development consent. Defined in Section 4.5 of this document.
Category 2 Remediation Work under SEPP 55 <i>As defined in the SEPP 55 guidelines.</i>	Remediation work that does not require development consent under SEPP 55. Defined in Section 4.6 of this document.
CLM Act	<i>Contaminated Land Management Act 1997</i>
Contaminated Land <i>As defined in the SEPP 55 guidelines.</i>	Land in, on or under which any substance is present at a concentration above that naturally present in, on or under the land that poses, or is likely to pose, an immediate or long-term risk to human health or the environment.
Contamination <i>As defined in the CLM Act.</i>	The presence in, on or under the land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality being a presence that represents a risk of harm to human health or any other aspect of the environment.
Detailed Investigation <i>As defined in the SEPP 55 guidelines.</i>	An investigation to define the extent and degree of contamination, to assess potential risk posed by contaminants to human health and the environment, and to obtain sufficient information for the development of a remedial action plan if required.
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
Independent review <i>As defined in the SEPP 55 guidelines.</i>	An evaluation by an independent expert required by a planning authority of any information submitted by an applicant conducted at the applicant's expense.
Initial evaluation <i>As defined in the SEPP 55 guidelines.</i>	An assessment of readily available factual information to determine whether contamination is an issue relevant to the decision being made.
Investigation Order <i>As defined in the SEPP 55 guidelines.</i>	An order by the EPA under the Contaminated Land Management Act 1997 to investigate contamination at a site of within an area.
Notice of completion <i>As defined in the SEPP 55 guidelines.</i>	A notice to Council in accordance with the State Environmental Planning Policy No. 55 – Remediation of Land that remediation work has been completed.
Notification of remediation	Prior notice of Category 2 remediation work given to Council in

<i>As defined in the SEPP 55 guidelines.</i>	accordance with the State Environmental Planning Policy No. 55 – Remediation of Land.
Planning authority <i>As defined in the SEPP 55 guidelines.</i>	A public authority or other person responsible for exercising a planning function.
Preliminary Investigation <i>As defined in the SEPP 55 guidelines.</i>	An investigation to identify any past or present potential contaminating activities and to provide a preliminary assessment of any site contamination. The preliminary investigation typically contains detailed appraisal of the site history and a report based on visual site inspection and assessment.
Remedial Action Plan <i>As defined in the SEPP 55 guidelines.</i>	A plan that sets remediation goals and documents that outline the process required to remediate a site.
Remediation Order <i>As defined in the SEPP 55 guidelines.</i>	A direction from the EPA under the <i>Contaminated Land Management Act 1997</i> to remediate.
Remediation Site <i>As defined in the SEPP 55 guidelines.</i>	A site declared by the EPA under the Contaminated Land Management Act 1997 as posing a significant risk of harm.
Remediation Work <i>As defined in the SEPP 55 guidelines.</i>	Work in, on or under contaminated land, being work that: Removes the cause of contamination of the land; or Disperses, destroys, reduces, mitigates or contains the contamination of the land; or Eliminates or reduces any hazard arising from the contamination of the land (including by preventing the entry of persons or animals on that land).
SEPP 55	State Environmental Planning Policy No. 55 – Remediation of Land
Site Audit <i>As defined in the CLM Act.</i>	<i>A review</i> That relates to management of the actual or possible contamination of land; and That is conducted for the purpose of determining any one or more of the following matters The nature and extent of any contamination of the land The nature and extent of any management of actual or possible contamination of the land Whether the land is suitable for any specified use or range of uses What management remains necessary before the land is suitable



	<p>for any specified use or range of uses</p> <p>The suitability and appropriateness of a plan of management, long-term management plan or a voluntary management proposal.</p>
<p>Site Auditor <i>As defined in the SEPP 55 guidelines.</i></p>	<p>A person accredited by the EPA under the <i>Contaminated Land Management Act 1997</i> to conduct site audits.</p>
<p>Site Auditor Statement <i>As defined in the SEPP 55 guidelines.</i></p>	<p>A certificate issued by a site auditor for what use the land is suitable.</p> <p>OR</p> <p>A site audit statement prepared by a site auditor in accordance with the <i>Contaminated Land Management Act 1997</i>.</p>
<p>Site Audit Report <i>As defined in the SEPP 55 guidelines.</i></p>	<p>A report containing the key information and the basis of consideration which leads to the issue of a site audit statement.</p> <p>OR</p> <p>A site audit report prepared by a site auditor in accordance with the <i>Contaminated Land Management Act 1997</i>.</p>
<p>Site History <i>As defined in the SEPP 55 guidelines.</i></p>	<p>A land use history of a site that identifies activities or land uses that may have contaminated the site, establishes the geographical location of particular processes within the site, and determines the approximate time periods over which these activities took place.</p>
<p>Site Investigation Process <i>As defined in the SEPP 55 guidelines.</i></p>	<p>The process of investigating land that may be, or is, contaminated, for the purpose of providing information to a planning authority.</p>
<p>Validation <i>As defined in the SEPP 55 guidelines.</i></p>	<p>The process of determining whether the objectives for remediation and any development consent conditions have been achieved.</p>

## **APPENDIX 2: ACTIVITIES THAT MAY CAUSE CONTAMINATION**

Activities that may cause contamination, as listed by the Planning Guidelines SEPP 55 – Remediation of Land, are listed below. This should be used as a guide only. A conclusive contaminated or non contaminated status can only be determined after a site history investigation and sampling analysis (where required).

- acid/alkali plant and formulation
- agricultural/horticultural activities
- airports
- asbestos production and disposal
- chemicals manufacture and formulation
- defence works
- drum re-conditioning works
- dry cleaning establishments
- electrical manufacturing (transformers)
- electroplating and heat treatment premises
- engine works
- explosives industry
- gas works
- iron and steel works
- landfill sites
- metal treatment
- mining and extractive industries
- oil production and storage
- paint formulation and manufacture
- pesticide manufacture and formulation
- power stations
- railway yards
- scrap yards
- service stations
- sheep and cattle dips
- smelting and refining
- tanning and associated trades
- waste storage and treatment
- wood preservation
- clandestine laboratories and hydroponic plantings\*

Source: Department of Urban Affairs and Planning & Environment Protection Authority. 1998. Managing Land Contamination Planning Guidelines. Table 1.

\* Not currently listed in SEPP 55 Guidelines Remediation of land.

## **APPENDIX 3: REQUIREMENTS FOR CATEGORY 2 REMEDIATION**

An applicant undertaking Category 2 remediation work must comply with the following requirements in order to maintain the amenity of adjoining owners, to prevent a risk to human health and to protect the environment.

The following detail should also be included in the development of a Remedial Action Plan in accordance with Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act 1997.

### **1. Hours of Operation**

All remediation work (including the delivery/removal of materials or equipment) shall be limited to the following hours of work (unless through an alternative mutual agreement in writing with Council) to:

- Monday to Saturday - 7.00am to 5.00pm
- Sunday and Public Holidays – no remediation work is permitted

Note: The hours of work listed above are in accordance with the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008<sup>7</sup>.

### **2. Noise and Vibrations**

Any noise and vibrations from the site shall be limited by:

- Complying with the NSW EPA's Industrial Noise Policy where applicable;
- Ensuring that all machinery and equipment is operated in an efficient manner to minimise noise from the site on adjoining properties;
- Ensuring that the use of any plant and/or machinery does not cause vibrations in excess of legislation and Australian Standards, on any premises.

### **3. Erosion and Sediment Control Plans**

An Erosion and Sediment Control Plan (ESCP) shall be prepared and submitted to Council for approval prior to remediation works commencing onsite. The ESCP shall be developed with regard to the requirements detailed in Council's Soil and Water Management Policy and Council's Engineering Guidelines and Technical Specifications.

Sediment control structures shall be provided to prevent sediment entering drainage systems particularly where surfaces are exposed or where soil is stockpiled.

All erosion and sediment control measures must be maintained in a functional condition throughout the remediation works.

### **4. Stockpiles**

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<sup>7</sup> State Environmental Planning Policy (Exempt and Complying Development Codes) 2008  
<http://www.legislation.nsw.gov.au/inforce/17c080b8-4ec2-e8af-a364-e7cf43a568a2/2008-572.pdf>

No stockpiles of soil or other materials shall be placed on public land (i.e. footpaths, reserves or nature strips). All stockpiles shall be placed away from drainage lines, gutters or stormwater pits or inlets. All stockpiles of soil or other material shall be maintained to prevent dust, odours or seepage. All stockpiles of contaminated soils shall be secured to prevent dust, odour or seepage if being stored for more than 24 hours.

## **5. Bunding**

Any areas used for remediation or the stockpiling of construction materials or contaminated soils shall be controlled to contain surface water runoff and run-on and be designed and constructed so as to prevent the leaching of contaminants into the subsurface/groundwater. Locate stockpiles and construction materials away from drainage lines and provide bunding of disturbed areas and excavations to prevent runoff to waterways or stormwater where necessary. Ensure stabilisation as soon as possible. All surface water discharges from the area to Council's stormwater system shall not contain detectable levels of contaminants.

## **6. Site Access and Vehicle Use**

Vehicle access to the site shall be designated to prevent the tracking of sediment onto public roadways and footpaths. Soil, earth, mud or similar material must be removed from the roadway by sweeping, shovelling, or a means other than washing on a daily basis or as required by an appropriate authority. Soil residue from vehicle wheels shall be collected and disposed of in an appropriate manner.

All vehicles are to:

- Enter and exit the site in a forward motion;
- Comply with all road rules, including vehicle weight limits;
- Minimise the use of Local Roads by utilising State Roads where available;
- Be cleaned pre and post works to prevent the movement of weed seeds;
- Securely cover or seal all loads to prevent the release of any dust, fumes, soil or liquid emissions during transportation;
- Conduct deliveries of soil, materials, equipment or machinery during the hours of remediation work outlined in Section 1;

Note. Applicants may consult Council prior to selecting the most suitable transport route.

## **7. Air Quality**

Emissions of dust, odour and fumes from the site are to be appropriately controlled as per the EPA regulations and guidelines. These may include but are not limited to:

- Using water sprays to suppress dust;
- Establishing dust screens around work zones, the perimeter or the development site and any material handling areas;
- Securely covering loads entering/exiting the site;
- Covering stockpiles of contaminated soil that remain on site for more than 24 hours;
- Keeping excavation surfaces and stockpiles moist.

## **8. Groundwater and Surface Water**

Contaminated water is to be disposed of offsite at an appropriate waste treatment processing facility. Alternatively water that has been analysed for suspended solids, total solids, pH and contaminants identified in preliminary/detailed site investigations may be excavation pumped to stormwater if levels of all parameters tested meet EPA and Australian and New Zealand Guidelines (ANZECC) for fresh and marine water quality. Application may be made to Council for the water to be disposed of via sewer via a Trade Waste Agreement.

## **9. Existing Vegetation**

There shall be no removal or disturbance to trees or native understorey without the prior written consent through Council's Tree Preservation Order process. All trees that will be retained on the site must be suitably protected from damage during remediation works. This includes provision of protective fencing to protect the root zone of these trees. The fencing must extend to a minimum of the drip line of each tree. No stockpiling, storage, excavation, vehicle parking, or vehicle movement is to occur within the root zone protection area. Tree protection fencing must remain in place until the end of remediation works.

All exposed areas shall be progressively stabilised and revegetated on the completion of remediation works.

## **10. Capping of Contaminated Soil**

Capping of contaminated soil should only occur after alternative remediation works have been investigated, particularly in urban zoning or areas identified as future growth in Corowa or Urana's LEP/DCP.

Contaminated soil is only permitted to be capped if it does not prevent any permitted use of the land and it can be demonstrated that there will be no ongoing impacts on human or environment health. Capping of contaminated soil that exceeds zoning permissible levels, is classified as Category 1 Remediation Work and may only be permitted in accordance with a Development Consent.

Where site capping is carried out on a site and further maintenance is required, Council will require the placement of a covenant on the title of the land. The covenant will advise of any maintenance works required to be carried out. Records of any maintenance undertaken on the site shall be kept for future reference and provided to Council on an annual basis. The cost of the preparation of covenant is borne by the applicant.

## **11. Contaminated Soil Disposal**

Disposal of contaminated soil must be in accordance with the Protection of the Environment Operations Act and Regulations and any EPA guidelines relevant at the time (such as the NSW EPA publication NSW EPA Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes (2004)).

Any enquires associated with the off-site disposal of waste from a contaminated site should be referred to the EPA helpline (phone 131 555). If contaminated soil or other waste is transported to or from a site a licensed waste transport contractor must be used.

The Federation Waste Management Facility only accepts waste in accordance with its Environment Protection Licences 5901-Corowa Landfill and 231003 - Howlong Landfill. Section L5 Waste requires that waste be 'General Solid Waste'. Analysis of the contaminated soil is to be undertaken to verify that the waste is 'General Solid Waste'. All documentation is to be provided to Council's Waste Management Team and approved prior to the waste entering the landfill.

## **12. Work Health and Safety**

It is the employer's responsibility to ensure that all site remediation works comply with the Work Health and Safety legislation and other applicable SafeWork (previously known as WorkCover) NSW requirements.

## **13. Importation of Fill**

All fill imported to the site shall be validated as Virgin Excavated Natural Material (VENM/ENM) as defined in the Protection of the Environment Operations Act 1997 (POEO Act) to ensure the imported fill is suitable for the proposed land use from a contamination perspective. Council may in certain instances require details of the appropriate validation of imported fill material to be submitted with any application for the future development of the site.

Fill is permitted for use provided that:

- It itself is not contaminated;
- It is weed and pest free;
- It is compatible with the existing soil characteristic so as not to adversely affect site drainage.

## **14. Site Security and Lighting**

The site shall be secured to ensure against all unauthorised access by using appropriate fencing.

It is recommended that security lighting is used to deter unauthorised access. If security lighting is used it shall be shielded to protect the amenity of adjoining landowners.

## **15. Rodents and Vermin**

Rodents and vermin are to be adequately controlled and disposed of in an environmentally appropriate manner.

## **16. Consultation**

Written notification to adjoining owners/occupants is to occur at least two days prior to the commencement of remediation works. Notification is to include:

- Estimated length of works; and
- Contact details of Site Manager.

Signage visible from the road and adjacent to site access is to display the Site Manager and Remediation Contractor contact details for the duration of the works.

## **17. Removal of Underground Petroleum Storage Systems (UPSS)**

The removal of all UPSS is to be completed in accordance with the:

- Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulations 2014)<sup>8</sup>;
- Australian Institute of Petroleum's Code of Practice: The Removal and Disposal of Underground Petroleum Storage Tanks (AIP CP22-1994)<sup>9</sup>;
- NSW Work Cover requirements;
- Australian Standard/s including AS 2601 – 1991 Demolition of Structures and AS 1940 – 2004 Storage and Handling of Flammable and Combustible Liquids.

Following the removal of underground storage systems containing fuel, the site area, which includes bowser lines and fuel lines, shall be assessed, remediated if need be, and validated in accordance with the requirements above. All documents must be submitted to Council, including but not limited to a tank pit validation prepared in accordance with the POEO regulations.

## **18. Hazardous Materials**

Hazardous and/or intractable wastes arising from the remediation work shall be removed and disposed of in accordance with the requirements of the NSW EPA and SafeWork (previously known as WorkCover) NSW, together with the relevant regulations, namely:

- NSW Work Health and Safety Act 2011;
- NSW Work Health and Safety Regulation 2011;
- Contaminated Land Management Act and Regulations; and
- Environmentally Hazardous Chemicals Act 1985 and Regulations.

Under the Protection of the Environment Operations Act 1997 the transportation of Schedule 1 Hazardous Waste is a scheduled activity and must be carried out by a transporter licensed by the NSW EPA.

## **19. Site clean-up/rehabilitation**

The remediation work site must be stabilised to ensure that no offsite impacts occur on the site post completion.

## **20. Site Validation**

All Category 2 remediation work shall be validated by a site auditor accredited by the EPA under Part 4 of the CLM Act and a copy provided to Council within 90 days of completion and prior to the commencement of building construction works. The validation report is to:

- Contain a copy of any reports or records taken during remediation or following completion of validation works;
- Contain a validation statement detailing all works have been undertaken and completed satisfactorily;



- Demonstrate that the objectives of any relevant Remedial Action Plan (RAP) have been achieved, any conditions of development consent have been complied with or whether any further remediation work or restrictions on land use are required;
- Provide evidence confirming that all NSW EPA, SafeWork (previously known as WorkCover) and other regulatory authorities license conditions and approvals have been met;
- Identify the need for continued monitoring in situations where clean-up is not feasible or on-site containment has occurred;
- State the suitability of the site for its current or proposed use.

Successful validation is the statistical confirmation that the remediated site complies with the clean-up criteria set for the site.

The site auditor must:

- Be currently accredited by the NSW EPA;
- Comply with all relevant publications of the NSW EPA;
- Not have a conflict of interest or a pecuniary interest, within the meaning of Section 54 of the Contaminated Land Management Act 1997.

The full cost of the validation will be borne by the applicant and not Council.

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<sup>8</sup> Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2014  
<http://www.legislation.nsw.gov.au/maintop/view/inforce/subordleg+565+2014+cd+0+N>

<sup>9</sup> NB: Australian Institute of Petroleum's Code of Practice: The Removal and Disposal of Underground Petroleum Storage Tanks (AIP CP22-1994) has been withdrawn by AIP.

## Category 2 Remediation Works Checklist

Requirement	Completed
Remediation works are not classified as designated development under the <i>Environmental Planning and Assessment Act 1979</i> or any other planning instrument (i.e. not Category 1 remediation works).	
Remediation works are not proposed on land that is: Identified as critical habitat under the <i>Threatened Species Conservation Act 1995</i> ; or Likely to have a significant impact on threatened species, populations, ecological communities or their habitats; or In an area or zone classified under an Environmental Planning Instrument as conservation or heritage conservation, habitat area, habitat protection area, habitat or wildlife corridor, environment protection, floodway, nature reserve, scenic area or scenic protection, or wetland; or Requiring consent under another State Environmental Planning Policy.	
Remediation work is consistent with the <i>Requirements for Category 2 Remediation of Contamination Land</i> , or you have received written confirmation from Council.	
Details of category 2 remediation work has been submitted 30 days prior to commencement, unless otherwise exempt.	
Written notification to adjoining owners/occupants has occurred at least two days prior to the commencement of remediation works detailing the estimated length of the works and contact details of the Site Manager.	
Have provided written correspondence to Council and members of the public who raised written concerns relating to the remediation works within 2 working days of commencement.	
Signage is visible from the road and adjacent to site access; displaying the Site Manager and Remediation Contractor contact details.	
Have provided notice of completion of remediation work within 30 days after the completion of the works to Council and any other consent authority in accordance with Clauses 17 and 18 of SEPP 55.	
Have provided independent verification within 90 days of remediation works being completed.	
If applicable, have notified Council of maintenance required in order for a covenant to be placed on the title.	
Have a mechanism in place to provide Council details of maintenance completed annually.	

## **APPENDIX 4: CONDITIONS OF CONSENT**

The following conditions have been created for use with development applications involving contaminated land. Not all conditions will be relevant to every development application and they will be used as appropriate and where relevant to a particular application. Amendments may also be made, where appropriate, to reflect legislative or other changes.

### **Contaminated Land**

The subject land has been contaminated from past land use or development. Accordingly, the applicant is advised to make contact with the SafeWork NSW (previously known as WorkCover) for advice regarding minimising harm to workers during operations. Any soil or debris that may need to be removed from the site may only be deposited at licensed landfill sites able to receive potentially contaminated wastes. Reference should be made to Federation Council Contaminated Land Management Policy.

### **Contamination – Recommendations**

The recommendations contained in (insert section) of the document entitled (insert title) prepared by (insert author) dated (insert date) and supplied to Council (insert date) are adopted as conditions of this Consent subject to the following additional requirements.

- a) Insert
- b) Insert

### **Contamination – Notation on Title**

A notation is to be registered on the title of (insert Lot and DP) advising prospective purchasers to the effect that:

- a) The land is classified as contaminated land as past uses of the land may have contaminated, or contributed to the contamination of, the land; and
- b) Remediation works have been partial and localised only; and
- c) Contaminants may remain in both the soil and groundwater; and
- d) Further investigation and remediation may be required prior to any particular use of the land being undertaken or approved.

### **Environmental - site remediation works**

Site remediation works (as may be required) are to be carried out generally in accordance with the approved contamination report and remedial action plan, the ANZECC and NHMRC Guidelines (1992) and applicable NSW Environment Protection Authority Guidelines.

On completion of the site remediation works, the following documentation is to be submitted to the Principal Certifying Authority and to Federation Council, if Council is not the Principal Certifying Authority:

- a) Written notification that the site remediation works have been completed is to be submitted within 30 days of the works being completed.

- b) The report is to certify that the remediation works have been carried out in accordance with the approved Remedial Action Plan and relevant NSW Environment Protection Authority requirements. (D436)

### ***State Environmental Planning Policy 55 – guidelines and notices***

All remediation work must, in addition to complying with any requirement under the Environmental Planning and Assessment Act or any other law, be carried out in accordance with:

- a) the contaminated land planning guidelines; and
- b) the guidelines (if any) in force under the Contaminated Land Management Act 1997.

In addition a notice of completion of remediation work on any land must be given to the Council. The notice is to be given within 30 days after the completion of the work.

### **Completion of Remediation Works – Prior to the commencement of any other works**

Upon the completion of any remediation works stated in the RAP, the person acting on this consent must submit to Council a Validation and Monitoring Report. The report is to be prepared in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites 1998.

### **Completion of Remediation Works – Prior to Occupation**

Upon the completion of the approved remediation works stated in the approved Remediation Action Plan and before the issue of an Occupation Certificate (whether an interim or final Occupation Certificate), the person acting on this consent shall submit to Council a Validation and Monitoring Report. The report is to be conducted in accordance with the NSW Environment Protection Authority's Guidelines for Consultants Reporting on Contaminated Sites 1998.

### **Environmental Management Plan**

Prior to the issue of a Construction Certificate, an Environmental Management Plan (EMP) for the site is to be submitted to Federation Council for consideration and approval. The EMP is to be prepared by an experienced and certified consultant in consultation with Council and other relevant agencies, and may need to be amended to include the comments provided by Council and other agencies. The EMP is to:

- a) Address all environmental aspects of the development's construction and operational phases; and
- b) Recommend any systems/controls to be implemented to minimise the potential for any adverse environmental impact(s); and
- c) Incorporate a programme for ongoing monitoring and review to ensure that the EMP remains contemporary with relevant environmental standards.

The EMP should include but is not limited to the following:

- i. Soil and water management
- ii. Air Quality
- iii. Water Quality
- iv. Dust suppression
- v. Litter control
- vi. Noise control
- vii. Waste management
- viii. Dangerous/hazardous goods storage
- ix. Emergency response and spill contingency.

The relevant aspects of the approved EMP are to be implemented during the relevant phase(s) of the development.

- Employment of Environmental Consultant

An experienced and certified environmental consultant is to be employed to supervise the implementation of the development in accordance with the relevant aspects of the approved EMP as identified at each phase of the development (e.g. prior to commencement of works, construction and post-construction/ ongoing operations of the development). Details of the environmental consultant, including contact details, employed to oversee the development is to be submitted to Federation Council with the 'Notification of Commencement' 2 days before any works are to commence on site.

Note: An appropriately qualified and experienced environmental consultant must be certified by one of the certification schemes recognised by the EPA.

- Add following paragraph if required:

Operational matters of the development, Compliance Certificates or other written document are to be obtained from a qualified environmental consultant certifying that the aspects of the approved EMP are complied with. The Compliance Certificate or other written documentation is to be submitted to Federation Council on an annual basis, on the anniversary of the Occupation Certificate being issued for the development.

### **Erosion and Sediment Control**

Run-off and erosion control measures must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on surrounding land. The control measures must be in accordance with Federation Council's adopted Erosion and Sediment Control Guidelines for Building Sites.

Erosion and sediment control measures must address and incorporate general site management material handling practices, soil stabilisation, wind erosion, access measures and shall provide for:

- a) The diversion of uncontaminated run-off around cleared or disturbed areas.
- b) The erection of a silt fence to prevent debris escaping into drainage systems or waterways.
- c) The prevention of tracking of sediment by vehicles onto roads.
- d) Covering of vehicles entering/exiting the site with material.

- e) The stockpiling of topsoil, excavated material, construction and landscaping supplies and debris within the site, and the removal or utilisation (where appropriate) of that stockpile after completion of the works.
- f) Maintenance of control measures until the land is effectively rehabilitated and stabilised beyond the completion of construction. (C430)

### **Maintenance of soil erosion and pollution controls**

All measures specified in Council's Soil and Water Management Policy to minimise the effects of soil erosion and pollution are to be installed then maintained until disturbed areas are rehabilitated and landscaped. Council may issue infringement notices incurring a monetary penalty where measures are not provided or maintained.

### **Environmental - dust control**

Effective dust control measures shall be introduced and maintained at all times. Full details of the proposed method of dust control shall be submitted to and approved by Council with the construction certificate.

### **Environmental - dust suppression**

Dust suppression techniques are to be employed during works to reduce any potential nuisances to surrounding properties.

### **Waste Disposal**

All waste generated on site during the project shall be classified and separated in accordance with NSW EPA Waste Classification Guidelines and transported to facility that may lawfully accept the waste.

### **Secure Remediation Area**

Prior to commencement of works on site, a secure fence shall be installed around the proposed remediation area to prevent access by unauthorised persons, which shall be removed following completion of remediation works.

### **Landscape Plan**

Prior to the issue of a Construction Certificate, a detailed Landscape Plan that includes the following will be required:

- a) Identification and accurate mapping of all trees suitable for retention based on health and condition.
- b) Report detailing species, health, condition and hazard rating of trees identified as suitable for retention.
- c) Trees identified for retention to be clearly tagged on site to allow for assessment by Council officers.
- d) A tree planting/revegetation plan detailing species and location.
- e) Methods of tree protection during engineering works for trees identified to be retained.

## APPENDIX 5: COUNCIL PROCEDURE FOR INITIAL EVALUATION

Process: Initial Evaluation

Exceptions: If an application is sent directly to the NSW Department of Planning and Environment as the land is deemed to be contaminated, and that the contamination is significant enough to be declared Significantly Contaminated under the CLM Act.

Trigger: An application is submitted to Council by an applicant for a given site.

Checklist process:

Step	Process	Yes	No
1	Does the application include a statement that the land (or neighbouring land) is, or is likely to be contaminated?	Go to Step 1A.	Initiate Preliminary site investigation process – Appendix 6.
1A	Did the application include a Site Audit Statement or Remedial Action Plan?	Go to site auditing or to Remediation process. - Appendix 8 and 10 respectively.	Go to Step 2.
2	Is the application requiring a change in land use to residential, educational, recreational, child care or hospital?	Need to be mindful of this when deciding as to whether a preliminary site investigation is required before proceeding.	Go to Step 3.
3	Is the site; under consideration (or neighbouring sites) included in the Register as 'significantly contaminated' or 'remediated land'? Listed on the EPA's notifications list i.e. sites which are awaiting assessment?	Go to Step 3A.	Go to Step 4.
3A	Does the Site Audit Statement or Remedial Action Plan place limitations on the use of the land?	Initiate preliminary site investigation process – Appendix 6.	Go to Step 4.
4	Is the site under consideration (or neighbouring sites) included in the register as potentially contaminated land?	Go to Step 4A.	Go to Step 5.

4A	Determine previous land use history and contamination potential. Is contamination possible?	Initiate preliminary site investigation – Appendix 6.	Go to Step 5.
5	Has the site under consideration been subject to either a preliminary or detailed site contamination investigations in the past?	Go to Step 5A.	Go to Step 6.
5A	Locate and review Site Audit Statement and the Validation and Monitoring Report. Do restrictions and/or conditions on the land use require further investigation?	Initiate preliminary site investigation – Appendix 6.	Go to Step 6.
6	Is the application outlining no change in land use, but the existing land use involves an activity listed in Appendix 2 of the Policy?	Go to Step 6A.	Go to Step 7.
6A	Is the previous/existing land use related to industrial/commercial or to intensive broadacre?	Consider if a preliminary site investigation is warranted before proceeding.	Go to Step 7.
7	<p>Does information on current zoning and permissible land uses (e.g. restrictions and/or conditions on land use relating to land contamination contained in the LEP, DCP etc), or records from previous zonings, development and building applications, property files and information provided by the applicant <u>suggest land contamination may be an issue for this or in neighbouring sites?</u></p> <p>Does the Local Environment Plan or Development Control Plan place restrictions or conditions for the development of the site?</p> <p>Is an identified historical land use for the land (or neighbouring land) listed in Appendix 2 of the Policy?</p> <p>Is an identified historical land use (or neighbouring land) related to agriculture or intensive horticulture? (excludes broadacre</p>	Yes or maybe to one or more – Initiate preliminary site investigation - Appendix 6.	No to all. Proceed with normal planning assessment process. Process finalised.



horticulture).		
Is or has the site (or neighbouring land) been subject to land use restrictions related to contamination?		
Is or has the site (or neighbouring land) been subject to conditions on its use?		
Is or has the site (or neighbouring land) been subject to remediation action?		
Is or has the site (or neighbouring land) been subject to pollution incidents and/or illegal dumping of waste?		
Did a site inspection identify any land contamination issues?		

Key decision for check list:

Initial Evaluation Report (as a file note) concludes that:

1. Reasonable efforts have been made to come to a conclusion that there is no risk in the development application relating to land contamination, hence the assessment of the Development Application continues business-as-usual; or
2. There is insufficient information to determine whether the land under consideration in the development application is not contaminated land, in that the land concerned is either:
  - Land that is within an investigation area that has been notified as such by the EPA;
  - Land on which activities referred to in Appendix 2 of the Contaminated Land Management Policy are being, or are known to have been carried out, especially in regards to agriculture and intensive horticulture activities; or
  - Land on which there is incomplete knowledge about whether activities referred to in Appendix 2 of the Contaminated Land Management Policy are being, or are known to have been carried out, and if the proposed development involved residential, educational, recreational, child care or hospital purposes.

If 1): proceed with normal business process in the assessment of the development application.

If 2): notify the applicant in writing that a Preliminary Site Investigation is required.

## APPENDIX 6: COUNCIL PROCEDURE FOR PRELIMINARY SITE INVESTIGATION

Process: Preliminary Site Investigation

Exceptions: If an application or proposal is sent directly to the NSW Department of Planning and Environment (as a consenting authority) as the land is deemed to be contaminated, and that the contamination is significant enough to warrant regulation.

Trigger: Initial Evaluation could not conclude that the land under consideration in the application or proposal is not contaminated land.

Activity: Request the applicant to use a suitably qualified expert to undertake a preliminary site contamination investigation, and to undertake this investigation in accordance with the NSW EPA Guidelines for Consultants Reporting on Contaminated Sites. Request that the outcomes of this investigation are included in a revised application or proposal. (Note: this activity can be undertaken in conjunction with the Detailed Site Investigation).

Checklist process:

Step	Process	Yes	No
1	The application or proposal includes a Preliminary Site Investigation Report.	Go to Step 2.	Go to Step 1A.
1A	Request the applicant provide the Preliminary Site Investigation Report.	Go to Step 2.	Undertake Step 1A before proceeding.
2	Review the Preliminary Site Investigation Report and determine whether a Detailed Site Investigation is required.	Go to Step 3.	Undertake Step 2A before proceeding.
3	Preliminary Site Investigation Report (as a file note with the report) demonstrates the potential for, or existence of, contamination, which may preclude the land of being suitable for the proposed use.	Go to Detailed Site Investigation – Appendix 7.	Go to Step 4.
4	Is there a requirement for conditions of consent (refer to Appendix 4).	Go to step 5.	Process the application or proposal. Process finalised.
5	Process application or proposal with Conditions of Consent.	Process finalised.	Step 5 needs to be undertaken before process can be finalised.

## APPENDIX 7: COUNCIL PROCEDURE FOR DETAILED SITE INVESTIGATION

Process: Detailed Site Investigation

Exceptions: If an application or proposal is sent directly to the NSW Department of Planning and Environment (as the consenting authority) as the land is deemed to be contaminated, and that the contamination is significant enough to warrant regulation.

Trigger: Preliminary Site Investigation Report identifies the potential for, or existence of, contamination which may preclude the land of being suitable for the proposed use.

Activity: Request the applicant to use a suitably qualified expert to undertake a detailed site contamination investigation, and to undertake this investigation in accordance with the NSW EPA Guidelines for Consultants Reports for Contaminated Sites. Request that the outcomes of this investigation are included in a revised application or proposal. (Note: this activity can be undertaken in conjunction with the Preliminary Site Investigation).

Checklist process:

Step	Process	Yes	No
1	The application or proposal includes a Detailed Site Investigation Report.	Go to Step 3.	Go to Step 2.
2	Request the applicant provide a Detailed Site Investigation Report	Go to Step 3.	Undertake Step 2 before proceeding.
3	Does the Detailed Site Investigation Report include a statement that the site is contaminated and that the contamination is significant enough to warrant regulation?	Go to Step 4.	Go to Step 3A.
3A	Request the applicant submit a revised Detailed Site Investigation Report to include a statement on the suitability.	Go to Step 3B.	Cannot proceed until Step 3A is undertaken.
3B	Revised Detailed Site Investigation report received.	Go to Step 4.	Cannot proceed until revised detailed site investigation report is received.
4	The Detailed Site Investigation Report includes a statement on whether the site is suitable for the proposed use and for all other purposes permissible in the zone, or if it can be made suitable through remediation.	Go to Step 5.	Go to Step 4A.

4A	Request a statement on whether the site is suitable for the proposed use and for all other purposes permissible in the zone, or if it can be made suitable through remediation.	Go to Step 5.	Undertake Step 4A before proceeding.
5	Does the Detailed Site Investigation Report include a statement that the site is potentially contaminated and that the contamination is significant enough to warrant regulation?	Go to Step 5A.	Go to Step 6.
5A	Notify NSW EPA immediately.	Proceed with EPA directions.	No other action can be undertaken until Step 5A has occurred.
6	Does the Detailed Site Investigation Report conclude that the land is unsuitable for the proposed use and may not be appropriately remediated, or the applicant does not wish to remediate?	Go to Step 6A.	Go to Step 7.
6A	The application or proposal may be modified to a use that is suitable for the land without remediation (e.g. relating to a development application outlining no change in land use), provided a new application or proposal is not required, or the application can be withdrawn, or the application or proposal can be refused by Council. Application or proposal modified for consent.	Go to Step 7.	Go to Step 6B.
6B	Has the applicant indicated its intent to withdraw the application or proposal?	Go to Step 6C.	Go to Step 6D.
6C	Close the assessment of the application or proposal.	Process finalised.	Undertake Step 6C to finalise process.
6D	Application or proposal refused by Council.	Go to Step 6E.	Application or proposal is required to be modified, withdrawn or refused for process to be finalised.
6E	Consider if the site should be included on the Contaminated Lands site register and include	Process finalised.	Undertake Step 6E

	on register if required.		to finalise process.
7	Does the Detailed Site Investigation Report include a statement that the site <u>is contaminated</u> , which may preclude the land from being suitable for the proposed use?	Go to Step 8.	Go to Step 9.
8	Has the applicant indicated its intent to withdraw the application or proposal?	Go to Step 6C.	Go to Step 9.
9	Is Council satisfied that the site is suitable for the proposed use and for all other purposes permissible in the zone?	Go to Step 10A.	Go to Step 9.
9A	Are conditions of consent required?	Go to Step 9B.	Go to Step 10.
9B	Include conditions of consent (see Appendix 4 of the Policy).	Process finalised.	Process can't be finalised until Step 9B is undertaken.
10	Council to develop restrictions and/or conditions for the land, including any restrictions relating to the intended land use or conditions on the remediation and also provision of a Validation and Monitoring Report prior to commencement of development work (e.g. construction certificate).	Go to Step 11.	Undertake Step 10 before proceeding.
11	Does the Detailed Site Investigation Report include a list of feasible remediation options available to remediate the site in order to make it suitable for the proposed use?	Go to Remediation – Appendix 8.	Go to Step 11A.
11A	Seek this information from the applicant.	Go to Remediation – Appendix 8.	Process cannot proceed until Step 11A has been undertaken.

Note: Subsequent to finding that the Detailed Site Investigation Report includes a statement that the site is contaminated and that the contamination is significant enough to warrant regulation, Council must notify the NSW EPA who may then declare the land as a 'Remediation Site' thereby subjecting the land to remediation works and processes under the Management Order issued by the EPA.

**APPENDIX 8: COUNCIL PROCEDURE FOR REMEDIATION**

Process: Managing requirements of Council, the applicant and other parties relating to remediation of land and its congruence with SEPP 55 Planning Guidelines, and that remediation works will be undertaken in accordance with the relevant EPA Guidelines under the *Contaminated Land Management Act 1997*.

Exceptions:

- Category 1 remediation works with consent from the Department of Planning and Environment.
- Category 2 remediation works subject to a Remediation Order by the EPA without consent. Under this scenario the EPA declares that the land is a Remediation Site and a Remediation Order is issued by the EPA.
- A site that is under voluntary remediation (i.e. Voluntary Remediation Plan) with the EPA declaring the site as a Remediation Site (See Section 4.3, Voluntary Remediation) and where the EPA does not require the specific works to be undertaken under the EP&A Act.

Trigger:

- Land covered by a development application requiring remediation to make the land suitable for the proposed use and for all other purposes permissible in the zone.
- Receipt of a notification regarding proposed Category 2 remediation works without consent.

Checklist process:

Step	Process	Yes	No
1	Is the remediation work likely to have a potential for significant environmental impacts from the remediation works?	Go to Step 1A	Go to Step 1B
1A	Remediation works would be considered as Category 1 remediation works with Council consent (go to sub-section Category 1 Remediation Works With Council Consent).	Proceed to subsection Category 1 Remediation Works with Council Consent.	N/A
1B	Considered as Category 2 remediation works without consent (go to sub-section Category 2 Remediation Works Without Consent).	Proceed to subsection Category 2 Remediation Works Without Consent.	N/A

Notes: Category 1 remediation work includes any work that is:

1. Designated development as listed in Schedule 3 under the Environmental Planning and Assessment Regulation (2000), and requires the applicant to prepare an Environmental Impact Statement.
2. Carried out on land that is considered critical habitat under Part 3 of the *Threatened Species Conservation Act 1995* or Part 7A of the *Fisheries Management Act 1994* (for threatened species).
3. Likely to have a significant impact on critical habitat or a threatened species, population or ecological community under Schedules 1, 1A and 2 of the *Threatened Species Conservation Act 1995*.
4. Development for which another SEPP requires development consent.
5. In an area or zone to which are classified for coastal protection, conservation or heritage conservation, habitat area, habitat protection area, habitat or wildlife corridor, environmental protection, floodway, nature reserve, scenic area or scenic protection, wetland, or any land in a manner that does not comply with the Policy made under the contaminated land planning guidelines by Council.
6. Any other works as nominated by Council under s.9(f) of SEPP 55 – Remediation of Land.
7. Council should notify NSW EPA that it considers remediation works associated with a planning proposal or development application to be Category 1 remediation works.

***Category 1 Remediation Work Subject to Management Order with Consent of Department of Planning and Environment.***

Notes:

1. Similar process to Category 1 Remediation Works with Council Consent except that Department of Planning and Environment manage the assessment steps and Council receives notifications at certain stages in the process.
2. A Remediation Action Plan must be prepared by the applicant and subsequently approved by the Department of Planning and Environment (as the consenting authority).
3. Department of Planning and Environment may require an Environmental Impact Statement (EIS) if the remediation is likely to significantly affect the environment.
4. A Remediation Action Plan, planning proposal or development application and an EIS is required to be submitted by the applicant to the Department of Planning and Environment.
5. Management Order is issued by the EPA.
6. Post-remediation: Validation and Monitoring Report and Site Audit Statement sent to the Department of Planning and Environment (under SEPP 55) and to the EPA (under the Remediation Order).

### Category 1 Remediation Work with Council Consent

Step	Process	Yes	No
1.	Does the Category 1 remediation work include any work that is designated development listed in Schedule 3 of the Environmental Planning and Assessment Regulation?	Determine whether the applicant is required to submit an Environmental Impact Statement before proceeding.	Go to step 2.
2	If the remediation work is Category 1 remediation work, has the applicant submitted a Remedial Action Plan?	Go to 2A.	Remedial Action Plan required before proceeding.
2A	Is Council satisfied that the site can be remediated?	Go to Step 3.	Go to Step 2B.
2B	Request applicant provides a revised Remedial Action Plan or if unsure decide whether to use a Site Auditor to review the Remedial Action Plan.	Go to Step 3.	Undertake Step 2B before proceeding.
3	Are the proposed clean-up criteria appropriate for the future use of the site, considering possible human health and environmental impacts?	Go to Step 4.	Go to Step 3B.
3B	Has the applicant provided a suitable revised Remedial Action Plan and Council is satisfied the land can be remediated for the intended land use. If unsure decide whether to use a Site Auditor to review the Remedial Action Plan.	Go to Step 4.	Undertake Step 3B before proceeding.
4	Are the proposed plans for remediation work acceptable in that they include an operational plan, work, health and safety management plan, site environmental management plan, community relations plan and contingency plan and outline all necessary approvals required from regulatory authorities?	Go to Step 5.	Go to Step 4A.
4A	Request applicant provides revised Remedial work plans. Is council satisfied with the revised remedial work plans? Unsure – Decide whether to use a Site Auditor to review the Remedial Action Plan.	Go to Step 5.	Undertake Step 4A before proceeding.



5	Is a Site Auditor required to review the Remediation Action Plan?	Inform the applicant that Council intends to engage a Site Auditor, and that the cost of this auditor is with the applicant. Go to Step 6.	Go to Step 7.
6	Request the applicant to submit a satisfactory Remedial Action Plan. Process should be stopped until a satisfactory RAP is submitted.	Go to Step 7.	Undertake Step 6 before proceeding.
7	Does Council need to impose conditions on the development consent in relation to: Requiring the submission of a Validation and Monitoring Report after completion of the remediation work, but before commencement of the development work (i.e. before issuance of a construction certificate). Any other conditions and/or restrictions on the remediation work, including any condition of consent set out in appendix 3 of the Policy?	Go to Step 7A.  Go to Step 7B.	Go to Step 8.
7A	Prepare conditions of consent to reflect provision of a Validation and Monitoring Report upon completion of remediation works.	Go to Step 8.	Undertake step 7A before proceeding.
7B	Prepare conditions of consent to reflect identified conditions of consent relevant to the remediation works and ongoing management of the land under consideration in regards to occupational health and safety, site environmental management (including ongoing site monitoring) and any other identified matter.	Go to Step 8.	Undertake Step 8A before proceeding.
8	Any objections received on the advertised planning proposal or development application (including the Remedial Action Plan)?	Go to Step 8A.	Go to Step 9.
8A	Is the planning proposal or development consent a designated development?	Go to Step 8B.	Go to Step 9.
8B	These objections must be sent to the Department of Planning and Environment for comment.	Go to Step 9.	Undertake step 8B before proceeding.
8C	Planning proposal or development consent is not designated development, Council is to	Go to Step 9.	Undertake step 8C.

	review objections and make a determination on these		
9	Determine the development application, including any comments on objections received from the Department of Planning and Environment (if designated development).	Go to Step 10.	Undertake step 9 before proceeding.
10	Inform the applicant of determination.	Go to Step 11.	Undertake step 10 before proceeding.
11	Upon completion of the remediation works, and before a construction or occupation certificate is issued, has a notification from the applicant that includes the Validation and Monitoring Report been submitted to Council within 30 days of completion of the remediation works or as specified in the Development consent? (Note: sometimes submission for the validation report within 30 days of completion of remedial works and prior to construction certificate is not feasible. Some flexibility is required here.	Go to Step 12.	Go to Step 11A.
11A	Request the notification and Validation and Monitoring Report to be submitted to Council.	Go to Step 12.	Undertake step 11A before proceeding.
12	Does the Validation and Monitoring Report include: A statement that the land under consideration has been remediated in accordance with the approved Remedial Action Plan to make it suitable for its intended use or other purpose in that zone?	Go to Step 13.	Go to Step 12A.
12A	If the site was remediated in accordance with requirements, then request the report is modified to include such a statement, or; If the report identified that full remediation was not feasible or onsite containment of contamination is proposed, then ensure that a detailed ongoing monitoring strategy/program and site environmental management plan is provided.	Go to Step 13.	Undertake step 12A before proceeding.
13	Does the Validation and Monitoring Report include: A statement confirming that all licences,	Go to Step 13A.	Go to Step 13C.

	approvals and development consents have been complied with?		
13A	Did the Validation and Monitoring Report include any documentary evidence?	Go to Step 14.	Go to Step 13B.
13B	Request that the report is modified to include such documentary evidence.	Go to Step 14.	Undertake step 13B before proceeding.
13C	Request that the report is modified to include such a statement and documentary evidence.	Go to Step 14.	Undertake step 13C before proceeding.
14	Does the Validation and Monitoring Report include: A Site Audit Statement and Site Audit Summary Report?	Go to Step 15.	Go to Step 14A.
14A	Request that the Site Audit Statement and Site Audit Summary Report is provided.	Go to Step 15.	Undertake step 14A before proceeding.
15	Is Council satisfied with the Validation and Monitoring Report and the Site Audit Statement?	Process finalised.	Undertake step 15A
15A	Seek a Site Auditor to review with a view to verify information contained in the Validation and Monitoring Report (See Appendix 10 Site Auditing).	Go to Step 15.	Cannot proceed until Step 15A is undertaken.

Note: Site auditor will provide a report that will confirm the above questions and thereby dictate whether the process continues or if another iteration on the Remedial Action Plan is required. If no Remediation Action Plan is sought (or is not needed), then the remediation must be tested against standards endorsed by the EPA.

Include the relevant information in Section 149(2) planning certificates, covenants on the title or annual reporting and other information made available under Section 149(5).

### Category 2 Remediation Work Without Consent

Notes:

1. Category 2 remediation work is all remediation work that is not defined as Category 1 remediation work.
2. Category 2 remediation work does not require consent.
3. Council is required to be notified of any proposed category 2 remediation work at least 30 days before the works commence.
4. This notification is also required to address information contained in Appendix 3 Requirements for Category 2 Remediation Works.
5. Remediation Action Plans are not mandatory for Category 2 works without consent, but Council can deem the risk of contamination to be of the level requiring a Remediation Action Plan to be developed by the applicant.
6. A copy of the Validation and Monitoring Report and a Site Audit Statement from an EPA accredited auditor must be forwarded to Council within 30 days of the completion of the remediation works. Council will not consider any subsequent development applications for the site until it is satisfied that the site is suitable for the proposed use.
7. This section does not consider Category 2 Remediation Work Subject to a Remediation Order by the EPA – without consent, nor Category 2 remediation works relating to underground petroleum storage systems (even though Appendix 3 of the Policy includes UPSSs in the ‘requirements for category 2 remediation works’). The UPSS regulatory framework is proposed to be changed in 2017 resulting in more responsibility given to local government.

Step	Process	Yes	No
1	For Category 2 remedial works, was Council notified at least 30 days before commencement of the works?	Go to Step 3.	Go to step 2.
2	Contact applicant to remind them of the notification requirement.	Go to Step 3.	Process cannot proceed until Step 2 is complete.
3	Did the notification include a proposal for the remediation works that addressed information contained in Appendix 3 of the Policy in relation to ‘Requirements for Category 2 Remediation Works’, and the dates in which	Go to Step 4.	Go to Step 3A.

	this work is to be undertaken?		
3A	Obtain this information from the applicant.	Go to Step 4.	Process cannot proceed until Step 3A is undertaken.
4	Did the notification seek any approvals from Council (e.g. dissolved hydrocarbon impact from open excavations to be taken to landfill or discharged to the sewer under consent conditions)?	Go to Step 4A.	Go to Step 5.
4A	Consult with relevant internal operational area.	Go to Step 5.	Undertake Step 4A before proceeding.
5	Did the notification require any approvals from other regulatory bodies (e.g. leaching [i.e. discharge] of toxic material to stormwater or sewer).	Go to step 5A.	Go to Step 6.
5A	Request evidence of approval.	Go to Step 6.	Undertake Step 5A before proceeding.
6	Did the notification provide contact details?	Go to Step 6A.	Go to Step 7.
6A	Consult with relevant internal operational area.	Go to Step 7.	Undertake Step 6A before proceeding.
7	Has a remedial works plan been submitted with the notification?	Go to Step 8.	Go to Step 7A.
7A	Ask and receive the Remedial Works Plan from the applicant.	Go to Step 8.	Cannot proceed until Step 7A is undertaken.
8	Does the Remedial Works Plan state that it has been prepared in line with the SEPP55 Planning Guidelines, and that proposed remediation works will be undertaken in accordance with the relevant EPA Guidelines under the Contaminated Land Management Act?	Go to Step 9.	Go to Step 8A.
8A	Seek the applicant or proponent to provide this confirmation in writing.	Go to Step 9.	Undertake step 8A before proceeding.
9	Has a site inspection been undertaken?	Go to Step 10.	Go to Step 9A.
9A	Arrange and undertake a site inspection.	Go to Step 10.	Undertake step 9A before proceeding.

10	Upon completion of the remedial works has the following been provided to Council? Within 30 days of completion of the remediation works, a notification that remediation work and validation has been completed.	Go to Step 11.	Go to Step 10A.
10A	Contact the proponent and request this information is submitted to Council	Go to Step 11.	Cannot proceed until Step 10A is undertaken.
11	Upon completion of the remedial works has the following been provided to Council? Validation and Monitoring Report	Go to Step 12.	Go to Step 11A.
11A	Contact the proponent and request the Validation and Monitoring Report is submitted to Council.	Go to Step 12.	Cannot proceed until Step 11A is undertaken.
12	Upon completion of the remedial works is Council satisfied that the category 2 remediation works have been carried out?	Go to Step 13.	Go to Step 12A.
12A	Issue a clean-up notice under the <i>Protection of the Environment Operations Act 1997</i> requiring that further works be undertaken, or that a site auditor is appointed to review works to date and make suggestions on what additional works are required.	Go to Step 13.	Cannot proceed until Step 12A is undertaken.
13	Is Council satisfied with the content of the Validation and Monitoring Report and the Site Audit Statement?	Go to Step 14.	Go to Step 13A.
13A	If Council is not satisfied with the content of the site audit statement it should be reported to the EPA.	Go to Step 14.	Cannot proceed until Step 13A is undertaken.
14	Did the Validation and Monitoring Report and/or Site Audit Statement include: A statement that the land under consideration has been remediated to make it suitable for its intended use or other purpose in that zone?	Go to Step 15.	Go to Step 14A.
14A	Request that this information is provided.	Go to Step 15.	Undertake step 14A before proceeding.
15	Did the Validation and Monitoring Report and/or Site Audit Statement include:	Go to Step 15A.	Go to Step 16.

	Requirements relating to ongoing site management, including restrictions on use?		
15A	Include the relevant information in section 149(2) planning certificates, covenants on title or annual reporting and other information made available under section 149(5).	Go to Step 16.	Undertake step 15A.
16	Has a site inspection been undertaken?	Go to Step 17.	Undertake Step 16A.
16A	Undertake a site inspection.	Go to Step 17.	Cannot proceed until Step 16A is undertaken.
17	Council is satisfied with the remediation work.	Process finalised.	Process cannot be finalised until Council is satisfied with the remediation works.

Note: Some notifications on category 2 remediation works without consent list requests Council approvals. An example is the discharge of dissolved hydrocarbon impact to sewer or to take it to landfill to de-wet. As we have a Trade Waste Policy for the Corowa area, Council has the capacity to grant this approval up to an extent; however, for material whose discharge to sewer or stormwater systems would pose a significant risk to human health or the environment, the approval must be sought from the relevant state agency (e.g. NSW Office of Water).

## **APPENDIX 9: COUNCIL PROCEDURE FOR VOLUNTARY MANAGEMENT PROPOSALS**

Process: -To manage data and/or information regarding any voluntary management proposal approved by the EPA.

Exceptions: None identified.

Objective: to ensure the appropriate management of data and information from activities related to voluntary management proposals.

Trigger:

- Land owner informs Council of intent to remediate identified contaminated land.
- EPA notifies Council of a voluntary management proposal to remediate a contaminated site.
- EPA notifies Council of completion of remediation works associated with a voluntary management proposal.

Checklist process:

<b>Step</b>		<b>Yes</b>	<b>No</b>
1	Notification received from EPA in regards to a voluntary management proposal?	Go to Step 2.	Process not applicable.
2	Record information in Council's systems in accordance with agreed procedures.	Go to Step 3.	Undertake Step 3 before proceeding.
3	Is Council satisfied that a section 149(2) planning certificate can be issued for the site?	Go to Step 4.	Go to Step 5.
4	Prepare appropriate text for the section 149(2) planning certificate (See Appendix 11 Section 149 Certificates).	Process Completed.	Process not completed until Step 4 is undertaken.
5	Liaise with EPA for clarification.	Process completed.	Process not completed until Step 5 is undertaken.



Notes:

1. Duty to Notify: Anyone whose activities have caused land to be contaminated, and owners of land who become aware, or ought reasonably to be aware, that the land has been contaminated must notify the EPA as soon as practicable after becoming aware of the contamination when a site owner provides an undertaking to voluntarily remediate a site that initiates a process via a notification to the NSW EPA. This is a requirement under section 60(3) of the Contaminated Land Management Act and supported by the Guidelines on the Duty to Report Contamination under the Contaminated Land Management Act.
2. Management Orders: The EPA may order persons to manage significantly contaminated land in the following hierarchy: those responsible for the contamination, the landowner and the notional owner. Under worst-case scenarios this could see Council as the 'notional owner' of private land and thereby is responsible for remediation.
3. Voluntary Management Proposals: The EPA may approve a voluntary management proposal for the management of significantly contaminated land, with or without conditions. The voluntary management proposals subsumes the former voluntary investigation proposal and the voluntary remediation proposal.

## APPENDIX 10: COUNCIL PROCEDURE FOR SITE AUDITING

Process: To ensure that Council has confidence in information regarding contamination or potential contamination of land and verification thereof.

Exceptions: None identified

Trigger: Council:

- Believes on reasonable grounds that information including that related to potential contamination or previous land use history, provided by the applicant is incorrect or incomplete.
- Wishes to verify whether the information provided by the applicant has adhered to appropriate standards, procedures and guidelines.
- Does not have the internal resources to undertake a technical review.

Notes:

1. A Site Auditor is an individual accredited by the EPA under Part 4 of the CLM Act.
2. Site auditors review the work of contaminated site consultants. The CLM Act calls these reviews site audits and defines a site audit as an independent review.
3. Site auditors can prepare an independent review:
  - a. that relates to investigation or remediation carried out (whether under the CLM Act of otherwise) in respect of the actual or possible contamination of land; and
  - b. that is conducted for the purpose of determining any one or more of the following matters:
    - I. the nature and extent of any contamination of the land
    - II. the nature and extent of the investigation or remediation
    - III. whether the land is suitable for any specified use or range of uses
    - IV. what investigation or remediation remains necessary before land is suitable for any specified use or range of uses
    - V. the suitability and appropriateness of a plan of remediation, a long-term management plan, a voluntary investigation proposal or a remediation proposal.
4. Costs for Site Audit services are borne by the applicant.

Checklist process:

Step	Process	Yes	No
1	Develop a terms of reference for the site audit.	Go to Step 2.	Undertake Step 1 before proceeding.
2	Package and provide all direct and background information required to be verified by the Site Auditor.	Go to Step 3.	Undertake Step 2 before proceeding.
3	After completion of the site audit, has the Site Audit Summary Report been provided with the Site Audit Statement?	Go to step 4.	Go to Step 3A.

3A	Seek Site Audit Summary Report from applicant.	Go to Step 4.	Undertake Step 3A before proceeding.
4	Is Council satisfied with the outcomes of the site audit?	Process completed.	Go to Step 5.
5	Liaise with site auditor to clarify findings or report to EPA for review.	Process Completed.	Process cannot be deemed completed until Step 5 (findings clarified or EPA reviewed) is undertaken.

## **APPENDIX 11: SECTION 149 CERTIFICATES PROCEDURE**

Process: To ensure that accurate information regarding land contamination matters including Council policy to restrict the use of land is included in planning certificates issued under Section 149 of the EP&A Act.

Trigger: A request for information regarding a parcel of land that triggers a process under Section 149 of the EP&A Act.

Steps:

1. Identify parcel of land of interest.
2. Check Register for annotations regarding contaminated land management issues.
3. Generate certificate.
4. Confirm correctness of statements included in the certificate regarding contaminated land management matters.

Under s.149 of EP&A Act, a person may request from Council a planning certificate containing advice on matters about the land that are prescribed in the EP&A Regulation including information regarding land contamination.

- (a) Section 59(2) of the CLM Act provides that specific notations (as listed below) relating to contaminated land issues must be included on s.149 certificates where:*
- (b) that the land to which the certificate relates is significantly contaminated land within the meaning of that Act – if the land (or part of the land) is significantly contaminated land at the date when the certificate is issued;*
- (c) that the land to which the certificate relates is subject to a management order within the meaning of that Act – if it is subject to such an order at the date when the certificate is issued;*
- (d) that the land to which the certificate relates is the subject of an approved voluntary management proposal within the meaning of that Act – if it is the subject of such an approved proposal at the date when the certificate is issued;*
- (e) that the land to which the certificate relates is subject to an ongoing maintenance order within the meaning of that Act – if it is subject to an order at the date when the certificate is issued;*
- (f) that the land to which the certificate relates is the subject of a site audit statement within the meaning of that Act – if a copy of such a statement has been provided at any time to the local authority issuing the certificate.*

In addition to detailing information relevant to the prescribed matters, all Section149(2) certificates issued by Council will also contain one of the following notations relating to land contamination:

Where Council's contaminated land policy restricts the use of land which:

- has a previous land use history which could have involved use of contaminants on the site, for examples, land which may have been used for an activity listed in Appendix 2, or
- is known to be contaminated, but
- has not been remediated,

an appropriate notation may be:

***'Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands that have previously been used for certain purposes. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.'***

Where council's contaminated land policy restricts the use of land which:

- is known to contain contaminants, but
- has been remediated for a particular use or range of uses and some contamination remains on the site, for example encapsulated,

an appropriate notation might be:

***'Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which are considered to be contaminated, or on lands which have been remediated for a specific use. Consideration of Council's adopted policy and the application of provisions under relevant State legislation is warranted.'***

Where Council records do not contain a clear site history without significant gaps in information and council cannot determine whether or not the land is contaminated, and therefore the extent to which council's policy should apply, council may decide to take a cautious approach. In such cases an appropriate notation might be:

***'Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council's adopted policy and the application or provisions under relevant state legislation is warranted.'***

Council may make additional notations upon Section 149(2) or Section 149(5) certificates where specific information is obtained in relation to the use of land.

## **APPENDIX 12: PROCEDURE FOR STORING CONTAMINATED SITES INFORMATION**

**Former Corowa Shire Council:** Procedure for Storing Contaminated Sites Information

**Date:** 9 May 2016

**Procedure:**

1. The Lot and Deposited Plan number together with the street address are to be entered into the Contaminated Land Register. The Register is located at the Technical Support desk.
2. The Lot and Deposited Plan number together with the street address are to be entered into TRIM and stored in container No. 961.
3. The Lot and Deposited Plan number is to be emailed to the Manager of Information Services who will enter the information onto the Contaminated Land overlay of the IntraMaps system.