



**FEDERATION
COUNCIL**

Agenda

Tuesday, 19 December 2017

Council Chambers, Corowa

Commencing 9:30 am



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1. MEETING OPENING

Live Streaming of Council Meetings

Federation Council wishes to advise members of the public that Council meetings will be recorded and will be available after each meeting on Council's website www.federationcouncil.nsw.gov.au

All care will be taken to maintain the privacy of those in attendance, however as a visitor in the public gallery, your presence may be recorded. By remaining in the public gallery, it is assumed your consent is given in the event your image is broadcast.

Acknowledgement of Country

I would like to acknowledge the Traditional Custodians of the land on which we are meeting today, the Bpangerang people, and acknowledge the Aboriginal and Torres Strait Islander people who now reside in this area. I extend that respect to Elders – past and present of the Bpangerang nations.

2. NOTIFICATION OF PECUNIARY/CONFLICTS OF INTEREST IN MEETING BUSINESS ITEMS

3. CONFIRMATION OF MINUTES

4. MAYORAL MINUTES

Council are required to appoint a female delegate to the General Manager recruitment committee. Cr Law has nominated to be on this committee, and Cr Thomas, the only other female member of Council, has supported this appointment.

5. GENERAL MANAGER REPORT

5.1 MURRAY DARLING ASSOCIATION

Summary

This report allows for Council to consider becoming a member of the Murray Darling Association (MDA). Prior to the recent elections, Federation Council resolved not to continue membership of the MDA.

Background

Council has received a letter from the MDA National President, Cr David Thurley (Albury City Council) urging Council to re-join the group, now that there is a newly elected Council. See attached letter. The group is considered the peak advisory group along the Murray Darling.

Attachments

5.1.1 Letter from MDA received 19 September 2017.

Financial Implications

Annual Membership is approximately \$3,800 and other costs would include attendance at meetings (this zone usually meets in Albury) and the annual conference. These costs could be met from Council's existing budgets.

RECOMMENDED that Council become a member of the Murray Darling Association.

5.2 COUNCIL DELEGATES TO REFERENCE/ADVISORY GROUPS/ORGANISATIONS

Summary

This report allows for Councillors to be delegated to reference/advisory groups/organisations across the region. Council representation on such groups provides an important conduit between the Council and the group. Delegates can report back to Council on matters including such as where the group seeks Council's support in lobbying or other ways.

This report does not cover Council's section 355 (Local Government Act 1993) committees, who are delegated special functions to perform on behalf of Council. A separate report will be presented to Council in coming months to delegate Council representatives to those. Further the report does not cover other, non-section 355 committees that Council may wish to adopt, such as standing/advisory committees operated by the former Councils, including Policy and Resource, Tourism and Development, Heritage and the like. These will be reviewed and presented at the meeting where the report on section 355 committees is presented, and considering the points raised in the discussion at the Councillor and staff workshop on 11 December 2017.

The table is attached of currently known organisations for Councillors to consider on meeting day and nominate delegates.

Background

There are many groups across the Federation Council Local Government area and beyond that have requested to be advised of the new Council representatives so that meeting attendance begins to occur. They cover a wide range of areas from natural resource management, Health, Tourism and many other matters. The list attached may not be exhaustive, but Council should resolve to appoint delegates to those listed, whilst further research is done to ensure all groups across both former Council's are captured.

Councillor costs for attendance such as travelling and any meals or accommodation where required, should be claimed by Councillors, and are allowed for under the Mayor and Councillors Expense Policy.

Staff attendance is generally at the discretion of staff or direction of Management, depending on the meeting topic and Council input required.

If Councillors want any further details on the group prior to meeting day, please contact the General Manager.

Attachments

5.2.1 List Council Reference /Advisory Groups/Organisations

Financial Implications

Council's budgets for such activities will be reviewed and if variations are required they would be presented as part of a quarterly review process for Council endorsement.

RECOMMENDED:

1. THAT Council enter into Committee of a whole to discuss and nominate Councillor delegates to the organisations as presented in the table to report 5.2 of the December 2017 ordinary Council meeting; and
2. THAT Council pass a further resolution endorsing the outcomes of the Committee of whole to formally appoint delegates to the organisations as presented.

5.3 JOINT ORGANISATIONS UPDATE

Summary

As part of the reforms to the NSW Local Government system over the past five years, a Joint Organisation (JO) model has been developed, to allow councils to formalise into groups. This report allows Council to consider the JO model that the NSW Government has now legislated. JO's are planned to be effective from July 2018, and councils have until 28 February 2018 to submit details of what JO it intends to join. Being in a JO is not compulsory, but is strongly recommended to assist in Local and State Government collaboration including for strategic planning across the region.

\$300,000 is available to each JO formed, and they must be within the current NSW Department of Planning regional boundaries. Federation Council is within the Riverina Murray boundary. A minimum of three councils is required to form a JO, and they need not be adjoining.

Background

A special meeting is being held between the RAMROC member Councils on 18 December, to seek a position with respect to the member Councils, and an update will be provided to Council on meeting day.

Attachments

5.3.1 JO information and FAQ's.

Financial Implications

Costs associated with the JO will include staffing, with each JO requiring an Executive Officer and other administrative support. This is not currently budgeted.

RECOMMENDED that Council note the report on Joint Organisations and received a verbal update report at the meeting and a further update at the January or February 2018 meetings.

5.4 JANUARY 2018 COUNCIL MEETING

Summary

This report allows Council to formally endorse the 11 December workshop decision to hold the January 2018 Council meeting on 23 January 2018, commencing at 10.00 am at the Corowa Civic Centre.

Background

Council considered the matter at the workshop held 11 December 2017, and agreed to hold the January 2018 meeting.

Attachments

Nil.

Financial Implications

Nil.

RECOMMENDED that Council move the Ordinary Meeting to 23 January 2018 and suitable notification occurs of the meeting as per standard practice.

A BUTLER
INTERIM GENERAL MANAGER

6. DIRECTOR CORPORATE AND COMMUNITY SERVICES REPORT

6.1 LIGHT UP FEDERATION

Summary

Residents are being encouraged to enter this year's Light Up Federation Christmas Light competition, which opened for registrations on Friday 10 November.

Background

The competition has become a popular initiative during the festive season, providing participants with the opportunity to go into the running to win \$1000 cash for the 'Best House' category. The title of 'Best Street' will also be awarded, with the winning street to have a sign placed below their existing street sign to recognise their success.

A 'Best Business' category has also been introduced this year.

Categories will be judged by residents and visitors via an anonymous voting process. Voting forms are available at any Council office or can be completed online. Residents will also be able to nominate their favourite display via Council's Facebook page.

Participating homes have been included on a 'Light Up' flyer, which is available for residents and visitors to collect from any Council office or to download from the Visit Corowa Region or Federation Council website.

The flyer will guide people as they visit the Christmas light displays around the region and is available from Monday 18 December.

Registration is free and closed at 5pm, Thursday 14 December 2017.

Attachments

Nil.

Financial Implications

The total cost of the Light Up Federation Christmas Light competition is \$1,500 and is funded from the general fund.

FOR Council's information.

6.2 PUBLIC INTEREST DISCLOSURES (PID) REPORT

Summary

Council has submitted its Public Interest Disclosures annual report to the Minister and also to the NSW Ombudsman in accordance with the section 31 of the Public Interest Disclosures Act 1994. Council has received no Public Interest Disclosures for this period to 30 June 2017. This has also been included in the Annual Report published on Council's website for the period 2016-2017.

Background

NSW Local Councils are required to report annually to Parliament on their obligations under section 31 of the [Public Interest Disclosures Act 1994](#). This is separate to the requirement under section 6CA of that Act to provide a report to the NSW Ombudsman every six months. One of the key reasons for having this separate reporting requirement is to ensure information about PIDs is publicly available to enable transparency and accountability.

The [Public Interest Disclosures Regulation 2011](#) outlines the information that must be included in the authority's annual report. For reporting periods following 1 January 2014, public authorities are required to draw a distinction between PIDs made by public officials:

1. performing their day-to-day functions
2. under a statutory or other legal obligation
3. all other PIDs.

The annual report must be prepared within four months after the end of each reporting year and submitted to the Minister responsible for the public authority. It must be tabled in each House of Parliament by the Minister as soon as practical after it is prepared, unless it is included in an annual report prepared for the purposes of the [Annual Reports \(Departments\) Act 1985](#) or the [Annual Reports \(Statutory Bodies\) Act 1984](#). Authorities must also provide a copy of the report to NSW Ombudsman

Attachments

6.2.1 Public Interest Disclosures (PID) Annual Report (17/29311)

Financial Implications

Nil.

RECOMMENDED that Council note that the Public Interest Disclosures Annual report has been submitted to the Minister and to the NSW Ombudsman. This has been included in the statutory reports section of the Annual Report for the period 2016-2017 available from Council's website.

6.3 CODE OF CONDUCT COMPLAINTS REPORT

Summary

Council has submitted its Code of Conduct complaints report in accordance Procedures for the Administration of the Model Code of Conduct (Section 12.1). Council advises that there were no complaints lodged against Councillors or the General Manager in the year to 31 August 2017 and a zero report was lodged.

Background

Council has an obligation to report to the Office of Local Government and to Council on the number and status of any code of conduct complaints made within 3 months of the end of September of each year: The information required to be reported relates to:

- (a) The total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September,
- (b) the number of code of conduct complaints referred to a conduct reviewer,
- (c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage and the outcome of those complaints,
- (d) the number of code of conduct complaints investigated by a conduct reviewer,
- (e) the number of code of conduct complaints investigated by a conduct review committee,
- (f) without identifying particular matters, the outcome of code of conduct complaints investigated by a conduct reviewer or conduct review committee under these procedures,
- (g) the number of matter reviewed by the Division and, without identifying particular matters, the outcome of the reviews, and
- (h) the total cost of dealing with code of conduct complaints made about councillors and the general manager in the year to September, including staff costs.

The Office of Local Government has requested that this report be submitted by 30 November rather than 31 December to support them in compiling the final report.

Attachments

6.3.1 Code of Conduct Complaints Report (17/33255).

Financial Implications

Nil.

RECOMMENDED that Council note the Code of Conduct Complaint Report has been submitted.

6.4 GIPA AGENCY INFORMATION GUIDE

Summary

Council has updated its Agency Information Guide in accordance with the requirements of the Government Information Public Access Act 2009. The Guide has been updated to reflect the new branding template and organisational chart as well as updated links to Council's new website.

Included in the business papers is the revised Government Agency Information Guide Version 3.0 (16/24240) for Council's review and approval.

Background

Council has an obligation to adopt a GIPA Agency Information guide every 12 months under S.21 of the Government Information (Public Access) Act 2009, (GIPA). In accordance with the provisions of Section 20 of the *Government Information (Public Access) Act 2009*, the Agency Information Guide is available on Council's website and outlines the kinds of government information that will be available to the public and the manner in which it may be accessed.

Attachments

6.4.1 Government Agency Information Guide Version 3.0 (16/24240)

Financial Implications

Nil.

RECOMMENDED that Council's Agency Information Guide be adopted and placed on Council's website, in accordance with the requirements of the Government Information (Public Access) Act 2009.

6.5 GIPA ANNUAL REPORT

Summary

Council has submitted its annual report to the Minister and also to the NSW Privacy Commissioner in accordance with the Government Information (Public Access) Act 2009.

This information has also been included in the statutory reports section of Council Annual Report published on Council's website for the period 2016-2017.

The GIPA Annual Report (17/29236) is lodged electronically using the GIPA Online Tool. A copy is included in the business paper for information.

Background

NSW Local Councils are required to report annually to the Minister on their obligations under section 125 of the Government Information (Public Access) Act 2009.

The annual report must include the following:

- (a) details of the review carried out by the agency under section 7 (3) of the Act during the reporting year and the details of any information made publicly available by the agency as a result of the review,
- (b) the total number of access applications received by the agency during the reporting year (including withdrawn applications but not including invalid applications),
- (c) the total number of access applications received by the agency during the reporting year that the agency refused, either wholly or partly, because the application was for the disclosure of information referred to in Schedule 1 to the Act (Information for which there is conclusive presumption of overriding public interest against disclosure),

Authorities must also provide a copy of the report to NSW Privacy Commissioner.

Attachments

6.5.1 The GIPA Annual Report (17/29236)

Financial Implications

Nil.

RECOMMENDED that Council note that the GIPA Annual report has been submitted.

6.6 BALL PARK CARAVAN PARK

Summary

Federation Council is the Committee of Management for a large parcel of Crown Land known as Ball Park Caravan Park. Council has offered this as a lease opportunity to Caravan Park operators for decades and the term of the current lease will end on 30 June 2018.

The Ball Park Caravan Park lease includes the operation of the Corowa Swimming Pool, which is a facility now at the end of its Operational Life. Council has been continuing to plan and raise funds for the construction of a new Swimming Pool in Corowa.

Council engaged consultants Otium Planning Group to complete a study on Ball Park Caravan Park and the Corowa Swimming Pool, which would help to provide the Council with a clear direction in respect to the future development and operational models for both facilities.

Background

A presentation was made by Otium Planning at the Council workshop on 27 November 2017 in relation to this project. This provided an overview of further swimming pool development options linked to Ball Park Caravan Park and a business opportunity review of the Caravan Park to help inform Council's decision in respect to the future leasing and preparation of a tender for Ball Park Caravan Park.

A draft report has been prepared but not attached to the Council agenda as it contains potentially commercially sensitive information in respect to the lease of Ball Park Caravan Park and completion of a future tender.

The report identifies a number of matters that could compromise the best outcome being achieved by Council if it was to now progress towards offering another long-term lease of Ball Park Caravan Park at the completion of the current tender.

While the report also recommends that Council would be best placed to offer a long-term lease in order to enable the attraction of significant private investment in the Caravan Park by an operator there are currently a number of unknowns, which may compromise the response to any tender for a long-term lease.

These matters include:

- Limited data including visitation to Ball Park Caravan Park.
- The determination by Council of what new swimming pool facility is to be constructed.
- Business disruption resulting from the construction of a new swimming pool.

A new swimming pool will be a great asset to Ball Park Caravan Park and the report recommends that the lease of Ball Park Caravan Park should continue to include the Corowa Swimming Pool. The Report also identifies significant operational saving's and business opportunity that could be achieved through the better integration of the Swimming Pool complex with Ball Park Caravan Park.

To allow Council time to work through these matters and collect the necessary information in order to prepare a successful tender document, it is suggested that Council progress to put in a short-term (two years) caretaker contract to manage Ball Park Caravan Park and swimming pool on Council's behalf. This will enable Council to collect detailed revenue and occupancy data over the next two seasons whilst it also looks at and confirms its final facility development and funding strategies.

If this option is adopted, Council will need to meet with the current lessee as soon as possible to discuss arrangements that will need to be put in place to ensure a smooth transition to the new contract model and proceed to advertise the contract manager's role. Council will also need to budget for these costs and develop a notional budget allocation to take back management of the facilities.

It is also critical that Council reviews options for purchase and installation of an electronic reservation management system so it can introduce greater business control and monitor occupancy and business trends when caretaker management takes over.

This option provides time for Council to consider future development decisions without the pressure of tendering out the management of the facility. It also will allow Council to direct usage and financial data to help determine the financial viability of these two facilities.

In the case of the replacement of the Corowa Swimming Pool, it is estimated this will take 18 months to 2 years once a final option is chosen by Council before a new facility is likely to be operational. This could see a new pool open around November 2019 based on:

- A total of \$2.5M in grant funding is confirmed for this project with funding conditions set that the project should be completed prior to the end of 2019.
- This will likely be the last year of operation for the Corowa Swimming Pool as it has reached the end of its operational life.
- The likely project construction timeline will require the Pool to be closed for a season.
- If a decision is made by Council in respect to what Swimming Pool option is to be constructed – this may make it possible to limit the time Corowa is without a Swimming Pool to one season.

A further report will be provided to Council which summarises the development options and funding implications of the Corowa Swimming Pool.

Attachments

Nil.

Financial Implications

Due to a lack of data, this is difficult to determine. It is expected that expenses incurred in the short term through this new management model will be able to be recouped through Caravan Park revenue.

RECOMMENDED that at the end of the current Ball Park Caravan Park lease term, Council puts in place a short term two year caretaker contract model to manage Ball Park Caravan Park.

6.7 BANGERANG PARK COROWA REDEVELOPMENT CONCEPT PLAN

Summary

Following community consultation, Council has been working to finalise the Playground redevelopment plan for Bangerang Park in Corowa. Please find attached to agenda the proposed concept plan for Bangerang Park. A number of changes have been made to the draft proposal following community feedback.

Background

Bangerang Park will undergo significant improvements to create a vibrant, welcoming space for the whole community. In addition to a unique playground, the project will include a new toilet block with disabled access and baby change facilities, landscaping and connecting paths.

The playground design will feature custom pieces of equipment and natural play elements, using timber and stone to ensure the space compliments the natural environment.

The project seeks to beautify the Apex train station and incorporate this into the space as a key attraction. The repositioning of the playground will enable the mound to be used more effectively as a stage for outdoor events and celebrations.

More than 200 children from local schools and the Corowa Preschool provided feedback on the draft concept plans, which were placed on public exhibition in March/April this year. Council has also been working closely with stakeholders and further design work has been required to ensure that community feedback has been carefully considered.

Key changes to the draft plan which was placed on public display and well promoted for community feedback include;

- Repositioning of the Playground to improve the use of the park for special events such as the monthly markets.
- Repositioning of the Toilet Block (to be rebuilt close to its existing position).
- Scaling back of the proposal to allow the project to be delivered within the allocated budget.

Once the final concept plan is adopted by Council, some further detailed design work will be required to allow the project to be tendered for construction.

Subject to the timing and success of further grant funding applications submitted for this project, it is hoped construction can commence early next year.

Attachments

6.7.1 Bangerang Park Concept Plan

Financial Implications

\$500,963 has been allocated from the Major Projects Fund to support the Bangerang Park project, which has been a long standing priority for the community.

Council has also been working to secure additional funding for the toilet block and is hopeful that further funding will be confirmed before the end of the year.

Federation Council is pleased to be working in partnership with Rivalea Australia, who are contributing \$50,000 towards the playground.

RECOMMENDED that Council adopt the revised Bangerang Park Concept Plan and proceed to prepare further specifications and detailed design work in readiness for Construction.

6.8 FEDERATION COUNCIL MOBILE PRESCHOOL

Summary

Council is currently working to finalise enrolments in the mobile preschool for next year. This year has seen record enrolment numbers in the service. The preschool team have been working very hard to ensure we remain flexible and responsive to the needs of families and the Department of Education.

Background

Federation Council provides a mobile Early Education Preschool service for children aged 3-5 years.

The service currently runs between 9.00am - 3.00pm from Monday to Thursday during school terms.

The mobile preschool timetable this year has been as follows:

Monday

Rand – Rand Public School

Tuesday

Boree Creek – Boree Creek Public School

Wednesday

Urana – Urana Uniting Church Hall

Thursday

Oaklands – Oaklands CWA Hall

Families are encouraged to enrol children for more than one day by attending more than one location.

The service values childhood as a unique and important stage of life and is committed to the individual care and overall development of each child in partnership with the family.

End of Year

Our pre-school year will finish on Thursday 14 December 2017.

Each venue will have a small concert and Christmas Party with the children and families.

2018 Fees

It is proposed that fees should increase slightly for 2018 because of an increase in our rental agreements.

2018 fees are proposed to be:

\$25 per day– standard full fee (currently \$24).

\$12.50 per day for concession fees. (Health Care Card Holders, ATSI) (currently \$10.50).

The 2018 registration fee of \$20 per child and the termly Educational Equipment Levy of \$20 per child should remain unchanged.

Regulation Changes 2018

The service has recently been informed that mobile preschools must transition to the National Quality Standards. 2018 will be a transition year, with implementation to the assessment and rating process to begin in 2019. This will present some challenges for our service. Information is currently being gathered so that this can be assessed.

New Venue for Boree Creek

The mobile Preschool will be moving to a new venue in Boree Creek in 2018. Preschool will now be held from the Boree Creek Hall and Council is currently in the process of gaining venue approval from the Department of Education.

Council is committed to providing the highest quality care and education for children in rural areas, at an affordable cost for families. Please find attached to the agenda a copy of the latest preschool newsletter for your information. Council also uses Kindy Hub as a daily form of communication with preschool families.

Attachments

6.8.1 Preschool Newsletter

Financial Implications

N/A.

RECOMMENDED that Council adopt the proposed changes in preschool fees to commence from the start of first term 2018 to be \$25 per day (full fee) and \$12.50 per day (concession).

KJ KAY

DIRECTOR CORPORATE AND COMMUNITY SERVICES

7. DIRECTOR FINANCE AND ORGANISATION DEVELOPMENT REPORT

7.1 STATEMENT OF BANK BALANCES AND RECONCILIATION AS AT 30 NOVEMBER 2017

Balance as per Bank Statement:

General Account	0000 0022	358,718.19
Business Online Saver Account	1014 2522	1,720,608.56
Investments		43,866,332.47

Sub Total 45,945,659.22

Plus Deposits not yet lodged:

Mulwala	29 November 17	5,367.31
Corowa	30 November 17	13,305.27
Tourism	30 November 17	45.00
Urana	30 November 17	1,965.00
Mulwala	30 November 17	4,423.79

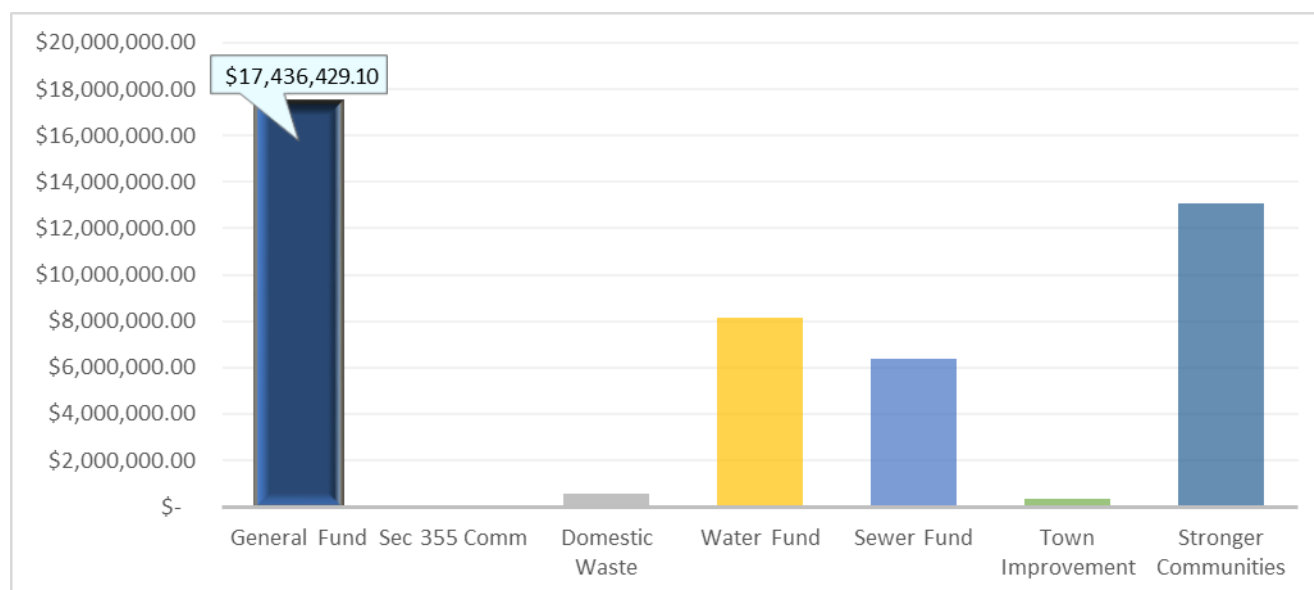
Sub Total 45,980,765.59

Less Unpresented Cheques: 565.25

Balance as per Ledger 45,980,200.34

Less External Restricted Funds 28,543,771.24

Balance of General Fund Ledger 17,436,429.10



CERTIFICATE OF RECONCILIATION

I CERTIFY THAT THE COUNCIL'S GENERAL LEDGER BANK ACCOUNTS HAVE BEEN RECONCILED WITH THE APPROPRIATE BANK STATEMENTS AS AT 30 NOVEMBER 2017.

S NORMAN
MANAGER FINANCE

RECOMMENDED that the report on Statement of Bank Balances and Reconciliation as at 30 November 2017 be noted.

7.2 SCHEDULE OF INVESTMENTS AS AT 30 NOVEMBER 2017

The following list of investment securities is held as at 30 November 2017. Investment of funds on behalf of Council has been undertaken in accordance with the Local Government Act and Regulations.

INVESTMENTS

Investment Type	Institution	Amount Lodged	Date Lodged	Rate	Days	Maturity Date
Term Deposit	Westpac	\$612,592.87	23/05/2017	2.35	196	05/12/2017
Term Deposit	CBA	\$504,647.12	11/04/2017	2.54	245	12/12/2017
Term Deposit	CBA	\$405,225.64	13/06/2017	2.48	371	19/12/2017
Term Deposit	Bendigo	\$230,000.00	08/08/2017	2.25	153	08/01/2018
Term Deposit	NAB	\$710,000.00	14/06/2017	2.47	209	09/01/2018
Term Deposit	NAB	\$790,000.00	14/06/2017	2.47	216	16/01/2018
Term Deposit	NAB	\$3,087,900.60	27/06/2017	2.47	210	23/01/2018
Term Deposit	NAB	\$2,118,519.73	04/07/2017	2.47	210	30/01/2018
Term Deposit	NAB	\$2,595,012.66	11/07/2017	2.47	210	06/02/2018
Term Deposit	Westpac	\$511,713.23	25/07/2017	2.61	203	13/02/2018
Term Deposit	Westpac	\$513,334.30	15/08/2017	2.61	1.84	15/02/2018
Term Deposit	NAB	\$500,000.00	22/09/2017	2.54	151	20/02/2018
Term Deposit	Westpac	\$514,980.00	01/08/2017	2.61	203	20/02/2018
Term Deposit	Bankwest	\$150,000.00	22/08/2017	2.45	182	20/02/2018
Term Deposit	NAB	\$1,381,097.12	21/08/2017	2.45	184	21/02/2018
Term Deposit	NAB	\$1,000,000.00	22/09/2017	2.54	158	27/02/2018
Term Deposit	NAB	\$1,345,727.57	28/10/2017	2.47	91	27/02/2018
Term Deposit	ANZ	\$1,014,520.55	05/09/2017	2.35	181	05/03/2018
Term Deposit	NAB	\$202,529.04	05/09/2017	2.52	181	05/03/2018
Term Deposit	NAB	\$303,793.56	05/09/2017	2.52	181	05/03/2018
Term Deposit	NAB	\$1,000,000.00	22/09/2017	2.54	165	06/03/2018
Term Deposit	ANZ	\$1,015,028.77	12/09/2017	2.36	181	12/03/2018
Term Deposit	ANZ	\$1,000,000.00	19/09/2017	2.37	182	20/03/2018
Term Deposit	CBA	\$729,432.39	22/08/2017	2.45	210	20/03/2018
Term Deposit	CBA	\$1,075,952.00	24/10/2017	2.35	154	27/03/2018
Term Deposit	CBA	\$1,000,000.00	22/09/2017	2.53	193	03/04/2018
Term Deposit	CBA	\$280,000.00	11/07/2017	2.56	273	10/04/2018
Term Deposit	NAB	\$720,000.00	11/07/2017	2.56	273	10/04/2018
Term Deposit	CBA	\$1,000,000.00	22/09/2017	2.54	207	17/04/2018
Term Deposit	CBA	\$1,014,372.88	26/09/2017	2.54	210	24/04/2018
Term Deposit	CBA	\$515,050.29	03/10/2017	2.46	203	24/04/2018
Term Deposit	Bendigo	\$2,042,548.39	17/10/2017	2.20	196	01/05/2018
Term Deposit	ANZ	\$2,173,518.34	24/10/2017	2.30	196	08/05/2018
Term Deposit	CBA	\$512,078.88	31/10/2017	2.43	196	15/05/2018
Term Deposit	CBA	\$1,053,457.01	08/11/2017	2.43	195	22/05/2018

Term Deposit	CBA	\$512,017.54	08/11/2017	2.44	202	29/05/2018
Term Deposit	CBA	\$1,000,000.00	27/11/2007	2.50	183	29/05/2017
Term Deposit	ANZ	\$1,062,322.92	29/11/2017	2.30	181	29/05/2018
Term Deposit	ANZ	\$1,059,902.35	08/08/2017	2.35	301	05/06/2018
Term Deposit	Westpac	\$516,530.71	10/11/2017	2.45	214	12/06/2018
Term Deposit	CBA	\$1,000,000.00	27/11/2017	2.50	197	12/06/2018
Term Deposit	CBA	\$512,184.78	14/11/2017	2.45	217	19/06/2018
Term Deposit	Bendigo	\$2,000,000.00	20/06/2017	2.40	365	20/06/2018
Term Deposit	NAB	\$2,580,341.23	28/11/2017	2.47	210	26/06/2018

\$43,866,332.47

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 30 November 2017.

7.3 RISK MANAGEMENT STRATEGY, POLICY AND FRAMEWORK

Summary

This report requests Federation Council make resolutions to review and consolidate the systems previously utilised by the former Shire Councils of Urana and Corowa to provide effective risk management in line with the AS/NZS ISO 31000:2009 Risk Management Standard.

Additional to the report are the following attachments, being a Risk Management Strategy, a Risk Management Policy and a Risk Management Framework for Council's consideration.

Background

Federation Council has adopted a Community Strategic Plan that consolidates the current and future aspirations of the community into five Strategic Directions, each of which contains supporting Strategic Objectives.

- Community and Culture
- Infrastructure and Services
- Rural, Urban Development and Local Economy
- Natural Environment
- Local Governance and Finance

Council is committed to the achievement of these Strategic Objectives. All threats to the achievement of the associated objectives will be identified, analysed, controlled, in order to eliminate or minimise these risks. The process is documented.

The Integrated Planning and Reporting (IP&R) 4 year Delivery Program identifies that "Council is proactive in identifying and implementing strategies to mitigate risk".

Council undertakes proactive risk management because:

- It is good practice to understand the strategic and operational risks and opportunities facing Council in order to make informed decisions and meet organisational and strategic goals;
- Council provides critical services and infrastructure to the residents and visitors of Federation Council; and
- Council has service agreements and contractual obligations with government and nongovernment agencies and organisations.

Report

Risk Appetite

Council has little or no appetite for known and avoidable operational risks that might impact on the safety and wellbeing of staff and the community, security of Council and public assets, Council's reputation and service delivery. Council acknowledges that it will have to take some calculated risks in order to achieve its strategic objectives. However, in taking such risks Council must consider current financial and human capacity and the potential impact on longer term financial, environmental and social sustainability.

Risk Management Strategy

Council's Risk Management Strategies have traditionally relied on the three lines of defence model approach, (the explanation of what these entail are included in Attachment 7.3.1), these being:

- 1st Line of Defence – Departmental Managers
- 2nd Line of Defence – Risk Management and Compliance Functions
- 3rd Line of Defence – Internal and External Audit.

Risk Management Policy

Council's Risk Management Policy ("the Policy") was last updated and adopted by the two former Councils pre the merger to form Federation Council. The Policy, (Attachment 7.3.2), articulates Council's commitment to an integrated and effective risk management system. The Policy also mandates the development and provision of a Risk Management Framework (Attachment 7.3.3), ("the Framework") and a Risk Management Plan will be developed as part of the Framework requirements.

The Policy is applicable to all Councillors, Senior Management, Supervisors and staff, contractors and volunteers of Council and encompasses all functions, activities and processes undertaken by Council in the achievement of all its stated objectives.

The Policy commits Council to achieving sound risk management practices and establishing an organisational culture that ensures an effective and integrated risk management system is embedded in Council processes. Details of how Council manages these elements of risk management are outlined in the Framework.

Councillor Consultation

Workshops are planned to be held with Councillors to provide further understanding of Councillor Risk Management responsibilities and the detailed elements that make up the draft Risk Management Framework.

Risk Management Project Brief and Project Team (Improvement Group)

A project brief has been constructed and approved for funding under the Merger Implementation Office and a Project Team formed to carry out the Risk Management Project in conjunction with other stakeholders. The key objectives of this project are to provide a functional, comprehensive and integrated guide to best practice in risk management for Federation Council.

Attachments

- 7.3.1 Risk Management Strategy (17/34014)
- 7.3.2 Risk Management Policy (17/28030)
- 7.3.3 Risk Management Framework (17/34556)

Financial Implications

Nil.

RECOMMENDED:

1. THAT Council note Risk Management Strategy, Policy and Framework report;
2. THAT Council confirms Council's three lines of defence model strategy detailed in the Risk Management Strategy;
3. THAT Council places the Risk Management Policy on public exhibition; and
4. THAT Council notes the draft 'Risk Management Framework'.

KC PARKER

DIRECTOR FINANCE AND ORGANISATION DEVELOPMENT

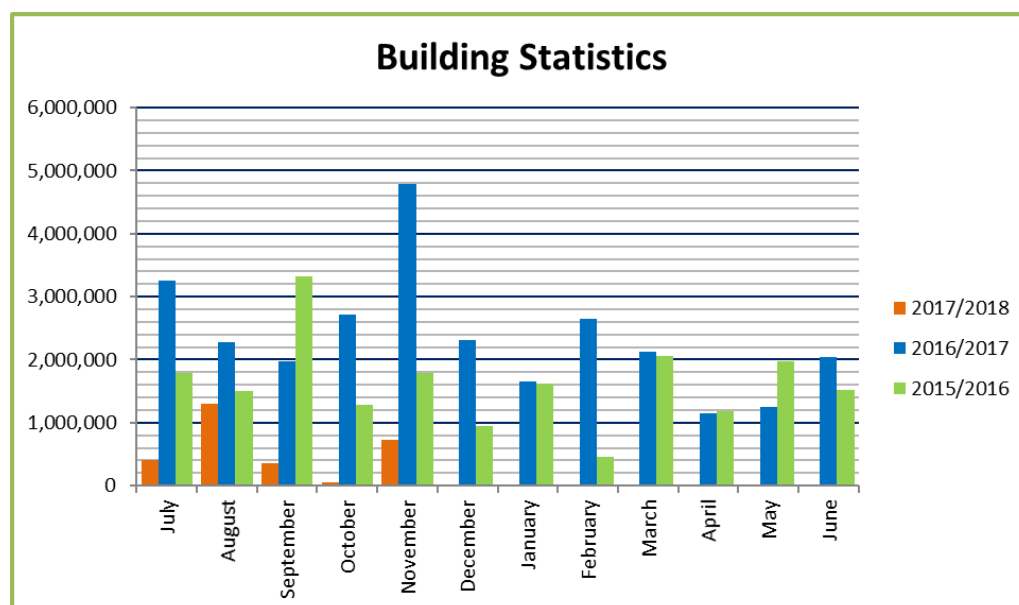
8. DIRECTOR INFRASTRUCTURE AND ENVIRONMENT REPORT

8.1 BUILDING APPROVALS – COMPLYING AND CONSTRUCTION CERTIFICATES APPROVED

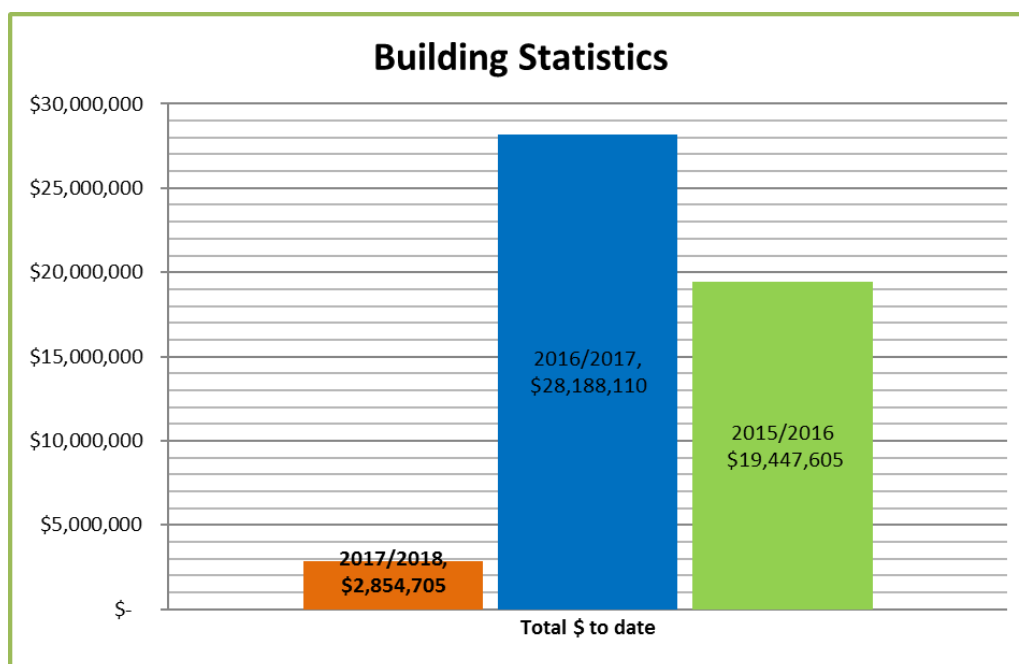
This report provides for Council's information, the construction and complying development certificates issued since the report prepared for the November 2017 Council meeting. The report also includes graphs on the value of works approved, over the last three financial years (NB. Data as of 1 July is 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.

2017/198	178 Jude Street Howlong	Shed
2017/217	6 Rose Drive Mulwala	Swimming Pool
2017/218	95 Corowa Road Mulwala	Dwelling
2017/228	94-96 Augusta Street Corowa	Pergola
2017/249	113-115 Clarke Street Howlong	Water tank
CDC2017/48	58 Sanger Street Corowa	Alterations and Additions to Shop
CDC2017/56	10 Wanani Road Mulwala	Swimming Pool
CDC2017/57	13-15 Cross Street Howlong	Swimming Pool
CDC2017/58	73 Sturt Street Mulwala	Swimming Pool

TOTAL \$725,223



* 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 November 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. 2016/100

Application for a replacement of jetty on Low Density Residential Land being Lot 337; DP238210; 91 Corowa Road, Mulwala.

DEVELOPMENT APPLICATION REGISTERED NO. 2016/144

Application for a modification of consent on Local Centre Land being Lot 5; DP; 91 Corowa Road, Mulwala.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/159

Application for a Shed on General Residential Land being Lot 109; DP1006800; 46 Larmer Street, Howlong.

DEVELOPMENT APPLICATION REGISTERED NO. 2016/189

Application for a Dwelling on General Residential Land being Lot 2; DP1100253; 170 Victoria Street Howlong.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/200

Application for Alterations and Additions to Shop on Local Centre Land being Lot 1; DP195807; 9 Bow Street, Corowa.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/207

Application for a Shed on Low Density Residential Land being Lot 41; DP1202116; 18 Acacia Drive, Mulwala.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/208

Application for a Dwelling on General Residential Land being Lot 13; DP286637; 13/4 Melbourne Street, Mulwala.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/210

Application for a Dwelling and Shed on Low Density Residential Land being Lot 1; DP1140561; 1 Damien Crescent, Mulwala.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/211

Application for a Dwelling on General Residential Land being Lot 10; DP1116584; 7 Heather Circuit, Mulwala.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/212

Application for a Swimming Pool on General Residential Land being Lot 10; Section 63; DP758528; 1-3 Kennedy Street, Howlong.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/213

Application for a Shed on Low Density Residential Land being Lot 24; DP1202116; 11 Rose Drive, Mulwala.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/220

Application for Dwelling Additions on General Residential Land being Lot 3; DP758528; 127 Hoddle Street, Howlong.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/222

Application for a Shed on General Residential Land being Lot 61; DP845657; 68 Romney Street, Mulwala.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/223

Application for a Shed with Attached Carport on Low Density Residential Land being Lot 20; DP255581; 20 Wanani Road, Mulwala.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/225

Application for a Alfresco Area on Low Density Residential Land being Lot 28; DP1202116; 14 Rose Drive, Mulwala.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/226

Application for a Dwelling on Local Centre Land being Lot 3; DP978429; 15 River Street, Corowa.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/229

Application for a 2 Lot Subdivision on General Residential Land being Lot 2; DP758528; 43 Kennedy Street, Howlong.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/233

Application for a Carport on General Residential Land being Lot 16; DP758528; 28 Victoria Street, Howlong.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/241

Application for a Patio on General Residential Land being Lot 41; DP746442; 114-116 Short Street, Howlong.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/257

Application for a Swimming Pool on Low Density Residential Land being Lot 21; DP758296; 148 Church Street, Corowa.

DEVELOPMENT APPLICATION REGISTERED NO. 2017/96

Application for a Demolition on Local Centre Land being Lot 3; DP737571; 58 Queen Street, Corowa.

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 ROAD CLOSURES- LAMBRUK LANE - UN-NAMED ROAD URANA - PELL STREET - UN-NAMED ROAD OAKLANDS

Summary

This report provides discussion and recommendations on requested road closures for;

1. Lambruk Lane, Mulwala
2. Un-named road (between East Gums Road and West Gums Road), Urana
3. Read Street, Howlong
4. Un-named road, in the vicinity of Narrow Plains Road, Claremont Road and Dalitzs Road, Oaklands

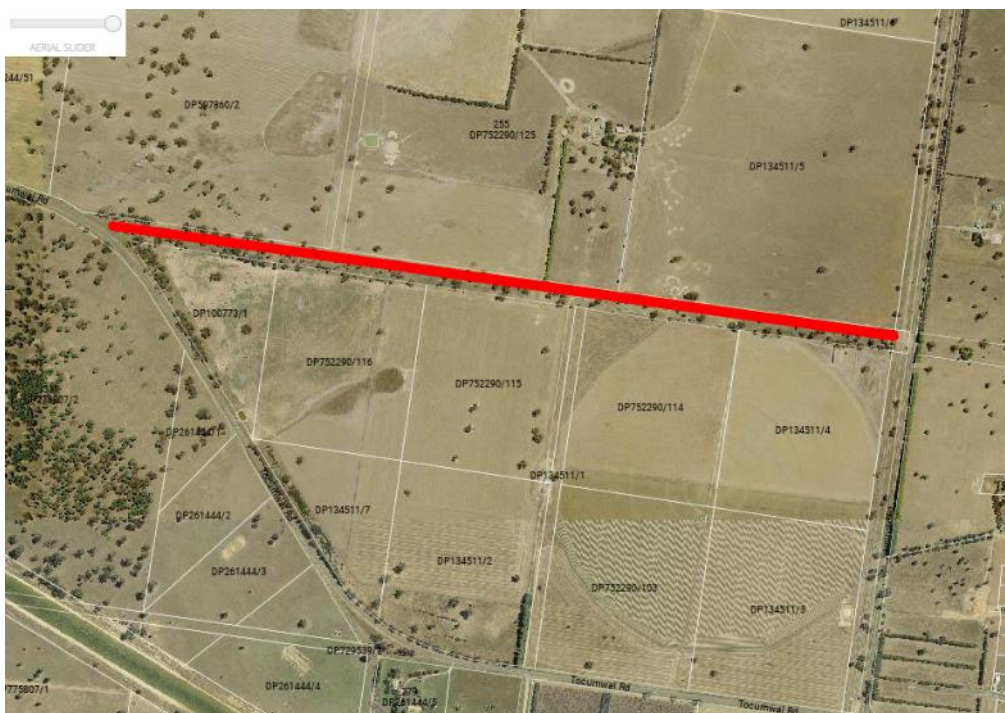
Council has received requests for the closure of:

1. Lambruk Lane, Mulwala
2. Un-named road (between East Gums Road and West Gums Road), Urana
3. Pell Street, Howlong

Road locations are shown in red on the plans and photographs included below.

Lambruk Lane, Mulwala

Lambruk Lane, Mulwala is between the Tocumwal Road and Savernake Road. The road reserve is unconstructed and services land that is wholly owned by the same land owner.



The proposed road closure will not impact on Council's assets, emergency vehicle access or adjoining landowners.

Un-named Road, Urana

The un-named road (between East Gums Road and West Gums Road), Urana is to the north east of Urana by approximately 14km. The road reserve is unconstructed and services land that is wholly owned by the same land owner.



The proposed road closure will not impact on Council's assets, emergency vehicle access or adjoining landowners.

Pell Street, Howlong

Pell Street, Howlong is between Read Street and Holbeach Street. The road reserve contains an open drainage channel which collects water from Holbeach Street, then discharges to currently vacant land and is then collected and channelled to the retention basin at the corner of Townsend Street and Emily Court. The section of road is adjacent to the proposed development currently being processed a subdivision.



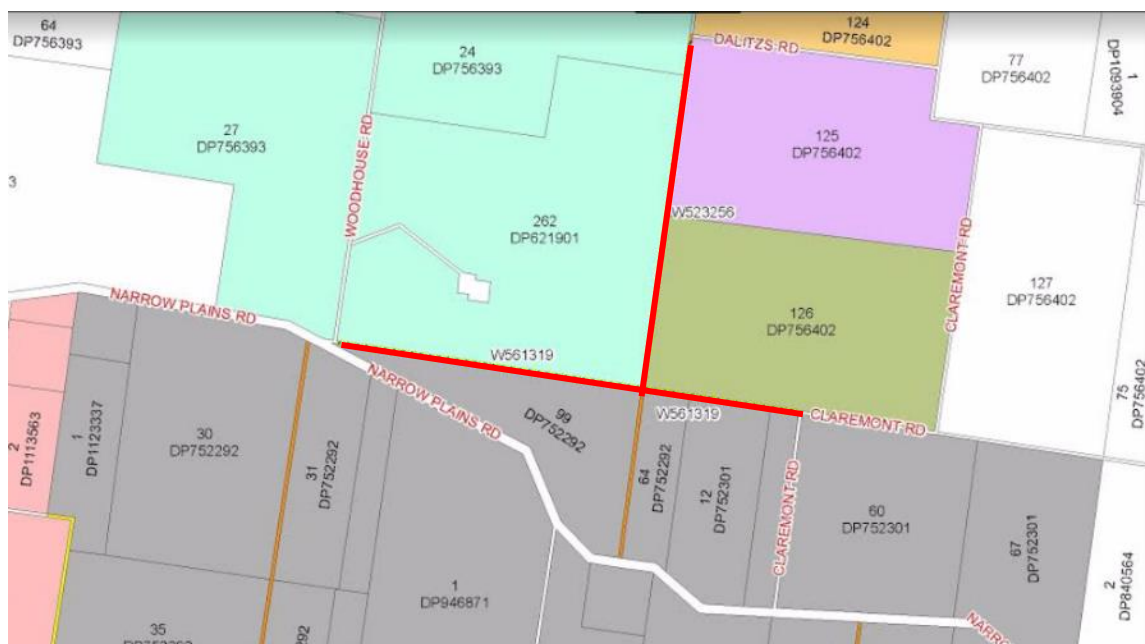
The request to close the road is from the subdivision developer (Read Street) and is for the purpose of providing an improved drainage channel, retention basin for the subdivision and one additional allotment.

The drainage channel and retention basin will become Council assets on completion of the development. Closure of the road may restrict future development of adjoining land which under different ownership.

The proposed road closure will impact Council's access to the drainage channel and adjoining landowners, as such closure of the road reserve is not a benefit to the Council or the community.

Un-named road, Oaklands

The un-named road is South West of Oaklands by approximately 5.5km. The road reserve is unconstructed and services land that is owned by 3 different land owners. The closure of the roads will not impact the access to the properties as all properties have primary access points from other formed roads. There are formed farm access tracks within the road reserves. These tracks are not Council assets.



Road Closure Process

The road closure process is a function of the Department of Primary Industries (Lands) and varies depending on the status of the road. In all three requests the roads are unconstructed.

Under the Roads Act 1993, unconstructed Crown and Council Roads will vest in the Crown upon closure. Where road closure applications are initiated by a third party, for unconstructed Council Roads, the Road Closure: Public Road Closure application (general) may be lodged by the third party with written consent from Council. The consent should acknowledge the road will vest in the Crown upon closure and that the department may deal directly with the third party through the private treaty sale process.

Community Implications

The proposed road closures of Lambruk Lane and the un-named roads do not impact the community in general.

The proposed road closure of Pell Street impacts the ability of the adjoining owners to develop their land in the future.

Environmental Implications

In all three cases there are no environmental impacts expected due to the proposed road closures.

Financial Implications

There is no financial impacts expected due to the proposed road closures.

Strategic Implications

The proposed road closures of Lambruk Lane and the un-named roads do not have any foreseeable strategic implications for Council.

The proposed road closure of Pell Street will impact Council's Asset Management Strategy through the road reserve becoming a privately owned parcel of land with Council assets protected by easements only.

RECOMMENDED:

1. THAT Council consent to the closure of Lambruk Lane, Mulwala and provide a letter of consent to the landowner;
2. THAT Council consent to the closure of the un-named road, Urana and provide a letter of consent to the landowner;
3. THAT Council **not consent** to the closure of Pell Street, Howlong; and
4. THAT Council consent to the closure of the un-named road, Oaklands and provide a letter of consent to the landowner.

8.4 PLANNING PROPOSAL 12 REZONING FROM RU1 PRIMARY PRODUCTION TO IN1 GENERAL INDUSTRIAL AND TO REMOVE THE MINIMUM LOT SIZE (MLS) FOR SUBDIVISION

Summary

This report Planning Proposal seeking an amendment to the Corowa Local Environmental Plan 2012 (CLEP) to rezone land on the north east fringe of the Howlong township from RU1 Primary Production to IN1 General Industrial and to remove the Minimum Lot Size (MLS) for subdivision.

Lots 67, 68, 69 and 70 in DP753744

Background

The Planning Proposal documentation supporting this proposal has been prepared by Habitat Planning and is included as an attachment.

Attachments

8.4.1 Planning Proposal Lots 67, 68, 69 and 70 in DP753744 – November 2017.

Financial Implications

Nil.

RECOMMENDED that Council has considered the written planning proposal and directs that the written proposal be sent to the Department of Planning and Infrastructure for an initial Gateway Determination under section 56(1) of the Environmental Planning and Assessment Act, the planning proposal to amend the Corowa Local Environmental Plan 2012 to rezone the subject lands from RU1 Primary Production to IN1 General Industrial and to remove the minimum lot size (MLS) for subdivision.

8.5 PROPOSED STATE SIGNIFICANT DEVELOPMENT - SOLAR FARM MULWALA

Summary

This report is to provide Council with information for a proposed state significant solar farm at Mulwala and to ascertain if there are any concerns with this proposal prior to lodgement of a development application with the NSW Department of Planning.

The proposed land is located at Tocumwal Road and Saverlake Road (8.5.1).

Background

Council recently received an enquiry regarding a proposed solar farm to be located in Mulwala. The size of this solar farm is of a scale considered State Significant Development and as such the NSW Department of Planning will determine the application.

The proposed land is located at Tocumwal Road and Saverlake Road (8.5.1).

The surrounding land uses are rural, large lot residential, and industrial. Part of the proposed site includes land zoned R2

As part of the preliminary environment assessment, the consultant preparing the Environmental Impact Statement are seeking comment from Council in particular, any concerns that may arise in relation to the proposed development.

The items for consideration from Council include;

- The project is aligned with the LEP and Council's objectives
- Does the project have full support from Council?
- Are there any strategic and land use plans for Mulwala which could be impacted by this development

ENSCO Pacific have provided an estimated timeframe for this project

Timeframe:

- Finalising the preparation of a Preliminary Environment Assessment (PEA) – Scoping report. Lodge the PEA report in December 2017.
- Obtain the Secretary's Environmental Assessment Requirements (SEARs) by the end of January
- Preparation of the EIS would start early February
- lodgement late autumn, early winter depending on the project's complexity
- Community consultation would be at the end of summer
- Project construction would not start before 2019

Attachments

8.5.1 Land Location Map - Tocumwal Saverlake Roads.

8.5.2 Scoping Report

Financial Implications

Nil.

RECOMMENDED that Council provide comment in respect to any concerns with the proposed State Significant solar farm in Mulwala to the New South Wales Department of Planning and ENSCO Pacific as part of the preliminary Environmental Impact Assessment.

8.6 DEVELOPMENT APPLICATION 2017/175 HIGHWAY SERVICE CENTRE 475-479 HONOUR AVENUE COROWA

Summary

This report allows Council to consider and determine a Development Application for a Highway Service Centre including subdivision of land, consolidation of lots, demolition of existing structures, construction of highway service centre, convenience store, dining amenities, refuelling services and signage.

The application was notified in accordance with legislative requirements and one submission was received with concerns about the proposed development.

Property:	475-479 Honour Avenue Corowa Lot 2 DP 1151254, Lot 2 DP1088567, Lot 1 DP 119963 Lot 1 DP 119967.
Proposal:	Highway Service Centre
Applicant:	Barker Group NSW Pty Ltd
Zoning:	B6 Enterprise Corridor

Background

On 23 August 2017, Council received a Development Application for a proposed Highway Service Centre at 475-479 Honour Avenue Corowa

The total area of the proposed site is 10,512m² including freehold land to be purchased from Federation Council. The land is zoned B6 Enterprise Corridor and the proposal is permissible under the Corowa Local Environment Plan 2012

The proposal was referred to the Roads and Maritime Service and the Office of Environment and Heritage for comment and advertised in accordance with Council's notification policy

Council received one submission in relation to this proposal.

Section 79C evaluation – in determining a development application, a consent authority is to take into consideration such of the following matters as are relevance to the proposed development:

Environmental Planning Instrument – The applicable planning instrument is the Corowa Local Environmental 2012. The site is located within a B6 Enterprise Corridor zone where this type of development is permissible with Council consent.

The objectives of the zone are;

- To promote businesses along main roads and to encourage a mix of compatible uses.
- To provide a range of employment uses (including business, office, retail and light industrial uses).
- To maintain the economic strength of centres by limiting retailing activity.
- To provide for residential uses, but only as part of a mixed-use development.
- To facilitate a mix of business and retail development in the vicinity of the intersection of Federation Way and Honour Avenue that services the needs of the travelling public.

Draft Environmental Planning Instrument – There is no draft planning instrument or proposed draft planning instrument applicable to this land.

Development Control Land – The allotment is subject to the Corowa Development Control Plan 2013. The proposal meets the requirements set out in the DCP. A number of conditions have been applied to the development consent to ensure compliance with the Design Manual.

Planning Agreement – There has been no planning agreement entered into under section 93F of the Act.

Regulations – There is no conflict with the requirements of the regulations.

Coastal Zone Management Plan –Not applicable.

Likely Impact of Development – An assessment of the environmental impacts on both the natural and built environments and social and economic impacts on the locality and it is considered that the development will not result in an adverse environmental impact. Of greatest concern in assessing, the environmental impact was the traffic impact of the proposed entry to the site from Honour Avenue.

Suitability of the site - The site is located within an existing business corridor zone. The location of the proposed service centre is ideal to service the needs of traffic coming from Victoria and traffic along the Riverina Highway. The site has existing services and surrounding properties such as the saleyards will benefit from this location.

Submissions – Following the public exhibition of the development in accordance with Council's Notification Policy 1 submission had been received. The submission outlined concerns regarding;

1. The entrance of the site,
2. The location of the existing electricity pole,
3. The proposed exit onto Honour Avenue,
4. The size of the lot, and
5. Visual amenity. Of the area

The following concerns are addressed as follows;

1. The entrance of the site,- Conditions of approval from the RMS requiring measures to be put in place to ensure safe traffic to and from the site.
2. The location of the existing electricity pole,
The electricity pole has been considered in the design of the site, traffic studies have been undertaken to ensure that the proposed internal roads are compliant.
3. The proposed exit onto honour avenue,
RMS have imposed conditions requiring restrictions of the exit to be left turn only.
4. The size of the lot, the proposed lot size is adequate for this type of development- additional land is being acquired from Council.
5. Visual amenity. Of the area- the area is industrial, the proposed service centre design would not be out of character.

Public interest – The development will result in the provision of a service centre located out of the town centre to service vehicles including trucks. The location near the saleyard is convenient and practical to service the needs of those using the saleyards as well as potentially capturing interstate travellers.

Attachments

Nil.

Financial Implications

Nil.

RECOMMENDED that Council grant consent to Development Application 2017/74 subject to the following conditions:

General

Compliance Standards: Any building and associated works shall comply with the statutory requirements of the Environmental Planning & Assessment Act, Local Government Act and the Building Code of Australia ("BCA").

Reason: The legal obligations of the Council to administer the New South Wales Building and Planning laws in order to provide satisfactory standards of living and development.

Appointment of Principal Certifying Authority and Notice of Commencement: The Applicant shall appoint a Principal Certifying Authority and submit a Notice of Commencement at least 48 hours prior to the commencement of any works. The Principal Certifying Authority may be either Council or a Private Certifier. The notice is to be submitted on the prescribed form attached to this approval.

Reason: To ensure compliance with the provisions of the Environmental Planning and Assessment Act.

Occupation Certificate: Any building subject to this consent may not be used or occupied prior to the issue of an Occupation Certificate by the Principal Certifying Authority. An application for an Occupation Certificate must be lodged on the specified form attached to this approval.

Reason: To ensure compliance with the provisions of the Environmental Planning and Assessment Regulation

Occupation Certificate

Prior to the certifying authority issuing an Occupation Certificate to authorise a person to commence occupation or use of the building, the certifying authority must be satisfied that a Final Fire Safety Certificate has been issued for the building.

Reason: To ensure that fire and other safety measures are maintained in a proper working condition.

Annual Fire Certificate: The owner of the building shall submit to Council an 'Annual Fire Safety Statement' by 1 July, each subsequent year after obtaining a 'Fire Safety Certificate' for the building from Council.

The 'Annual Fire Safety Statement' shall comply with the provisions set out in the Environmental Planning & Assessment Regulation. Forms for this purpose can be collected from Council's Office.

Reason: To ensure that fire and other safety measures are maintained in a proper working condition.

Consolidation: Lot 2 DP 1151254, Lot 2 DP1088567, Lot 1 DP 119963 Lot 1 DP 119967 being consolidated into one prior to issue of the Subdivision Certificate.

Reason: To ensure that the completed development is on consolidated land and does not encroach onto other allotments.

Access to premises legislation: The owner of the building shall ensure that, when completed, the works comply with the provisions and requirements of the Disability (Access to Premises – Buildings) Standards 2010.

Closet facilities: Separate closet facilities and other sanitary facilities shall be provided for each sex in accordance with the provisions of Part F2 of the Building Code of Australia.

Toilets: One toilet must be constructed to provide access for people with disabilities. (See Australian Standard AS 1428.1 on size etc.) Both toilets must be separated from the Staffroom by an air lock OR the toilet screened from view and the toilet fitted with an exhaust fan. See Clauses F4.8 and F4.9 of the Building Code of Australia. A urinal is required if there are more than ten (10) male employees.

Disabled car parking: Provide at least one (1) car parking space for people with disabilities (BCA,D3.5).

Access for people with disabilities: Provide access for people with disabilities to and within the entrance floor and parts of the building as prescribed. (BCA. D3.3).

Anti-discrimination legislation: This application has been assessed in accordance with the relevant building laws and it remains the responsibility of the builder to ensure compliance with other laws, including anti-discrimination legislation.

Identification of facilities, services, features: Clear and legible braille and tactile signage complying with specification D3.6 and incorporating the international symbol of access, or deafness or other symbol in accordance with AS1428.1 must identify each:

- (a) Sanitary facility
- (b) Hearing augmentation system
- (c) Accessible entrance
- (d) The path of travel from the principle entrance to these facilities. (See BCA D3.6 and Specification D3.6).

Demolition

Protection of public place: If the building or demolition work is likely to effect pedestrian or vehicle traffic in a public place a hoarding or fence is to be provided.

Demolition: All demolition works must be carried out safely and in accordance with the requirements of WorkCover NSW. Before starting work a demolition license and/or a site specific demolition permit may be required from WorkCover. Contact WorkCover Assistance on 13 10 50 or visit the WorkCover website at www.workcover.nsw.gov.au.

Disconnection of services

The services to the property are to be safely disconnected and capped off. The sewer is to be capped off and location identified for future connection.

ASBESTOS: Development involving bonded asbestos material and friable asbestos material.

- (a) Work involving bonded asbestos removal work (of an area of more than 10 square metres) or friable asbestos removal work must be undertaken by a person who carries on a business of such removal work in accordance with a licence under clause 318 of the Occupational Health and Safety Regulation 2001.

- (b) Work involving bonded asbestos removal work of an area less than 10 square metres may be undertaken by a person who complies with (a) above or who complies with the requirements of WorkCover. Contact WorkCover Assistance on 131050 or visit the WorkCover website at www.workcover.nsw.gov.au.
- (c) The person having the benefit of the construction certificate must provide the principal certifying authority with a copy of a signed contract with such a person before any development pursuant to the construction certificate commencing.
- (d) Any such contract must indicate whether any bonded asbestos material or friable asbestos material will be removed, and if so, must specify the landfill site (that may lawfully receive asbestos) to which the bonded asbestos material or friable asbestos material is to be delivered.

In this clause, ***bonded asbestos material, bonded asbestos removal work, friable asbestos material and friable asbestos removal work*** have the same meanings as in clause 317 of the Occupational Health and Safety Regulation 2001.

Note 1. Under clause 317, removal work refers to work in which the bonded asbestos material or friable asbestos material is removed, repaired or disturbed.

Note 2. The effect of subclause (1) (a) is that the development will be a workplace to which the Occupational Health and safety Regulation 2001 applies while removal work involving bonded asbestos material or friable asbestos material is being undertaken.

Note 3. Information on the removal and disposal of asbestos to landfill sites licensed to accept this waste is available from the Department of Environment, Climate Change and Water.

Note 4. Demolition must be carried out in accordance with Australian Standard AS 2601-2001, *Demolition of Structures*.

Garbage/recycling bins: All bins are to be returned to Council. Contact the Rates Department on 02 6033 8970 to arrange collection. When the bins are returned your rates account will be credited accordingly.

Approved plans not to be departed from:

The approved plans and specifications shall not be departed from in any way, unless approval is first obtained from the Council's Building Surveyor. Applications to amend such plans and specifications must be submitted in writing to the General Manager.

Hours of work: All construction works are restricted to the following times:

Monday to Friday: 7 am to 6 pm. Saturday, Sunday and Public Holidays: 8 am to 6 pm. Noise from the site on Saturdays, Sundays and Public Holidays shall not exceed 5dB(A) above the background noise level when measured at the property boundary.

Submission of construction certificate

Site works are not to commence until such time as Council has received a construction certificate for the proposed works. Council or an Accredited Certifier may issue construction certificates.

Note: Only the person who appointed the PCA may be the applicant for the Construction Certificate.

Reason: To comply with the requirements of Section 81A of the Environmental Planning and Assessment Act.

Liquid Trade Waste

Liquid trade waste application

The Applicant must lodge a completed liquid trade waste application with Council and ensure that a valid Liquid Trade Waste Approval has been granted in association with the proposed kitchen prior to the release of the Construction Certificate. The Applicant must allow in the design for all required trade waste pre-treatment equipment to be installed.

Reason: To ensure that the proposed development can be appropriately serviced and to comply with Section 68 Part C (4) of the Local Government Act 1993.

Pre-treatment requirements

Screens in all sinks used for food preparation, including the cleaner's sink, if installed.

Floor wastes in food preparation areas, if installed, require to be fitted with dry basket arrestors with fixed screen underneath the removable basket.

Installation of a 1000 L grease arrestor to pre-treat the liquid trade waste from food preparation activities.

Final certificate of compliance

Prior to the use of the proposed kitchen as a food preparation area, the Applicant must obtain a final certificate of compliance from Council to ensure the liquid trade waste pre-treatment installation complies with the applicable standards and legislation.

Reason: To ensure compliance of the installation with the Work Health and Safety Act 2011, the Plumbing Code of Australia, Australian Standard 3500, the Local Water Utility's (LWU's) requirements and the manufacturer's instructions.

Forecourt waste water discharge

Waste water from the service station forecourt is prohibited from being discharged directly or indirectly (tankered) to Council's sewer infrastructure.

Reason: To ensure compliance with Crown Lands and Water requirements for the management of liquid trade waste from new or refurbished refuelling forecourts.

Infrastructure

Works Standards

All works carried out must be in accordance with Council's Infrastructure Guidelines and standard drawings.

Reason: To ensure minimum standards are maintained for public infrastructure.

Storm Water and External Surface Wash Down Water Capture

All captured stormwater and external surface wash down water discharging from the site, buildings and works must be conveyed to a single legal point of discharge by underground pipe drains to the satisfaction of Council.

No effluent, polluted or domestic waste water of any type may be allowed to enter the Council's stormwater drainage system or any road, stream, river or other waterway reserve.

Reason: Stormwater control, pollutant control and flooding prevention

Storm Water Outfall Restriction

Prior to the issue of a building certificate a site drainage plan with engineer certified computations must be submitted to and approved by Council.

The plan must give details of how the works on the land are to be drained to the legal point of discharge and retarded to the discharge rate for the undeveloped site for a 1 in 5 year ARI storm. A flow path for the 1 in 100 year ARI must be shown on the plan.

Reason: Flood prevention.

Construction Site Drainage Management

Prior to the commencement of works, a site drainage management plan must be submitted to and approved by Council. The plan is to include silt controls and storm water flow controls.

The plan must give details of how the separation of stormwater to contaminated stormwater will be achieved and managed.

Reason: Pollutant control

Road Opening Permit

A road opening permit application must be completed and submitted for each individual access and egress. The application must be approved prior to commencement of any works.

Reason: Asset protection

Services Connection

A sewerage service connection shall be made to a single legal point of discharge.

Prior to the commencement of works a sewerage plan with engineer certified computations must be submitted to and approved by Council.

The plan must give details of the total volumes of sewage that will enter council sewerage network. In the event the increased sewage exceeds the capacity of the Pump Station, a new pump station design is to be submitted and approved by Council. All cost associated with the upgrade will be the responsibility of the developer.

A separate potable water service connection shall be made to a single legal connection point. An application for connection must be made to council.

Reason: Public health

Road Access

New Road from Honour Avenue roundabout must have barrier kerb installed and must be a minimum of 11m kerb face to kerb face. All perimeters within the new facility must have barrier kerb installed.

The property boundary at the intersection of the New Road to the entrance at the new facility must cater for a future roundabout to be installed by in accordance with AustRoads - Guide to Road Design Part 4A: Roundabouts. The minimum sized design vehicle is to a B-Double.

Reason: Future road upgrade capacity.

Construction Certificate – Civil Works

Prior to Commencement of works a construction certificate application in the prescribed manner (including appropriate plans) must be submitted for approval. Works must not proceed without a valid Construction Certificate.

Reason: Works control

Roads and Maritime**Raised central traffic median**

A raised central traffic median shall be constructed within Honour Avenue to deny right turn movements between the development site and Honour Avenue. The proposed driveway shall be located and the median designed to meet this requirement but not deny right turn movements between Honour Ave and the existing driveway to the developments on the opposite side of Honour Avenue. The design and construction of this median treatment shall comply with the Austroads Guide to Road Design as amended by the supplements adopted by Roads and Maritime Services for the posted speed limit.

Signage

Appropriate signage and line marking shall be installed and maintained within the raised median along Honour Avenue to deny U-Turn movements within Honour Avenue.

No Parking along Honour Avenue

Parking along Honour Avenue adjacent to the development site shall be denied. Appropriate signage and line marking shall be installed and maintained to enforce this requirement.

Off-street car park layout

The off-street car park layout associated with the proposed development including driveway design and location, internal aisle widths, ramp grades, parking bay dimensions and loading bays are to be in accordance with AS 2890.1-2004 "Off-street car parking" and AS 2890.2-2002 "Off-street commercial vehicle facilities".

Site manoeuvrability

The swept path of the largest vehicles entering and exiting the subject site and manoeuvrability through the site is to be in accordance with AS 2890.2-2002 "Off-street commercial vehicle facilities" and to Council's satisfaction. For road safety reasons, all vehicle access driveways, and the internal layout of the development, shall be designed to allow all vehicles to enter and exit the subject site in a forward direction and not be required to reverse onto the adjoining road reserve.

Vehicle access, parking and loading

Internal vehicular manoeuvring aisles, parking areas and loading bays shall be maintained clear of obstruction and used exclusively for the purposes of vehicle access, parking and loading and unloading respectively. Under no circumstances shall these areas be used for the storage of goods or waste receptacles or any other purpose.

Landscaping, fencing and signage

Any landscaping, fencing and signage to be provided within the site or along the boundary with any adjoining road reserve is to be designed and maintained to provide safe sight distance to pedestrians for motorists entering and exiting the site to minimise conflict in accordance with AS2890.1-2004 "Off-street car parking".

Vehicular loading/unloading

All vehicular loading/unloading associated with this development is to be undertaken within the subject site to remove interference with vehicles and pedestrian movement on public roads.

Restore any damage or disturbance

Any damage or disturbance to the road reserve of the adjoining roads is to be restored to match surrounding landform in accordance with Council requirements. Any redundant vehicular access points to the subject site from the road network shall be removed and the road reserve reinstated to match the surrounding roadside landform.

Stormwater run-off

Stormwater run-off from the subject site onto the adjoining road reserve as a result of the proposed development is not to exceed the existing level of run-off from the subject site. Any access driveway is to be designed and constructed to prevent water from proceeding onto, or ponding within, the carriageway of any adjoining road.

Management plan

A management plan to address construction activity access and parking is to be prepared to ensure that suitable provision is available on site for all vehicles associated with the construction of the development to alleviate any need to park within, or load/unload from, the surrounding public road network. The storage of any material within the road reserve is denied. Appropriate signage and fencing is to be installed and maintained to effect these requirements.

Austroads Guide to Road Design

All works undertaken within the road reserve of Honour Avenue, which forms part of the Yarrawonga-Corowa Road (MR314), shall be designed and constructed to the satisfaction of Roads and Maritime Services and in accordance with the Austroads Guide to Road Design as amended by the supplements adopted by Roads and Maritime Services.

Works within the road reserve

Any works within the road reserve of a Classified Road requires concurrence from Roads and Maritime Services under section 138 of the Roads Act 1993 prior to commencement of any such works. The developer is responsible for all public utility adjustment/relocation works, necessitated by the proposed development and as required by the various public utility authorities and/or their agents.

Works Authorisation Deed (WAD)

The Yarrawonga-Corowa Road (Honour Avenue) is part of the State Road network. For works within the carriageway of a State Road the developer is required to enter into a Works Authorisation Deed (WAD) with Roads and Maritime Services before finalising the design or undertaking any construction work within or connecting to the road reserve. The applicant is to contact the Manager, Land Use for the South West Region on Ph. (02) 6923 6611 for further detail.

The design and construction of the works within the carriageway of the Yarrawonga-Corowa Road shall be in accordance with the requirements of Roads and Maritime Services. The developer will be required to submit detailed design plans and all relevant additional information including cost estimates and pavement design details for the works, as may be required in the Works Authorisation Deed documentation, for each specific change to the state road network for assessment and approval by Roads and Maritime Services.

Works at no cost to Roads and Maritime Service

Any works associated with the development shall be at no cost to Roads and Maritime Services.

Advertising signage

Any advertising signage is to be assessed against and comply with the provisions of State Environmental Planning Policy (SEPP) No. 64 – Advertising and Signage., and the Department of Planning's Transport Corridor Outdoor Advertising and Signage Guidelines (July 2007). The following is appropriate unless the provisions for advertising structures under SEPP 64 apply.

Any signage shall be designed and located so as to comply with the following;

- a) the sign display shall not include:
 - Any flashing lights,
 - Electronically changeable messages,
 - Animated display, moving parts or simulated movements.
 - Complex display that holds motorist's attention beyond "glance appreciation",
 - Display resembling traffic signs or signals, or giving instruction to traffic by using words such as 'halt' or 'stop';
- b) shall not be located within the Safe Stopping Distance for the posted speed limit from the roundabout at the intersection of Honour Avenue and Federation Way.
- c) The method and intensity of any illumination of the sign shall not be directed or transmitted in such concentration or intensity to cause distraction or glare to motorists.
- d) The permissible level of reflectance of an advertisement is not to exceed the 'Minimum coefficients of Luminous intensity per unit area for Class 2A', as set out in Australian Standard AS/NZS 1906.1:2007;
- e) Any proposed sign and support structure shall be located wholly within the confines of the property boundaries and not protrude over any adjoining road reserve.
- f) Any proposed sign and supporting structure to be located within close proximity to a road reserve is required, as a minimum, to comply with the wind loading requirements as specified in AS1170.1 Structural design actions – Permanent, imposed and other actions and AS1170.2 Structural design actions – wind actions.
- g) Any proposed sign and supporting structure shall not obstruct any road regulatory, safety or directional signage in the vicinity,
- h) Any proposed sign and supporting structure shall not pose any risk to the safety of pedestrians or motorists.

8.7 DEVELOPMENT APPLICATION 2017/246 - 31 LANG STREET MULWALA

Summary

Property:	31 Lang Street Mulwala
Owner:	Sean Santoro Enterprises P/L
Proposal:	Balcony Renovation

1.0 Background

An inspection of the property last July revealed that building works were being undertaken without prior development consent. The works included the demolition and replacement of a stairway and balcony which was attached to two sides and the rear of the house.

The stairway and balcony were a steel structure erected without inspection or certification. The balcony along the south-west side was constructed to the boundary line. The former balcony which was demolished was demonstrated to have had a 1.035 boundary clearance.

As a consequence a penalty notice was issued and development consent is now being sought. However, as development consent is unable to be given for works already undertaken, a building certificate application is also required.

An adjoining owner lodged an objection to the building works.

2.0 Statutory Controls

The controls affecting activities on this property are encompassed in:

- The environmental Planning and Assessment Act 1979 and Regulations
- Corowa Local Plan 2012 (CLEP)
- NSW Planning and Infrastructure Policy for Privacy Requirements for Residential Complying Developments.

2.1 Environmental Planning and Assessment Act 1979, And Regulations

The Environmental Planning and Assessment Act 1979 require that the consent authority takes into account the following matters are of relevance in its determination of a development application.

These include:

- a) The provision of:
 - i. Any environmental planning instrument, and
 - ii. Any draft environmental planning instrument that is or has placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified to the consent authority that the making of the draft instrument has been deferred indefinitely or has been approved), and
 - iii. Any development control plan,
 - iv. Any planning agreement that a developer has been entered into section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F; and
 - v. The regulations (to extent that they prescribe matters for the purposes of this paragraph).

That applies to the land which the development application relates

- b) The likely impacts that development, including environmental impacts on both natural and built environments, and social and economic impacts in the locality;
- c) The sustainability of the site for development;
- d) Any submissions made in accordance with this Act or the regulations;
- e) The public interest.

2.2 Corowa Local Environmental Plan (LEP)

The land is zoned R2 – Low Density Residential. The objectives of this zone are:

- To provide for the housing needs of the community within a low density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

2.3 NSW Planning and Infrastructure Policy for Privacy Requirements for Residential Complying Development

The policy contains privacy requirements which apply when constructing new, or making alterations and additions to, balconies and other outdoor areas and habitable rooms.

3.0 Public Consultation

The application was advertised in accordance with Council's policy and neighbours notified. One letter of objection was received and related to:

- Side boundary setbacks
- Overshadowing
- Workmanship
- Drainage concerns
- Privacy
- Property depreciation

A copy of the objection is attached at schedule 1 and a meeting has been held with the objector.

4.0 Environmental Impact

The primary adverse impacts would be likely to occur on the south-west side of the dwelling where the balcony has been illegally built to the boundary, causing privacy, shadowing, drainage and clearance concerns. However, the owner is seeking approval to modify this section of the balcony to the alignment of the former balcony and install a 1.8m privacy screen along its full length.

There will be a side boundary setback of at least 1.035m which should allay shadowing concerns. Drainage matters are the subject of negotiation between neighbours as the works concerned do not require Council approval.

5.0 Conclusion

Works have been undertaken without prior approval and an infringement notice was issued. The balcony erected along the south-western side encroached upon side boundary setbacks but this will be certifying to achieve a clearance of at least 1.035m. A building certificate application accompanied by details from a practising structural engineer rectifying the integrity of the structure shall be lodged for approval. The works proposed in this development application should remedy the situation.

Attachments

Schedule 1 - Objection Letter

RECOMMENDED that Council approve the development application for 2017/246, 31 Lang Street Mulwala subject to the following conditions:

- 1) A Building certificate application accompanied by details from a practising structural engineer certifying the integrity of the stairway and balcony structure be lodged for approval within one month of the date hereon.
- 2) The balcony along the south-western side of the dwelling be reconstructed to maintain a boundary clearance of at least 1.035m and a suitable 1.8m privacy screen be erected along its entire length in accordance with the provisions and requirements of NSW Planning and Infrastructure Policy for Privacy Requirements for Residential Complying Developments.
- 3) **INSPECTIONS:** When the building has reached the following stages, 48 hours notice is to be given to Council to enable an inspection to be carried out. For inspections phone (02) 6033 8960.
 - (a) **Slab, Footings Etc:** Prior to pouring any in-site reinforced concrete building element, pad footings, etc and
 - (b) **Frame:** Prior to covering of the framework for any floor, wall, roof or other building element; and
 - (c) **Stormwater:** Prior to covering any stormwater drainage connections; and
 - (d) **Final:** After building work has been completed and prior to occupation or use of the building.

NOTE: If any of the mandatory critical stage inspections are not done, Council will not be able to issue an Occupation Certificate.

Reason: To ensure compliance with the Environmental Planning and Assessment Regulation 2000, (Clause 162A, 163) associated legislation and Council requirements.

Notice of Commencement: Notice of commencement of building work and appointment of the Principal Certifying Authority shall be lodged with Council, in writing, at least two days prior to commencement of construction. (See enclosed form).

- 4) **STORMWATER:** All stormwater shall be piped to the existing stormwater disposal system.

Schedule 1

[REDACTED]
[REDACTED]

Monday, 4 December 2017

Email: council@federationcouncil.nsw.gov.au

Attention: Chris Nevins
Federation Council
Health and Building Surveyor

Dear Mr. Nevins,

Development Application No. 2017/246, Lot 8, DP2132244 – 31 Lang St, Mulwala
Your Ref: CN:ML:3929 – 17/31964.

I refer to your letter dated 20 November 2017, seeking any objections or comments in relation to the proposed development of a balcony (**Proposed Balcony**) at 31 Lang Street, Mulwala (31 Lang Street).

I am the registered owner of the property situate [REDACTED], Mulwala. My property and 31 Lang Street are immediate neighbouring properties.

My objections and concerns in relation the Proposed Balcony are as follows:

1. The Proposed Balcony is too close to the boundary between the two properties.

In particular, the Proposed Balcony, is closer to my property than the previous balcony erected on the property by the previous owner. In addition, the Proposed Balcony is also wider than the balcony previously erected by the prior owner.
2. The steel beams that will support the Proposed Balcony are extremely close to the boundary line, and are much closer to the boundary line than any previous balcony supports.
3. The shadow overhang caused by the Proposed Balcony will block out light and sun to my property.
4. During the construction of the Proposed Development a concrete path on my property was removed without my knowledge or permission. Mr Santoro of 31 Lang Street arranged reparation works, however, I am not satisfied with the works undertaken. The replacement concrete path slopes towards my house and I am concerned the slope will lead to water runoff against, and possibly under, my house.

5. During construction of the Proposed Balcony, a new concrete veranda has been constructed on 31 Lang Street which abuts my property. The new concrete veranda is at a higher level than the concrete path on my property (see photograph 2 in particular).
6. **Most importantly**, the Proposed Balcony raises **significant privacy concerns** in that it will intrude upon the east side of my property. In particular, it will provide a direct line of sight into my bathroom, toilet, master bedroom and living areas.
7. The Proposed Balcony would also intrude upon my privacy in general such that it would cause financial concerns in relation to the market value of my property (along with fencing and other such related issues).

For your ease of reference, I attach a photographs which corroborate the issues raised above. Additional photographs can be provided upon request.

To be clear, the old property did not intrude on my privacy or cause the concerns stated above. Whereas the Proposed Balcony which has already been partially constructed, raises such issues and concerns.

Finally, I am pleased to see improvements made to 31 Lang Street generally, however not at the expense my privacy, property depreciation or regulatory issues.

Please do not hesitate to contact me if you have any queries in relation to the foregoing or if you would like to discuss any of the matters raised in this letter in further detail.

Yours faithfully,

[Redacted signature block]





8.8 DEVELOPMENT APPLICATION 2017/63 FOR FOOD WASTE PROCESSING FACILITY, 21-25 POSEIDON ROAD COROWA

Summary

Council has received a development application for a food waste processing facility at 21-25 Poseidon Road within the Corowa Industrial Estate. The application seeks retrospective approval for the current operation at the site as well as future plans.

The applicant is Nick Hogan and the land owner is the applicant and Susie Scott. The application is accompanied by a planning report that includes a Statement of Environmental Effects (SEE), in accordance with the requirements of the EP&A Act.

This assessment of the application is undertaken by planning consultants Habitat Planning.

Background

Site description

The land the subject of the application is described as Lot 78 in DP 1052205 and Lot 17 in DP1133854.

The site is located within the Corowa Industrial Estate on the western side of Poseidon Street near Santos Street. It is surrounded by other industrial developments and vacant land. The lot has an area of approximately 4,000m² with a frontage to Poseidon Street of 54 metres. An additional area of approximately 1,640m² for future development adjoins this land at the rear and extends through to Pilbara Road.

There are three main buildings on the site in the form of metal clad sheds. The outdoor areas are used for storage of items associated with the activity being undertaken on the site. Parts of the open areas have a concrete base with the remainder either having a crushed gravel surface or natural ground.

There are two vehicle accesses from Poseidon Street that are unconstructed other than being provided with a crossing over the table drain. Stormwater from the site is directed to the table drain (there is no kerb and gutter in the industrial estate).

The industrial activity being undertaken on the site is conducted within the buildings but there are several openings exposing the activity to the outside.

Description of proposal

The proposal is nominated by the applicant as a 'food waste processing facility' and described as follows:

The term 'product destruction' describes the processing of food industry finished goods that are not sold for human consumption. The reasons why products are not sold are varied, but the main reasons are as follows;

- *Out of date,(or nearing out of date)*
- *Failing food quality assurance protocol.*
- *Overproduced, unsold stock.*
- *Errors with labelling/packaging.*
- *Discontinued food/drink lines*

This facility handles a variety of products, which are processed, to separate packaging from contents. The contents are then re-used, either as stock feed at local intensive livestock operations, or if deemed not suitable for stock feed, sent to an EPA licenced composting facility to be turned into fertiliser for application in a broad acre pasture-cropping program. A large proportion of the products that are processed were previously being sent to landfill.

The packaging materials which include aluminium, tin, cardboard, glass and PET plastic are all recycled, hence creating a system where nearly every aspect of a product previously sent to landfill is re-used.

The company embraces sustainability concepts that include environmental, economic and social aspects to ensure that a profitable business is sustained through the business of waste minimisation and the re-use or recycling of materials wherever possible. NB Hogan & SJ Scott has a proven history of providing employment to younger workers who have had previous trouble obtaining a start in the workforce. The business has been working with Kalliana enterprises to provide supported employment to workers with disabilities.

Notification & referral process

The development application was notified to adjoining landowners and Environment Protection Authority (EPA) were consulted via meeting involving the applicant and Council.

The response to these notifications and referrals are addressed later in the report.

The application states that consultation was also undertaken with the NSW Roads and Maritime Services (RMS) and NSW Primary Industries (Water) prior to lodgement. The applicant also claims to be “*continuously consulting surrounding tenants in the industrial area*”.

Assessment

Section 79C of the EP&A Act sets out the matters a consent authority is to take into consideration (where relevant) in assessing a development application. Each of these is addressed as follows.

The provisions of any current or draft environmental planning instrument, development control plan, or matters prescribed by the regulations.

Having regard for the nature of the activity, Council must consider whether the proposal is a ‘potentially offensive industry’ under **State Environmental Planning Policy No 33—Hazardous and Offensive Development** (SEPP33). A ‘potentially offensive industry’ is defined in SEPP33 as:

development for the purposes of an industry which, if the development were to operate without employing any measures (including, for example, isolation from existing or likely future development on other land) to reduce or minimise its impact in the locality or on the existing or likely future development on other land, would emit a polluting discharge (including for example, noise) in a manner which would have a significant adverse impact in the locality or on the existing or likely future development on other land, and includes an offensive industry and an offensive storage establishment.

It is considered that if the industry on the site were to operate without any mitigating measures for odour and stormwater, it would by this definition qualify as a ‘potentially offensive industry’. Consequently the following matters in Part 3 of SEPP33 require consideration by Council:

- (a) *current circulars or guidelines published by the Department of Planning relating to hazardous or offensive development, and*
- (b) *whether any public authority should be consulted concerning any environmental and land use safety requirements with which the development should comply, and*
- (c) *in the case of development for the purpose of a potentially hazardous industry—a preliminary hazard analysis prepared by or on behalf of the applicant, and*
- (d) *any feasible alternatives to the carrying out of the development and the reasons for choosing the development the subject of the application (including any feasible alternatives for the location of the development and the reasons for choosing the location the subject of the application), and*
- (e) *any likely future use of the land surrounding the development.*

The *Applying SEPP33 Guidelines* advises that “the key consideration in the assessment of a potentially offensive industry is that the consent authority is satisfied there are adequate safeguards to ensure emissions from a facility can be controlled to a level at which they are not significant.” In making this judgement the EPA should be consulted where in addition to development consent, the proposal also requires a pollution control licence. In this case the EPA have been consulted and determined that such a licence is not required and the responsibility for assessment rests with Council.

The site for the development was chosen by the applicant because it was located within an industrial estate provided with all urban services. The site is considered an appropriate location for the proposal having regard for this context. The likely future use of land in the vicinity is industrial having regard for both existing zonings and future land use expressed in the Corowa Strategic Land Use Plan.

The **Corowa Local Environmental Plan 2012** (CLEP) is also an environmental planning instrument and applies to the subject land.

Based on the description of the proposal provided with the application, the CLEP would define it as a ‘resource recovery facility’ being “a building or place used for the recovery of resources from waste, including works or activities such as separating and sorting, processing or treating the waste, composting, temporary storage, transfer or sale of recovered resources, energy generation from gases and water treatment, but not including re-manufacture or disposal of the material by landfill or incineration.”

The subject land is zoned IN1 General Industrial pursuant to the CLEP. ‘Resource recovery facilities’ are permissible with consent in the IN1 zone. The objectives of the IN1 zone are:

- To provide a wide range of industrial and warehouse land uses.
- To encourage employment opportunities.
- To minimise any adverse effect of industry on other land uses.
- To support and protect industrial land for industrial uses.

The proposal is considered to be generally consistent with these objectives because:

- it is for the purpose of industrial development;
- it has created employment;
- all land use in the vicinity of the site are industrial; and
- subject to addressing some operational matters, it will have no impact on other industrial land uses.

Clause 7.3 of the CLEP addresses stormwater management and prevents consent being granted for development unless Council is satisfied that it:

- (a) is designed to maximise the use of water permeable surfaces on the land having regard to the soil characteristics affecting on-site infiltration of water, and
- (b) includes, if practicable, on-site stormwater retention for use as an alternative supply to mains water, groundwater or river water, and
- (c) avoids any significant adverse impacts of stormwater runoff on adjoining properties, native bushland and receiving waters, or if that impact cannot be reasonably avoided, minimises and mitigates the impact.

Whilst some detail has been provided on stormwater with the application, it is appropriate that a Soil and Water Management Plan is prepared to provide specific details (including design) as to how on-site stormwater is to be managed. It is acknowledged that the applicant has provided bunding around locations receiving water used in processing but some of these are not of an adequate standard. A significant proportion of the site remains without a hardstand surface upon which stormwater can be prevented from potentially entering groundwater or discharging off site. It would be expected that this will be addressed in the Soil and Water Management Plan and for which time frames should be expressed for implementation. It is noted that the applicant has committed to further expansion of hardstand areas. The lack of formal drainage infrastructure within the industrial estate is an impediment to responsible stormwater management in the area as a whole.

Clause 7.9 of the CLEP addresses 'essential services' and prevents consent being granted for development unless Council is satisfied that adequate arrangements have been made in regards to:

- (a) *the supply of water,*
- (b) *the supply of electricity,*
- (c) *the disposal and management of sewage,*
- (d) *stormwater drainage or on-site conservation,*
- (e) *suitable road access.*

The site is provided with reticulated potable water, sewerage system, telecommunications and electricity (above ground). There is no constructed stormwater drainage system other than a table drain at the front of the property in Poseidon Street. Whilst not ideal, this level of service is considered adequate for the proposal.

The **Corowa Development Control Plan 2013** (CDCP) sets out guidelines for various types of development (residential, commercial and industrial), specific development issues such as flooding and heritage, and site specific matters such as the Mulwala foreshore land. Chapter 3 of the CDCP addresses industrial development and to which the following development standards are relevant:

Appearance

3. Sites are to be maintained in a neat and tidy condition at all times.

The current site is in an untidy state with a low level of amenity due to the nature of the activity and absence of attempts to visually screen it from view through landscaping etc. To rectify this any approval should be conditional upon the preparation of a Landscape Plan and time frame for implementation.

Landscaping

1. All industrial sites are to be appropriately landscaped.

The site has no landscaping. See above.

Car parking

At Council's discretion.

There are no standards for numbers of car parking spaces for this type of development. An informal on-site parking area exists at the front of the site and at the time of the site inspection, there was no evidence that this was inadequate for the purposes of accommodating staff vehicles. Any approval should condition the requirement that the total parking demands of the activity should be provided for on-site in an appropriately located and constructed area.

Outdoor areas

1. *Outdoor storage areas are to be substantially screened from public roads and adjoining lots by dense landscaping.*
2. *Outdoor storage areas are not to encroach within 3m of any boundary for fire safety reasons.*
3. *Outdoor storage areas must be surfaced to prevent dust raising from vehicle movements or wind.*

The need for landscaping has already been stated. The 3 metre clearance of boundaries for outdoor areas can be conditioned if a consent issues. Parts of the site have been provided with a concrete slab base which satisfies this standard but remaining areas need to be conditioned.

Amenity

2. *Applications for potentially hazardous or offensive development are to submit information demonstrating compliance with SEPP 33- Hazardous and Offensive Development.*
3. *All stormwater is to be contained within the site and discharged to the point and facility nominated by Council.*
4. *A trade waste agreement with Council for disposal of liquid waste to the sewerage system may be required.*
6. *Land uses or development considered by Council to potentially have a detrimental impact on adjoining properties through noise or air emissions (e.g. dust or odour) are to provide information in respect to the likely impacts and proposed mitigation measures of these impacts.*
8. *Buildings shall comply with the Disability (Access to Premises—Buildings) Standards 2010 to ensure that dignified, equitable, cost-effective and reasonably achievable access to buildings, and facilities and services within buildings, is provided for people with disability.*

Sufficient information has been provided to Council in order to make an assessment of the proposal against SEPP33 (see above). Stormwater from outdoor areas is currently ad hoc and needs to be addressed particularly having regard for the nature of the activity. To rectify this any approval should be conditional upon the preparation of a Soil and Water Management Plan and time frame for its implementation. The disability access requirements can be conditioned if a consent is to issue.

The environmental, social and economic impacts

These potential impacts are satisfactorily addressed in the Statement of Environmental Effects submitted with the development application. The application has identified the main impacts and proposes various mitigation measures to address those that are potentially detrimental (including odour).

The proposed development will result in a positive social and economic impact that will increase employment opportunities in the local community. The application states:

The managing partner of NB Hogan & SJ Scott, Nick Hogan, operates according to the concept of the triple bottom line which places value on social benefits as well as economic gain and environmental responsibility. This involves employing local community members and offering mentoring, training, and support regardless of the individual's current situation or past social history. This helps community members gain experience, learn new skills, develop life skills, build confidence and increase self-esteem through the act of being employed and being part of a team. This can have far reaching positive impacts across the community for many decades

In summary, the environmental, social and economic impacts of the proposal are, on balance, acceptable and that the mitigation measures proposed will ensure any detrimental impacts are satisfactorily addressed.

The suitability of the site for development.

Some of the issues associated with the way the site is currently being used aside, it is generally considered suitable for the development proposed in the application because:

- it is consistent with Council's strategic planning for Corowa;
- it is an industrial activity on industrial zoned land and within a designated industrial estate;
- there are sufficient separation distances to residential and environmentally sensitive areas;
- it is accessible to transport routes; and
- with appropriate safeguards in place, it is compatible with adjoining land uses.

The public interest.

The characteristics of the proposal are such that there are no issues relating to the community in general.

Submissions

One submission was received from the public and this focusses on "*the nauseating, disgusting stench*" being emitted from the existing activity on the site. It is argued that this odour is detrimental to the submitters nearby business as it acts as a disincentive for customers to visit and for employees to work there. Upon inspecting the site, an odour was detectable but not described as overpowering. Whilst this is what was experienced, it is accepted that this was on one occasion and the sensitivity to odour can vary greatly from person to person.

It is noted the applicant has consulted with odour experts and received advice as to the design of a bio-filter system to address odour emissions and this has since been installed on the pet food processing shed. This system effectively extracts air from the shed and forces it through a filter system prior to discharge to the outside environment. This is a positive sign that the applicant is prepared to address the issue of odour and this now needs to be taken a step further to address odour emissions from other parts of the site. The application details future works to the site that will assist in this regard. Such requirements can be a condition of any consent granted.

The EPA is aware of the proposal but is not involved in the development application process as it does not qualify as 'designated development' either in terms of the quantity of material being processed or separation distances to residentially zoned land or areas of environmental sensitivity.

Conclusion

The development application the subject of this assessment seeks retrospective approval for an existing 'resource recovery facility' within the Corowa Industrial Estate. The existing facility has been operating for a number of years without planning approval and this now sought to be rectified following Council receiving complaints mainly relating to odour.

It is unfortunate that the activity has been operating for some time without development consent but the applicant is willing to rectify this by virtue of the current development application. The applicant has also demonstrated a commitment to addressing the odour issue through the installation of a bio-filter system on one of the buildings. The business has been growing about unfortunately some site conditions and operational matters have not kept pace with the development. It is noted that the business is a significant employer, including providing opportunities for disabled persons.

Having made an assessment of the application under Section 79C of the EP&A Act, it is considered that consent should be granted subject to appropriate conditions. Many of these conditions are framed to ensure that the development is brought up to the required standard for such an activity within a reasonable period of time. By granting consent, the onus is on the applicant to make the necessary improvements and avoid the potential for enforcement proceedings for non-compliance.

Attachments

Schedule 2 – Objection Letter

Financial Implications

N/A.

RECOMMENDED that Council consent to the development application for a resource recovery facility at 21-25 Poseidon Street, Corowa subject to the following conditions:

1. Development of the subdivision shall be in accordance with the endorsed plans and information submitted with the application, and the following conditions.
2. The development is not to exceed the threshold limits for designated development associated with a 'waste management facility or works' as defined in Part 1 of Schedule 3 of *Environmental Planning and Assessment Regulation 2000*.
3. Within six months of the date of consent, the applicant shall submit to Council for endorsement an Environmental Management Plan (EMP) for the site.

The EMP shall address all environmental aspects of the development and its operational and recommend any systems/controls to be implemented to minimise the potential for any adverse environmental impacts.

The EMP should address, but not be limited to, the management of the following:

- (i) Odour
- (ii) Stormwater
- (iii) Noise
- (iv) Waste
- (v) Traffic
- (ii) Dust suppression
- (vi) Dangerous/hazardous goods storage
- (vi) Emergency response and spill contingency.

The EMP shall incorporate a programme for implementation, ongoing monitoring and review to ensure that the EMP remains contemporary with relevant environmental standards.

Upon endorsement the EMP will become part of this Development Consent.

4. Within six months of the date of consent the applicant shall submit to Council a Landscape Plan that shows:
 - (a) Perimeter plantings to act as a screen to the development.
 - (b) Details of the (native) species to be used.

Once Council has endorsed the plan it will form a part of this Development Consent.

The endorsed Landscape Plan must be implemented within three months of endorsement.

All landscaping is to be maintained on an ongoing basis.

5. The development shall at all times comply with the *Noise Policy for Industry* (NSW EPA 2017).
6. The development shall be contained wholly within the confines of the allotment boundaries, at all times. Vehicles shall not be parked or loaded/unloaded within the road reserve at any time.

7. Within two years of the date of consent, all areas required for vehicular access and manoeuvring are to be constructed of concrete pavement over an appropriately graded and compacted hardstand sub-base and shall be maintained to this standard for the duration of the development being conducted on site.
8. Provision must be made for all vehicles entering and exiting the site to do so in a forward direction.
9. All staff and visitor parking is to be provided on site.
10. The approved development must not adversely affect the amenity and environment of the neighbourhood in any way including:
 - a) the appearance of any buildings, works or materials used;
 - b) the parking or moving of motor vehicles;
 - c) the transporting of materials or goods to or from the site;
 - d) the hours of operation;
 - e) noise, air and water discharges from the site;
 - f) the storage and handling of garbage, fuels, chemicals, pesticides, gasses, waste products or other materials; and
 - g) emissions or discharges into the surrounding environment including waste water, sediment, dust, vibration, odours or other harmful products.
11. No contaminated stormwater is to be discharged from the site.
12. The applicant shall ensure that all plant and equipment used on the site is maintained in a proper and efficient working condition and operated in a proper and efficient manner.
13. All aspects of existing and future buildings are to comply with the applicable performance requirements of the Building Code of Australia so as to achieve and maintain acceptable standards of structural sufficiency, safety (including fire safety), health and amenity for the on-going benefit of the community.
14. Buildings shall comply with the *Disability (Access to Premises—Buildings) Standards 2010* to ensure that dignified, equitable, cost-effective and reasonably achievable access to buildings, and facilities and services within buildings, is provided for people with disability.
15. Council must be notified of any damage to the public infrastructure such as road pavement, kerb and gutter, concrete footpaths, drainage structures, utilities and landscaping fronting the development.
16. This approval shall expire if the subdivision hereby permitted is not commenced within five (5) years of the date of consent.

Reason for conditions

The above conditions have been imposed:

- a) to ensure compliance with the terms of the applicable environmental planning instruments;
- b) having regard to Council's duties of consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*, as well as Section 80A which authorises the imposing of the consent conditions; and
- c) having regard to the circumstances of the case and the public interest.

Schedule 2

8th December 2017

Kate Larnach
Federation Council
PO Box 77
COROWA NSW 2646

Dear Kate Larnach,

Reference: KL:ML 2438 – 17/32973

NOTICE OF OBJECTION TO DEVELOPMENTAL APPLICATION NO. 2017/63/2

FOOD WASTE PROCESSING FACILITY, 21-25 Poseidon Road, Corowa; LOT 78 DPI052205

As a business owner and operator situated at [REDACTED], I formally object to this development application being granted.

The operator of this facility currently processes food waste at the premises and the nauseating, disgusting stench that this creates in the area has caused extreme distress to not only myself but also my employees. The effect on our work environment is substantial and not sustainable.

As a Panel Beating business we have clients entering and exiting on a daily basis and the number of complaints that we have received from them in regards to the stench emanating from the facility at 21-25 Poseidon Road is phenomenal. They are reluctant to leave their vehicles within our business yard as they do not want the smell to permeate their vehicles.

It is especially difficult when trying to conduct a quote on a vehicle and the customer is having to stand around with this smell in the air. I honestly do not think it is healthy.

Our objection to this proposal is based not only on the extreme smell that exudes from the business but the continuing effect it will have on our business in relation to clients not wanting to bring their vehicles to our panel shop for repair due to the strong odour.

As an employer I also hold grave concerns at my ability to retain employees on a long term basis given the work environment they would be subjected to on a daily basis. My business would suffer greatly through not be able to retain staff long term as the training and upskilling costs in this field of business are extremely high.

Therefore, as a small enterprise needing to operate as a profitable business I adamantly oppose the proposal for this Food Waste Processing Facility.

We have written to council on previous occasions with regards to this with no response.

Yours sincerely,

[REDACTED]

9. NOTICE OF MOTION / QUESTION WITH NOTICE

NO ITEMS

10. REPORTS FROM COMMITTEES

NO ITEMS

11. REPORTS FROM DELEGATES

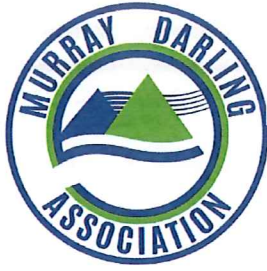
12. PRÉCIS OF CORRESPONDENCE REQUIRING COUNCIL ACTION/FOR INFORMATION

NO ITEMS

13. CONFIDENTIAL ITEMS

13.1 CONFIDENTIAL - MULWALA INDUSTRIAL ESTATE SUBDIVISION

14. CLOSURE OF MEETING



Murray Darling Association Inc.

admin@mda.asn.au
www.mda.asn.au
T (03) 5480 3805
ABN: 64 636 490 493

463 High Street
P.O. Box 1268
Echuca, Vic 3564

3rd Floor, 553 Kiewa Street
P.O. Box 359
Albury, NSW 2640

Mr C Gillard
General Manager
Federation Council
PO Box 77
COROWA NSW 2646

FEDERATION COUNCIL	
TRIM NO:	17/24398
REC'D:	19 SEP 2017
CONTAINER NO:	SC 342
ACTION:	Lachelle Henson

Dear Mr Gillard,

I am contacting you in my role as National President of the Murray Darling Association (MDA) and I note that prior to the recent elections, Federation Council resolved not to continue its membership of the MDA.

Now that you have a newly elected Council I would ask that you provide each of the newly elected Councillors with a copy of this letter and the enclosure. Both Urana and Corowa Councils were long – term strong supporters of the MDA and, in my opinion, now is an important time for all Councils in the Murray Darling Basin to become active supporters of the Association.

With the 4Corners report into misuse of water, the commencement of SDL adjustment projects and the possible carp eradication programme, now is the time for local government to speak with a strong and united voice and the voice of Federation Council should be heard.

Can I also remind you and the new Councillors of the upcoming 73rd National Conference of the MDA to be held in Renmark from 11th – 13 October 2017.

Please feel free to call me (either you or any of the new Councillors) if you have any questions.

Kind regards,

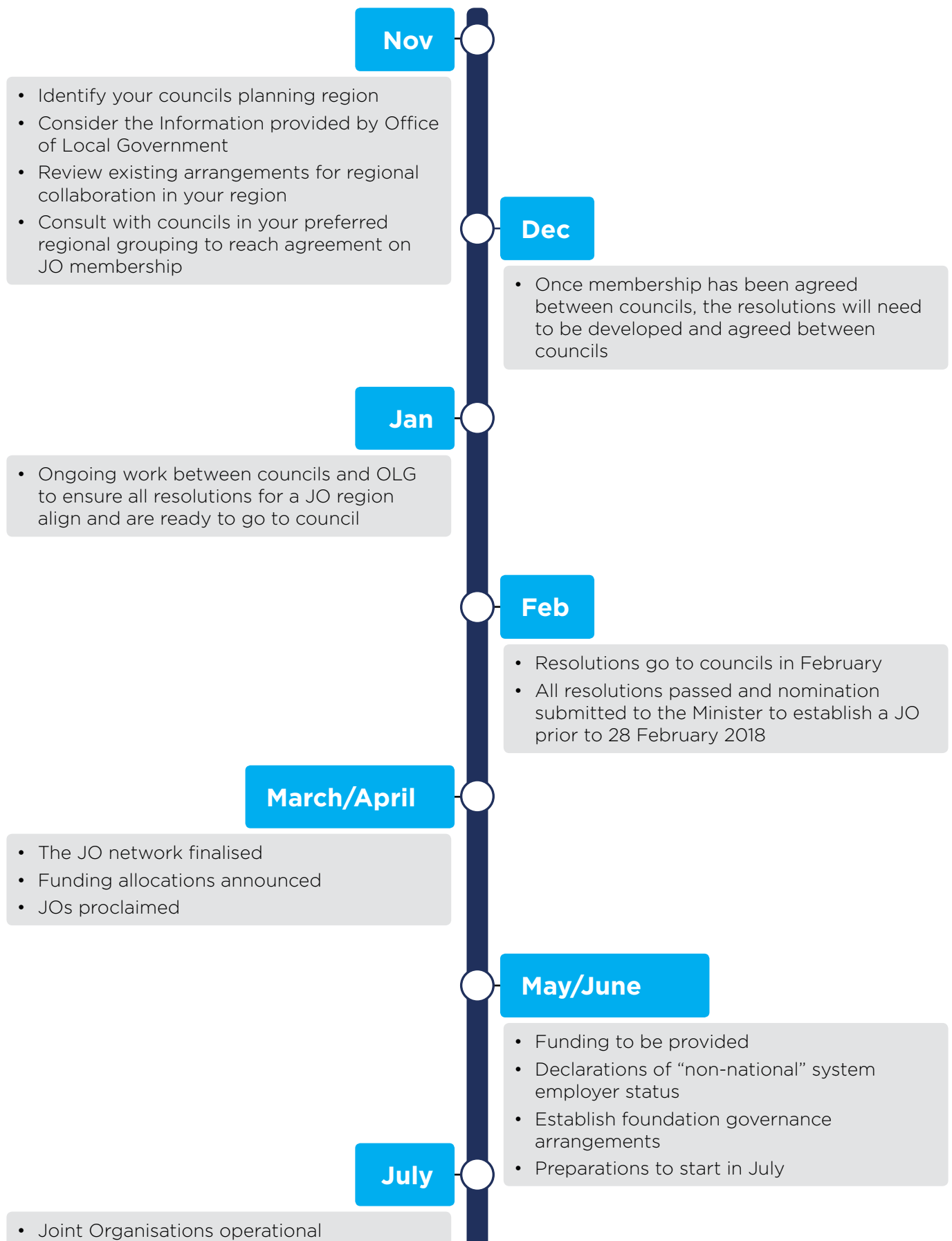
Cr David Thurley
NATIONAL PRESIDENT
MURRAY DARLING ASSOCIATION

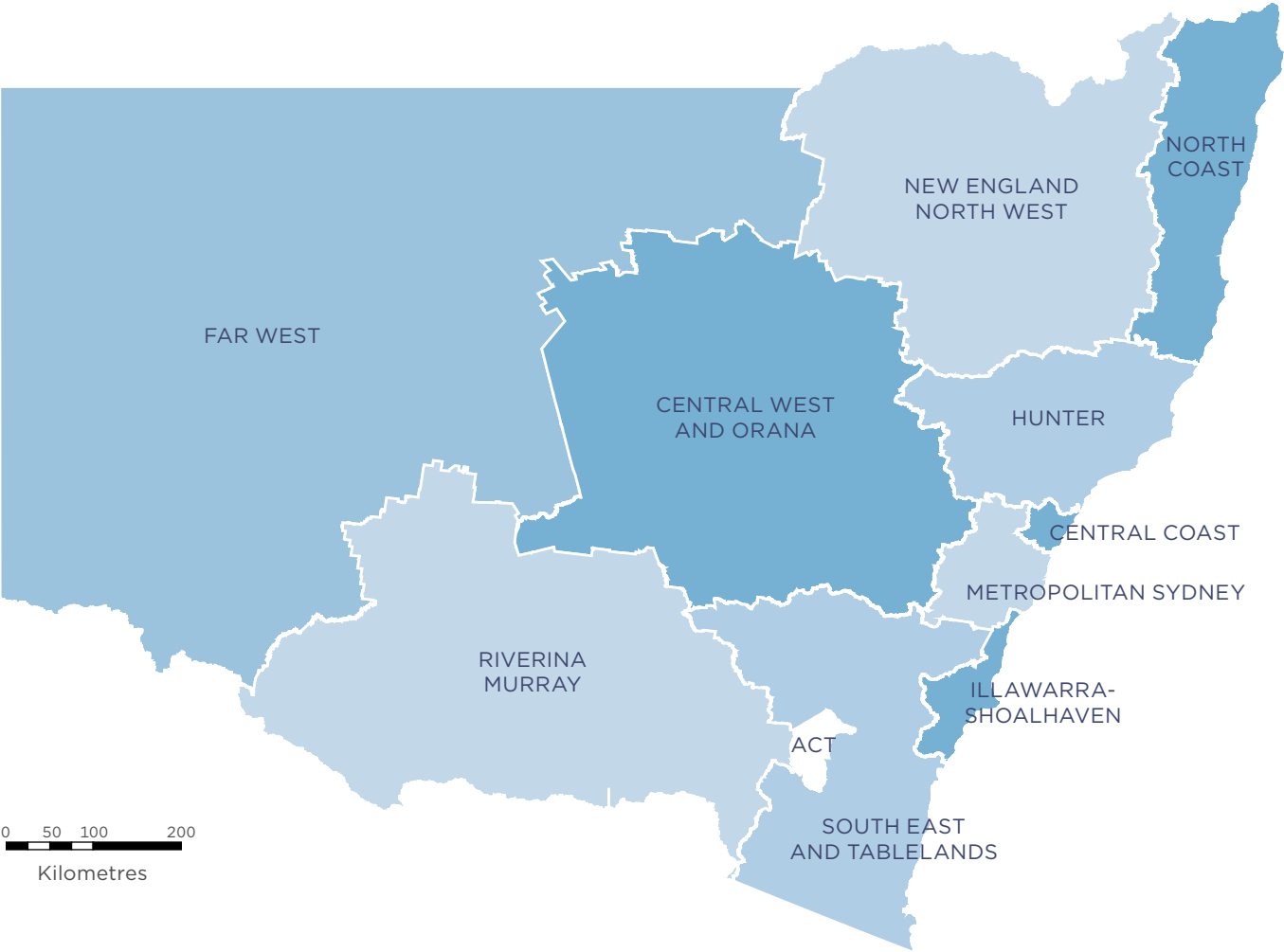
ATTACHMENT 5.2.1

Riverina Water County Council	<i>Cr Bourke already appointed (Council should also appoint an alternative)</i>
Riverina Regional Library	<i>Cr Cr Alternative Cr</i>
Rural Fire Service Liaison Committee	<i>Mayor Alternative Deputy Mayor</i>
Rural Fire Service Advisory Committee	<i>Mayor Alternative Deputy Mayor</i>
Internal Audit Committee	<i>Cr Alternative Cr</i>
Sanger Back Berrigan Creek Advisory Group	<i>Cr Alternative Cr</i>
Yanco Creek & Tributaries Association (YACTAC)	<i>Cr Alternative Cr</i>
Billabong Yanco Colombo Steering Committee	<i>Cr Alternative Cr</i>
Murray Darling Association (also need to endorse if Cr nomination sought for position of Chair and executive committee/region one committee – nominations close 5.00pm January 22, 2018 – AGM to be held 30 January 2018.	<i>Cr Alternative Cr</i>
Lake Mulwala Land and On-Water Management Plan Community Reference Group	<i>Cr Alternative Cr</i>
West Corugan Private Irrigation District	<i>Cr Alternative Cr</i>
Corowa Saleyards Consultative Committee	<i>Cr Alternative Cr</i>
Murray Regional Tourism	<i>Cr Alternative Cr</i>
SubPACT Committee (Police)	<i>Mayor Alternative Cr</i>
Liquor Accord Committee (Corowa)	<i>Cr Alternative Cr</i>
Liquor Accord Committee (Mulwala)	<i>Cr Alternative Cr</i>
Friends of the Library - Corowa	<i>Cr Alternative Cr</i>
Friends of the Library - Howlong	<i>Cr Alternative Cr</i>
Friends of the Library - Mulwala	<i>Cr Alternative Cr</i>
Festival of Dance	<i>Cr Alternative Cr</i>

Community Safety Committee and Corowa Drug Action Team	Cr Alternative Cr
ACSUM - Alliance of the Councils and Shires of the Upper Murray	Mayor Alternative Deputy Mayor
Yarrawonga-Mulwala Tourism Inc	Cr Alternative Cr
Riverina and Murray Region Organisation of Councils (RAMROC)	Mayor Alternative Deputy Mayor
Murray Arts	Cr Alternative Cr
Corowa Arts and Culture Advisory Committee	Cr Alternative Cr
Urana Local Health Advisory Committee	Cr Bourke (existing member) Adrian Butler Interim General Manager (existing member)
Corowa Local Health Advisory Committee	Cr
RTA Consultative Committee & Traffic Committee	Cr Alternative Cr

Joint Organisation formation and implementation timeline for councils





Joint Organisation

Frequently Asked Questions



Q1: What is a Joint Organisation?

A: A Joint Organisation is a new entity under the Local Government Act comprising member councils in regional NSW to provide a stronger voice for the communities they represent.

Each Joint Organisation will comprise at least three member councils and align with one of the State's strategic growth planning regions. One of the member council's mayors will be elected chairperson and an Executive Officer may be appointed.

Q2: How will Joint Organisations benefit councils and communities in regional NSW?

A: Joint Organisations will transform the way that the NSW Government and local councils collaborate, plan, set priorities and deliver important projects on a regional scale. These new partnerships will benefit local communities across regional NSW by working across traditional council boundaries.

Q3: How do we know Joint Organisations will work?

A: The Joint Organisation model has been developed in close consultation with councils and the NSW Government has listened to regional councils to get the model right. This included a pilot program for five groups of councils to test a range of options, which involved the participation of 43 councils and delivered a range of initiatives and projects to those regions.

An independent evaluation of the pilot program found Joint Organisations bring benefits to regional communities in delivering on-the-ground projects and attracting more investment to regional communities.

Q4: Why should councils choose to form a Joint Organisation?

A: Joint Organisations will provide a forum for councils, agencies and others to come together and focus on their regional priorities – the things that matter for that region. Joint Organisations will help drive the delivery of important regional projects – the infrastructure and services that local communities need and deserve.

Joint Organisations will also provide councils with a more efficient way to deliver shared services for members and the region. Where member councils agree, they can choose to share a common approach to services such as information technology, water management services and community strategic planning. The NSW Government will provide \$3.3 million to support councils to establish Joint Organisations

Q5: Can councils determine their own regional boundaries?

A: While the choice to join, and composition of a Joint Organisation is voluntary, the NSW Government will only support the creation of Joint Organisations within existing State planning regions and in regional NSW. Councils have told us that effective collaboration will only be realised when State and local government boundaries are aligned.

To aid this process the NSW Government has consulted the sector on boundary criteria which they can take into account when determining the membership of their Joint Organisation.

Joint Organisation boundaries should:

- align with, or 'nest' within one of the State's planning regions
- demonstrate a clear community of interest between member councils and regions
- not adversely impact on other councils or JOs, for example, leaving too few councils to form a JO
- be based around a strong regional centre or centres
- be of an appropriate size to partner with State, Commonwealth and other partners.
- Consistent with previous Government decisions, Joint Organisations will not be considered for metropolitan Sydney and the Central Coast at this time.

Q6: Are Far West Councils able to form a JO?

A: The Government will be writing to Far West councils to advise them of their opportunity to form or join a JO. This will include specific guidance applicable to Far West councils only.

Q7: What are the next steps for interested councils?

A: Councils are invited to nominate to form a Joint Organisation in their region. Councils are encouraged to open discussions with their neighbours as soon as possible.

The Office of Local Government is available to facilitate these discussions and provide support to councils through the nomination process. Specific requirements to form a Joint Organisation will be provided to councils shortly.

Each Joint Organisation will be created by a proclamation and the NSW Government will then ask the Commonwealth to endorse each Joint Organisation as a non-national system employer to ensure that any staff of a Joint Organisation, with the exception of the Executive Officer, are employed under the State local government award.

Q8: What support will be provided to councils and Joint Organisations once established?

A: The Office of Local Government will work with Joint Organisations to support their establishment and ensure they have the necessary systems and governance in place for the Joint Organisations to deliver results for regional communities.

The Office of Local Government and the Department of Premier and Cabinet will foster collaboration between Joint Organisations and State agencies to identify and act on opportunities to benefit regional communities.

Q9: Can councils choose not to participate?

A: Councils can choose not to become a member of a Joint Organisation. The Government strongly encourages all councils in regional NSW to consider the benefits and opportunities offered by Joint Organisations.

Councils that are members of Joint Organisations will be able to take advantage of investment opportunities that are delivered through the Joint Organisation.

Q10: What funding is available to Joint Organisations?

A: The Government will provide up to \$3.3 million in seed funding to Joint Organisations to support their establishment. The Government will identify opportunities for additional investment through Joint Organisations in regional economies.

Funding for each Joint Organisation will be based on the number of councils that choose to form a Joint Organisations, with maximum funding provided to regions where all councils in a region choose to be members of the new regional body.

All Joint Organisations, whether they were pilot regions or not, will be provided with seed funding.

Further details on funding arrangements will be provided to councils.

Q11: Will this funding be enough to help councils establish a JO?

A: The NSW Government is providing significant funding and support to help those councils that choose to establish a Joint Organisation. The pilot program demonstrated that groups of councils can achieve substantial benefits for their communities and significant cost savings by working together through a Joint Organisation.

Q12: How are Joint Organisations different to Regional Organisations of Councils?

A: The Joint Organisation model provides for greater certainty and continuity as well as recognising the unique differences in the many regions of NSW. While some ROCs have been effective, they have varied functions, membership, and governance structures which often makes collaboration more difficult.

PID annual reporting requirements

Template for use by public authorities

March
2015

Public authorities are required to report annually to Parliament on their obligations under section 31 of the *Public Interest Disclosures Act 1994*. This is separate to the requirement under section 6CA of that Act to provide a report to the NSW Ombudsman every six months. One of the key reasons for having this separate reporting requirement is to ensure information about PIDs is publicly available to enable transparency and accountability.

The *Public Interest Disclosures Regulation 2011* outlines the information that must be included in the authority's annual report. For reporting periods following 1 January 2014, public authorities are required to draw a distinction between PIDs made by public officials:

1. performing their day-to-day functions
2. under a statutory or other legal obligation
3. all other PIDs.

Authorities may wish to use one of the options referred to over the page to ensure the annual report includes the required information. See *Guideline C2: Reporting to the NSW Ombudsman* for further advice on the terminology used.

The annual report must be prepared within four months after the end of each reporting year and submitted to the Minister responsible for the public authority. It must be tabled in each House of Parliament by the Minister as soon as practical after it is prepared, unless it is included in an annual report prepared for the purposes of the *Annual Reports (Departments) Act 1985* or the *Annual Reports (Statutory Bodies) Act 1984*.

The reporting year will either be a financial or calendar year depending on the authority's usual reporting cycle as outlined in these Acts. If the public authority does not have a financial year for the purposes of either of these Acts, the year end will be 30 June.

Authorities must also provide a copy of the report to NSW Ombudsman. An electronic version of the report or a link to where the report is available online should be emailed to pid@ombo.nsw.gov.au.

Information to be included

The options over the page only list the information that is mandatory for authorities to provide in their annual reports. However, the annual report also provides an opportunity for public authorities to demonstrate their commitment to dealing with PIDs appropriately and supporting staff who make them.

Public authorities may also wish to provide additional information regarding how they have met their obligations under the PID Act, for example:

- the number of PIDs made directly to the authority that were referred to other authorities or the number of PIDs received that were referred from another authority
- the number of investigations commenced as a result of a PID being made
- whether any wrongdoing was substantiated or systemic issues were remedied as a result of a PID being made.

If principal departments or other central agencies report annually on the behalf of other authorities, this should be clearly stated in the report.

Annual Public Interest Disclosures (PID) Report Year ended 30 June 2017

Commentary on PID obligations

Council has fulfilled its statutory reporting obligations for completion of Public Interest Disclosure Reports to the NSW Ombudsman under Section 6CA. These were submitted in January and July as required under the Act. Council had no Public Interest Disclosures reported in the period ending 30 June 2017.

Council adopted its revised Public Interest Disclosure Policy in September 2016 and has conducted awareness activities including training facilitated by the NSW Ombudsman as part of the "Don't stick your head in the sand" campaign. A copy of Council's Public Interest Disclosure Policy can be found on our website and contact officers have been nominated from within internal and external departments.

2. Statistical information on PIDs

Public authorities may wish to include the following table in their annual reports:

	Made by public officials performing their day to day functions	Under a statutory or other legal obligation	All other PIDs
Number of public officials who made PIDs directly	0	0	0
Number of PIDs received	0	0	0
Of PIDs received, number primarily about:			
Corrupt conduct	0	0	0
Maladministration	0	0	0
Serious and substantial waste	0	0	0
Government information contravention	0	0	0
Local government pecuniary interest contravention	0	0	0
Number of PIDs finalised	0		

Note: The number of PIDs finalised only refers to PIDs that have been received since 1 January 2012.

Instead of including a table of statistical information, where relevant it would also be appropriate for public authorities to merely note in their annual reports that no public officials made a PID to their authority, no PIDs were received and no PIDs were finalised in the reporting period.

Attachment 6.3.1

Heidi Neumeister <[REDACTED]>



Code of Conduct complaints report to 31 August 2017

1 message

Heidi Neumeister <[REDACTED]>

Wed, Nov 29, 2017 at 11:54 AM

To: codeofconduct@olg.nsw.gov.au

Cc: Kristy Kay <[REDACTED]>, Peter Gall <[REDACTED]>

Dear Sir/Madam,

Please find our Code of Conduct report for Federation Council attached. We advise that we have not received any items to report based on the relevant period.

Please don't hesitate to contact us if you require anything further.

--

Yours sincerely,

Heidi Neumeister
Governance Officer

P: [REDACTED]



federationcouncil.nsw.gov.au

100 Edward St (PO Box 77), Corowa NSW 2646

This message is intended for the addressee named and may contain confidential information. If you are not the intended recipient, please delete it and notify the sender.

Views expressed in this message are those of the individual sender, and are not necessarily the views of the Federation Council.



Federation Council Code of Conduct complaints report to 31August 2017.xlsx

25K

Office of Local Government

Model Code of Conduct Complaints Statistics

Reporting Period: 1 September 2016 - 31 August 2017.

Date Due: [31 December 2017](#)

To assist with the compilation of the Time Series Data Publication it would be appreciated if councils could return this survey by 30 November 2017.

Survey return email address: codeofconduct@olg.nsw.gov.au

Council Name:	Federation Council
----------------------	------------------------------------

Contact Name:	Kristy Kay
Contact Phone:	260338954
Contact Position:	Director Corporate and Community
Contact Email:	kristy.kay@federationcouncil.nsw.gov.au

All responses to be numeric.

Where there is a zero value, please enter 0.

Enquiries: Performance Team
 Office of Local Government
 Phone: (02) 4428 4100
 Enquiry email: olg@olg.nsw.gov.au

Model Code of Conduct Complaints Statistics Federation Council

Number of Complaints

- | | | | |
|---|---|---|---|
| 1 | a | The total number of complaints received in the period about councillors and the General Manager (GM) under the code of conduct | 0 |
| | b | The total number of complaints finalised in the period about councillors and the GM under the code of conduct | 0 |

Overview of Complaints and Cost

- | | | | |
|---|---|---|---|
| 2 | a | The number of complaints finalised at the outset by alternative means by the GM or Mayor | 0 |
| | b | The number of complaints referred to the Office of Local Government under a special complaints management arrangement | 0 |
| | c | The number of code of conduct complaints referred to a conduct reviewer | 0 |
| | d | The number of code of conduct complaints finalised at preliminary assessment by conduct reviewer | 0 |
| | e | The number of code of conduct complaints referred back to GM or Mayor for resolution after preliminary assessment by conduct reviewer | 0 |
| | f | The number of finalised code of conduct complaints investigated by a conduct reviewer | 0 |
| | g | The number of finalised code of conduct complaints investigated by a conduct review committee | 0 |
| | h | The number of finalised complaints investigated where there was found to be no breach | 0 |
| | i | The number of finalised complaints investigated where there was found to be a breach | 0 |
| | j | The number of complaints referred by the GM or Mayor to another agency or body such as the ICAC, the NSW Ombudsman, the Office or the Police | 0 |
| | k | The number of complaints being investigated that are not yet finalised | 0 |
| | l | The total cost of dealing with code of conduct complaints within the period made about councillors and the GM including staff costs | 0 |

Preliminary Assessment Statistics

- 3 The number of complaints determined by the conduct reviewer at the preliminary assessment stage by each of the following actions:
- a To take no action
 - b To resolve the complaint by alternative and appropriate strategies
 - c To refer the matter back to the GM or the Mayor, for resolution by alternative and appropriate strategies
 - d To refer the matter to another agency or body such as the ICAC, the NSW Ombudsman, the Office or the Police
 - e To investigate the matter
 - f To recommend that the complaints coordinator convene a conduct review committee to investigate the matter

0

0

0

0

0

0

Investigation Statistics

- 4 The number of investigated complaints resulting in a determination that there was **no breach**, in which the following recommendations were made:
- a That the council revise its policies or procedures
 - b That a person or persons undertake training or other education
- 5 The number of investigated complaints resulting in a determination that there **was a breach** in which the following recommendations were made:
- a That the council revise any of its policies or procedures
 - b That the subject person undertake any training or other education relevant to the conduct giving rise to the breach
 - c That the subject person be counselled for their conduct
 - d That the subject person apologise to any person or organisation affected by the breach
 - e That findings of inappropriate conduct be made public
 - f In the case of a breach by the GM, that action be taken under the GM's contract for the breach
 - g In the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the Local Government Act 1993
 - h In the case of a breach by a councillor, that the matter be referred to the Office for further action
- 6 Matter referred or resolved after commencement of an investigation under clause 8.20 of the Procedures

0

0

0

0

0

0

0

0

0

0

0

Categories of misconduct

7 The number of investigated complaints resulting in a determination that there was a breach with respect to each of the following categories of conduct:

a General conduct (Part 3)

0

b Conflict of interest (Part 4)

0

c Personal benefit (Part 5)

0

d Relationship between council officials (Part 6)

0

e Access to information and resources (Part 7)

0

Outcome of determinations

8 The number of investigated complaints resulting in a determination that there was a breach in which the council failed to adopt the conduct reviewers recommendation

0

9 The number of investigated complaints resulting in a determination that there was a breach in which the council's decision was overturned following a review by the Office

0

Agency Information Guide

Record No: 16/24240

Version No: 3.0



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1. Purpose

The purpose of this document is to outline Council's approach to disclosing or releasing information about our structure, functions and policies that are of the public interest.

2. Introduction

On 1 July 2010 new right to information legislation came into effect, replacing the former freedom of information law.

The new law creates new rights to information that are designed to meet community expectations of more open and transparent government. It encourages government agencies to proactively release government information. You can find out more about your right to information and new ways to access NSW government information on the office of the Information and Privacy Commissioner (IPC) website at www.ipc.nsw.gov.au

Office of the Information and Privacy Commissioner NSW

Level 11, 1 Castlereagh Street, Sydney 2000

GPO Box 7011, Sydney NSW 2001

free call: **1800 472 679** 9am to 5pm, Monday to Friday (excluding public holidays).

fax: (02) 8114 3756 / email: ipcinfo@ipc.nsw.gov.au

3. Background

The *Government Information (Public Access) Act 2009 No. 52 (NSW)* (GIPA Act) replaces the *Freedom of Information Act 1989 (NSW)*, and introduces a new right to information system. The new system is focused on making government information more readily available.

4. Scope

This Information Guide has been prepared in accordance with the provisions of Section 20 of the *Government Information (Public Access) Act 2009*. Federation Council promotes open government and accountability to the community. The purpose of this document is to facilitate this by providing members of the public with information concerning the following:

- what we do,
- how we do it,
- the type of information we hold and generate through the exercise of our functions and
- how those functions affect members of the public.

5. Reviews

Council will review and adopt a new information guide at least once every 12 months in accordance with S.21 of the GIPA Information (Public Access) Act 2009.

6. References & Associated Documents

Government Information (Public Access) Act 2009

Local Government Act 1993

7. Structure and Functions of Council

Federation Council was first established by proclamation under the Local Government Act 1993 following a merger of the former NSW Shire Council's of Corowa and Urana.

The new council elected on 9 September forms the governing body of the Council.

The role of a Councillor, as a member of the governing body of Council, is:

- To provide a civic leadership role in guiding the development of the community strategic plan for the area and to be responsible for monitoring the implementation of the Council's delivery program.
- To direct and control the affairs of the Council in accordance with this Act.
- To participate in the optimum allocation of the Council's resources for the benefit of the area.
- To play a key role in the creation and review of the Council's policies and objectives and criteria relating to the exercise of the Council's regulatory functions.
- To review the performance of the Council and its delivery of services, and the delivery program and revenue policies of the Council.

The role of a Councillor, as an elected person, is to:

- Represent the interests of the residents and ratepayers.
- Provide leadership and guidance to the community.
- Facilitate communication between the community and the Council.

The Mayor is elected from amongst the Councillors to:

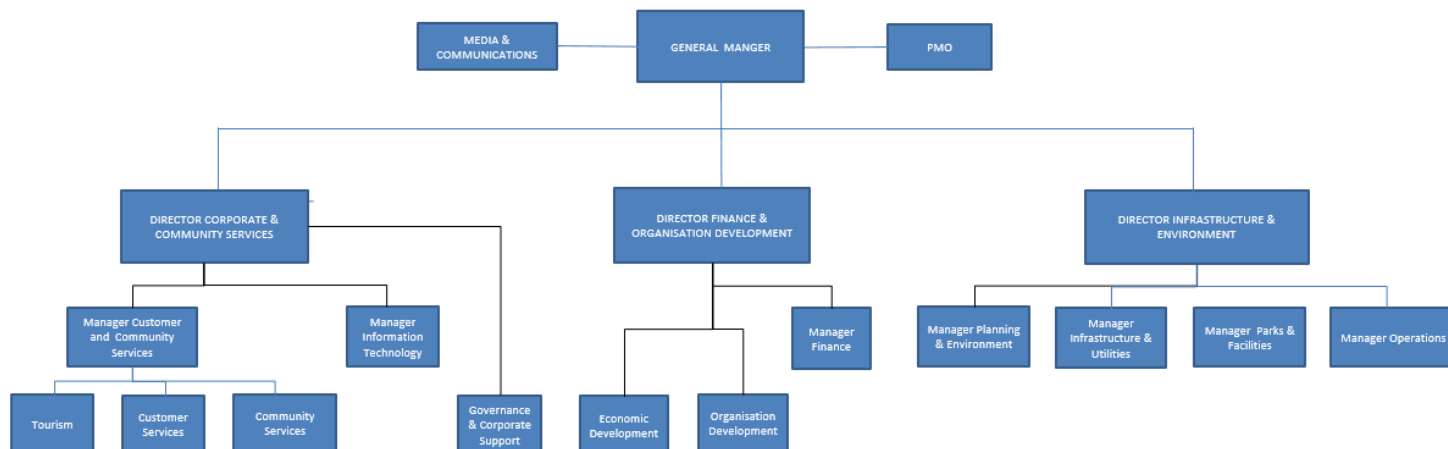
- Exercise, in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council
- Exercise such other functions of the Council as the Council determines
- Preside at meetings of the Council
- Carry out the civic and ceremonial functions of the Mayoral office.

The Deputy Mayor (where appointed) may perform any functions of the Mayor at the request of the Mayor; if the Mayor is prevented by illness, absence or other circumstances; or if there is a casual vacancy in the office of Mayor.

The General Manager is responsible for the efficient, effective operation of Council's organisation and ensuring the implementation, without undue delay, of decisions of the Council. To assist the General Manager in the exercise of these functions, Federation Council has four strategic departments that are responsible for achieving the key objectives and provide services to the council's residents. These departments consist of Finance, Planning and Environment, Engineering and Corporate and Community.

FEDERATION COUNCIL SENIOR EXECUTIVE ORGANISATIONAL STRUCTURE

FEDERATION COUNCIL ORGANISATION STRUCTURE SEPTEMBER 2017



8. Principle Activities / Functions of Council

Council is governed by a number of Acts and Regulations. Under the *Local Government Act 1993*, Council's functions can be grouped into the following categories.

KEY FUNCTIONS OF COUNCIL



ENFORCEMENT

Council is responsible for enforcing the obligations of the Local Government Act 1993 and Regulations, as well as other Acts and Regulations which may include prosecutions for offences in relation to:

- General offence - failure to obtain an approval / failure to comply with approval or order
- Public places
- Water, sewerage and storm water drainage offences
- Parking- relating to parking in free parking areas
- Offences relating to civic office
- Offences relating to buildings
- Protecting the environment (Noxious weed control, pollution control, degradation of the environment and noise control)
- Safeguarding Public Health (food shop inspections, pest and vermin control, hazardous material containment, companion animal management)

ADMINISTRATIVE

Council is responsible to perform a range of administrative roles including:

- Employment of staff
- Development of management plans
- Financial management and reporting
- Annual Reports
- Governance functions
- Information management
- Quality Assurance
- Work Health Safety and Contractor Management

COMMUNITY PLANNING

Federation Council has a major role in providing long term strategic planning for a local government area including town planning, zoning and sub-divisions. We engage communities in key planning decisions that will affect the growth of their communities and seek to integrate planning for infrastructure. Council provides a range of services, including:

- Cultural Development
- Library Services
- Preschool
- Social Planning
- Community profiling
- Sporting groups
- Community events

REGULATORY

Council is responsible for processing development applications, for building site and compliance inspections, and for ensuring compliance with building regulations. Functions include:

- Approvals
- Orders
- Building Certificates

REVENUE FUNCTIONS

Council's main sources of finance to enable them to carry out their functions and these include:

- rates,
- charges
- fees
- grants
- borrowings
- income from business activities (Saleyards)
- income from land
- income from other investments sales of assets

ANCILLARY FUNCTIONS

Council has certain functions which are necessary in order to carry out their other functions. These functions are "Ancillary" and particularly relate to its service and regulatory functions including:

- Resumption of land
- Powers of entry and inspection

SERVICE DELIVERY

Providing an appropriate and affordable level of infrastructure is an important contribution Federation Council makes to the community and includes the following activities:

- Provision and maintenance of local roads, bridges, public car parks and footpaths,
- Development and maintenance of sporting fields, community health, recreation, cultural, education and information services, cemeteries and parks.
- Water and sewerage operations
- Management of vegetation including bush land reserves
- Street cleaning
- Landfill, Recycling and waste management
- Environmental protection
- Land and property, industry and tourism development and assistance
- Civil infrastructure maintenance and construction

9. How Council Exercises its Functions

Functions of a council may be exercised:

- (a) by the council by means of the councillors or employees, by its agents or contractors, by financial provision, by the provision of goods, equipment, services, amenities or facilities or by any other means, or
- (b) by a committee of the council, or
- (c) partly or jointly by the council and another person or persons, or
- (d) jointly by the council and another Council (which may, for example, be a Voluntary Regional Organisation of Councils of which the Council is a member, or
- (e) by a delegate of the Council (which may, for example, be a Voluntary Regional Organisation of Councils of which the council is a member).

10. How Council Decisions Affect the Public.

Federation Council makes rules, passes development approval, allocates resources to services such as roads, water services, sewer services, dog control, drainage works and footpaths. Each decision regarding resource allocation will have some effect on our community and the public. Council has limited resources and balances the allocation of these resources to best serve the community and the public in general. The following is an outline of how the broad functions of Council will affect the public.

Council provides services and facilities to the public. Services provided include the upkeep of roads and footpaths, storm water drains, parks and gardens and the removal of rubbish.

Facilities provided include libraries, swimming pools, parks, halls and community centres.

Regulatory functions ensure that development and buildings meet certain requirements and will not endanger the lives and safety of any person. Members of the public must be aware of, and comply with such regulations.

Ancillary functions affect only some members of the public. These functions include for example the resumption of land or the power for Council to enter onto a person's land. In these circumstances, only the owner of the property would be affected. Revenue functions affect the public directly in that revenue from rates and other charges paid by the public is used to partly fund services and facilities provided to the community.

Administrative functions do not necessarily affect the public directly but have an indirect impact on the community. For example, Council's Delivery Program outlines the strategies of the Council over a short-term and long-term period.

Enforcement functions only affect those members of the public who are in breach of certain legislation. This includes matters such as the non-payment of rates and charges, unregistered dogs, parking offences, unclean premises and environmental offences.

Council meets regularly in order to attend to business. Responsibility is delegated to its officers to empower them to carry out the functions and duties of Council.

11. Public Participation in Decision Making

Members of the public can participate in policy development and general activities of Council in various ways including the following:

- addressing the Council at Council meeting
- responding to policies and plans placed on public exhibition
- making representations to Councillors
- discussing issues with Council Officers
- participating on certain Council Committees/Working Parties
- through surveys and interviews
- by attending forums, seminars, workshops and public meetings
- through neighbour notification procedures
- through participating in the community reference group.

Federation Council's regular Council Meetings are open to the public. Working Party and Committee meetings minutes are also determined at these meetings. All agendas and minutes to the Regular Council Meetings,

Working Party meetings and Committee meetings are available via Federation Council's website, libraries and Customer Service Centre.

[Click here to access agendas and minutes on Council's website.](#)

Council has a Community Engagement Strategy and Policy which determines the manner in which community engagement will be undertaken. A copy of the Community Engagement Strategy can be found on our website. (Under the proclamation all codes, plans, strategies and policies of the new Council are to be, as far as practicable a composite of the corresponding codes, plans, strategies of each of the former councils). Federation Council is required to review their existing Community Engagement Strategy by 1 July 2018.

12. Nature of Information and How to Access

Federation Council publishes a range of information under the *Government Information (Public Access) Act 2009*. Information may be available on our website, through the Information Centre, and public register according to the following methods.

Mandatory release: Federation Council has open access information available to the public at no charge via Councils website: This generally includes information such as the Council's policies, current publication guide, disclosure log and register of contracts. Please see Council's Public documents and publications webpage.

Proactive release: These are additional documents that are made available to the public on the Council website. Council will generally make available any information publicly available unless there is an overriding public interest against disclosure.

Informal request: This is for specific information. Under the GIPA Act. Council can choose to release information without the need for a formal access application. Access via this path may be subject to reasonable conditions such as photocopying charges.

Formal access application: Any government information held by Council that does not fall under the three categories of obtaining information listed above will require a GIPA – Formal Access Application. A \$30 application fee applies to all Formal Access Applications.

13. Information that is Publicly Available

The following list summarises the various documents and information that is available online free of charge. Control + Click on the following hyperlinks to access these.

- [Annual Reports](#)
- [Resourcing strategy](#)
- [Council Strategic and Management Plans](#)
- [Council Policies and Procedures](#)
- [Disclosure Log](#)
- [Fees and Charges](#)

- [Minutes and Agendas](#)

Enquiries and requests for information

Information about Council, Development Applications and Approvals, Orders and other documents may be available either by informal release or via an access application in accordance with Sections 7-9 of the Government Information (Public Access) Act 2009, unless there is an overriding public interest against disclosure of the information as outlined in Section 14 or, the information contains matters which are private and personal that may be protected. In accessing public interest Council must also consider factors favouring disclosure.

Members of the public who require an informal release or an access application can do so by emailing council@federationcouncil.nsw.gov.au or by phone:

Corowa office: 02 6033 8999

Opening hours: 8.30 – 5.00pm, Mon - Fri

Urana office: 02 6930 9100

Opening hours: 9.00 – 5.00pm, Mon - Fri

A copy of the [Access Application Form](#) is available on our website and provided at the [end of this guide](#).

14. Public Interest Test

In deciding what information to release, Council will apply the Public Interest test which will involve:

- identification of the relevant public interest considerations for disclosure;
- identification of any relevant public interests against disclosure and
- evaluation of the benefits of public disclosure in conjunction with the relevant guidelines and the relevant legislation (*Division Two of the Government Information (Public Access) Act 2009*).

15. Charges that may be applicable

NATURE OF APPLICATION	APPLICATION FEE	PROCESSING CHARGES	PHOTOCOPYING
Mandatory release	No charge	No charge	No charge
Proactive release	No charge	No charge	No charge
Informal Application	No charge	Refer to Councils fees and charges	Refer to Councils fees and charges
Formal Application	\$30	Up to \$30.00 / per hour after the first hour	Refer to Councils fees and charges

All policy documents are contained in Council's Corporate Plan and are available at Council's Offices for inspection or purchase.

16. Contact Arrangements

Any information enquiries concerning Council's activities should be directed to:

Information Officer,
Federation Council
(PO Box 77)
100 Edward Street
COROWA NSW 2646
Telephone: 02 6033 8999
Facsimile: 02 6033 3317
Email: council@federationcouncil.nsw.gov.au
Website: www.federationcouncil.nsw.gov.au

Council's Office hours are 8.30 am to 5.00pm

17. Schedule of Changes & Amendments

Version	Date	Changes / Amendments
Version 1	20/09/2016	Adoption of document with changes to reflect new Federation Council - Note this has been reflected as Version 1.0 (Federation Council – new entity)
Version 2	13/02/2017	Organisational chart updated for new structure as at 6/2/2017 and new branding added
Version 3	27/09/2017	Organisational chart updated for new structure, new template, updated links to resources on website

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.

ACCESS APPLICATION FORM

Please complete this form to apply for formal access to government information under the *Government Information (Public Access) Act 2009 (GIPA Act)*. If you need help in filling out this form please contact the Information Officer on 02 6033 8999 or visit our website at www.corowa.nsw.gov.au or www.urana.nsw.gov.au

YOUR DETAILS

Surname: Title: Mr Ms Mrs Miss (Please circle)

Other names:

Postal Address: Postcode:

Day-time telephone: Facsimile:

Email:

The questions below are optional and the information will only be used for the purposes of providing better service.

Place of birth: Main language spoken:

Aboriginal or Torres Strait Islander: Yes / No (Please circle)

Do you have any special needs for assistance with this application?: (Please describe assistance required if applicable)

.....
.....

☐ I agree to receive correspondence at the above email address:

PROOF OF IDENTITY *(Only required when the applicant is requesting information on their own behalf)*

When seeking access to personal information, an applicant must provide proof of identity in the form of a *certified* copy of any one of the following documents.

☐ Australian driver's licence with photograph, signature and current address

☐ Current Australian Passport

☐ Other proof of signature and current address details

GOVERNMENT INFORMATION

Please describe the information you would like to access in enough detail to allow us to identify it.

Note: This application must contain sufficient information so that Council can identify the information being applied for. If you do not give enough details about the information, Council may be unable to process your application.

.....
.....

Are you seeking personal information?: Yes / No (Please circle)

FORM OF ACCESS

How do you wish to access the information?

☐

Inspect the document

☐

Obtain a copy of the document(s)

☐

Access in another way (please specify)

.....

APPLICATION FEE

I attach payment of the **\$30 application fee** by: Cash Cheque Money order (Please circle)

(Note: Please do not send cash by post)

DISCLOSURE LOG

If the information sought is released to you and would be of benefit to other members of the public, details about your application may be recorded in the agency's 'disclosure log'. This is published on the agency's website. Do you object to this?
Yes / No (Please circle)

DISCOUNT IN PROCESSING CHARGES

You may be asked to pay a charge for processing the application (\$30/hour). Some applicants may be entitled to a 50% reduction in their processing charges. If you wish to apply for a discount, please indicate the reason:

☐

Financial hardship – please attach supporting documentation (e.g. a pension or Centrelink card).

AND / OR

☐

Special benefit to the public – please specify why below:

.....

.....

.....

Applicants signature:..... Date:.....

Please post this form or lodge it at: Federation Council PO Box 77 COROWA NSW 2646 **OR** Deliver to one of Council's Offices in the following locations.

Corowa	Civic Centre, 100 Edward Street, Ball Park, Corowa NSW 2646,
Mulwala	Mulwala Library and Council Office, 71 Melbourne Street Mulwala NSW 2647
Howlong	Howlong Community Resource Centre and Library, 59 Hawkins Street, Howlong NSW2643
Urana	30 – 32 William Street, Urana NSW 2645

Manual Entry

Manual Entry

▼ Clause 7(a): Details of the review carried out by the agency under section 7 (3) of the Act during the reporting year and the details of any information made publicly available by the agency as a result of the review

	Review carried out by the agency
7(a)	<input checked="" type="radio"/> Yes <input type="radio"/> No

Information made publicly available by the agency ☒ Yes ☐ No

Federation Council Social Media policy
Federation Council Investment policy
Federation Council Procurement policy
Federation Council Complaints Handling policy
Federation Council Welcome to Country and Acknowledgement of Traditional Owners policy
Federation Council Live Streaming of Council Meetings policy
Federation Council festival and Event Management policy
Federation Council Audit Committee Charter policy

▼ Clause 7(b): The total number of access applications received by the agency during the reporting year (including withdrawn applications but not including invalid applications)

	Total number of applications received
7(b)	5

▼ Clause 7(c): The total number of access applications received by the agency during the reporting year that the agency refused, either wholly or partly, because the application was for the disclosure of information referred to in Schedule 1 to the Act (information for which there is conclusive presumption of overriding public interest against disclosure)

Number of Applications Refused	Wholly	Partly
	0	0

▼ Table A: Number of applications by type of applicant and outcome*

	Access Granted in Full	Access Granted in Part	Access Refused in Full	Information not Held	Information Already Available	Refuse to Deal with Application	Refuse to Confirm/Deny whether information is held	Application Withdrawn
Media	0	0	0	0	0	0	0	0
Members of Parliament	0	0	0	0	0	0	0	1
Private sector business	1	0	0	0	0	0	0	0

Not for profit organisations or community groups	0	0	0	0	0	0	0	0
Members of the public (by legal representative)	2	0	0	1	0	0	0	0
Members of the public (other)	0	0	0	0	0	0	0	0

▼ **Table B: Number of applications by type of application and outcome***

	Access Granted in Full	Access Granted in Part	Access Refused in Full	Information not Held	Information Already Available	Refuse to Deal with Application	Refuse to Confirm/Deny whether information is held	Application Withdrawn
Personal information applications*	0	0	0	0	0	0	0	0
Access applications (other than personal information applications)	3	0	0	1	0	0	0	1
Access applications that are partly personal information applications and partly other	0	0	0	0	0	0	0	0

▼ **Table C: Invalid applications**

Reason for invalidity	No of applications
Application does not comply with formal requirements (section 41 of the Act)	1
Application is for excluded information of the agency (section 43 of the Act)	0
Application contravenes restraint order (section 110 of the Act)	0
Total number of invalid applications received	0
Invalid applications that subsequently became valid applications	0

▼ **Table D: Conclusive presumption of overriding public interest against disclosure: matters listed in Schedule 1 of Act**

	Number of times consideration used*
Overriding secrecy laws	0
Cabinet information	0

Executive Council information	0
Contempt	0
Legal professional privilege	0
Excluded information	0
Documents affecting law enforcement and public safety	0
Transport safety	0
Adoption	0
Care and protection of children	0
Ministerial code of conduct	0
Aboriginal and environmental heritage	0

▼ **Table E: Other public interest considerations against disclosure: matters listed in table to section 14 of Act**

	Number of times consideration used*
Responsible and effective government	0
Law enforcement and security	0
Individual rights, judicial processes and natural justice	0
Business interests of agencies and other persons	0
Environment, culture, economy and general matters	0
Secrecy provisions	0
Exempt documents under interstate Freedom of Information legislation	0

▼ **Table F: Timeliness**

	Number of applications*
Decided within the statutory timeframe (20 days plus any extensions)	3
Decided after 35 days (by agreement with applicant)	0
Not decided within time (deemed refusal)	0

▼ **Table G: Number of applications reviewed under Part 5 of the Act (by type of review and outcome)**

	Decision varied	Decision upheld
Internal review	1	0
Review by Information Commissioner*	0	0
Internal review following recommendation under section 93 of Act	0	0
Review by NCAT	0	0

▼ **Table H: Applications for review under Part 5 of the Act (by type of applicant)**

	Number of applications for review
Applications by access applicants	1
Applications by persons to whom information the subject of access application relates (see section 54 of the Act)	0

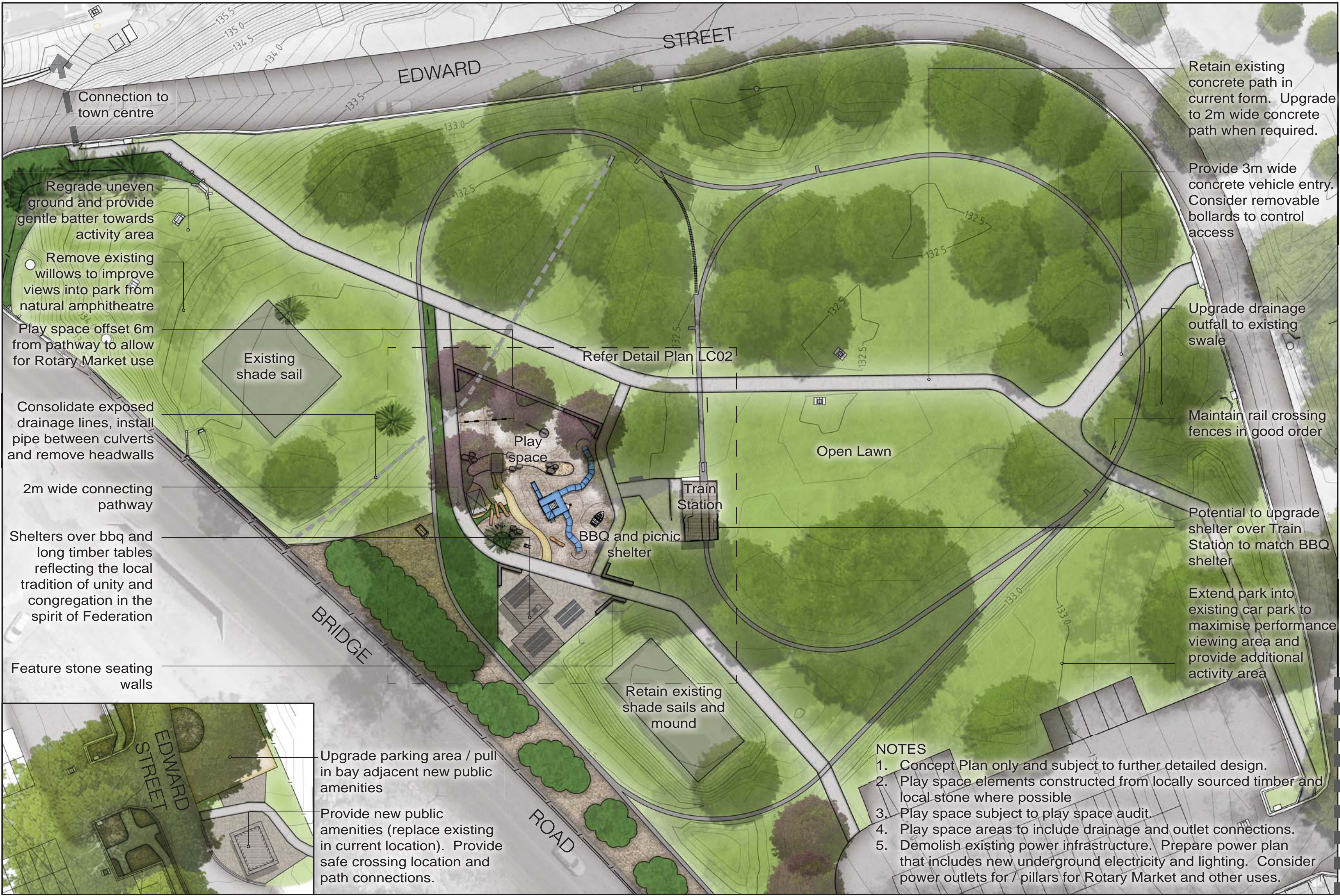
▼ Table I: Applications transferred to other agencies

	Number of applications transferred
Agency-Initiated Transfers	0
Applicant - Initiated Transfers	0

Save

Print

Cancel



LEGEND

- Existing Tree
- Proposed Tree
- Grass
- Garden Bed
- Concrete Footpath
- Feature Concrete Paving
- Road
- Play Space Mulch
- Sand
- Gravel
- Shelters and seating
- Stone seating walls
- Existing train tracks

REFER INSET FOR PUBLIC AMENITIES LOCATION

INSET (not to scale): Public amenities location

- NOTES**
1. Concept Plan only and subject to further detailed design.
 2. Play space elements constructed from locally sourced timber and local stone where possible
 3. Play space subject to play space audit.
 4. Play space areas to include drainage and outlet connections.
 5. Demolish existing power infrastructure. Prepare power plan that includes new underground electricity and lighting. Consider power outlets for / pillars for Rotary Market and other uses.

PLAY SPACE ELEMENTS



Timber frame swing + feature elements



Play tower + bridge



Water play: pump and river stone paved swale



Entry arbor



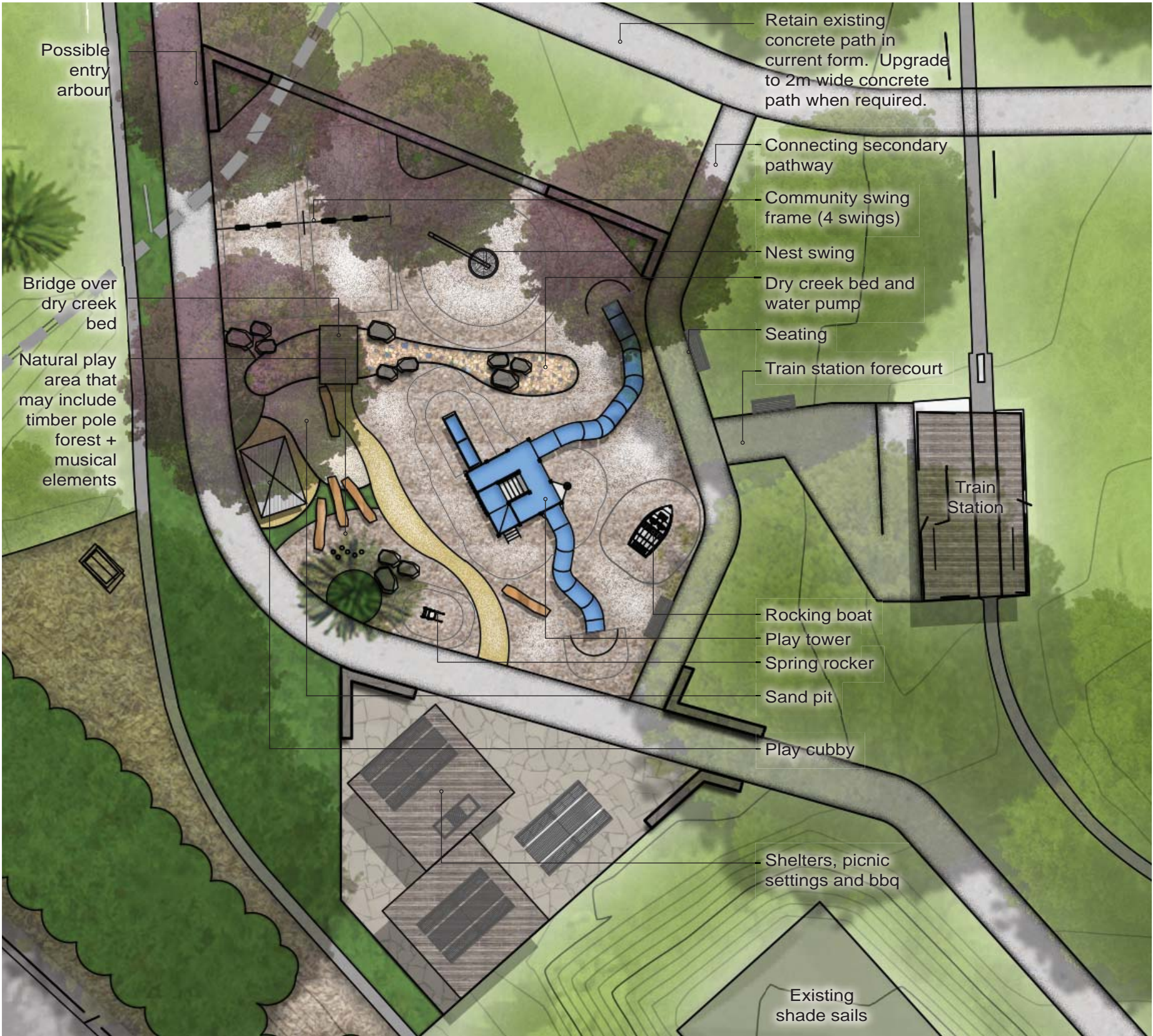
Play cubby



Toddler spring rocker



Rocking boat



FURNITURE + MATERIALS



Local timber logs



Local stone



Long tables with bench seating



Timber shelter, amenities block + train station



Local precedents of desired timber aesthetic
Chunky timber construction



Consider collaboration with local Elders, and artists in the design of bespoke elements

STRUCTURES +
COLOUR



Entry arbor



Play cubby + chimney



Play cubby + verandah



Timber + steel shelter + bbq



Long tables with bench seating



Feature colour elements

PLAY TOWER +
TIMBER



Play tower



Play tower using natural timbers



Play tower + slide + colour + climbing



Low bridge over paved swale



Timber pole forest



Timber pole play elements

WATER + SAND
PLAY



Water play pump



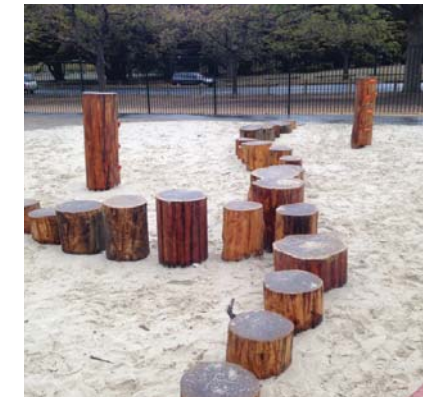
Water play pump and channel



Water weir over river stone swale



Water weir and paved swale



Sand play with balance logs



Sand and water play combined

SWINGS + FEATURE
PLAY



Timber frame swing



Timber frame swing



Feature timber elements



Nest swing



Toddler springer



Possible Musical elements



Federation Council Mobile Preschool Newsletter

November, 2017

DATES FOR YOUR CALENDAR:-

Monday 11th December—Last day for Rand Preschool.
Small Christmas Concert and afternoon tea at 1pm.

Tuesday 12th December—Last day for Boree Creek
Small Christmas Concert and afternoon tea at 1pm.
(Sally is doing a permission note to go to the park.)

Wednesday 13th December—Last day for Urana
Small Christmas Concert and afternoon tea at 1pm.

Thursday 14th December—Last day for Oaklands
Small Christmas Concert and afternoon tea at 1pm.

2018 Enrolment Forms due back
Thursday 23rd November 2017

The 2018 Preschool Year commences on Monday 29th January at Boree Creek.
(Pending Departmental Approval for the venue change.)

Ph: 0400309444

Or send us a message on Kindyhub.

END OF YEAR

Our pre-school year will finish on Thursday 14th December 2017.

Each venue will have a small concert and Christmas Party with the children at 1pm. Parents are most welcome to join us. Families are asked to provide a small plate of food to share.

Fees

The Urana Office will be sending out term 4 2017 preschool fees this week.

Please ensure that we have a current copy of your health care card.

Fees for 2018 will be rising slightly because of an increase in our rental agreements. 2018 fees will be \$25 per day— standard full fee and \$12.50 per day for concession fees. (Health Care Card Holders, ATSI)

The 2018 registration fee of \$20 per child and the termly Educational Equipment Levy of \$20 per child will remain unchanged.

CONTACT INFORMATION

Please ensure your child's contact details and emergency contact numbers are current. It is essential that we can contact families in an emergency. Please check your contact information with your teacher.

SPARE CLOTHES

Please ensure your child has a spare set of clothes in their bags. We would also appreciate you returning any preschool clothes that may have been worn home.

Regulation Changes 2018

We have recently been informed that mobile preschools will transition to the National Quality Standards.

2018 will be a transition year, with implementation to the assessment and rating process to begin in 2019.

Whilst this will present some challenges for our service, I have spent the last week gathering information to help with our planning. I have been assured that the department will be working with us to transition our service and will do what they can to support us.

Please speak to Shelley directly if you have any concerns.

2018 Enrolment Forms

2018 Enrolment Forms will be available in the next week. Please let your neighbours and friends know or take a spare form.

Enrolment forms need to be returned by Thursday 23rd November, together with the \$20 enrolment registration fee. We will keep current copies of the children's birth certificates. If your child's immunisation details have not changed, we will keep current immunisation forms. Please check this with your teacher.

Boree Creek—Please return your enrolment form and I will confirm with 2018 enrolled families that the department has approved our change of venue via a phone call as soon as possible.

Names on everything please...

Please ensure that names are on all items of clothing, as well as drink bottles and lunch boxes.

SUN HATS AND SUNSCREEN

Sun protection is now required from 10am. We are keeping the children's sun hats at each base and will wash them regularly. If you want to take your child's hat home, please speak with a staff member.



Please apply sunscreen to your child on arrival at preschool. (Especially Oaklands—it is too tricky to get the children sunscreened and the learning environment set up in the morning.)

I will be available in the holidays from Tuesday 16th January 2018, should anyone wish to contact me. You can also send a message via Kindyhub, which I will check over the holidays.

Learn to swim

Preschool staff have some learn to swim enrolment forms. I have been told that lessons will operate at the Oaklands and Urana pools.

Please take a form if you are interested.

Play to Learn

St Francis Xavier's Primary School Urana are calling for expressions of interest for a 'Play to Learn' session each Friday in 2018. These sessions are for children aged 3 to 5 years.

Please get a flyer from preschool staff if you are interested and contact the school by Friday 24th November 2018

Thank you for being a part of our Mobile Preschool Service this year. We have grown in size and added to our service. There are still some elements that are a work in progress... but that is the ever changing nature of our work.

Thank you families—for entrusting the children in our care. They are amazing kids and we have loved working with them.

We wish all our children moving onto school the very best. We know you'll be fine. And we have lots of returning children next year... that we look forward to seeing late January / early February.

I thank our staff. I am blessed to work with a team of upbeat and can-do people. And I thank our communities. I feel well supported by schools, Council and Jacinta Dore—our wonderful Health Nurse.

Have a safe and happy Christmas holiday period.

Shelley Chandler



Risk Management Strategy - Draft

federationcouncil.nsw.gov.au

Record No: 17/34014

Adopted: Enter Adoption Date



Document Title	Risk Management Strategy - Draft
Council Adopted	Adoption Date
Council Resolution No	Enter Resolution No
Version Number	1
Responsible Department	Finance & Organisational Development - Risk Unit
Date to be Reviewed	October 2020

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1. Summary

Risk is defined as “the effect of uncertainty on objectives” and risk management as the “co-ordinated activities to direct and control an organisation with regard to risk”.

Council’s strategy in regards to Risk Management has traditionally relied on the three lines of defence model approach, these being:

- 1st Line of Defence – Departmental Managers
- 2nd Line of Defence – Risk Management and Compliance Functions
- 3rd Line of Defence – Internal and External Audit.

2. Background

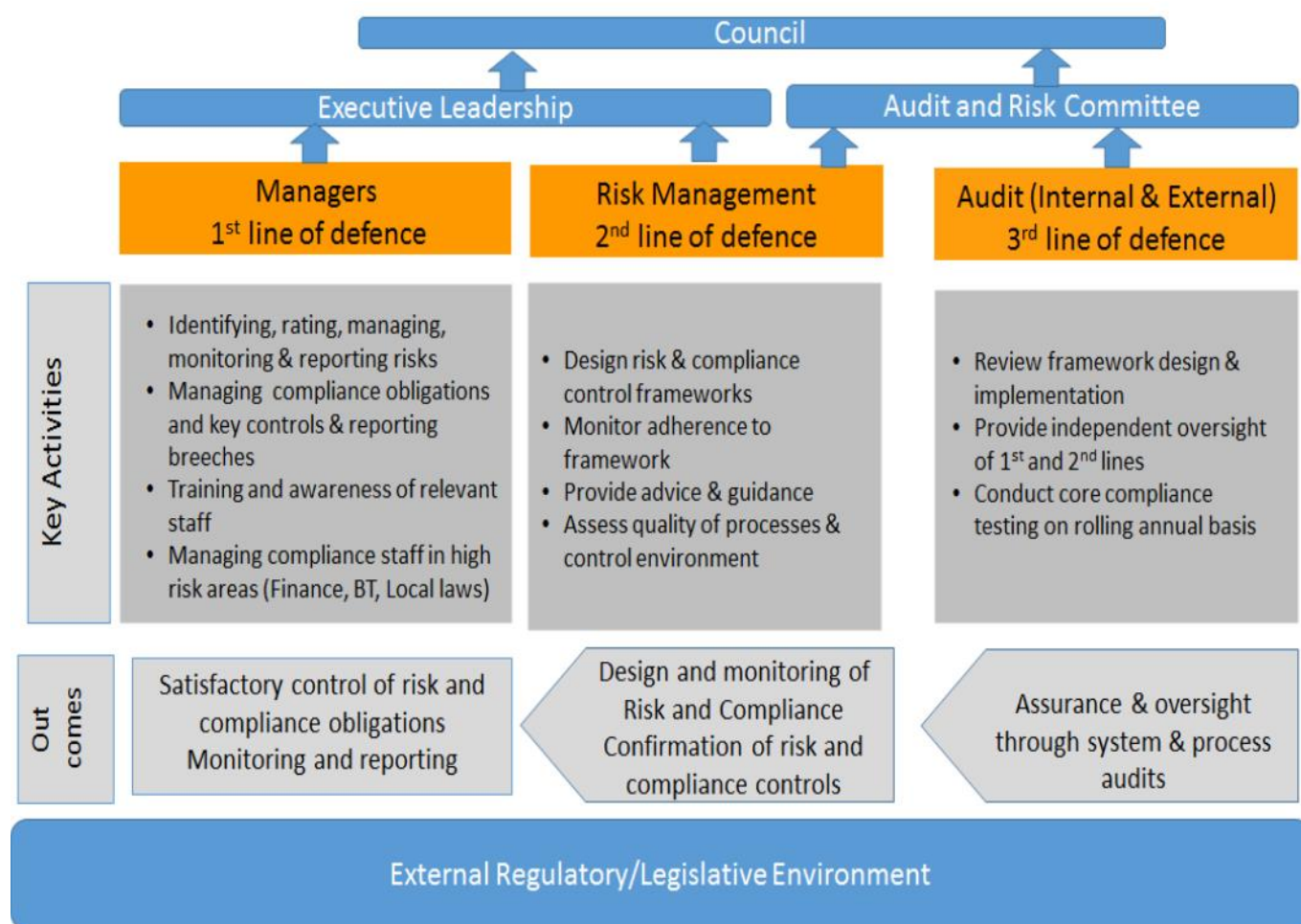
Federation Council has adopted a Community Strategic Plan that consolidates the current and future aspirations of the community into five Strategic Directions, each of which contains supporting Strategic Objectives.

- Community and Culture
- Infrastructure and Services
- Rural, Urban Development and Local Economy
- Natural Environment
- Local Governance and Finance

Council is committed to the achievement of these Strategic Objectives.

All threats to the achievement of associated objectives will be identified, analysed, controlled, in order to eliminate or minimise these risks.

3. Risk Management Strategies



Further details of the three lines of defence are as follows:

1st Line of Defence – Departmental Managers

Each Department is responsible for the ownership and management of their risks. They are also responsible for implementing corrective actions to address process deficiencies. Each Department naturally serves as the 1st line as controls are designed into systems and processes under their guidance. There should be adequate managerial and supervisory controls in place to ensure compliance and to highlight control breakdown, inadequate processes and unexpected events. In some areas, specialist compliance roles have also been established to assist in promoting and monitoring compliance e.g. Finance and Business Technology.

2nd Line of Defence – Risk Management and Compliance Functions

The risk management and compliance functions ensure that the Framework is fully embedded, operational and monitor the 1st line controls to ensure that risks are being effectively managed. It is a risk management function that facilitates and monitors the implementation of effective risk management practices by management and assists risk owners in defining the target risk exposure and reporting adequate risk-related information throughout the organisation. Each of these functions has some degree of independence from the first line of defence.

3rd Line of Defence – Internal Audit

Internal audit (IA) provides independent assurance on the effectiveness of governance, risk management, and internal controls, including the manner in which the 1st and 2nd lines achieve risk management and control objectives. IA provides Council and senior management with comprehensive assurance based on the highest level of independence and objectivity.

External Audit.

Under S 422 Local Government Act 1993 the NSW Auditor-General was appointed as the auditor for councils (1 October 2016). The NSW Audit Office staff are entitled at all reasonable times to full and free access to the council's accounting records and other records necessary in order to carry out the Auditor-General's functions under the LG Act or any other Act.

The Auditor-General is to communicate with the Local Government Minister on all matters arising under the LG Act or the regulations and which, in the opinion of the Auditor-general, are sufficiently significant to be brought to the Minister's attention.

4. Strategy History

Version	Date	Changes / Amendments
1		Policy developed for Federation Council.

5. Reviews

The policy will be reviewed every three years or sooner as required.

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Attachment 7.3.2

Risk Management Policy – Draft

federationcouncil.nsw.gov.au

Record No: 17/28030

Adopted: Enter Adoption Date



Document Title	Risk Management Policy – Draft
Council Adopted	Adoption Date
Council Resolution No	Enter Resolution No
Version Number	1
Responsible Department	Finance & Organisational Development - Risk Unit
Date to be Reviewed	October 2020

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1. Purpose

Federation Council has adopted a Community Strategic Plan that consolidates the current and future aspirations of the community into five Strategic Directions, each of which contains supporting Strategic Objectives.

- Community and Culture
- Infrastructure and Services
- Rural, Urban Development and Local Economy
- Natural Environment
- Local Governance and Finance

Council is publically committed to the achievement of these Strategic Objectives. All threats to the achievement of these stated objectives will be identified, analysed, controlled, in order to eliminate or minimise these risks. The process will be documented.

2. Background

Federation Council's risk management framework and processes are in accordance with AS/NZS ISO 31000:2009 – Risk management – principles and guidelines, SA/SNZ HB 436:2013 – Risk management guidelines – Companion to AS/NZS ISO 31000:2009 and ISO Guide 73 – Risk management - Vocabulary.

Council has obligations and responsibilities under a large number of Acts and Regulations. In relation to the management of risk, the following are some of the key pieces of legislation affecting Council operations:

Local Government Act 1993 and (General) Regulation 2005
Work Health and Safety Act 2011 and Regulation 2017
Environmental Planning and Assessment Act 1979
Roads Act 1993
State Records Act 1998
Civil Liability Act 2002

Federation Council recognises that the delivery of services and facilities to the community imposes a “duty of care” on Council to ensure that all reasonably foreseeable risks of someone suffering some sort of loss or harm are eliminated or mitigated. Council also acknowledges that the exercise of due diligence is vital in the provision of services and facilities, and will ensure all procedures and processes incorporate due diligence steps within the limits of our financial and other resources. (CLA S42, 43, 45)

3. Scope

This Policy is applicable to all Councillors, Senior Management, Supervisors and staff, contractors and volunteers of Council and encompasses all functions, activities and processes undertaken by Council in the achievement of all its stated objectives.

4. Definitions

Risk is defined as “the effect of uncertainty on objectives” and risk management as the “co-ordinated activities to direct and control an organisation with regard to risk”.

Risk Management Policy is defined as a “statement of the overall intention and direction of an organisation related to risk management”.

Risk Appetite is “the amount of risk an entity is willing to accept or retain in order to achieve its objectives”.

A **Risk Management Strategy** provides direction to managing risk. It builds in a three line process for regularly controlling risk and compliance obligations, confirming effectiveness of risk and compliance controls and the oversight of the those activities through audit.

Audit, Risk and Improvement Committee (ARIC) - Council resolved 91/17FC that in accordance with the Office of Local Government Internal Audit Guidelines and Part 4A of the Local Government Amendment (Governance and Planning) Act 2016, Council adopt the revised Audit Risk and Improvement Committee Charter dated June 2017.

The role of the ARIC is to provide the Councillors and Senior Management Team with information relating the performance of Risk Management, control and governance processes, and recommendations for any necessary improvements.

5. Policy Statement

Federation Council recognises that better decision making occurs when risks are identified and analysed as an integral part of every job/action undertaken at any level of Council, and consequently “the effects of uncertainty” are, as far as possible, minimised.

Federation Council has adopted the following Risk Appetite Statements:

Assessment	Description
High Risk Appetite 5	The Council accepts opportunities that have an inherent high risk that may result in extensive reputation damage, financial loss or exposure, extensive disruption in service delivery or breakdown in information systems or information integrity, significant incidents (s) of regulatory non-compliance, potential litigation and risk of serious trauma injury to members of staff and/or the public.
Moderate Risk Appetite 4	The Council is willing to accept risks that may result in major reputation damage, financial loss or exposure, major disruption in service delivery or breakdown in information systems or information integrity, significant incidents (s) of regulatory non-compliance, potential litigation and risk of serious injury to a staff member and/or the public.
Modest Risk Appetite 3	The Council is willing to accept some risks in certain circumstances that may result in significant reputation damage, financial loss or exposure, significant disruption in service delivery or breakdown in information systems or information integrity, serious incidents (s) of regulatory non-compliance, risk of significant injury to a staff member and/or the public.
Low Risk Appetite 2	The Council is not willing to accept risks in most circumstances that may result in minor reputation damage, financial loss or exposure, minor disruption in service delivery or breakdown in information systems or information integrity, minor incidents (s) of regulatory non-compliance, risk of minor injury to a staff member and/or the public.
No Risk Appetite 1	The Council is not willing to accept risks under any circumstances that may result in reputation damage, financial loss or exposure, disruptions in service delivery or breakdown in information systems or information integrity, incidents (s) of regulatory non-compliance, risk of injury to staff and/or the public.

Federation Council has *no risk appetite* for any risk that may constitute a threat to the health, safety and welfare of councillors, staff, contractors, volunteers and all other persons.

Risk Management Strategy and Processes

A Risk Management Strategy provides direction to managing risk. It relies on the three lines of defence approach, these being:

- 1st Line of Defence – Departmental Managers
- 2nd Line of Defence – Risk Management and Compliance Functions
- 3rd Line of Defence – Internal and External Audit

The Risk Management Process is the “how to” element of the Framework and is defined in the ISO Standard as “systematic application of management policies, procedures and practices to the tasks of communicating, consulting, establishing the context, identifying, analysing, evaluating, treating, monitoring and reviewing risk.” This involves consideration of the organisation’s risks in relation to the following:

- Communication and Consultation
- Establish the context
- External context
- Internal context
- Risk management context
- Risk identification
- Risk analysis
- Risk registers
- Inherent likelihood
- Inherent impact
- Inherent risk rating
- Risk mitigation/treatment
- Residual risk
- Residual risk evaluation

The Risk Management Plan is a document within the risk management framework specifying the approach, the management components and resources to be applied to the management of risk. These components typically include procedures, practices, assignment of responsibilities and sequence of activities. Federation Council Risk Management Plan has adopted the Plan Do Check Act Cycle (PDCA) in the writing of the Plan.

6. Responsibilities

Council

The Council is responsible for the oversight of Risk Management and may obtain advice and guidance from appropriate sources within and outside Council. The Councillors are responsible for ensuring that the non-achievement of one or more Strategic Objectives and/or Strategic Actions is not due to the failure to address risk.

General Manager

The General Manager is responsible for the implementation and effective operation of the organisation’s Risk Management, including the allocation of adequate resources, and responding to and reporting on significant risks that may arise from time to time. The General Manager is responsible for ensuring that the non-achievement of one or more Strategic Objectives and/or Strategic Actions is not due to the failure to address risk.

MANEX ie Senior Management Team (SMT)

Departmental Directors that make up the Senior Management Team are responsible for the effective operation of Risk Management within their respective departments and the timely reporting of any significant risks that may

arise. The Senior Management Team is responsible for ensuring that the non-achievement of one or more Strategic Objectives and/or Strategic Actions is not due to the failure to address risk.

Staff

All Supervisors in particular, and employees in general, are responsible for avoiding unnecessary risks to themselves, co-workers and the public, Council and private property and image, and to report through their supervisors any activities or conditions that may result in unacceptable risks.

Audit, Risk and Improvement Committee (ARIC)

The Audit, Risk and Improvement Committee is to provide the Councillors and Senior Management Team with information relating the performance of the organisation's Risk Management strategies, documentation, plans and processes and recommendations for improvements if necessary.

In particular, the Audit, Risk and Improvement Committee (ARIC) must keep under review the following aspects of council's operations:

- Compliance
- Risk management
- Fraud control
- Financial management
- Governance
- Implementation of strategic plan, delivery program and strategies
- Service reviews
- Collection of performance measurement data by the council
- Any other matters prescribed by the regulations

7. References & Associated Documents

Risk Management Framework
Risk Management Plan
Risk Management Procedures
Internal Audit Charter and Plan
Work Health and Safety Policy
Work Health and Safety Framework
Work Health and Safety Plan
Work Health and Safety Procedures
Statewide Mutual Manuals and guidance material and Continuous Improvement Pathway Workbooks

8. Policy History

Version	Date	Changes / Amendments
1		

9. Reviews

Enter review schedule for the policy

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RISK MANAGEMENT FRAMEWORK

Record No: 17/34556

Version No: Click Enter Version No



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DRAFT

I. INTRODUCTION

Council is required to plan for and manage growth and change, deliver on its objectives within the context of significant population, climate and urban change as well as increased legislative and regulatory compliance obligations and financial accountability.

It is incumbent on Council to understand the internal and external risks that may impact the delivery of its organisational goals and have processes in place to identify, mitigate, manage and monitor those risks to ensure the best outcome for Council, staff and the community.

The Australian/New Zealand ISO Standard on Risk Management describes risk as “the effect of uncertainty on objectives”. Risk is the probability of an internal or external situation (an incident) having the potential to impact upon Council; preventing Council from successfully achieving its objectives, delivering its services or capitalising on its opportunities. Risks are an everyday occurrence that could potentially impact on Council’s ability to meet its obligations to stakeholders and the community. Council recognises that while some risks cannot be fully eliminated they can be identified, controlled and managed to an acceptable level.

Risk management is defined as “the coordinated activities to direct and control an organisation with regard to risk”.

Council’s Risk Management Framework (‘Framework’) is aligned to the ISO Standard and shall be applied to all activities of Council. Risk needs to be considered and addressed by everyone, including governing bodies, executive staff and senior management, employees, partners and related stakeholders. Council is committed to promoting an organisational culture where risk management is embedded in all activities and business processes.

Council undertakes proactive risk management because:

1. It is good practice to understand the strategic and operational risks and opportunities facing Council in order to make informed decisions and meet organisational and strategic goals;
2. Council provides critical services and infrastructure to the residents and visitors of Federation Council; and
3. Council has service agreements and contractual obligations with government and nongovernment agencies and organisations

The Framework is designed to provide the architecture for a common platform for all risk management activities undertaken by Council, from individual functional, process or project based assessments to whole-of-organisation assessments, with the aim of enabling comparative analysis and prioritisation of those assessments either individually or cumulatively. The Framework will be approved every two years by the Executive Management team and noted by Council. This document should be read in conjunction with Council’s Risk Management Policy.

2 RISK MANAGEMENT APPROACH

2.1 Risk Management Principles

All levels of the Council shall commit to incorporating the following principles from the ISO Standard. Risk management will:

- Create and protect value;

Good risk management contributes to the achievement of Council's objectives through the continuous review of its processes and systems of work.

- Be an integral part of Council's organisational processes;
Risk Management needs to be integrated with Council's governance and compliance framework and become a part of its planning processes, at both the operational, project and strategic level.
- Be part of the decision-making process;
The process of risk management assists decision makers to make informed choices, identify priorities and select the most appropriate action.
- Explicitly address uncertainty;
By identifying potential risks Council can implement controls and treatments to maximise the chance of gain while minimising the chance of loss.
- Be systematic, structured and timely;
The process of risk management should be consistent across an agency to ensure efficiency, consistency and the reliability of results.
- Be based on the best available information;
To effectively manage risk it is important to understand and consider all available information relevant to an activity/function and to be aware that there may be limitations on that information. It is then important to understand how all this information informs the risk management process.
- Be tailored to Council's internal and external environments;
Council's risk management framework needs to include its risk profile, as well as take into consideration its internal and external operating environment.
- Take into account Council's human and cultural factors;
Risk management needs to recognise the contribution that people and culture have on achieving Council's objectives.
- Be a transparent and inclusive process;
Engaging stakeholders, both internal and external, throughout the risk management process recognises that communication and consultation is key to identifying, analysing and monitoring risk.
- Be dynamic, iterative and responsive to change;
The process of managing risk needs to be flexible. The challenging environment Council operates in requires it to consider the context for managing risk as well as continuing to identify new risks that emerge, and make allowances for those risks that no longer exist.
- Facilitate the continual improvement of Council;
An organisation with a mature risk management culture is one that has invested resources over time and is able to demonstrate the continual achievement of their objectives. Federation Council aspires to continually improving its risk maturity.

2.2 Enhancing Risk Management

- Federation Council will fully accept accountability for their risks and develop comprehensive controls and treatment strategies.

- Federation Council will set its performance goals, its measures, and then review and modify processes as required. It will also review and modify its systems, processes, resources, skills and capabilities to ensure continuous improvement.
- Individuals with accountability for risk management are identified. These individuals will be appropriately skilled, have adequate resources to check and improve controls, monitor risks, and the ability to communicate effectively with the community and other stakeholders.
- Decision-making within Council, irrespective of level of importance and significance, will include consideration of risks and the application of the risk management process as appropriate.
- Council will frequently report to all stakeholders on its risk management performance. This reporting will be ongoing and highly visible.

3 RISK MANAGEMENT PROGRAM

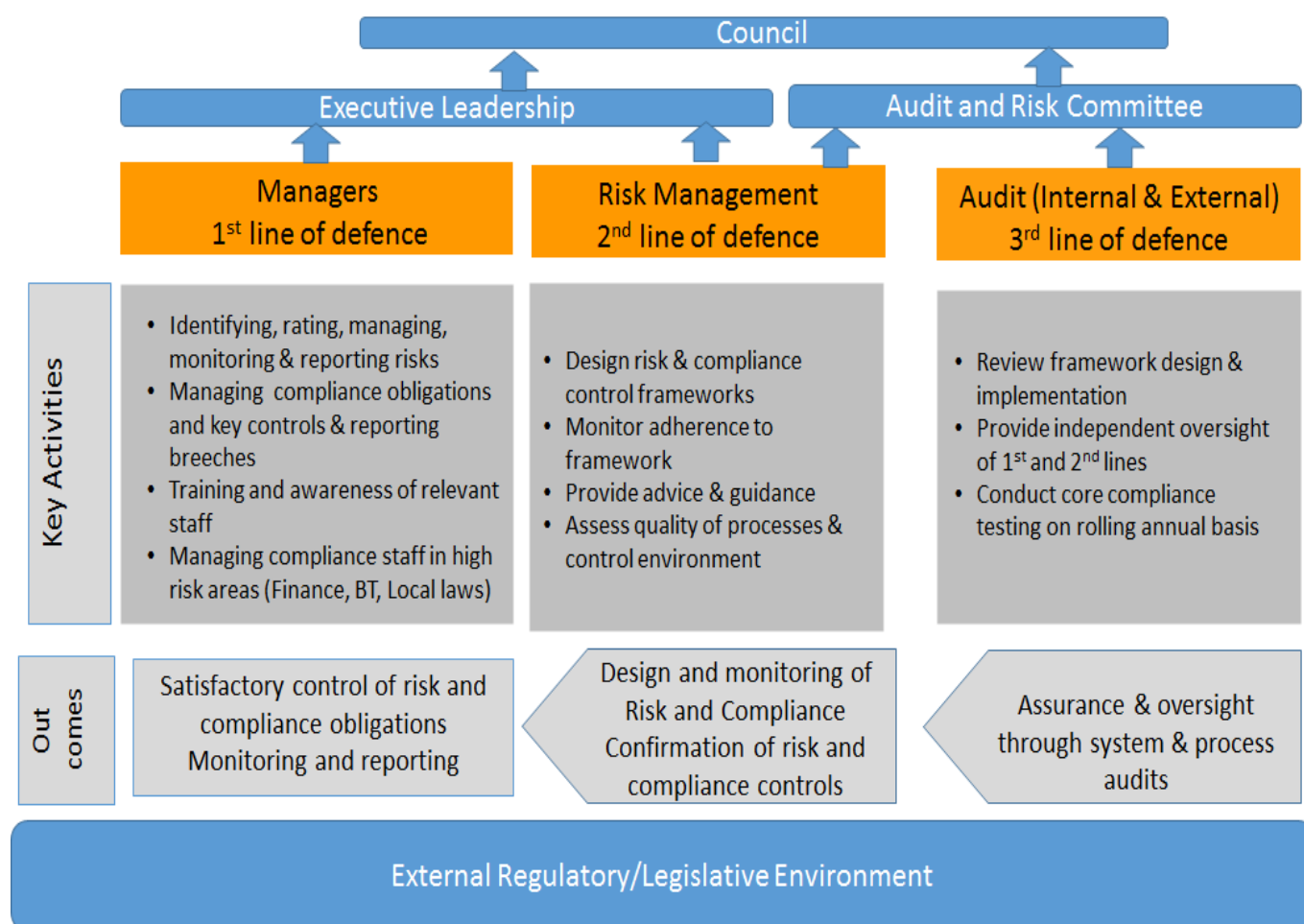
The Risk Management ‘Program’ is the overarching name that covers the Risk Management Policy, Risk Management Strategy, Risk Management Framework and Risk Management Plan and supporting subordinate policies, procedures and processes.

The primary objective of the Framework is to support the achievement of Council’s strategic objectives and goals contained in the Federation Council’s Community Strategic Plan, Delivery Program and Operational Plans and safeguard the council’s resources, people, finance, property, knowledge and reputation through:

- Maintain the highest possible integrity for services provided by Federation Council;
- Safeguard and enhance Federation Council assets including human, fiscal, property and environmental;
- Create an environment where all Federation Council employees will assume responsibility for managing risk;
- Achieve and maintain legislative compliance;
- Maintain a Risk Register;
- Ensure resources and operational capabilities are identified and responsibility allocated for managing risk;
- Ensure Federation Council can appropriately deal with risk by effective communication and consultation with all relevant stakeholders and regularly reviewing risk performance and internal guidance material;
- Demonstrate transparent and responsible risk management processes which align with accepted best practice.

For the Framework to be effective it must be integrated into Council’s strategic and business planning cycles.

4 RISK MANAGEMENT STRATEGY - THREE LINES OF DEFENCE MODEL



4.1 1st Line of Defence – Departmental Managers

Each Department is responsible for the ownership and management of their risks. They are also responsible for implementing corrective actions to address process deficiencies. Each Department naturally serves as the 1st line as controls are designed into systems and processes under their guidance. There should be adequate managerial and supervisory controls in place to ensure compliance and to highlight control breakdown, inadequate processes and unexpected events. In some areas, specialist compliance roles have also been established to assist in promoting and monitoring compliance e.g. Finance and Business Technology.

4.2 2nd Line of Defence – risk management and compliance functions

The risk management and compliance functions ensure that the Framework is fully embedded, operational and monitor the 1st line controls to ensure that risks are being effectively managed. It is a risk management function that facilitates and monitors the implementation of effective risk management practices by management and assists risk owners in defining the target risk exposure and reporting adequate risk-related information throughout the organisation. Each of these functions has some degree of independence from the first line of defence.

4.3 3rd Line of Defence – internal audit

Internal audit (IA) provides independent assurance on the effectiveness of governance, risk management, and internal controls, including the manner in which the 1st and 2nd lines achieve risk management and control objectives. IA provides Council and senior management with comprehensive assurance based on the highest level of independence and objectivity.

External Audit

Under S 422 Local Government Act 1993 the NSW Auditor-General was appointed as the auditor for councils (1 October 2016). The NSW Audit Office staff are entitled at all reasonable times to full and free access to the council's accounting records and other records necessary in order to carry out the Auditor-General's functions under the LG Act or any other Act.

The Auditor-General is to communicate with the Local Government Minister on all matters arising under the LG Act or the regulations and which, in the opinion of the Auditor-General, are sufficiently significant to be brought to the Minister's attention.

5. ORGANISATIONAL RISK CULTURE

The General Manager has the ultimate responsibility and accountability for ensuring that risk is managed across the Council supported by the Director Finance and Organisational Development. The General Manager and the Executive Leadership Team (MANEX) provides governance leadership, agrees the strategic direction and risk appetite, promoting the culture and 'tone from the top', to ensure the best outcome for Council, staff and the community.

Council will actively consider risks during strategic and tactical decision-making processes as will all levels of management and will determine the level of residual risk/appetite they are willing to accept, at least annually. Council will take a risk-based approach to managing internal and external projects, operational and strategic risks: i.e. risks will be managed and monitored according to severity.

Management will conduct full six monthly reviews of their Department risks (facilitated by the Risk Adviser) with monthly monitoring of High > risks and quarterly monitoring of Medium and Low risks. Management will also conduct out-of-cycle reviews of operational, project or strategic risks if material changes occur, there is a breakdown of controls or new risks emerge for example organisation change, major process or system change, failure of controls, a major incident, a compliance breach, serious complaint or significant near miss.

Council will invest the appropriate time and resources into training and awareness for all staff but in particular for managers and nominated risk and control owners and staff with specified risk and emergency management roles.

6 RISK MANAGEMENT GUIDELINES

The Council has finite resources, time and budget to manage all aspects of its activities. It is therefore vital that Council apportion resources into the areas of most need, or that will have the greatest impact. Council will therefore take a risk based approach to managing operational risks as follows:

- I. Risks are initially identified and assessed on an Inherent basis - the risk that an activity would pose if **no controls** or other mitigating factors were in place. Determining the Likelihood and Consequence of the risk occurring allows Council to understand which risks are of greater concern and must therefore be mitigated accordingly.

2. The Residual Risk - the risk that remains **after the effectiveness of controls** are taken into account (the risk after controls) - can then be determined by assessing the effectiveness of controls in place to mitigate the Likelihood and Consequence of the risk occurring.
3. All risks will be captured in an organisational Risk Register (Excel spreadsheet) and reported regularly through the various Management and Committee structures.

7. RISK APPETITE

A clearly articulated statement of risk appetite is a fundamental component of Enterprise Risk Management. An effective risk management system requires a well-documented risk framework that includes the risk management objectives, key risk principles, risk appetite, risk matrix and assignment of accountabilities and responsibilities for the management of risk across the organisation.

Risk Appetite

The amount and type of risk the Council is prepared to pursue or take.

The Council recognises that its strategic objectives and goals can be achieved only by effectively managing the key risks that are identified.

Council also accepts there is an element of risk in almost every activity it undertakes. The critical question in establishing the Council's risk appetite is "How willing is Council to accept the risks related to each strategic objective?"

To assist in the management of risk the following criteria table has been established for the guidance of all staff involved in the achievement of strategic objectives and actions, and the consequent management of associated risks.

Council has determined what level of risk, by category, it is willing to accept in order to achieve each identified objective in the following IP&R documents:

- Community Strategic Plan (10+ years);
- Resourcing Strategy;
- Delivery Program (4 years);
- Annual Operational Plan.

Assessment	Description
High Risk Appetite 5	The Council accepts opportunities that have an inherent high risk that may result in extensive reputation damage, financial loss or exposure, extensive disruption in service delivery or breakdown in information systems or information integrity, significant incidents (s) of regulatory non-compliance, potential litigation and risk of serious trauma injury to members of staff and/or the public.

Moderate Risk Appetite 4	The Council is willing to accept risks that may result in major reputation damage, financial loss or exposure, major disruption in service delivery or breakdown in information systems or information integrity, significant incidents (s) of regulatory non-compliance, potential litigation and risk of serious injury to a staff member and/or the public.
Modest Risk Appetite 3	The Council is willing to accept some risks in certain circumstances that may result in significant reputation damage, financial loss or exposure, significant disruption in service delivery or breakdown in information systems or information integrity, serious incidents (s) of regulatory non-compliance, risk of significant injury to a staff member and/or the public.
Low Risk Appetite 2	The Council is not willing to accept risks in most circumstances that may result in minor reputation damage, financial loss or exposure, minor disruption in service delivery or breakdown in information systems or information integrity, minor incidents (s) of regulatory non-compliance, risk of minor injury to a staff member and/or the public.
Zero Risk Appetite 1	The Council is not willing to accept risks under any circumstances that may result in reputation damage, financial loss or exposure, disruptions in service delivery or breakdown in information systems or information integrity, incidents (s) of regulatory non-compliance, risk of injury to staff and/or the public.

8. RISK MANAGEMENT PROCESSES

A Risk Management Strategy provides direction to managing risk at three lines within Council. It builds in a process for regularly updating and reviewing the organisation's risk assessment based on new developments or actions taken.

The Risk Management Process is the "how to" element of the Framework and is defined in the ISO Standard as "systematic application of management policies, procedures and practices to the tasks of communicating, consulting, establishing the context, identifying, analysing, evaluating, treating, monitoring and reviewing risk."

8.1 Risk Management Principles

The Risk Management Principles have been addressed in Section 2, Risk Management Approach.

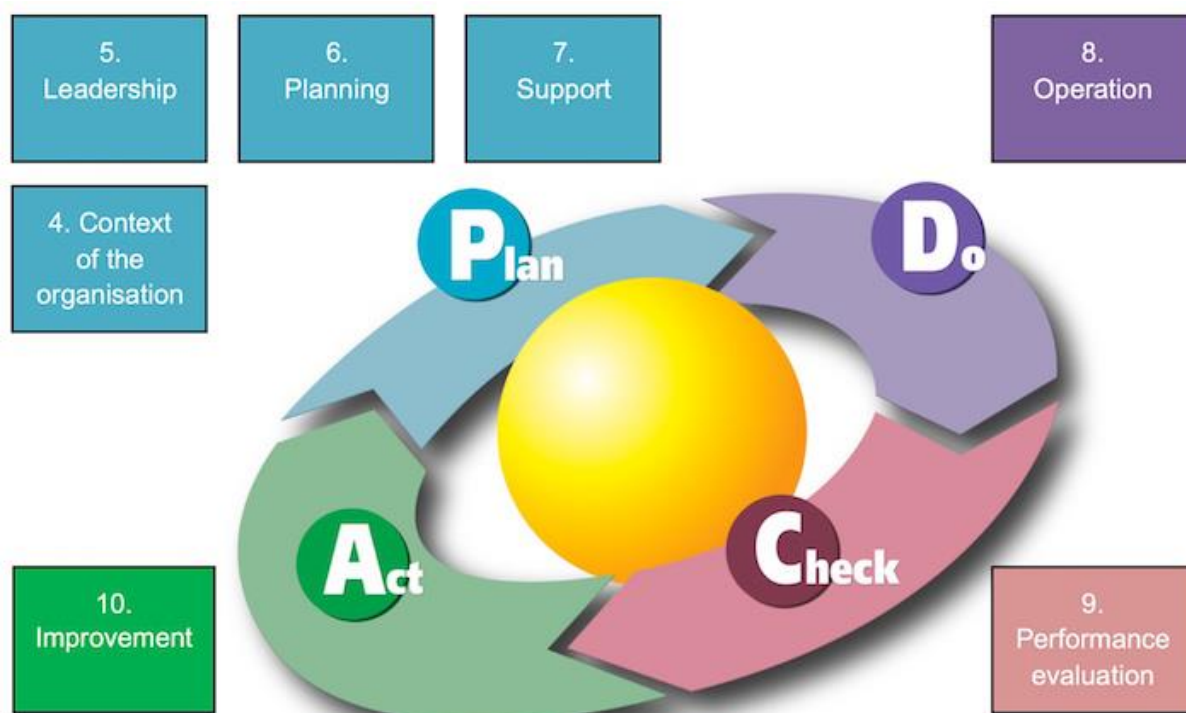
8.2 Risk Management Framework

High Level Structure (HLS) 10 Core Clauses

- Scope
- Normative references
- Terms and definitions
- Context of the organization
- Leadership
- Planning
- Support

- Operation
- Performance evaluation
- Improvement

Clauses 4 – 10 have been arranged into the PDCA Cycle, as adopted by ISO 9001:2015 and AS/NZS ISO 9001:2016 Quality management systems – requirements and other management systems. Federation Council is dedicated to the continuous and systematic improvement of our processes and adopts the PDCA Cycle for all its management systems.



Plan

Mandate and commitment and Design of framework for managing risk

Do

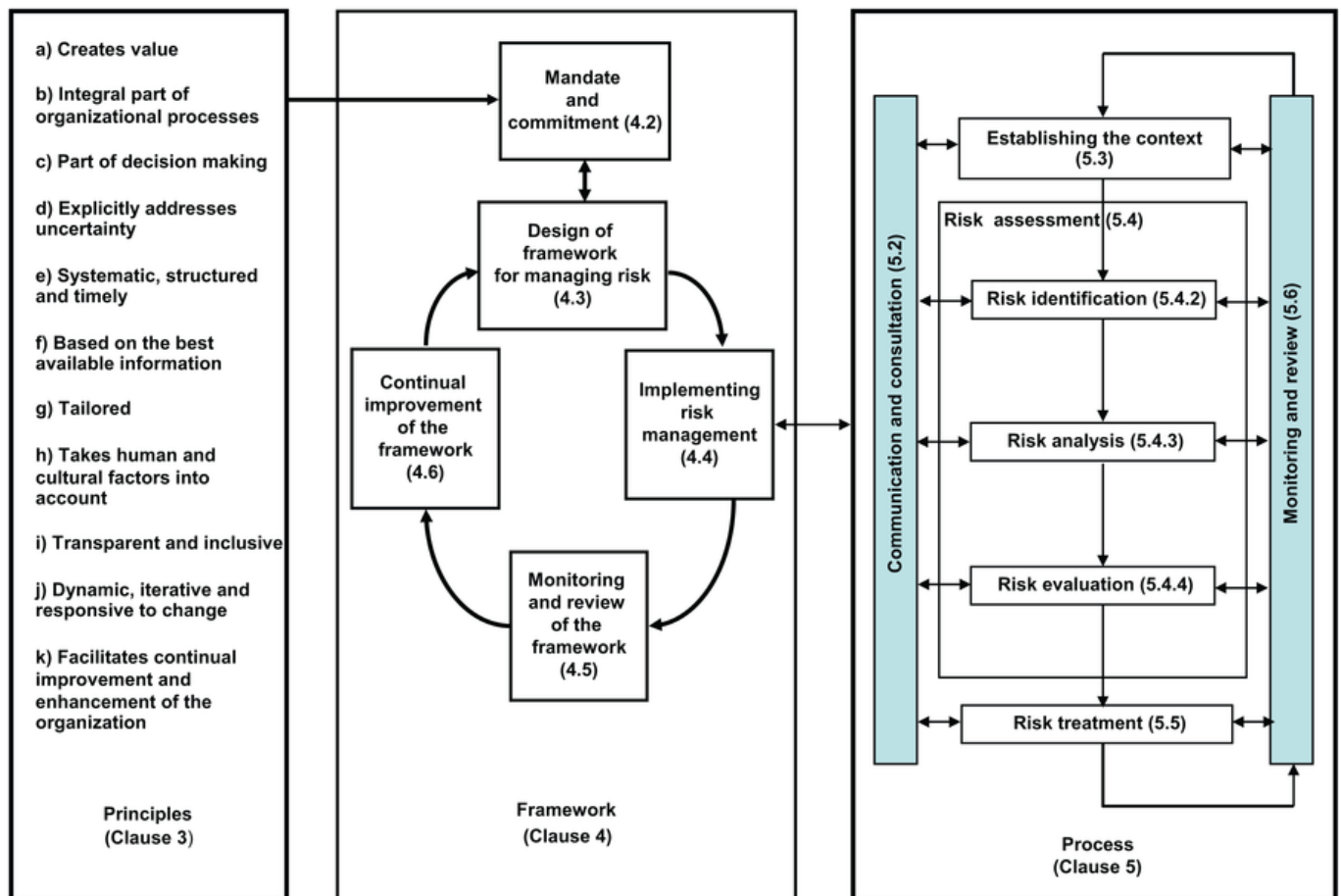
Implementing risk management.

Check

Monitoring and review of the framework

Act

Continual improvement of the framework



AS/NZS ISO 31000:2009 Figure 1

8.3 Communication and Consultation

Communication and consultation with internal and external stakeholders are important elements at each step of the risk management process. Effective communication is essential to ensure that those responsible for implementing risk management and those with a vested interest understand the basis on which risk management decisions are made and why particular actions are required.

Federation Council's key objectives are detailed, following community consultation, in the 10 year minimum Community Strategic Plan (CSP). These objectives are further refined into goals in the four year Delivery Program and annual Operational Plans.

Council is dependent on the Framework to be used at the strategic and departmental business level to improve performance by the organisation in the achievement of Council's strategies and actions as detailed in the Plans.

8.4 Establish the context

Establishing the strategic and operational context, in which the risk management process will take place, defines the parameters within which risks must be managed, the criteria against which risk will be evaluated and the structure of the analysis.

8.5 External context

In addition to considering the external environment, this also includes the relationship or interface between the Council and its external environment. This may include:

- Business, social, regulatory, cultural, competitive, financial and political environment;
- International, National, State, Industry and Community impact, trends and practices;
- Council's external opportunities and threats
- Public health, safety and welfare;
- Media;
- Legal and Regulatory obligations; and
- Strategic relations with external stakeholders and key 3rd party service providers.

Establishing the external context is important to ensure that our community and external partners and their objectives are considered when developing risk management criteria and that externally generated threats and opportunities are properly taken into account.

8.6 Internal context

An understanding of Council as an organisation is important prior to understanding the risk management process, regardless of the level. Areas to consider include:

- Goals and objectives and the strategies that are in place to achieve them;
- Culture;
- Federation Council Community Strategic Plan, Delivery Program and Operational Plans, budget and drivers;
- Internal stakeholders;
- Workplace Health and Safety;
- Governance and structure;
- Capabilities in terms of resources such as people and systems;
- Processes; and
- Council's internal strengths, weaknesses, opportunities and threats (SWOT)

8.7 Risk management context

The level of detail that will be entered into during the risk management process must be considered prior to commencement and should be commensurate with the extent and nature of the inherent level of risk. The extent and scope of the risk management process will depend on the goals and objectives of the Council activity that is being addressed, as well as the budget that has been allocated to that activity.

In each instance, consideration must also be given to the roles and responsibilities for driving and undertaking the risk management process. The next phase involves three interconnected stages - Risk Identification, Risk Analysis and Risk Mitigation.

8.8 Risk identification

Risk Identification: process of finding, recognizing and describing risks.

Enterprise-wide risk management (ERM) is the process of systematically and comprehensively identifying critical risks, quantifying their impacts, and implementing integrated risk management strategies to maximise value.

The purpose is to identify all risks: the what, when, why and how incidents might impact on the achievement of objectives. Comprehensive identification using a well-structured systematic process is critical, as a risk not

identified will be excluded from further analysis, so identification should include all risks, whether or not they are under the control of Council.

An incident relates to the failure of people, processes, systems or from external factors (e.g. fire, flood, assault or damage). In other words, something has gone wrong: a control failed to operate as expected, was not performed, was circumvented or perhaps there was no control in place. Incidents can have multiple and varied impacts:

- Financial (e.g. Losses, Costs, Fines, Penalties)
- Non-Financial (e.g. Customer, damage to Reputation/Assets, Regulatory, Business interruption)

Depending on the circumstances, incidents will typically be captured or identified as:

- IT outages/incidents
- Customer complaints
- Fines/Penalties
- Insurance claims
- Litigation/Legal related incidents
- WHS incidents/breaches/concerns
- BCP related incidents/breaches/concerns
- Fraud (internal or external)
- HR related incidents / industrial relations issues or employment practices
- Vendor / Third Party failure”

Capturing, understanding the root causes and investigating incidents is critical as these provide us with important and timely information on the operation and effectiveness of our controls, threats to our business operation and the extent and nature of our risks.

A comprehensive risk identification process is delivered through consideration of the potential influence of each of the elements on the internal and external operating environment on Council objectives.

A systematic process includes working through each goal, objective or planned implementation action, identifying the things that may inhibit, detract from or prevent the achievement of the goal or enhance the opportunity to meet the objective.

Documentation of identified risks occurs through the development of a description of the risk and entry into the Council Risk Register. The risk description should be described in the manner prescribed in the Council Risk Register Procedures and contain a statement of the risk and include those factors which could cause or contribute to the occurrence of the risk event. A risk, by definition, is a potential for something to happen- a possibility not an actuality, and consequently the language used to describe risks should express this element of potentiality.

The Council may use a range of tools and approaches to determine potential risks, including:

- Team based brainstorming with experienced and knowledgeable staff;
- Structured techniques (such as SWOT analysis, PEST analysis, process mapping, flow charting, systems analysis
- or operational modelling);
- Annual strategic, planning, budget and risk identification workshops,
- Examination and analysis of past reports and incidents;
- Regular compliance reviews (internally and externally);
- Internal review by the Audit Risk and Improvement Committee; and
- Reviews by external service providers.

The organisational strategic risks are developed annually in conjunction with MANEX and Councillors, using Council's Community Strategic Plan objectives and Delivery Program as a starting point. The organisational operating risks are identified in conjunction with Department managers on an annual basis as a minimum, using the Operational Plan, at meetings with Risk Unit staff, which run parallel with the organisation's annual business

planning cycle. Output from both the Strategic and Department Risk Assessments are to be used as input to the Business Planning Process and included in individual Business Plans.

8.9 Risk analysis

Risk Assessment: the overall process of risk identification, risk analysis and risk evaluation.

Consequence: outcome of an event affecting objectives

Likelihood: chance of something happening

Inherent risk: the “raw” or untreated risk, the worst-case scenario

Residual risk: risk remaining after risk treatment

Analysis involves developing an understanding of the risk, the likelihood of the risk occurring and the full range of potential impact/consequences. Identification of likelihood and consequence is not scientific: it is a qualitative exercise based on perception and history.

The initial analysis provides the Inherent Likelihood, the Inherent Consequence and the Inherent Risk Rating.

At this stage, the analysis assumes that all controls have failed or there were no effective controls in place. Whilst this is unlikely, this allows the Council to understand which risks have the greatest potential for disrupting the business operation and therefore require strong and effective controls with appropriate and ongoing oversight.

8.10 Risk registers

Risk Register: record of information about identified risks

Risk registers provide a mechanism for documenting, managing, monitoring, reviewing, updating and reporting risk information. The Risk Register design, use and related processes is developed and maintained by the Risk Advisor.

Federation Council maintains a Strategic Risk Register, maintained by the Risk Advisor, with oversight by MANEX and the Audit Risk and Improvement Committee. Departmental Risk Registers are maintained by business unit managers, with oversight by the appropriate Director.

Federation Council Risk Registers are an Excel spreadsheet containing a combination of drop-down option boxes, free text and risk assessment capability allowing the user to undertake inherent and residual risk assessments. The Risk Register contains details of the following:

Risk Type:	Strategic	Operational	Project		
Risk Category: e.g. WHS	Public Liability	Reputation	IT	Environmental	
Risk Long description:	Risk statement				
Organisational Structure:	Location within Council's organisation structure where the identified risk resides (filed)				
Function/Activity:	Link to strategic objective, goal or outcome				
Likelihood:	Almost Certain	Likely	Possible	Unlikely	Rare
Consequence:	Insignificant	Minor	Moderate	Major	Catastrophic
Inherent risk rating:	Low	Moderate	High	Extreme	

Treatment Plan: Control and Actions to mitigate risk, can be procedure or process

Risk Owner: Person or entity with the accountability and authority for managing the risk and associated risk treatments

Action Progress: Not Started Partial Substantial Completed Inactive

Likelihood: see above

Consequence: see above

Residual risk rating: risk remaining after risk treatments (controls/actions)

8.11 Inherent likelihood

The Inherent Likelihood of a risk occurring is defined as the probability and frequency of its occurrence. It may be easier to ask: 'How likely is it that the risk event would occur?'

The table below is a commonly used format with five levels of Likelihood from Rare (an event that occurs only in exceptional circumstances) to Almost Certain (occurring frequently within a year). (See Appendix I - Likelihood Descriptors)

LIKELIHOOD		
Almost Certain	The event will occur on an annual basis	Once a year or more frequently
Likely	The event has occurred several times in your career	Once every three years
Possible	The event might occur once in your career	Once every 10 years
Unlikely	The event does occur somewhere from time to time	Once every 30 years
Rare	Heard of it occurring elsewhere	Once every 100 years

8.12 Inherent consequence

This is defined as the potential consequence (or impact) of a risk occurring and is generally expressed as being a financial loss, non-financial loss (e.g. damage to reputation, client impact, regulatory impact) or occasionally a gain. Asking 'what would be the consequence of risk XYZ occurring?' may elicit a better response. (See Appendix 2 – Consequence Descriptors)

Accurately determining the possible multiple impacts can be achieved by utilising the Consequence table, which is divided into thirteen (13) categories and five consequence levels:

CONSEQUENCE					
Category	Insignificant	Minor	Moderate	Major	Catastrophic
Environment	Minimal environmental impact; isolated release only	Minor environmental impact; on-site release immediately controlled	Significant environmental impact; on-site release contained with assistance	Major environmental impact; release spreading off-site; contained with external assistance	Fatalities occur; extensive release off-site; requires long term remediation
Financial	Negligible financial loss (< 2.5% annual budget); no impact on program or business operation	Minor financial loss (<10% annual budget); minimal impact on program or business operation	Significant financial loss (<20% annual budget); considerable impact on program or business operations	Major financial loss (<25% annual budget); severe impact on program or business operation	Extensive financial loss (> 25% annual budget); loss of program or business operation
WHS	First aid only required	Minor medical treatment with or without potential for lost time.	Significant injury involving medical treatment or hospitalisation and lost time	Individual fatality or serious long term injury	Multiple fatalities or extensive long term injury
Professional Indemnity	Isolated, internal or minimal complaint; minimal loss to organisation	Contain complaint or action with short term significance; medium loss to organisation	Significant complaint involving statutory authority or investigation; prosecution possible with significant loss to organisation	Major complaint with litigation and long term significance; very high loss to organisation	Extensive litigation with possible class action; worst-case loss to organisation; threat to viability of program or service.
Public Liability	First aid only required; minimal loss to organisation	Some medical treatment required; medium loss to organisation	Significant injury involving medical treatment or hospitalisation; high loss to organisation	Severe injuries or individual fatality; very high loss to organisation	Multiple fatalities or extensive long term injuries; worst case loss to organisation
Property & Infrastructure	Isolated or minimal loss; short term impact; repairable	Minor loss with limited downtime; short term impact; mostly	Significant loss with temporary disruption of services; medium	Critical loss or event requiring replacement or property or infrastructure;	Disaster with extensive loss and long term consequences; threat to viability

CONSEQUENCE					
Category	Insignificant	Minor	Moderate	Major	Catastrophic
	through normal operations	repairable through normal operations	term impact on organisation	long term impact on organisation	of service or operation
Reputation	Isolated, internal or minimal adverse attention or complaint	Heightened local community concern or criticism	Significant public criticism with or without media attention	Serious public or media outcry, broad media attention	Extensive public outcry; potential national media attention
Natural Hazards	Minimal physical or environmental impact; isolated hazard only; dealt with through normal operations	Minor physical or environmental impact, hazards immediately controlled with local resources	Significant physical or environmental impact; hazards contained with assistance of external resources	Major physical or environmental impact; hazard extending off-site; external services required to manage	Extensive physical or environmental impact extending off-site; managed by external services; long term remediation required
Information Technology	No measurable operational impact to organisation	Minor downtime or outage in single area of organisation; addressed with local management and resources	Significant downtime or outage in multiple areas of organisation; substantial management required and local resources	Loss of critical functions across multiple areas of organisation; long term outage; extensive management required and extensive resources	Extensive and total loss of functions across organisation; disaster management required
Political and Governance	Isolated non-compliance or breach; minimal failure of internal controls managed by normal operations	Contained non-compliance or breach with short term significance; some impact on normal operations	Serious breach involving statutory authorities or investigation; significant failure of internal controls; adverse publicity at local level	Major breach with formal inquiry; critical failure of internal controls; widespread adverse publicity	Extensive breach involving multiple individuals; potential litigation; viability of organisation threatened
Industrial Relations	Isolated, internal or minimal impact on staff morale or performance;	Contained impact on staff morale or performance of short term	Significant impact on staff morale or performance of medium term significance;	Major impact on staff morale or performance with long term significance; very	Extensive impact or organisational morale or performance; threat to viability

CONSEQUENCE					
Category	Insignificant	Minor	Moderate	Major	Catastrophic
	minimal loss to organisation	significance; medium loss to organisation	significant loss to organisation	high loss to organisation	or program or service
Contractual and Legal	Isolated non-compliance or breach; negligible financial impact	Contained non-compliance or breach with short term significance and minor financial impact	Serious breach involving statutory authority or investigation; prosecution possible with significant financial impact	Major breach with fines and litigation; long term significance and major financial impact	Extensive fines and litigation with possible class action; threat to viability of program or service.
Positive Consequences	Minimal benefit, minimal financial gain, negligible saving in time.	Small benefit, low financial gain, small saving in time.	Some enhancement to reputation, high financial gain, reasonable saving in time.	Enhanced reputation, major financial gain, large saving in time.	Significantly enhanced reputation, huge financial gain, significant saving in time.

A risk may fit into a single category or fall across multiple types and similarly the level of impact may fit into more than one column. It is up to management (with assistance from risk specialists) to determine the type with the highest consequence for inclusion into the risk register.

This consequence matrix document should be reviewed at least every two years with business subject matter experts as part of the Framework review to ensure that categories and descriptors are relevant and reflective of Council's internal and external environments.

8.13 Inherent risk rating

For each of the risks listed from the Risk Identification process, the likelihood of the risk occurring and its consequence can be plotted using the criteria matrices (see below) by multiplying the numbers associated to each criteria of Likelihood and Impact. For example the risk of a Fraud occurring in the Payroll process, in the absence of effective controls, could be assessed as follows:

The Likelihood is considered as 'Likely' with the Consequence assessed as being 'Major'.

The resulting level of risk will be shown as the intersection of the two dimensions on the Risk Matrix (see below and Appendix 3). This provides the Inherent Risk Rating of High 21.

Likelihood	Consequences				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate 8	High 16	High 20	Extreme 23	Extreme 25
Likely	Moderate 7	Moderate 12	High 17	High 21	Extreme 24
Possible	Low 4	Moderate 10	High 15	High 18	High 22
Unlikely	Low 2	Low 5	Moderate 11	Moderate 13	High 19
Rare	Low 1	Low 3	Moderate 6	Moderate 9	High 14

The risk matrix is broken into four shaded areas reflecting the increasing level of risk.

	= Low Risk
	= Moderate Risk
	= High Risk
	= Extreme Risk

Each Risk Rating is allocated a number to facilitate prioritisation of risk, i.e. the higher the number the higher the need for risk treatment.

8.14 Risk mitigation/treatment

Risk mitigation/treatment involves identifying the most appropriate responses to reducing the inherent risk level to a status acceptable within the Council's risk appetite (tolerance). Both controls and treatments are designed to mitigate the risk by reducing the likelihood of negative risks occurring and/or reducing the impact of risks should they occur.

There are a number of treatment options available (See Appendix 4 - Risk Rating Reporting Rules) and more than one can be applied to any risk. Typical treatment options include the establishment and operation of controls designed to mitigate, discourage, identify and/or limit the impact and likelihood of a risk from occurring. Most

risks will have multiple different controls in place, some intended to prevent a risk occurrence, some will detect an occurrence whilst others are designed to respond to an occurrence.

Controls are not always performed by the risk owner. Every Control can have multiple Actions, i.e. things that have to be performed by individuals to make the Control effective. For example, Departments will have a key reliance on Technology to manage controls/actions to ensure systems are available and operating as required.

A. Directive Controls are those designed to establish desired outcomes. Examples:

- Setting Council policies, Departmental policy/procedures
- Setting spending limits
- Setting IT configuration standards
- Laws and regulations
- Training seminars
- Job descriptions
- Meetings

B. Preventive Controls are designed to discourage errors or irregularities from occurring. They are proactive controls that help to ensure departmental objectives are being met. Examples:

- Training on applicable policies, Department policy/procedures;
- Review and approval for purchase requisitions to ensure they are appropriate before purchase;
- IT access authorisations to ensure access is appropriate;
- The use of passwords to stop unauthorised access to systems/applications;
- Segregation of duties (authorisation, recordkeeping & custody of the related assets should not be performed by the one same individual)
- Physical control over assets
- Locking office door to discourage theft
- Using passwords to restrict computer access
- Shredding documents with confidential information

C. Detective Controls are designed to find errors or irregularities after they have occurred. Examples:

- Cash counts; bank reconciliation;
- Review of payroll reports;
- Compare transactions on reports to source documents;
- Monitor actual expenditures against budget;
- Review logs for evidence of mischief;
- Exception reports which list incorrect or invalid entries or transactions
- Reviews and comparisons
- Physical counts of inventories

D. Corrective Controls are intended to limit the extent of any damage caused by an incident e.g. by recovering the organisation to normal working status as efficiently as possible. Examples:

- Submit corrective journal entries after discovering an error
- Complete changes to IT access lists if individual's role changes
- Anti-virus
- System upgrades
- Additional training
- Changes to procedures

E. Transfer the risk

- Risk transfer may be achieved by taking out insurance to facilitate financial recovery against the realisation of a risk
- Compensating a third party to take the risk because the other party is more able to effectively

manage the risk

- Risk may be wholly transferred, or partly transferred (that is, shared)
- It is important to remember that it is almost impossible to transfer risk completely. In almost all risk sharing arrangement, a degree of the original risk remains and there is inevitably financial or other consideration for the sharing of the risk. In addition, a new risk is inherited; that of being dependent on a third party to manage the original risk

F. Eliminate the risk. Some risks may only return to acceptable levels if the activity is terminated.

G. Accept the risk. A risk may be accepted because:

- the probability or consequences of the risk is low or minor,
- the cost of treating the risk outweighs any potential benefit,
- the risk falls within the agency's established risk appetite and/or tolerance levels, or
- Council has limited/no control over the risk. e.g. natural disasters, international financial market impacts, terrorism and pandemic illnesses. To manage such risks, Council should have a business continuity plan in place to provide effective prevention and recovery

When determining the most appropriate treatment, Council should consider:

- How will the treatment modify the level of risk?
- How do costs balance out against benefits?
- How compatible is the treatment with the overall business objectives?
- Does it comply with legislation?
- Does it introduce new or secondary risks?

Often more than one response may be necessary to address an identified risk. In those cases a combination of responses (controls / mitigations) should be taken into consideration.

Current control environment

To understand the extent to which the likelihood and consequence of a risk occurring is being mitigated, the full suite of controls in place must be documented and assessed for effectiveness of design and operation. The assessment should only assess controls that are currently in operation, not those that are planned

Where controls are operated by a third party (e.g. Technology), discussions with the control owner should take place to ensure there is an appropriate assessment of the control that takes into consideration the views of the control owner and the risk owner.

Control Rating

The table below should be provided to assist in the assessment of the controls in use. The Control Rating is the subjective view of the Risk Owner and the Control Owner(s) and is reflective of the effectiveness of all the controls i.e. controls are not rated individually.

Control Rating	Description
Excellent	<ul style="list-style-type: none">• Controls are well designed, documented and address the root cause• Controls are effective and reliable at all times• Nothing more to be done except review and monitor the existing controls• Likely to be automated and regularly performed
Good	<ul style="list-style-type: none">• Most controls are designed correctly and in place, documented and effective• Some work needs to be done to improve operating effectiveness

	<ul style="list-style-type: none"> Management has some doubts about operational effectiveness or reliability
Fair	<ul style="list-style-type: none"> Design of the controls may be largely correct in that they treat most of the causes of the risk, they are currently not effective, or Some controls are not correctly designed – they do not operate effectively May be manually performed and/or infrequent
Poor	<ul style="list-style-type: none"> Significant control gaps exist Controls do not treat root causes, do not operate effectively or are not documented Manual and infrequently performed
Unknown	<ul style="list-style-type: none"> Controls and status are unknown

8.13 Residual risk

When the controls have been assessed and rated, the Residual Risk (the amount of risk left over after inherent risks have been reduced by controls) rating can be determined.

For each of the risks listed from the Risk Identification process, the Residual Likelihood of occurrence and potential consequences can be plotted by multiplying the numbers associated to each criteria of Likelihood and Consequence. For example the risk of a Fraud occurring in the Payroll process, taking into consideration the effectiveness of controls in place (considered 'Good'), could now be reassessed as follows:

The Likelihood is Rare with the Consequence assessed as now being Moderate.

The resulting residual risk will be shown as the intersection of the two dimensions on the matrix (see below). This provides the Residual Risk level of Moderate 6. It is likely that no further actions would be required to further mitigate this risk. (See Appendix 3)

Likelihood	Consequences				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate 8	High 16	High 20	Extreme 23	Extreme 25
Likely	Moderate 7	Moderate 12	High 17	High 21	Extreme 24
Possible	Low 4	Moderate 10	High 15	High 18	High 22
Unlikely	Low 2	Low 5	Moderate 11	Moderate 13	High 19
Rare	Low 1	Low 3	Moderate 6	Moderate 9	High 14

The matrix is broken into four shaded areas reflecting the increasing level of risk.

	= Low Risk
	= Moderate Risk
	= High Risk
	= Extreme Risk

Alternatively, if controls in place to mitigate a Fraud occurring in the Payroll process are determined to be 'Poor', the inherent risk could be reassessed as follows:

The Likelihood is Possible with the Consequence assessed as still being Major.

The resulting residual risk would be High 18. In these circumstances, the Residual risk would be outside of appetite and would require actions to address the controls gaps or weaknesses to further mitigate the likelihood or impact of the risk occurring.

8.14 Risk Rating reporting rules

Low Risk

- Managed in day to day operations, by individual staff or small unit/team (risk owner).

- Generally handled by SOP's, SWMS or checklists.
- May be entered on Risk Register.
- May be accepted as untreated risk based on cost/benefit analysis.

Moderate Risk

- Managed by designated responsible officer (risk owner)
- Entered on Risk Register
- May require specific procedures or processes.
- Monitored at Supervisor level.
- Notified to Audit Risk and Improvement Committee.

High Risk

- Managed by designated key responsible officer
- Entered on the Risk Register.
- May require allocation of additional resources, procedures, processes or training.
- Monitored by Senior Supervisor or MANEX level.
- Monitored by Audit Risk and Improvement Committee.

Extreme Risk

- Managed by responsible Senior Supervisory officer
- Entered on Risk Register, Requires immediate attention, including internal and external resources,
- Documented procedures,
- Monitored work processes and training.
- Monitored by GM & MANEX & possibly designated elected members.

8.15 Action plans

Where control weaknesses are identified and the decision is taken that further mitigation is required (i.e. the residual exposure is not accepted), an action plan must be established.

All actions must be:

- **Owned:** who is responsible for ensuring the action is addressed
- **Specific:** the exact activities that will be undertaken
- **Timely:** must be completed within appropriate time frames, commensurate with the significance of the gap/weakness
- **Achievable:** the action/activities must be realistic to ensure appropriate mitigation
- **Measurable:** it must be possible to quantify the action or have a means of assessing progress
- **Justified:** can demonstrate a further reduction in the Residual Likelihood and/or Impact
- **Governed:** tracked, managed and reported

8.16 Monitor and review

The risk assessment process provides a snap shot of the Council's risks, controls and action plans at a given point of time – the Risk Register. The residual risk consequence, likelihood and control effectiveness ratings can be reflected on a one page Heat Map with supporting opinion and insight on risks, controls and actions – the Risk Profile.

It is also necessary to conduct regular reviews of the Strategic and Departmental Risk Registers and the operational environment of the Council (organisational context), to ensure that the risks are being managed and that any new and emerging risks are identified and treated.

Federation Council has mutual insurance protection for Public Liability, Professional Indemnity, Property and Fleet provided by Statewide Mutual. As a member of the mutual, council has agreed to take steps to minimise the incidence and impact of insurance and litigation claims.

“Member Agreement

d) promoting good risk management practices to minimise the occurrence and effect of claims”.

Roads and Maritime (RMS) contractual arrangements also require Federation Council to recognise and manage risks in its road construction and maintenance activities.

8.17 Ongoing review of material risks

Risk, and the effectiveness of control measures to manage risk, need to be monitored on an ongoing basis to ensure changing circumstances, such as the political environment and the Council’s strategic objectives and risk appetite do not alter the risk evaluation profiles and adequacy assessments. New risks or deficiencies in existing mitigation strategies may be identified via a number of sources:

- changes in the strategic objectives;
- regular review of the identified risks and mitigation strategies;
- annual Internal Audit program;
- ongoing monitoring by Audit Risk and Improvement Committee and MANEX
- New legislation;
- New accounting standards, guidelines or information from any regulator
- IT outages
- Complaints
- Regulatory / Compliance breaches
- Incidents
- External Audit
- Projects or Change Initiatives

Internal audit will provide particular attention to those controls, mitigation activities or other responses identified through the risk assessment as having significant priority. In addition, the Risk Assessment Process, including the Framework, will be monitored, evaluated and reviewed by the Internal Auditor.

Risks are to be monitored and reviewed by the responsible manager/officer on an ongoing basis and reported to committees at least quarterly. The effectiveness of risk responses will be continuously monitored by the responsible manager/officer and reviewed six monthly.

Local Government Amendment (Governance and Planning) Amendment Act 2016 amended the Local Government Act (S 428A) requiring councils to establish an Audit, Risk and Improvement Committee. The Committee must keep under review the following aspects of council’s operations :

- a) Compliance
- b) Risk management
- c) Fraud control
- d) Financial management
- e) Governance
- f) Implementation of the strategic plan, delivery program and strategies
- g) Service reviews
- h) Collection of performance measurement data by the council
- i) Any other matters prescribed by the regulations

The Civil Liability Act 2002 (CLA), Part 5 relates to the “Liability of public and other authorities”. A local council is a public authority.

S 42 (d) of CLA states “the authority may rely on evidence of its compliance with the general procedures and applicable standards for the exercise of its functions as evidence of the proper exercise of its functions in the matter to which the proceedings relate.”

Council cannot rely on the defences available under S 42, 43 and 45 of the Civil Liability Act without an efficient and effective risk management system.

Promoting Better Practice Review also examines whether a council has a risk management plan and risk strategies to address all the key business risks, including fraud control risk assessments.

The Work Health and Safety Act 2011 imposes health and safety duties on persons in the workplace; these duties cannot be transferred to another person and requires that person to manage health and safety risks.

S 17 Management of risks

A duty imposed on a person to ensure health and safety requires the person:

- (a) to eliminate risks to health and safety, so far as is reasonably practicable, and
- (b) if it is not reasonably practicable to eliminate risks to health and safety, to minimise those risks so far as is reasonably practicable.

S 27 of the WHS Act also imposes an obligation on “Officers” to exercise due diligence in the allocation and use of appropriate resources and processes to eliminate or minimize risks to health and safety.

8.18 Alignment to the strategic plan

For risk assessments associated with the whole of Council or individual departments, the review process will be built into the business planning process.

Output from the Strategic Risk Assessment and Business Unit Risk Assessments are to be used as input to the Business Planning Process. That input will include risk response plans. Internal Audit will use the information from the Business Planning Risk Assessments, in particular the risk response plans, to assist with development of the Internal Audit plan.

To ensure that the identified strategic risks, and measures in place to manage them, remain aligned to the Council’s strategic objectives, any material change to the Community Strategic Plan and Delivery Programme will trigger a review of the Risk Management Framework, and the Risk Management Process

9. PROJECT RELATED RISKS

The objective of project risk management is to apply a systematic process to reduce cost-effectively the effects of uncertainties that could compromise the project or Council’s objectives.

All projects have risks and cost-effective management of risk is essential if a project is to achieve its business outcomes. These typically include cost, time schedules, quality and the fulfilment of functional and non-functional requirements.

In relation to project based risk assessments, the risk treatment plan provides the project manager with a tool to continuously monitor project improvement through the implementation of the plan. Issues and delivered risks identified through the course of the project must be assessed and included in the project risk register, having

gone through the full risk assessment process outlined above. This will ensure the continuing relevance of the risk assessment.

10. RISK REPORTING

Reporting associated with the Risk Management Framework is structured to satisfy two criteria:

- a) Information relating to the Federation Council's existing risk profile; and
- b) Information relating to the Federation Council's implementation, performance and status of the Framework.

The table below indicates the reporting responsibilities and frequency

Report Name	Author	Recipient	Frequency
Strategic Risk Assessment	Provider Business Plan Owner Risk Advisor	<ul style="list-style-type: none"> • Council • MANEX • Audit, Risk & Improvement Committee 	Annually + 3 monthly check in
Strategic Register Status Report	Risk Team Risk Advisor	<ul style="list-style-type: none"> • MANEX • Audit, Risk & Improvement Committee 	Monthly Quarterly
Department Risk Assessment(s)	Managers (facilitated by Risk Team)	<ul style="list-style-type: none"> • MANEX 	Annually + Monthly check in for High/Catastrophic risks
Risk Treatment Actions on Track	Responsible risk action owners (facilitated by Risk Team)	<ul style="list-style-type: none"> • MANEX • Audit, Risk & Improvement Committee 	Quarterly
Attestation of control effectiveness	Risk & Control Owners. Governance of service being provided	<ul style="list-style-type: none"> • MANEX • Audit, Risk & Improvement Committee 	Annually

11. RISK TRAINING

To ensure the successful implementation of risk management throughout the organisation, it is planned that appropriate training in risk management will be provided to staff and managers. Training will encompass the risk management process, application of risk management tools, assistance with identification and analysis of Council's risk exposures, risk profiling and reporting.

In addition, the organisation's Risk Management Team will coordinate with Finance and Organisational Development Department and all Business Units to work towards ensuring:

- Induction training will include Risk Management, Fraud awareness and Code of Conduct.
- Employees receive regular Risk Management awareness and Fraud awareness update training (at minimum, a half-day refresher course once every two years for those staff directly involved in financial and/or cash transactions).
- Any updates and changes to the Risk Management Policy, Framework, Fraud Control related policies, procedures; Code of Conduct, ethics etc. are circulated to all employees via the Intranet or email where deemed necessary.

12. ROLES AND RESPONSIBILITIES

Risk Management within the Council is an integral element of good business practice. The Strategic and Operations Risk Assessment Processes are integrated with the Strategic Planning and Business Planning processes.

It is therefore everyone's responsibility within the Council to manage risk - the accountability for managing any specific risk sits with the person most appropriate to manage that risk. This is reflected in position descriptions (with varying degrees of responsibility at the various levels) and the performance management process.

Notwithstanding our "whole of organisation" approach to risk management responsibility, our Risk Management Framework has specific elements which require defined alignment of roles and responsibilities. The responsibilities for each of the roles identified are as follows:

12.1 Council

- Approve the Risk Management Policy and note the Risk Management Framework.
- Be satisfied that strategic risks are identified, managed and controlled appropriately.
- Appoint the Audit, Risk and Improvement Committee.

12.2 Audit, Risk and Improvement Committee

Local Government Amendment (Governance and Planning) Amendment Act 2016 amended the Local Government Act (S 428A) requiring councils to establish an Audit, Risk and Improvement Committee. The Committee must keep under review the following aspects of council's operations :

- a) Compliance
- b) Risk management
- c) Fraud control
- d) Financial management
- e) Governance
- f) Implementation of the strategic plan, delivery program and strategies
- g) Service reviews
- h) Collection of performance measurement data by the council
- i) Any other matters prescribed by the regulations

12.3 Executive leadership team (MANEX)

- The General Manager, supported by the Director Finance & Organisational Development, is accountable for ensuring appropriate risk management within Council.
- Endorse the Risk Management Policy for approval by Council, approve the Risk Management Framework, and monitor implementation.

- Provide executive leadership in the management of strategic, operational and project risk and generally champion risk management within Council.
- Ensure that their respective divisional risk profile as entered by each department is reviewed, updated and approved quarterly (monthly for high> risks);
- Report expeditiously to Audit, Risk and Improvement Committee on any fraud and corruption incidents or material risk mitigation failures and actions taken.

12.4 Internal audit

- Consider strategic and operational risks in the development and implementation of the Internal Audit and Compliance Plan and recommending improvements.
- Periodically auditing Council's Risk Management practices and providing recommendations on improvement to management and the Audit, Risk and Improvement Committee

12.5 Director Finance & Organisational Development

- Provide assurance in the development, implementation and review of the Risk Management Policy, Risk Management Framework, and general risk management practice within Council.
- Quality assure enterprise risk management reporting to the Audit, Risk and Improvement Committee, Council and MANEX.
- Ensure the organisation has the appropriate culture, capability, processes and systems to deliver on this policy and the Risk Management Framework.

12.6 Risk Adviser

- Lead the development, implementation and review of the Risk Management Policy, Risk Management Framework, and supporting processes and systems.
- Develop, maintain and quality assure the Strategic and Departmental risk registers and monitor implementation of controls and agreed treatment actions.
- Prepare various risk management reports to the Council, Audit, Risk and Improvement Committee, MANEX, and divisional leadership teams in accordance with this framework and the Risk Management Policy.
- Provide risk management training, advice and support and conduct risk assessments as agreed with the MANEX or Senior Management.
- Liaise with the Internal Auditor and provide secretariat support to the Audit, Risk and Improvement Committee.
- Measure enterprise risk management maturity and report on the implementation of actions to achieve target maturity.
- Develop & facilitate implementation of a Safety Management System throughout the Council
- Ensure that the Safety Management System is based on risk management standards and is consistent with this framework.
- Assist Teams in relation to safety related 3rd party risk assessments.

12.7 Project managers

- Ensure that this framework is applied to the projects under their overview; and
- Where the project is considered to materially influence the achievement of Council's Corporate Objectives, ensure that the project risk assessment is facilitated by the Risk Advisor.

12.8 Managers

- Ownership of risk management within their department or as delegated by the GM in accordance with the Risk Management Policy and this Risk Management Framework.
- Championing risk management within their department and appropriate risk management practice by staff, volunteers, contractors, and service providers.

12.9 Risk owners

- Responsibility to ensure that risk remains within defined tolerances;
- Triggers out-of-cycle review of the risks if material change occurs (e.g. restructure, new IT systems or processes being implemented, risk eventuates);
- Ensure personal compliance with risk management policies and procedures in performance of duties/activities;
- Ensure controls and actions mitigating risks are designed and operating effectively to reduce the risk exposure to a level which is acceptable to the Council; and Responsible for annual attestation of risks

12.10 Control owner

- Is in charge of ensuring that controls and actions (which may be outside responsibility of risk owners e.g. IT controls) are identified and documented;
- Responsible for annual attestation that controls are effective in conjunction with Risk owners;
- Understands the importance of the effective operation of the control and potential impact of failure on all areas that rely upon it; and
- Provide appropriate communication when their controls fail or do not operate as expected.

12.11 Risk champions

- Person of Manager/Coordinator level or above who takes risk responsibility for a Department or Division;
- Ensures coordination of activities such as risk assessments and reporting are completed;
- Liaises with Governance, Risk & Compliance staff;
- Identifies gaps in areas such as training / awareness; and
- Assists with communications and training.

12.12 Staff, contractors and service providers

- Applying risk management practices in their area of work and ensuring that management are aware of risks associated with council's operations.
- Recommending or providing suitable plans to manage risks; obtaining appropriate approval prior to action (where required); and reporting on risk management practices.

13. PERFORMANCE MONITORING

Risk management performance indicators include:

- Monthly report to MANEX on status High > rated risks
- Monthly report to MANEX on % Audit Actions completed on time
- Quarterly reports to MANEX / Audit, Risk & Improvement Committee on status High > rated risks
- Quarterly report to MANEX on % of Catastrophic & High Risk Control Actions On Track

- Quarterly report to MANEX on Risk Management Maturity Improvement Targets Met

14. LIST OF APPENDICES

APPENDIX 1: LIKELIHOOD DESCRIPTORS

APPENDIX 2: CONSEQUENCE DESCRIPTORS

APPENDIX 3: RISK MATRIX

APPENDIX 4: RISK RATING REPORTING RULES

APPENDIX 5: RISK DEFINITIONS

APPENDIX 6: SAMPLE RISK REGISTER

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APPENDIX I – LIKELIHOOD DESCRIPTORS

LIKELIHOOD		
Almost Certain	The event will occur on an annual basis	Once a year or more frequently
Likely	The event has occurred several times in your career	Once every three years
Possible	The event might occur once in your career	Once every 10 years
Unlikely	The event does occur somewhere from time to time	Once every 30 years
Rare	Heard of it occurring elsewhere	Once every 100 years

APPENDIX 2 – CONSEQUENCE DESCRIPTORS

CONSEQUENCE					
Category	Insignificant	Minor	Moderate	Major	Catastrophic
Environment	Minimal environmental impact; isolated release only	Minor environmental impact; on-site release immediately controlled	Significant environmental impact; on-site release contained with assistance	Major environmental impact; release spreading off-site; contained with external assistance	Fatalities occur; extensive release off-site; requires long term remediation
Financial	Negligible financial loss (< 2.5% annual budget); no impact on program or business operation	Minor financial loss(<10% annual budget); minimal impact on program or business operation	Significant financial loss (<20% annual budget); considerable impact on program or business operations	Major financial loss (<25% annual budget); severe impact on program or business operation	Extensive financial loss (> 25% annual budget); loss of program or business operation
WHS	First aid only required	Minor medical treatment with or without potential for lost time.	Significant injury involving medical treatment or hospitalisation and lost time	Individual fatality or serious long term injury	Multiple fatalities or extensive long term injury
Professional Indemnity	Isolated, internal or minimal complaint; minimal loss to organisation	Contain complaint or action with short term significance; medium loss to organisation	Significant complaint involving statutory authority or investigation; prosecution possible with significant loss to organisation	Major complaint with litigation and long term significance; very high loss to organisation	Extensive litigation with possible class action; worst-case loss to organisation; threat to viability of program or service.
Public Liability	First aid only required; minimal loss to organisation	Some medical treatment required; medium loss to organisation	Significant injury involving medical treatment or	Severe injuries or individual fatality; very high loss to organisation	Multiple fatalities or extensive long term injuries;

CONSEQUENCE					
Category	Insignificant	Minor	Moderate	Major	Catastrophic
Property & Infrastructure			hospitalisation; high loss to organisation		worst case loss to organisation
	Isolated or minimal loss; short term impact; repairable through normal operations	Minor loss with limited downtime; short term impact; mostly repairable through normal operations	Significant loss with temporary disruption of services; medium term impact on organisation	Critical loss or event requiring replacement or property or infrastructure; long term impact on organisation	Disaster with extensive loss and long term consequences; threat to viability of service or operation
Reputation	Isolated, internal or minimal adverse attention or complaint	Heightened local community concern or criticism	Significant public criticism with or without media attention	Serious public or media outcry, broad media attention	Extensive public outcry; potential national media attention
Natural Hazards	Minimal physical or environmental impact; isolated hazard only; dealt with through normal operations	Minor physical or environmental impact; hazards immediately controlled with local resources	Significant physical or environmental impact; hazards contained with assistance of external resources	Major physical or environmental impact; hazard extending off-site; external services required to manage	Extensive physical or environmental impact extending off-site; managed by external services; long term remediation required
Information Technology	No measurable operational impact to organisation	Minor downtime or outage in single area of organisation; addressed with local management and resources	Significant downtime or outage in multiple areas of organisation; substantial management required and local resources	Loss of critical functions across multiple areas of organisation; long term outage; extensive management required and extensive resources	Extensive and total loss of functions across organisation; disaster management required

CONSEQUENCE					
Category	Insignificant	Minor	Moderate	Major	Catastrophic
Political and Governance	Isolated non-compliance or breach; minimal failure of internal controls managed by normal operations	Contained non-compliance or breach with short term significance; some impact on normal operations	Serious breach involving statutory authorities or investigation; significant failure of internal controls; adverse publicity at local level	Major breach with formal inquiry; critical failure of internal controls; widespread adverse publicity	Extensive breach involving multiple individuals; potential litigation; viability of organisation threatened
Industrial Relations	Isolated, internal or minimal impact on staff morale or performance; minimal loss to organisation	Contained impact on staff morale or performance of short term significance; medium loss to organisation	Significant impact on staff morale or performance of medium term significance; significant loss to organisation	Major impact on staff morale or performance with long term significance; very high loss to organisation	Extensive impact or organisational morale or performance; threat to viability or program or service
Contractual and Legal	Isolated non-compliance or breach; negligible financial impact	Contained non-compliance or breach with short term significance and minor financial impact	Serious breach involving statutory authority or investigation; prosecution possible with significant financial impact	Major breach with fines and litigation; long term significance and major financial impact	Extensive fines and litigation with possible class action; threat to viability of program or service.
Positive Consequences	Minimal benefit, minimal financial gain, negligible saving in time.	Small benefit, low financial gain, small saving in time.	Some enhancement to reputation, high financial gain, reasonable saving in time.	Enhanced reputation, major financial gain, large saving in time.	Significantly enhanced reputation, huge financial gain, significant saving in time.

APPENDIX 3 – RISK MATRIX

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Likelihood	Consequences				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate 8	High 16	High 20	Extreme 23	Extreme 25
Likely	Moderate 7	Moderate 12	High 17	High 21	Extreme 24
Possible	Low 4	Moderate 10	High 15	High 18	High 22
Unlikely	Low 2	Low 5	Moderate 11	Moderate 13	High 19
Rare	Low 1	Low 3	Moderate 6	Moderate 9	High 14

APPENDIX 4 – RISK RATING REPORTING RULES

Low Risk Rating (1 - 5)

- Managed in day to day operations, by individual staff or small unit/team (risk owner).
- Generally handled by SOP's, SWMS or checklists.
- May be entered on Risk Register.
- May be accepted as untreated risk based on cost/benefit analysis.

Moderate Risk Rating (6 – 13)

- Managed by designated responsible officer (risk owner)
- Entered on Risk Register
- May require specific procedures or processes.
- Monitored at Supervisor level.
- Notified to Audit Risk and Improvement Committee.

High Risk Rating (14 – 22)

- Managed by designated key responsible officer
- Entered on the Risk Register.
- May require allocation of additional resources, procedures, processes or training.
- Monitored by Senior Supervisor or MANEX level.
- Monitored by Audit Risk and Improvement Committee.

Extreme Risk Rating (23 – 25)

- Managed by responsible Senior Supervisory officer
- Entered on Risk Register, Requires immediate attention, including internal and external resources,
- Documented procedures,
- Monitored work processes and training.
- Monitored by GM & MANEX & possibly designated elected members.

APPENDIX 5 – RISK DEFINITIONS

Council has adopted the following Risk Management definitions from AS/NZS ISO 31000: 2009 and Guide 73

Terminology	Definition
Risk	The effect of uncertainty on objectives. It is measured in terms of a combination of the likelihood of an event and its consequence
Risk Appetite	The amount and type of risk an organization is prepared to pursue or take
Risk Assessment	The overall process of risk identification, risk analysis and risk evaluation.
Risk Analysis	A systematic use of available information to determine what events may occur, the likelihood of occurrence and the magnitude of their consequences
Risk Management	Coordinated activities to direct and control an organization with regard to risk
Risk Management Framework	Set of components that provide the foundations and organizational arrangements for designing, implementing, monitoring, reviewing and continually improving risk management processes throughout the organization
Risk Management Plan	Document within the risk management framework specifying the approach, the management components and resources to be applied to the management of risk
Risk Management Policy	Overall intentions and direction of an organization related to risk management
Likelihood	chance of something happening
Consequence	Outcome of an event affecting objectives
Inherent Risk	The “raw” or untreated risk, the worst-case scenario
Control	Measure to modify risk
Residual Risk	Risk remaining after risk treatments
Risk Treatment	Process of developing, selecting and implementing controls
Risk Mitigation	Measures taken to reduce an undesired consequence
Risk Owner	Person or entity with the accountability and authority for managing the risk and any associated risk treatments
Risk Profile	Description of a set of risks
Risk Register	Record of information about identified risks
Hazard	Potential source of harm

APPENDIX 6 – SAMPLE RISK REGISTER

Risk Type	Risk Category	Risk Long Description	Organisation Structure	Function/Activity	Likelihood	Consequence	Inherent Risk Rating	Treatment Plan	Risk Owner	Action Progress	Likelihood	Consequence	Residual Risk Rating
Operational	Governance & Compliance	There is a risk that the failure of Caravan Park operations to meet regulatory controls may affect Council's Strategic Objective B5.3, develop infrastructure to support our tourist sector, to identify opportunities, develop and implement strategies to increase Council's non rate revenue income streams leading to litigation and fines and penalties.	Caravan Park Operations	Caravan Park Operations B5.3.1.b	Possible	Minor	Moderate 10		Van Park Op	Partial	Likely	Insignificant	Moderate 7..

Schedule of Changes & Amendments

Version	Date	Changes / Amendments

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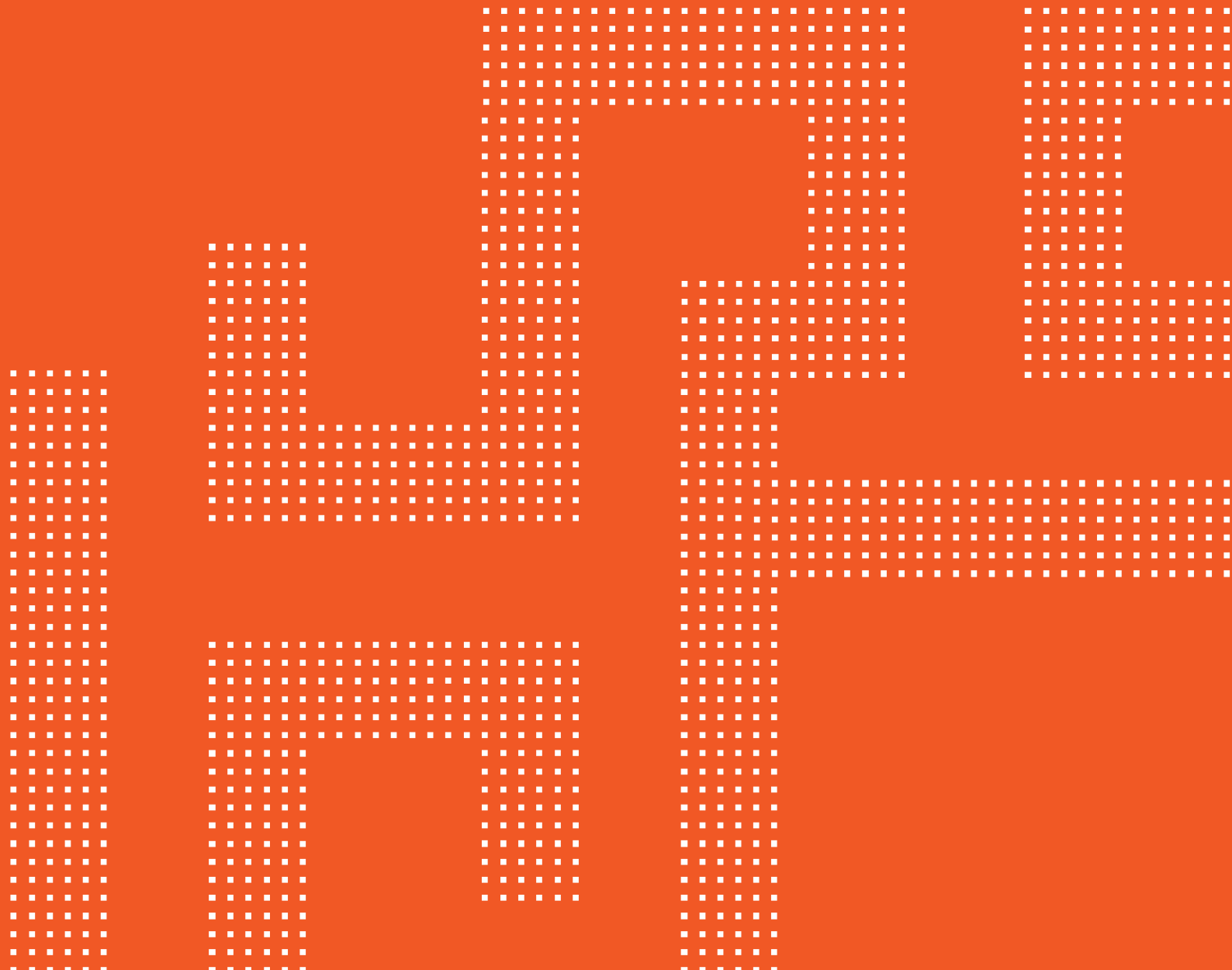
Planning Proposal

Lots 67, 68, 69 & 70 in DP753744

Kywong-Howlong Road, Howlong

Change of zoning to IN1General Industrial with
no Minimum Lot Size for subdivision

November 2017





Prepared for

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Document Control

Version	Date	Purpose	Approved
A	27/10/17	Draft for client review	WH
B	24/11/17	Final for Gateway application	WH



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Attachments

- A. Consistency with State Environmental Planning Policies
- B. Consistency with Ministerial Directions
- C. Consistency with planning principles in Murray Regional Environmental Plan No.2 – Riverine Land
- D. Consistency with Riverina Murray Regional Plan 2036
- E. Supply of industrial land & concept plan of subdivision

Introduction

This is a Planning Proposal seeking an amendment to the *Corowa Local Environmental Plan 2012* (CLEP) to rezone land on the north east fringe of the Howlong township from RU1 Primary Production to IN1 General Residential and to remove the Minimum Lot Size (MLS) for subdivision.

The land is described as Lots 67, 68, 69 and 70 in DP753744 and located immediately north of the existing Howlong Industrial Estate with frontage to Kywong-Howlong Road on the eastern side ("the subject land"). The subject land has an area of approximately 50 hectares. The context of the subject land is shown in Maps 1 and 2.

The Planning Proposal has been structured and prepared in accordance with the Department of Planning and Environment's (DPE) *A guide to preparing planning proposals* ("the Guide").

PART 1. Intended outcomes

The intended outcome of the Planning Proposal is to facilitate the development of the \$15.7 million Howlong Industrial and Export Precinct (HIEP) project. The Federal Government has just announced that the HIEP will receive nearly \$7 million towards its development through the Building Better Regions Fund.

The HIEP project and the resulting additional investment will transform existing industrial capacity, overcome strategic bottlenecks to economic growth, and provide the basis for sustainable, long-term employment and training opportunities in Howlong and the region as a whole.

The elements of the HIEP project include:

- The release of new industrial estate lots to meet the growing demand by small-to-medium sized businesses in an area where supply is lacking.
- Associated upgrades and the introduction of new support services to the industrial estate, including roads, drainage, and utilities.
- The substantial expansion of an existing export distribution centre for pet food and related products in the industrial estate for supply to Thailand, USA, Canada, Europe and South Africa.
- Freight and logistics capacity to provide a direct freight service between regional horticulture, aquaculture and agri-businesses to the Port of Melbourne, and Melbourne and Sydney domestic markets.
- Creation of more than 100 new jobs.

Expanding the area of zoned industrial land will increase the supply of land for industrial development in Howlong. The Planning Proposal is therefore an important enabler of the other critical elements of the HIEP and the benefits it will deliver.

PART 2. Explanation of the provisions

The intended outcomes of the Planning Proposal will be achieved by implementation of the following provisions:

- amending the Land Zoning Map LZN_009A in the CLEP to show the subject land zoned as IN1 General Industrial; and
- amending the Minimum Lot Size Map LSZ_009A in the CLEP to show the subject land having no minimum lot size for subdivision.

PART 3. Justification

This section of the Planning Proposal sets out the justification for the intended outcomes and provisions, and the process for their implementation. The questions to which responses have been provided are taken from the Guide.

3 1. Need for the Planning Proposal

➤ Is the Planning Proposal a result of any strategic study or report?

As a pre-cursor to the 2012 CLEP, Council undertook a strategic planning exercise for the Shire culminating in the adoption of the 2011-2031 *strategic land use plan* (SLUP). The SLUP included strategic plans for each of the three main settlements in the Shire and these were subsequently included in the *Corowa Shire Development Control Plan 2013* (CDCP) to assist in guiding development applications.

The Local Profile and Issues Paper that preceded and informed the SLUP identified the following planning issue in Howlong:

Supply of industrial and commercial zoned land to provide opportunities for economic development.

An extract from the SLUP for that part of Howlong to which the Planning Proposal relates is shown at Map 3. The SLUP shows that the current industrial estate should be expanded north in the 'longer term'. Whilst the SLUP was prepared not so long ago, the demand for industrial land in Howlong has exceeded expectations to the extent where there is now a need to re-establish a supply of vacant and serviced industrial land by expanding the estate in the 'short term'. So whilst the Planning Proposal may not be consistent with the timing expressed in the SLUP, more importantly it is consistent with the direction in which future industrial development in Howlong should take.

The Howlong Industrial Estate is a Council initiative and a screenshot from Council's website (see Attachment 'E') confirms the lack industrial land for sale in Howlong. An indication of Council's commitment to the expansion of the estate is also demonstrated with the preparation of a concept plan of subdivision (see Attachment 'E') that will be implemented immediately following approval of the Planning Proposal.

The existing industrial estate at Howlong and the adjoining land the subject of this Planning Proposal has been identified by Council for development as a major industrial hub for regional industry with an export focus. Council has recently announced that \$7 million has been allocated under the Federal Government's Building Better Regions Fund to initiate this project to be known as the Howlong Industrial and Export Precinct (HIEP). The HIEP project is consistent with the intent of the SLUP in regards to industrial land in Howlong.

Overall, the Planning Proposal is considered to be giving general effect to these desired strategic outcomes.

- **Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

The subject land is currently within the RU1 zone and has a MLS of 400 hectares for subdivision, which would prevent any subdivision occurring. In addition, 'Industries' are prohibited development within the RU1 zone which would prevent the expansion of the Howlong Industrial Estate into the subject land.

Consequently the current zone and lot size provisions do not allow for the type of industrial development sought for the subject land. Consequently the objective of urban industrial development on the subject land can only be achieved through an amendment to the CLEP via a Planning Proposal.

- **Is there a net community benefit?**

There is an overall net community benefit to be gained from the Planning Proposal by providing the opportunity for industrial development in Howlong. Development creates employment, which in turn leads to population growth which would have a net community benefit for Howlong.

3 2. Relationship to strategic planning framework

- **Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including exhibited draft strategies)?**

The *Riverina Murray Regional Plan 2036* (RMRP) was adopted by the NSW government in 2017. The Minister's foreword to the document states that the RMRP "*encompasses a vision, goals, directions and actions that were developed with the community and stakeholders to deliver greater prosperity for this important region.*"

An assessment of the directions contained within the RMRP as they relate to the Planning Proposal is undertaken at Attachment 'D'. In summary, this assessment concludes that the Planning Proposal does not contradict the overall purpose of the RMRP or any Direction relating to the rezoning of land in Howlong for industrial purposes.

- **Is the Planning Proposal consistent with the local Council's community strategic plan or other local strategic plan?**

There are a number of local strategic influences that support the Planning Proposal.

Community Strategic Plan

One of the six key strategic directions in the former Corowa Council's *Community Strategic Plan 2022 and Beyond* is for "*A prosperous and resilient economy*". Two objectives for this strategy that are relevant to the Planning Proposal are:

4.1.3 Maintaining and establishing viable and long term businesses within the shire.

4.3.1 Attract new industry and business to the shire.

The Planning Proposal is consistent with these objectives as it will support the rapid expansion of the existing Cool-Off business as well as providing additional zoned industrial land for new businesses in a planned expansion of the Howlong Industrial Estate.

Corowa Shire Strategic Land Use Plan

The SLUP for the former Corowa Shire was prepared as a pre-cursor to the CLEP and informed the allocation of the IN1 zone on the north eastern fringe of Howlong.

The strategic plan for Howlong shows the subject land located immediately north of the Howlong Industrial Estate (see Map 3). There is an annotation in form of an arrow and a text box with the words “*longer term expansion of industrial estate*” on the plan indicating that the future growth of the industrial estate should be in a northerly direction and into the subject land.

In addition, one of the Town Development Principles in the SLUP for Howlong is to:

Provide an adequate supply of zoned and appropriately located land for development to accommodate population growth.

The Planning Proposal is considered therefore to be unambiguously consistent with the future planning for Howlong. The only question is the matter of timing and whether the outcome sought by the Planning Proposal is premature in that the SLUP refers to expansion of the industrial estate in the ‘longer term’. Whilst most strategic plans are well intentioned, there is always an element of ‘crystal ball gazing’ because the future can’t be predicted with any certainty. The absence of any available land for sale within the existing industrial estate combined with announcement of the HIEP Project has brought forward the need for additional land zoned for industrial purposes.

➤ Is the Planning Proposal consistent with applicable State Environmental Planning Policies?

Attachment ‘A’ provides an assessment of the Planning Proposal against all State Environmental Planning Policies (SEPP’s). In summary, many of the SEPP’s are not applicable to the area of the former Corowa Shire and even less are applicable to the circumstances of the Planning Proposal. The assessment concludes that the Planning Proposal is not inconsistent with any of the relevant SEPP’s.

➤ Is the Planning Proposal consistent with applicable Ministerial Directions (S.117 Directions)?

Section 117 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) provides for the Minister for Planning to give directions to Councils regarding the principles, aims, objectives or policies to be achieved or given effect to in the preparation of LEP’s. A Planning Proposal needs to be consistent with the requirements of the Direction but in some instances can be inconsistent if justified using the criteria stipulated such as a Local Environmental Study or the proposal is of “*minor significance*”.

An assessment of all Section 117 Directions is undertaken in Attachment ‘B’. In summary, the Planning Proposal is either consistent or has some minor inconsistencies with the

relevant Directions. Where there is an inconsistency, it has been justified utilising the provisions within each of the Directions.

3 3. Environmental, social & economic impact

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

The subject land is described as a cleared parcel of land that has been used for agricultural purposes for more than 100 years. There is a three remnant trees and planted species for windbreak purposes along the southern and eastern boundary as well as part of the northern boundary. It is noted that none of the vegetation is recognised as contributing to 'terrestrial biodiversity' on the Biodiversity Map in the CLEP.

It would be desirable for the windbreak vegetation to be retained in the future development of the land for industrial purposes to assist in visual screening.

- **Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

There are no other environmental effects resulting from the Planning Proposal.

- **How has the Planning Proposal adequately addressed any social and economic effects?**

There will be a positive social and economic effect for the Howlong community from the Planning Proposal through implementation of the HIEP Project that will increase employment opportunities and subsequently lead to population growth. This will result in an increase in both community and commercial services for residents in Howlong as well as an increased investment in the local community through subdivision and industrial development.

3 4. State & Commonwealth interests

- **Is there adequate public infrastructure for the Planning Proposal?**

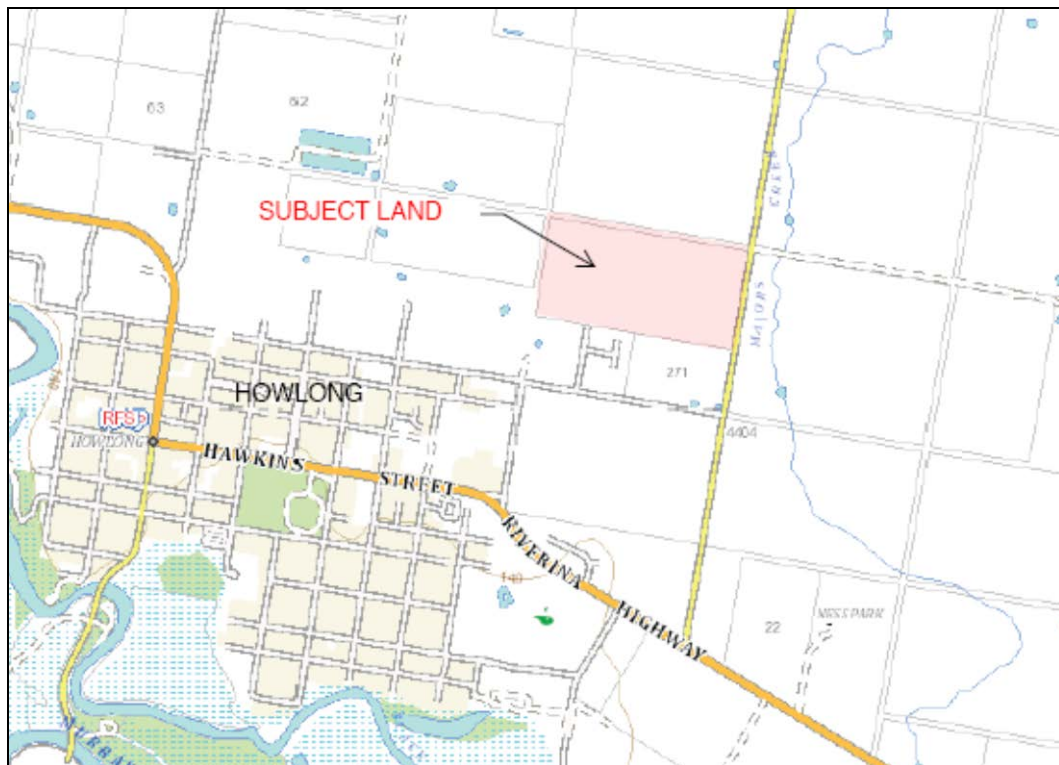
The public infrastructure associated with the existing industrial estate (including reticulated potable water, sewer, electricity and telecommunications) can be extended to service the subject land. The subject land has an extensive 500 metre frontage to the Kywong-Howlong Road, providing ample opportunity for road access. An unconstructed road reserve extends along the northern boundary and this can also be utilised for access to the subject land if necessary.

- **What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

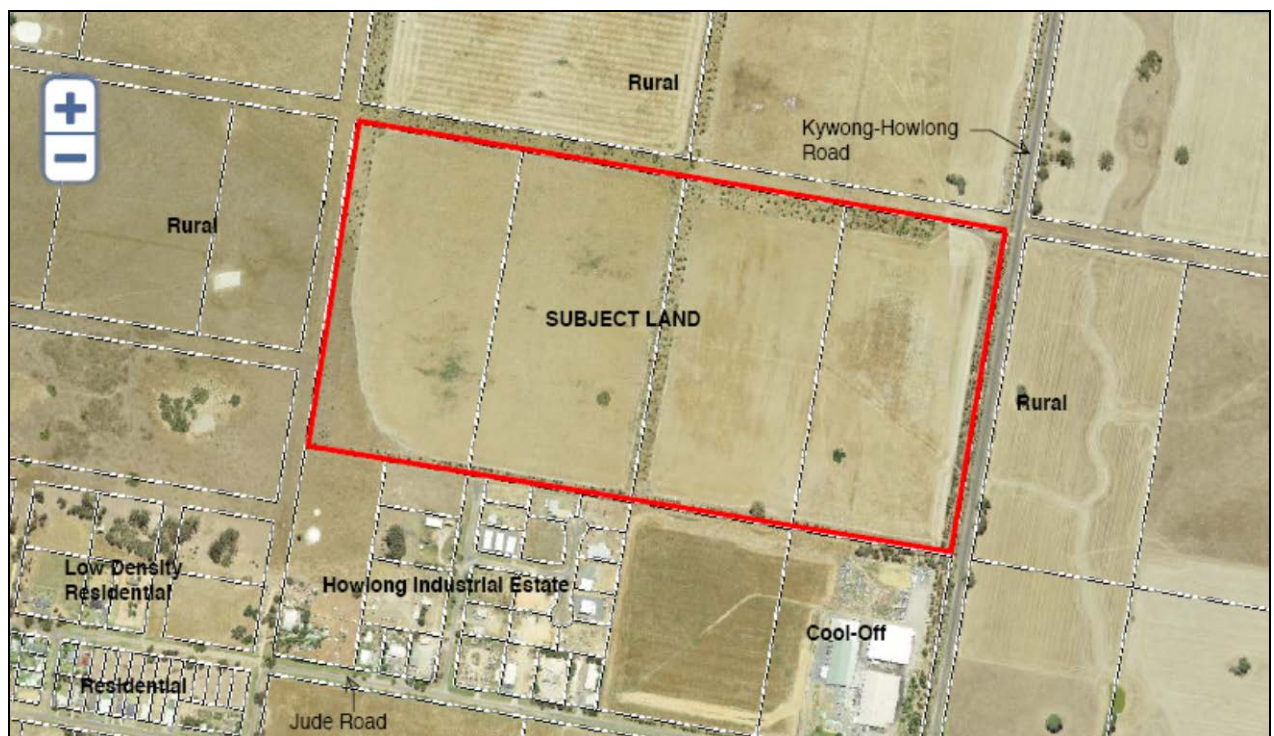
Having regard for the relatively benign nature of the Planning Proposal, no government agencies have been consulted ahead of the request for a Gateway Determination from DPE.

PART 3. Maps

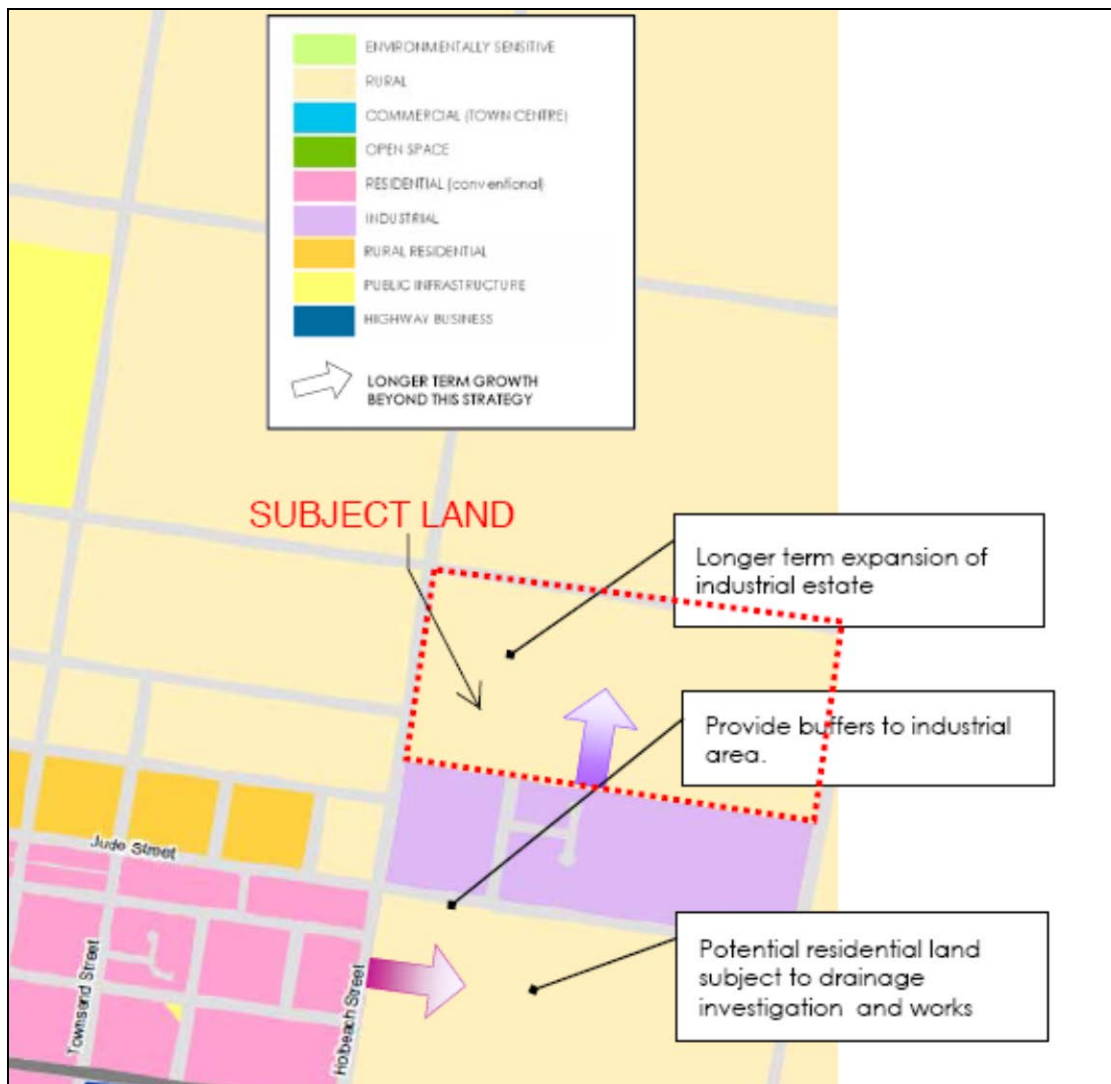
The following maps are provided in support of the Planning Proposal.



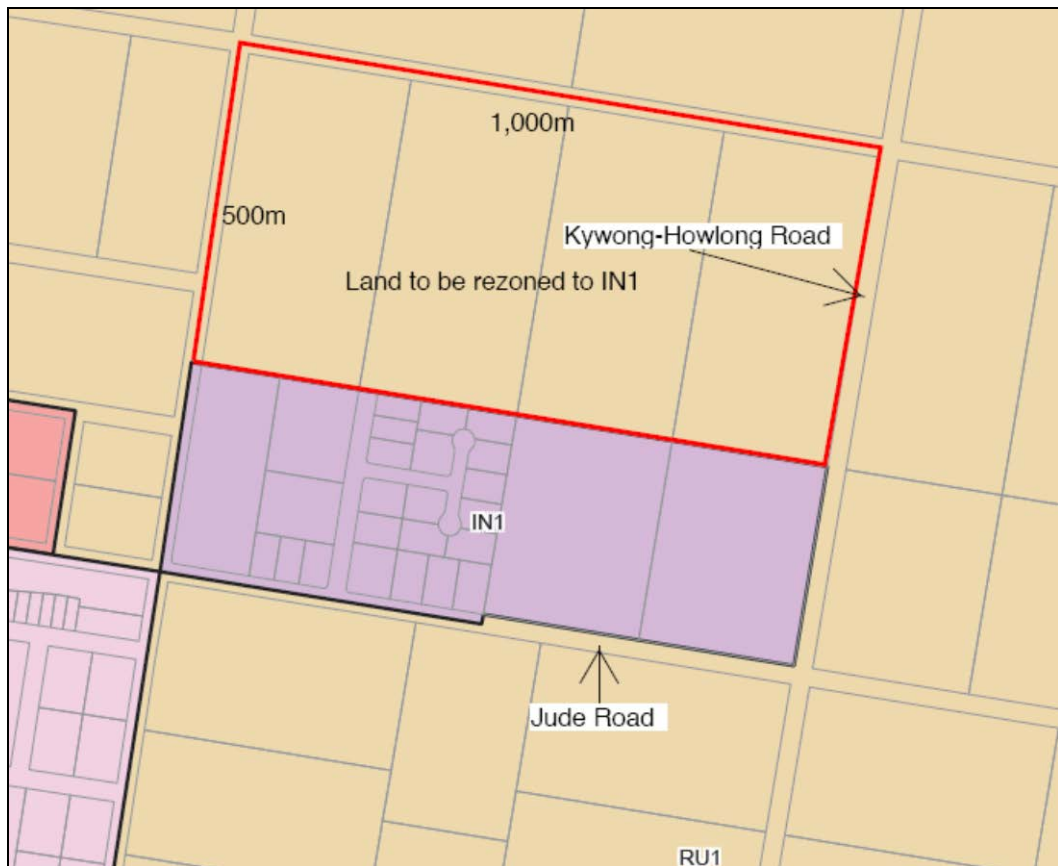
MAP 1: Location of subject within the context of Howlong (Source: SIX Maps)



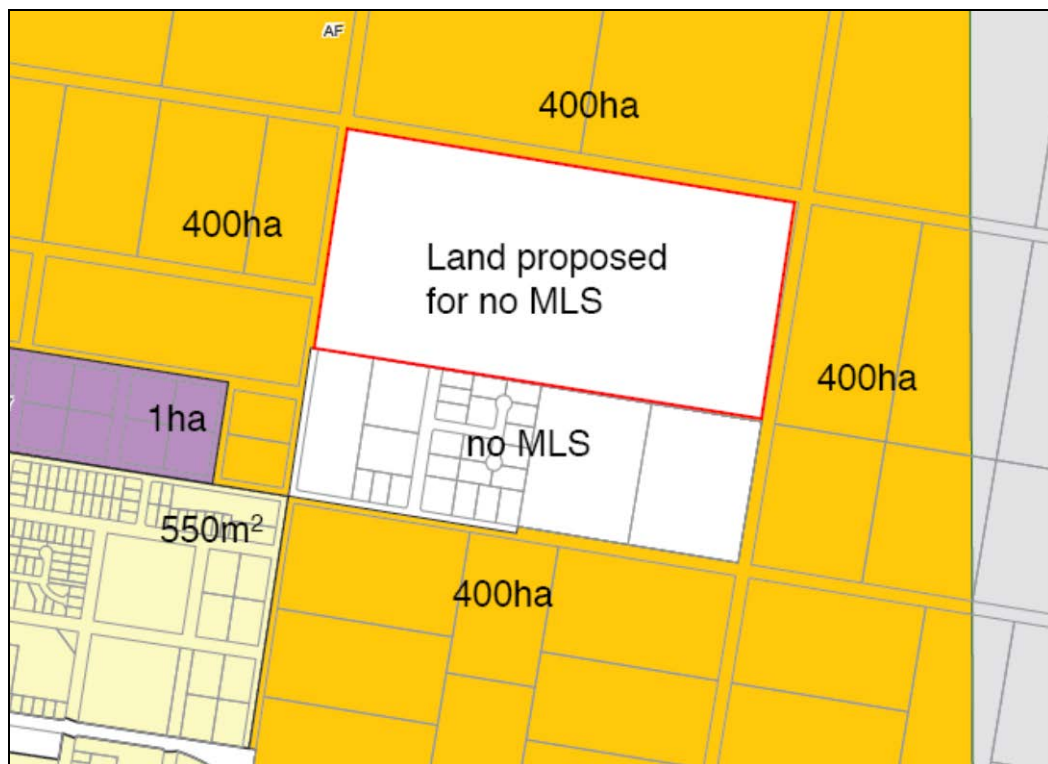
MAP 2: Subject land within the context of land uses in the immediate surrounds.
(Source: SIX Maps)



MAP 3: Extract from SLUP for Howlong indicating existing and preferred land uses in the vicinity of the subject land.



MAP 4: Current and proposed zoning of the subject land and surrounds
(Source: Corowa LEP)



MAP 5: Current and proposed Minimum Lot Size for the subject land and surrounds
(Source: Corowa LEP)

PART 4. Community consultation

The Planning Proposal will be subject to public exhibition following the Gateway process. The Gateway determination will specify the community consultation that must be undertaken for the Planning Proposal, if any. As such, the exact consultation requirements are not known at this stage.

This Planning Proposal will be exhibited for a period of 28 days in accordance with the requirements of section 57 of the EP&A Act and the Guide. At a minimum, the future consultation process is expected to include:

- written notification to landowners adjoining the subject land;
- consultation with relevant Government Departments and agencies, service providers and other key stakeholders, as determined in the Gateway determination;
- public notices to be provided in local media, including in a local newspaper and on Councils' website;
- static displays of the Planning Proposal and supporting material in Council public buildings; and
- electronic copies of all documentation being made available to the community free of charge (preferably via downloads from Council's website).

At the conclusion of the public exhibition period Council staff will consider submissions made with respect to the Planning Proposal and prepare a report to Council.

It is considered unlikely that a Public Hearing will be required for the proposal although this can't be conformed until after the exhibition/notification process has been completed.

PART 5. Project Timeline

The project timeline for the planning proposal is outlined in Table 1. There are many factors that can influence compliance with the timeframe including the cycle of Council meetings, consequences of agency consultation (if required) and outcomes from public exhibition. Consequently the timeframe should be regarded as indicative only.

TABLE 1: – Project timeline

Milestone	Date/timeframe
Anticipated commencement date (date of Gateway determination)	To be decided.
Anticipated timeframe for the completion of required studies	If studies are required, two months from Gateway determination.
Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)	If required, two months from Gateway determination.
Commencement and completion dates for public exhibition period	Two weeks from Gateway determination with completion one month later.
Dates for public hearing (if required)	To be confirmed if required.
Timeframe for consideration of submissions	Two weeks following completion of exhibition.
Timeframe for the consideration of a proposal post exhibition	Two weeks following completion of exhibition.
Anticipated date RPA will make the plan (if delegated)	To be determined.
Anticipated date RPA will forward to the department for notification (if delegated).	To be determined.

Conclusion

This is a Planning Proposal seeking an amendment to the CLEP to rezone land on the north east fringe of Howlong township from RU1 Primary Production to IN1 General Residential and remove the Minimum Lot Size (MLS) for subdivision. The subject land is described as Lots 67, 68, 69 and 70 in DP753744 and has an area of approximately 50 hectares.

The Planning Proposal has been structured and prepared in accordance with the Department of Planning and Environment's (DPE) *A guide to preparing planning proposals* ("the Guide").

In summary, the Planning Proposal is considered to have merit because:

- it will facilitate the development of the Howlong Industrial and Export Precinct (HIEP) for which Federal funding has been obtained through the Building Better Regions Fund;
- it will re-establish a supply of vacant zoned land within the Howlong Industrial Estate for industrial development;
- it will cater for the expansion of an existing and rapidly growing industrial activity within the industrial estate and significant new industries associated with that activity;
- it will create the opportunity for more than 100 new jobs in Howlong;
- it is consistent with planning strategy;
- the subject land is located within the context of the Howlong township;
- there will be a net social and economic benefit for the Howlong community;
- it is generally consistent with the broader planning framework (e.g. State policy);
- there will no detrimental environmental effects; and
- the subject land can be provided with all urban services.

Attachment A

Consistency with State Environmental Planning Policies

No.	Title	Consistency
1	Development Standards	Not applicable since gazettal of CLEP.
14	Coastal Wetlands	Not applicable to former Corowa Shire.
19	Bushland in Urban Areas	Not applicable to former Corowa Shire.
21	Caravan Parks	Not applicable as 'caravan parks' are prohibited in the IN1 zone.
26	Littoral Rainforests	Not applicable to former Corowa Shire.
30	Intensive Agriculture	The Planning Proposal does not conflict with the provisions of this SEPP and intensive agriculture remains permissible in the IN1 zone.
33	Hazardous & Offensive Development	The Planning Proposal does not conflict with the provisions of this SEPP as they relate to hazardous and offensive industry.
36	Manufactured Home Estate	Not applicable as the IN1 zone does not provide for manufactured homes estates.
44	Koala Habitat Protection	<p>This SEPP is applicable because the former Corowa Shire is listed in Schedule 1 and the subject land exceeds the area threshold that necessitates consideration. Council is required to consider whether the land offers any habitat for koalas. Across the 50ha of the subject land there are just three scattered remnant trees that because of their isolation would provide no habitat for koalas.</p> <p>There are no recorded sightings of koalas in the vicinity of Howlong. In addition, the 2008 approved <i>Recovery Plan for the Koala in NSW</i> acknowledges the probability of koalas being present in the 'far west and south west' region of NSW (which includes Howlong) is low.</p> <p>Consequently the proposal can be supported without the need for a Koala Management Plan.</p>
47	Moore Park Showground	Not applicable to former Corowa Shire.
50	Canal Estate Development	The Planning Proposal does not conflict with the aims and canal estate development prohibitions as provided in the SEPP.
52	Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable to former Corowa Shire.
55	Remediation of Land	Not applicable as the proposal does not qualify for consideration under section 6(4) of the SEPP.
62	Sustainable Aquaculture	Not applicable as 'aquaculture' (as a subset of 'agriculture') is prohibited within the IN1 zone.
64	Advertising & Signage	The Planning Proposal does not conflict with the aims, development consent requirements and assessment criteria for advertising and signage as provided in the SEPP.
65	Design Quality of Residential Flat Development	Not applicable as 'residential flat buildings' (as a subset of 'residential accommodation') are prohibited within the IN1 zone.
70	Affordable Housing (Revised Schemes)	Not applicable to former Corowa Shire.
71	Coastal Protection	Not applicable to former Corowa Shire.

No.	Title	Consistency
	Affordable Rental Housing 2009	Not applicable as 'residential accommodation' is prohibited within the IN1 zone.
	Building Sustainability Index (BASIX) 2004	Not applicable as the type of developments for which a BASIX certificate is required are generally prohibited in the IN1 zone.
	Educational Establishments and Child Care Facilities 2017	Not applicable as 'Educational Establishments and Child Care Facilities' are prohibited within the IN1 zone.
	Exempt & Complying Development Codes 2008	The Planning Proposal does not conflict with the aims and functions of this SEPP with respect to exempt and complying development provisions.
	Housing for Seniors & People with a Disability 2004	Not applicable as 'seniors housing' (as a subset of 'residential accommodation') is prohibited within the IN1 zone.
	Infrastructure 2007	The Planning Proposal does not conflict with the aims, permissibility, development consent, assessment and consultation requirements, capacity to undertake additional uses, adjacent, exempt and complying development provisions as provided in the SEPP.
	Integration and Repeals 2016	Not applicable.
	Kosciuszko National Park – Alpine Resorts 2007	Not applicable to former Corowa Shire.
	Kurnell Peninsula 1989	Not applicable to former Corowa Shire.
	Major Development 2005	Not applicable as the subject land is not a nominated State significant site.
	Mining, Petroleum Production & Extractive Industries 2007	The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to mining, petroleum production and extractive industries as provided in the SEPP.
	Miscellaneous Consent Provisions 2007	The Planning Proposal does not conflict with the aims, permissibility, development assessment requirements relating to temporary structures as provided in the SEPP.
	Penrith Lakes Scheme 1989	Not applicable to former Corowa Shire.
	Murray Regional Environmental Plan No. 2 – Riverine Land	The subject land is within the area to which MREP2 applies. The SEPP requires a Planning Proposal to consider a number of planning principles and this is undertaken in Attachment 'C'. This assessment concludes that the Planning Proposal does not contradict the general planning principles of MREP2 as it will have little to no impact on the riverine environment.
	Rural Lands 2008	This SEPP is relevant because of Ministerial Direction 1.5 Rural Lands (see Attachment 'B' for consideration of this SEPP).
	State & Regional Development 2011	Not applicable as the Planning Proposal is not for State significant development.
	State Significant Precincts	Not applicable as the subject land is not within a State significant precinct.
	Sydney Drinking Water Catchment 2011	Not applicable to former Corowa Shire.

No.	Title	Consistency
	Sydney Region Growth Centres 2006	Not applicable to former Corowa Shire.
	Three Ports 2013	Not applicable to former Corowa Shire.
	Urban Renewal 2010	Not applicable as the subject land is not within a nominated urban renewal precinct.
	Vegetation in Non-Rural Areas 2017	Not applicable to former Corowa Shire.
	Western Sydney Employment Area 2009	Not applicable to former Corowa Shire.
	Western Sydney Parklands 2009	Not applicable to former Corowa Shire.

Attachment B

Consistency with Ministerial Directions

No.	Title	Consistency
1.	Employment and Resources	
1.1	Business & Industrial Zones	<p>This direction is relevant because the Planning Proposal affects land proposed for an industrial zone.</p> <p>The proposal is consistent with the requirements of this direction because:</p> <ul style="list-style-type: none"> (a) the objective is to encourage employment growth in suitable locations and the SLUP advocates the subject land for industrial purposes; (b) it is increasing rather than reducing the area of IN1 zoned land; (c) (not relevant to industrial zones); (d) it is increasing the potential for additional industrial floorspace rather than reducing it; and (e) it is consistent with the SLUP for Howlong (notwithstanding the SLUP has not been endorsed by the Director-General) and the proposed HIEP Project.
1.2	Rural Zones	<p>This direction is relevant because the Planning Proposal affects land within an existing rural zone.</p> <p>The proposal is inconsistent with the direction because it seeks to rezone land from rural to industrial.</p> <p>The inconsistency with the direction is justified by a strategy (the SLUP) that specifically identifies the subject land for future industrial development.</p>
1.3	Mining, Petroleum Production & Extractive Industries	Not applicable as the planning proposal does not impact on mining.
1.4	Oyster Aquaculture	Not applicable as the subject land is not within a Priority Oyster Aquaculture Area.
1.5	Rural Lands	<p>This direction is relevant because the planning proposal affects land within a rural zone.</p> <p>The proposal is consistent with the direction because it satisfies the Rural Planning Principles expressed in the SEPP (Rural Lands), namely:</p> <ul style="list-style-type: none"> a) The land is located within the township of Howlong as such and designated for future industrial development. Consequently it can be considered as having no economic future in a rural context. b) As for a) above. c) The loss of a relatively small parcel of rural land through its rezoning and development will have no impact on the local community. d) The use of the land for industrial purposes as part of Howlong's continued growth is more in the community's interest than maintaining the rural use. e) The subject land is devoid of environmental features. It is also practically unaffected by natural hazards such as bushfire and flooding in a 1 in 100 year event. f) The land is identified for future industrial development in Howlong and reinforced by the HIEP.

No.	Title	Consistency
		<p>g) There will be no opportunity for rural housing.</p> <p>h) The proposal is consistent with the Riverina Murray Regional Plan (see Attachment 'D').</p>
2. Environment and Heritage		
2.1	Environment Protection Zones	<p>This direction is relevant because it applies to all planning proposals.</p> <p>The Planning Proposal is consistent with the direction because the subject land has no "<i>environmentally sensitive areas</i>" that are affected.</p>
2.2	Coastal Protection	Not applicable as the subject land is not within a coastal zone.
2.3	Heritage Conservation	<p>This direction is relevant because it applies to all planning proposals.</p> <p>The Planning Proposal is consistent with this direction because the subject land does not contain any known "<i>items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance</i>". None of the heritage items identified in the Schedule 5 of CLEP for Howlong are afforded protection by clause 5.10. None of these items are located in or near the subject land.</p>
2.4	Recreation Vehicle Areas	<p>This direction is relevant because it applies to all planning proposals.</p> <p>The Planning Proposal is consistent with the direction because it does not advocate the designation of the subject land as a recreation vehicle area pursuant to an order in force under section 11 (1) of the <i>Recreation Vehicles Act 1983</i>.</p>
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable as the subject land is not within one of the local government areas nominated in this direction.
3. Housing Infrastructure and Urban Development		
3.1	Residential Zones	Not applicable as the proposal does not involve a residential zone.
3.2	Caravan Parks & Manufactured Home Estates	<p>This direction is relevant because it applies to all planning proposals.</p> <p>The planning proposal is not inconsistent with this direction because it does not contemplate "<i>suitable zones, locations and provisions</i>" for caravan parks and manufactured homes estates.</p>
3.3	Home Occupations	<p>This direction is relevant because it applies to all planning proposals.</p> <p>The planning proposal will not prevent future dwellings being used for 'home occupations' and hence is consistent with this direction.</p>
3.4	Integrating Land Use and Transport	<p>This direction is relevant because the planning proposal is advocating urban industrial development.</p> <p>The planning proposal will facilitate industrial development at an urban scale and within the township of Howlong. The subject land is within a five minute drive of the Howlong commercial centre. Recreational facilities are available nearby at the Howlong Golf Club. Having regard for these circumstances, the planning proposal is considered consistent with this direction.</p>
3.5	Development Near Licensed Aerodromes	Not applicable as the subject land is not in the vicinity of a licensed aerodrome.

No.	Title	Consistency
3.6	Shooting Ranges	Not applicable as the subject land is not in the vicinity of a shooting range.
4. Hazard and Risk		
4.1	Acid Sulphate Soils	Not applicable as the subject land does not contain acid sulphate soils.
4.2	Mine Subsidence & Unstable Land	Not applicable as the subject land is not within Mine Subsidence District.
4.3	Flood Prone Land	Not applicable as the subject land is not 'flood prone land' being land mapped in the 2009 Floodplain Risk Management Study for Howlong as "susceptible to flooding by the PMF event".
4.4	Planning for Bushfire Protection	Not applicable as the subject land is not mapped as bushfire prone land.
5. Regional Planning		
5.1	Implementation of Regional Strategies	Not applicable as the subject land is not within one of the regional strategies nominated in this direction.
5.2	Sydney Drinking Water Catchment	Not applicable as the subject land is not within the Sydney Drinking Water Catchment.
5.3	Farmland of State & Regional Significance on the NSW Far North Coast	Not applicable as the subject land is not within one of the local government areas nominated in this direction.
5.4	Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable as the subject land is not near the Pacific Highway.
5.5	Development in the Vicinity of Ellalong, Paxton and Millfield (Cessnock LGA)	Revoked in 2010.
5.6	Sydney to Canberra Corridor	Revoked in 2008.
5.7	Central Coast	Revoked in 2008.
5.8	Second Sydney Airport: Badgerys Creek	Not applicable as the subject land is not near the site for a second Sydney airport.
5.9	North West Rail Link Corridor Strategy	Not applicable as the subject land is not near this corridor.
5.10	Implementation of Regional Plans	<p>This direction is relevant because it applies to all planning proposals.</p> <p>The planning proposal is consistent with this direction because it is consistent with the <i>Riverina Murray Regional Plan 2036</i>. Consideration of this regional plan is given in Attachment 'D'.</p>
6. Local Plan Making		
6.1	Approval and Referral Requirements	<p>This direction is relevant because it applies to all planning proposals.</p> <p>The planning proposal is consistent with this direction because it does not propose any referral requirements or nominate any development as 'designated development'.</p>

No.	Title	Consistency
6.2	Reserving Land for Public Purposes	This direction is relevant because it applies to all planning proposals. The planning proposal is consistent with this direction because it does not remove or propose any public land.
6.3	Site Specific Provisions	Not applicable as the proposal does not propose any site specific provisions.
7.	Metropolitan Planning	
7.1	Implementation of A Plan for Growing Sydney	Not applicable as the subject land is not within one of the local government areas nominated in this direction.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable as the subject land is not within one of the local government areas nominated in this direction.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable as the subject land is not within one of the local government areas nominated in this direction.
7.4	Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	Not applicable as the subject land is not within the North West Priority Growth Area.
7.5	Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable as the subject land is not within the Greater Parramatta Priority Growth Area.
7.6	Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	Not applicable as the subject land is not within the Wollondilly Shire Council.

Attachment C

Consistency with planning principles in Murray
Regional Environmental Plan No.2 – Riverine Land

Principles to be taken into account	Compatibility of proposal
General <p>(a) the aims, objectives and planning principles of this plan.</p> <p>(b) any relevant River Management Plan</p> <p>(c) any likely effect of the proposed plan or development on adjacent and downstream local government areas.</p> <p>(d) the cumulative impact of the proposed development on the River Murray.</p>	<p>Satisfaction against the general objectives can be determined by the assessment against the specific principles below.</p> <p>There are no known river management plans relevant to the proposal.</p> <p>Polluted stormwater is the only consequence of the development that potentially could have a detrimental downstream impact. The subject land is more than two kilometres from the river floodplain and stormwater from any future subdivision will be detained and treated prior to discharge.</p> <p>None.</p>
Access <p>The waterway and much of the foreshore of the River Murray is a public resource. Alienation or obstruction of this resource by or for private purposes should not be supported.</p> <p>Development along the main channel of the River Murray should be for public purposes. Moorings in the main channel should be for the purposes of short stay occupation only.</p> <p>Human and stock access to the River Murray should be managed to minimise the adverse impacts of uncontrolled access on the stability of the bank and vegetation growth.</p>	<p>The proposal does not prevent access to the river.</p> <p>Not applicable.</p> <p>The subject land does not have frontage to the river.</p>
Bank disturbance <p>Disturbance to the shape of the bank and riparian vegetation should be kept to a minimum in any development of riverfront land.</p>	<p>The development is not on riverfront land.</p>

Principles to be taken into account	Compatibility of proposal
<p>Flooding</p> <p>Where land is subject to inundation by floodwater:</p> <ul style="list-style-type: none"> (a) the benefits to riverine ecosystems of periodic flooding, (b) the hazard risks involved in developing that land, (c) the redistributive effect of the proposed development on floodwater, (d) the availability of other suitable land in the locality not liable to flooding, (e) the availability of flood free access for essential facilities and services, (f) the pollution threat represented by any development in the event of a flood, (g) the cumulative effect of the proposed development on the behaviour of floodwater, and (h) the cost of providing emergency services and replacing infrastructure in the event of a flood. <p>Flood mitigation works constructed to protect new urban development should be designed and maintained to meet the technical specifications of the Department of Water Resources</p>	<p>The Flood Planning Map in the CLEP shows that the subject land is not subject to inundation in a 1 in 100 year event.</p> <p>Not applicable.</p>
<p>Land degradation</p> <p>Development should seek to avoid land degradation processes such as erosion, native vegetation decline, pollution of ground or surface water, groundwater accession, salination and soil acidity, and adverse effects on the quality of terrestrial and aquatic habitats.</p>	<p>The only land disturbance arising from the proposal is site preparation. During construction of future subdivision and development, earthworks will be controlled via a Soil and Water Management Plan.</p>
<p>Landscape</p> <p>Measures should be taken to protect and enhance the riverine landscape by maintaining native vegetation along the riverbank and adjacent land, rehabilitating degraded sites and stabilising and revegetating riverbanks with appropriate species.</p>	<p>The subject land is not on or adjacent to the river bank.</p>
<p>River related uses</p> <p>Only development which has a demonstrated, essential relationship with the river Murray should be located in or on land adjacent to the River Murray. Other development should be set well back from the bank of the River Murray</p> <p>Development which would intensify the use of riverside land should provide public access to the foreshore.</p>	<p>The subject land is not 'on' or adjacent to the river.</p> <p>The subject land is not 'riverside' land.</p>

Principles to be taken into account	Compatibility of proposal
<p>Settlement</p> <p>New or expanding settlements (including rural-residential subdivision, tourism and recreational development) should be located:</p> <p>(a) on flood free land,</p> <p>(b) close to existing services and facilities, and</p> <p>(c) on land that does not compromise the potential of prime crop and pasture land to produce food or fibre.</p>	<p>The subject land is:</p> <p>(a) 'flood free';</p> <p>(b) can be serviced with all urban infrastructure; and</p> <p>(c) is not 'prime' agricultural land.</p>
<p>Water quality</p> <p>All decisions affecting the use or management of riverine land should seek to reduce pollution caused by salts and nutrients entering the River Murray and otherwise improve the quality of water in the River Murray.</p>	<p>It is possible that development of the land for urban industrial purposes will result in an improvement of water quality in the river because existing run-off from the agricultural activity is unconstrained and potentially more polluted.</p>
<p>Wetlands</p> <p>Wetlands are a natural resource which have ecological, recreational, economic, flood storage and nutrient and pollutant filtering values.</p> <p>Land use and management decisions affecting wetlands should:</p> <p>(a) provide for a hydrological regime appropriate for the maintenance or restoration of the productive capacity of the wetland,</p> <p>(b) consider the potential impact of surrounding land uses and incorporate measures such as a vegetated buffer which mitigate against any adverse effects,</p> <p>(c) control human and animal access, and</p> <p>(d) conserve native plants and animals</p>	<p>The subject land does not contain a wetland.</p>

Attachment D

Consistency with the Riverina-Murray Regional
Plan 2036

Goal, Direction & Action Title	Applicable to the Planning Proposal	Consistency
Goal 1 – A growing and diverse economy		
Direction 1 – Protect the region’s diverse and productive agricultural land.	Yes, as the subject land is currently used for productive agricultural purposes.	Consideration of the loss of agricultural land is provided in the assessment of the Planning Proposal against the provisions of the Rural Lands SEPP (Attachment ‘A’) and Ministerial Direction 1.5 Rural Lands (Attachment ‘B’).
Direction 2 – Promote and grow the agribusiness sector.	Not applicable, as the proposal does not relate to agribusiness.	N/A
Direction 3 – Expand advanced and value-added manufacturing.	Yes, as the proposal does potentially relate to future value-added manufacturing.	The purpose of the Planning Proposal is both to implement the Federally funded HIEP Project and to provide additional supply of industrial land within the Howlong Industrial Estate. Within this context the proposal is supporting this direction.
Direction 4 – Promote business activities in industrial and commercial areas.	Yes, as the proposal is to facilitate the growth of industry in Howlong.	The rezoning of the subject land will promote industrial business activities in Howlong through the HIEP Project.
Direction 5 – Support the growth of the health and aged care sectors.	Not applicable, as the proposal does not relate to the health and aged care sectors.	N/A
Direction 6 – Promote the expansion of education and training opportunities.	Yes, as the proposal will facilitate industrial development that in turn will provide training opportunities.	The proposal is in response to committed industrial investment in Howlong and is not speculative.
Direction 7 – Promote tourism opportunities.	Not applicable, as the proposal does not relate to tourism.	N/A

Direction 8 – Enhance the economic self-determination of Aboriginal communities.	Not applicable to the subject proposal.	N/A
Direction 9 – Support the forestry industry.	Not applicable, as the proposal does not relate to forestry.	N/A
Direction 10 – Sustainably manage water resources for economic opportunities.	Not applicable to the subject proposal.	N/A
Direction 11 – Promote the diversification of energy supplies through renewable energy generation.	Not applicable to the subject proposal.	N/A
Direction 12 – Sustainably manage mineral resources.	Not applicable, as the subject land is not known to contain any significant mineral resources.	N/A
Goal 2 – A healthy environment with pristine waterways		
Direction 13 – Manage and conserve water resources for the environment.	Not applicable, as the subject land is not known to contain any water resources.	N/A
Direction 14 – Manage land uses along key river corridors.	Not applicable as the subject land is more than two kilometres from the Murray river floodplain.	N/A

Direction 15 – Protect and manage the region's many environmental assets.	Not applicable, as the Planning Proposal does not include land identified on the Terrestrial Biodiversity Map, the Watercourse Map or the Wetlands Map in the CLEP.	N/A
Direction 16 – Increase resilience to natural hazards and climate change.	Not applicable as the subject land is not identified as at risk from natural hazards.	N/A
Goal 3 – Efficient transport and infrastructure networks		
Direction 17 – Transform the region into the eastern seaboard's freight and logistics hub.	Yes as the proposal has the potential to create an industrial environment contributing to a transport 'hub'.	The successful implementation of the HIEP Project specifically will result in a transport 'hub' in Howlong.
Direction 18 – Enhance road and rail freight links.	Not relevant, as the proposal does not relate to transport infrastructure.	N/A
Direction 19 – Support and protect ongoing access to air travel.	Not relevant, as the proposal will not affect air travel.	N/A
Direction 20 – Identify and protect future transport corridors.	Not relevant, as the proposal does not relate to transport corridors.	N/A

Direction 21 – Align and protect utility infrastructure investment.	Yes, as the proposal seeks to rezone land for urban purposes.	The Planning Proposal is consistent with this Direction and will not place any undue pressures or demands on infrastructure as the future development can be adequately serviced. Part of the Federal funding for the HIEP Project will go to the upgrading and expansion of infrastructure currently servicing the industrial estate.
Goal 4 – Strong, connected and healthy communities		
Direction 22 – Promote the growth of regional cities and local centres.	Yes, as the proposal is part of the Howlong township.	The Planning Proposal will support and promote the growth of Howlong via the rezoning of land for industrial purposes and in turn implementation of the HIEP Project. This in turn will contribute to the demand for residential growth in Howlong, which is consistent with this Direction.
Direction 23 – Build resilience in towns and villages.	Yes as the proposal supports the Howlong community.	An increasing population builds resilience and this will be the outcome of the Planning Proposal courtesy of the HIEP Project.
Direction 24 – Create a connected and competitive environment for cross-border communities.	Whilst Howlong is located on the Murray River, there is no town opposite on the Victorian side.	N/A
Direction 25 – Build housing capacity to meet demand.	Not applicable as the proposal relates to industrial development.	N/A
Direction 25 – Build housing capacity to meet demand.	Not applicable as the proposal relates to industrial development.	N/A
Direction 26 – Provide greater housing choice.	Not applicable as the proposal relates to industrial development.	N/A
Direction 27 – Manage rural residential development.	Not applicable as the proposal relates to industrial development.	N/A

Direction 28 – Deliver healthy built environments and improved urban design.	Yes, as the proposal will result in the expansion of the urban environment.	The Planning Proposal is generally consistent with the actions of this Direction bearing in mind that the rezoning of the land alone has little influence on urban design.
Direction 29 – Protect the region's Aboriginal and historic heritage.	Yes, as the development occurring as a result of the rezoning needs to consider the impact on Aboriginal heritage.	The 'due diligence' assessment of the potential impact of the proposal on Aboriginal heritage indicates that this will be low and more intensive investigation is not warranted.

Attachment E

Supply of industrial land &
concept plan of subdivision

In This Section

Doing Business

Economic Profile

Industrial Estates

Corowa Airport Industrial Estate

Mulwala Business Park

Howlong Industrial Estate

Howlong Industrial Estate

The Howlong Industrial Estate is located in Jude Road Howlong. It is just 15 minutes from Albury/Wodonga and less than 10 minutes from the Hume Freeway and Barnawatha LOGIC Centre, Australia's Industry Hub.

There is currently no land available for sale within this estate.

For further information or assistance about industrial land for sale, please [contact Council](#) on (02) 6033 8999 or complete the form below and a team member will be in touch with you.

Industrial Land Enquiry Form:

First Name (required)

Surname (required)


Telephone (required)

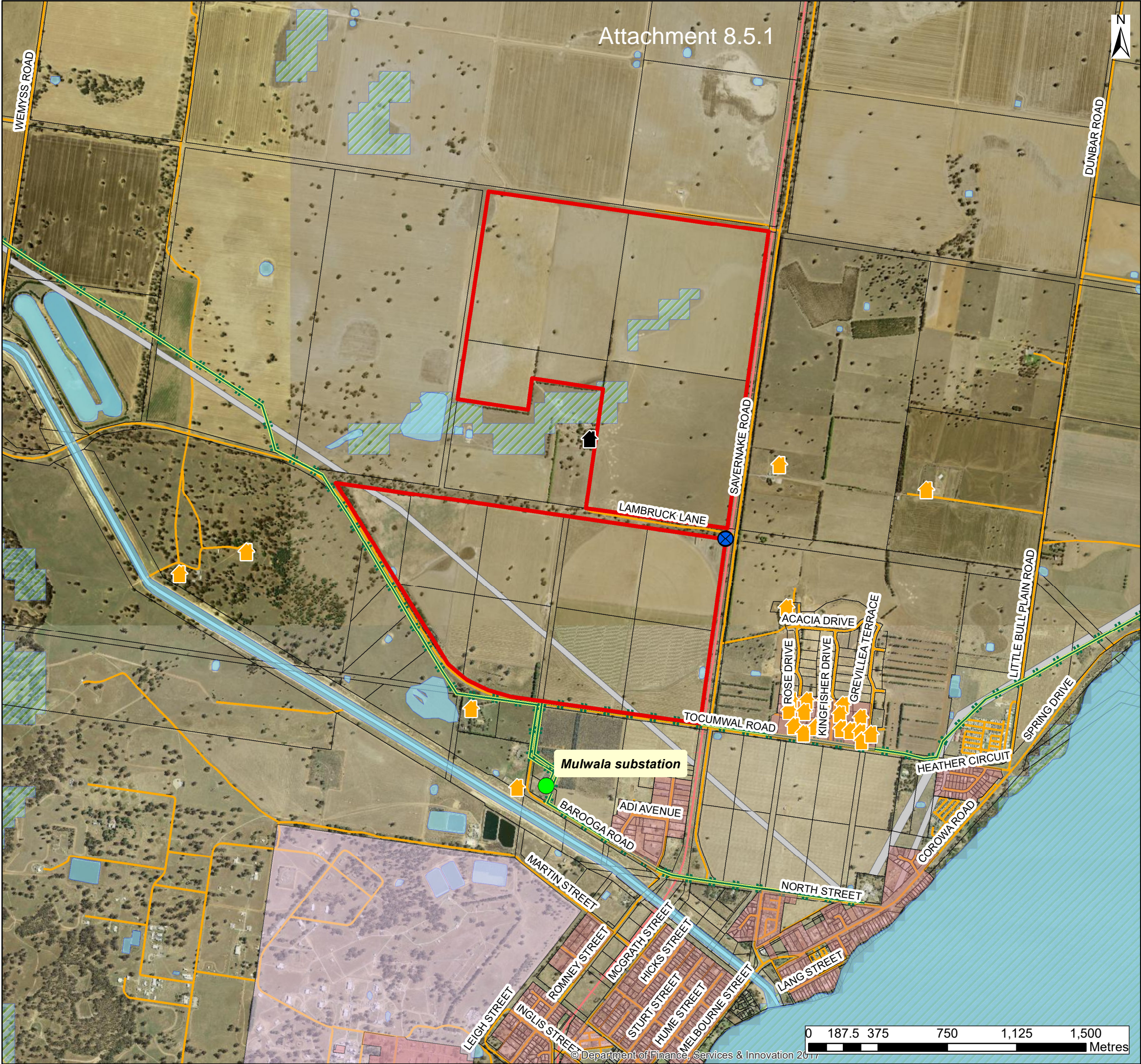
Email

Preferred contact method (required)

- ☐ Email
☐ Telephone



Scale 1:2500		Datum Horiz: MGA Vert: AHD		Rev.	Description	Approved	Date	Drainage - Green Water pipes - Blue Sewerage - Brown	Design	.	.	 COROWA SHIRE COUNCIL 100 Edward Street, Ball Park P.O Box 77 Corowa NSW 2646 Tel: (02) 6033 8999 Fax: (02) 6033 3317 E-Mail: council@corowa.nsw.gov.au	HOWLONG INDUSTRIAL ESTATE	File Path: N:\Trim\01 - SC2431 - Commercial Activities - Data\Howlong Industrial subdivision\REVISED LOT CONFIGURATION.dwg	
									Drawn	.	.			Plot Date: 26 September 2017 - 9:55 A	
									Checked	.	.				
									Approved						
									Manager Technical Services	Date					
A1	Surveyor: .			Original drawing signed by persons named in adjacent block.										Drwg No.	Rev. A



PROJECT

Mulwala Solar Farm

MAP TITLE

Site map - Figure 2

Title Info

LEGEND

Project area maximum extent

Proposed Access Point

Land Parcels

Dwelling owned by project area landowner

Dwelling owned by surrounding landowners

General Cultural Area

Heritage Area

TransGrid Substation

Essential Energy Transmission lines

Easement

Murray Irrigation channel

Water Area

Wetlands (NSW dataset)

Roads / Tracks

Railway

ESCO

Pacific

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Datasets: OpenStreetMap

Projection: GDA94 MGA55

DATE	21/11/2017	SCALE	1:20,000	Page Size	A3
STATUS	DRAFT	PRODUCED	C. Berge	APPROVED	A. Hawke
MAP No.	MUL_LAY_006_01_Site_Map	REV	01		

Mulwala Solar Farm

Preliminary Environmental Assessment – Scoping Report



December 2017

Document Information	
Prepared by	Cédric Bergé, Environmental consultant – Development Manager
File Ref:	171020_MUL_PEA Scoping Draft v1
Version:	Version 2 – Draft
Distribution:	Public – Uncontrolled when printed

Revision History

Revision	Description	Author	Review	Approval	Date
1	Draft	C. Bergé	T. Robertson	A. Hawke	17/11/17

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1 Abbreviations

AC	alternating current
AHIMS	Aboriginal Heritage Information Management System
CEMP	Construction Environmental Management Plan
Cwlth	Commonwealth
DC	direct current
DoE	Department of Environment (Cwlth)
DPE	Department of Planning and Environment (NSW)
EEC	Endangered Ecological Community
EIS	Environmental Impact Statement
EPBC Act	Environmental Protection and Biodiversity Conservation Act 1999
EP&A Act	Environmental Planning and Assessment Act 1979
FM Act	Fisheries Management Act 1994 (NSW)
GWh	gigawatt hours
Ha	hectares
Heritage Act	Heritage Act 1977 (NSW)
ICNIRP	International Commission on Non-Ionizing Radiation Protection
ICNG	Interim Construction Noise Guideline
ISEPP	State Environmental Planning Policy (Infrastructure) 2007 (NSW)
km	kilometre
km ²	square kilometre
kV	kilovolt
LEP	Local Environmental Plan
LGA	Local Government Area
m	metres
MNES	Matters of National Environmental Significance (under the EPBC Act)
MW	megawatts
NW Act	Noxious Weeds Act 1993 (NSW)
NPW Act	National Parks and Wildlife Act 1974 (NSW)
NV Act	Native Vegetation Act 2003 (NSW)
OEH	Office of Environment and Heritage (NSW)
PEA	Preliminary Environmental Assessment
PCU	power conversion unit
RET	Renewable Energy Target
RMRP	Riverina Murray Regional Plan 2036
RMS	Roads and Maritime Service
SEARs	Secretary's environmental assessment requirements
SEPP	State Environmental Planning Policy

SSD	State significant development
TEC	Threatened Ecological Community (listed under the EPBC Act)
TSC Act	Threatened Species Conservation Act 1995

2 Introduction

2.1 Project overview

The proposed Mulwala Solar Farm is a utility-scale renewable energy project of up to 140 megawatt (MW) that would be located north of the township of Mulwala in New South Wales (NSW) and would generate renewable energy from the power of the sun. Mulwala has been chosen as the location of the solar farm because of the relatively high solar irradiance in the region and the capacity of the Essential Energy electricity network to transmit the power generated by the project.

General information about the project is provided in Table 1.1. The proposed project area is shown in relation to Mulwala in Figure 1.1.

Table 1. Table 1.1 Project details

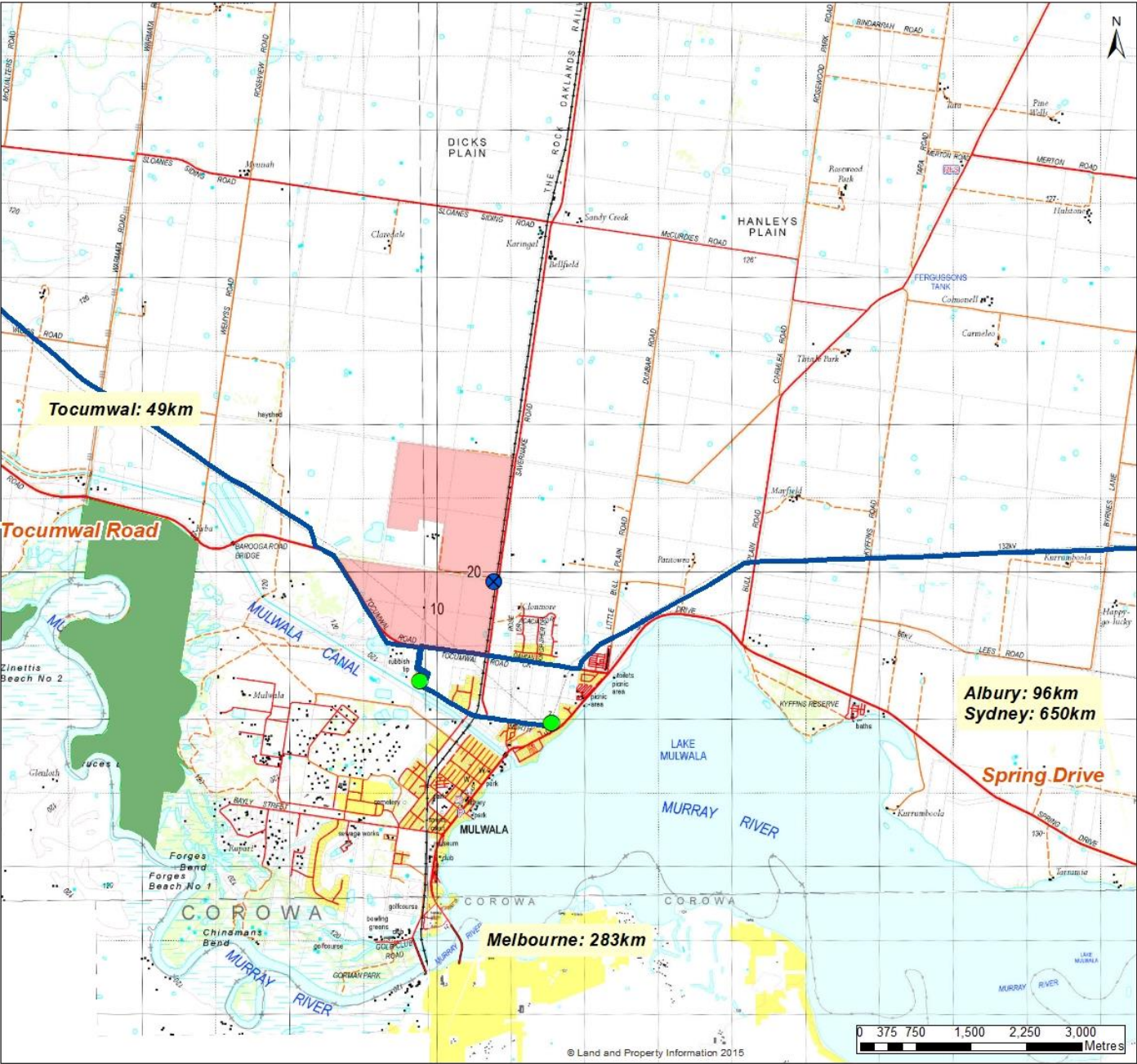
Name	Mulwala Solar Farm
Address	Savernake Rd, Mulwala, New South Wales 2647
Proponent	ESCO Pacific
Council	Federation Council
Titles	<ul style="list-style-type: none"> • Lot 1 in DP100773 • Lots 1-7 in DP134511 • Lot 103 in DP752290 • Lots 114-116 in DP752290 • Lot 125 in DP752290 • Lot 132 in DP752290
Total indicative area	Secured land tenure: 378 hectares Area required for solar farm: up to 270 hectares
Land Use	Grazing, cropping
Capacity	Up to 140 MW
Connection	Mulwala 132 kV substation (Essential Energy) – 500m to the south

2.2 Site details

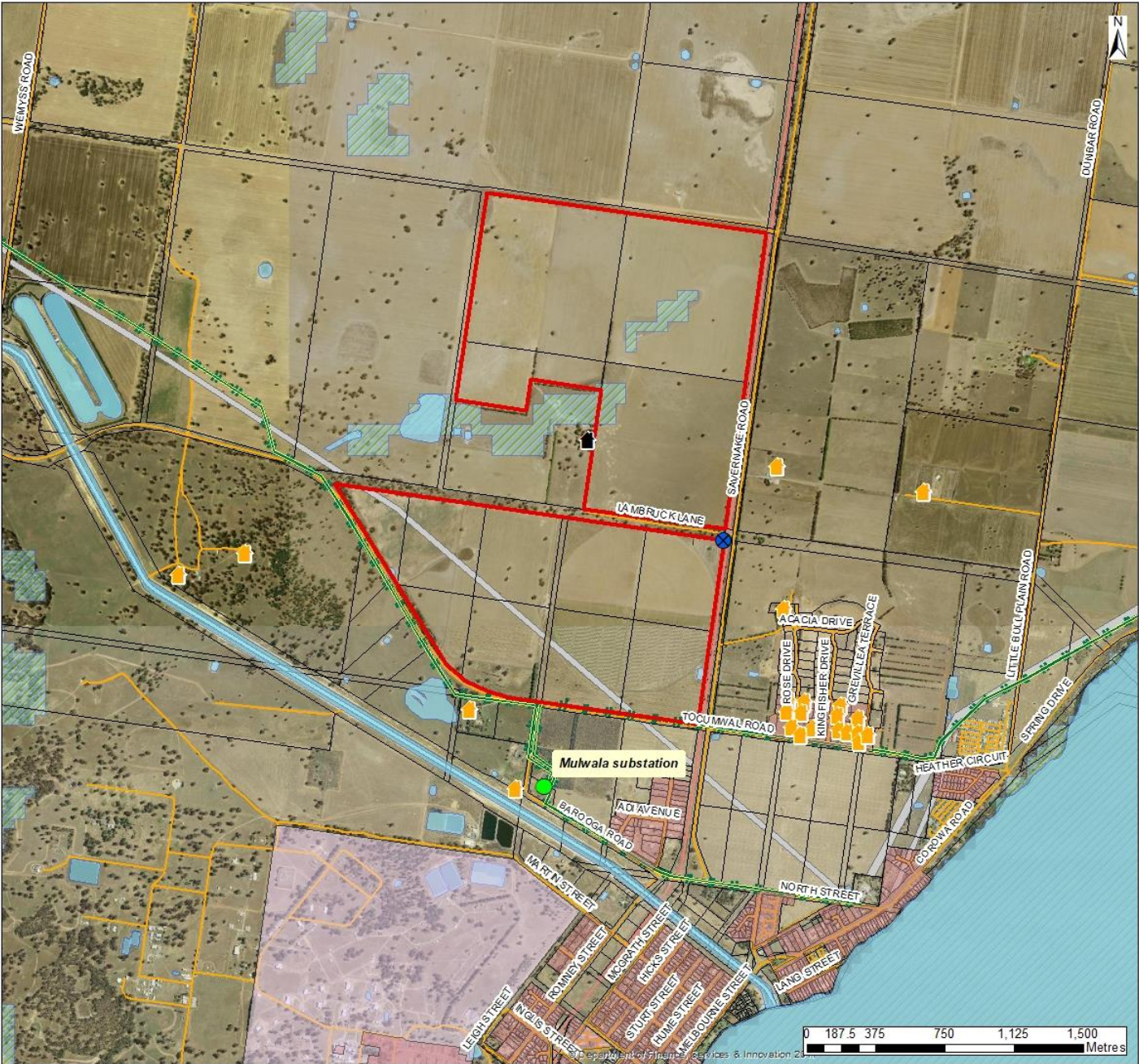
The Mulwala Solar Farm is located approximately 2km north of Mulwala township, within the Federation Local Government Area (LGA). Federation Council is located to the north of the Murray River, on the banks of Lake Mulwala, halfway between Albury and Echuca, and is situated in the Southern Riverina region of NSW. Farming has traditionally been the primary source of employment in the area, although this has evolved with the diversification of the economic base to include tourism and various other rural industries. (Federation Council 2017).

A map of the proposed project area is shown in Figure 1.2, and crosses the properties of one landholder who is engaged in agricultural and grazing activities. The land comprises flat-lying open paddocks. The southeast paddock is irrigated with water pumped from a bore. Due to a long history of agriculture and grazing, the project area is highly modified.

The project area is bounded to the East by Savernake Road and to the South and West by Tocumwal Road. The nearest major roads are the Murray Valley Highway located approximately 6 km to the south in Victoria and the Riverina Highway approximately 25 km to the north (see Figure 1.1).



PROJECT Mulwala Solar Farm		
MAP TITLE Project location and Access Figure 1		
Title Info		
LEGEND Project Area Proposed Access Point Substation Essential Energy Transmission lines		
ESCO Pacific		
<small>DISCLAIMER: This plan was prepared for the purpose and exclusive use of ESCO Pacific Pty Ltd and its subsidiaries and is not to be used for any other purpose. This map is not guaranteed to be free from errors or omissions. The location of features should not be relied on as exact field locations. Copyright: Copyright 2015 ESCO Pacific Pty Ltd</small>		
DATE 17/11/2017	SCALE 1:50,000	Page Size A3
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MAP No. MUL_LAY_005_01_Location_Access		REV 01



PROJECT		
Mulwala Solar Farm		
MAP TITLE		
Site map - Figure 2		
Title Info		
LEGEND		
<div><div></div>Project area maximum extent</div> <div><div></div>Proposed Access Point</div> <div><div></div>Land Parcels</div> <div><div></div>Dwelling owned by project area landowner</div> <div><div></div>Dwelling owned by surrounding landowners</div> <div><div></div>General Cultural Area</div> <div><div></div>Heritage Area</div> <div><div></div>TransGrid Substation</div> <div><div></div>Essential Energy Transmission lines</div> <div><div></div>Easement</div> <div><div></div>Murray Irrigation channel</div> <div><div></div>Water Area</div> <div><div></div>Wetlands (NSW dataset)</div> <div><div></div>Roads / Tracks</div> <div><div></div>Railway</div>		
<div><div>ESCO</div><div>Pacific</div></div>		
<small>DISCLAIMER This plan was prepared for the purpose and exclusive use of ESCO Pacific Pty Ltd and its subsidiaries and is not to be used for any other purpose. This map is not guaranteed to be free from errors or omissions. The location of features should not be relied on as exact field locations. Copyright: Copyright: ESCO Pacific Pty Ltd</small>		
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MUL_LAY_006_01_Site_Map	01	

A 132 kV transmission powerline runs along the southwest boundary of the project area (along Tocomwal Road) and connects into the Mulwala 132 substation (Essential Energy) located south of the boundary of the area (see Figure 1.2).

2.3 Proponent

ESCO Pacific is an Australian developer of ground-mounted utility-scale solar farms. The company was founded in 2015 to develop renewable energy assets under the then recently revised Australian Renewable Energy Target (RET).

Headquartered in Melbourne, ESCO Pacific has a highly experienced team of energy, infrastructure, development and corporate finance professionals with specific experience in developing, and delivering to market, utility-scale renewable energy projects in Australia and internationally.

ESCO Pacific has a pipeline of projects in NSW, Queensland and Victoria in excess of 1.25GW that in December 2017 included:

- the 148 MW Ross River Solar Farm, near Townsville, with construction works commencing in late-2017
- six additional approved projects in Queensland, totalling 500 MW
- the 170 MW Finley Solar farm in NSW, determination of planning consent predicted by the end of 2017
- two projects in Victoria totalling 235 MW (approvals due early 2018).

2.4 Capital investment value

The proposed Mulwala Solar Farm is currently in the feasibility and design stage. The capital investment value of the project, while not yet finally determined, is estimated to be \$130,000,000 for a 140 MW project. The capital cost of the project will exceed the \$30 million threshold for it to be classified as a State Significant Development (SSD), as defined under the State Environmental Planning Policy (State and Regional Development) 2011 (see Section 5.2.2).

2.5 This report

This Preliminary Environmental Assessment – Scoping Report (PEA Scoping Report) has been prepared in accordance with the requirements of the Department of Planning and Environment (DPE) for projects identified as SSDs and therefore requires an Environmental Impact Statement (EIS) to be prepared under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The report will support a request to DPE from ESCO Pacific for the Secretary's Environmental Assessment Requirements (SEARs) for the EIS.

The report:

- describes the proposed development, including project justification and alternatives considered
- outlines permissibility and strategic planning requirements for the project under NSW and Commonwealth legislative frameworks
- describes the existing environmental and social context of the project
- provides a preliminary assessment of project impacts and management
- sets out previous, current and proposed stakeholder consultation
- proposes environmental assessment requirements for incorporation into the SEARs.

3 Development description

The proposed Mulwala Solar Farm project is a utility scale renewable energy project that would generate up to 140 MW of clean and renewable electricity. The solar farm would comprise up to 400,000 solar photovoltaic modules, known more commonly as 'PV Modules' or 'solar panels'. The solar panels use the same type of technology used in residential solar installations located commonly throughout Australia, however are larger in size.

The solar panels would be installed on ground-mounted frames that would slowly track the daily horizontal movement of the sun. They would generate direct current (DC) electricity that would be converted to alternating current (AC), which is the standard form of electricity used throughout Australia.

3.1 Design and configuration

The solar panels and horizontal tracking systems would be mounted in rows that would be electrically connected into arrays before being converted from DC to AC electricity via containerised power conversion units. The electricity would then be fed, via an underground, on-site, high voltage power reticulation system, into the local electricity network.

3.1.1 Grid and road access

The proposed project site offers proximity to the existing electricity network via the nearby Mulwala 132 kV Substation (see Figure 1.2).



Photo 1 – Mulwala substation (Essential Energy)

Photo 2 – Tocumwal Road and Essential Energy 132kV Transmission line

Access to the site during construction and operation is expected to be from Savernake Road.

3.1.2 Key elements

Key elements of the project would include:

- Installation of solar panels in regular arrays.
- Each solar panel would be fixed to a metal mounting structure. The mounting structure would be piled or screwed into the ground without the need for any concrete. The mounting structure would slowly and silently track (on a single axis) the horizontal movement of the sun. There is also an alternative option to install a fixed tilt mounting structure. Both mounting structure options would not exceed 4 m in height.
- Above ground DC cabling will connect each module in a string (up to 400,000 modules in total) to field combiner boxes mounted underneath the solar panels. The combiner boxes would sit approximately 1 m off the ground.
- Underground DC cabling would run from the combiner boxes to the central inverters.

- Central inverters, step up transformers and switchgear would be located in 40 foot containers or container skid pads. A power conversion unit (PCU) within each array block would convert the DC electricity generated by the solar panels into AC electricity for connection to the national electricity grid.
- Underground AC cabling would run from the PCUs to the solar substation.
- A main step up transformer and associated equipment in the solar substation would convert the on-site AC reticulated 33 kV electricity to 132 kV electricity for connection via high voltage cable to the nearby Mulwala substation where it would enter the local electricity network.
- Internal vehicle access tracks would be constructed from the entrance point to each PCU and to the solar substation to allow for maintenance of the site.
- Perimeter safety fencing would be installed around the site and a fixed, closed-circuit television (CCTV) system established within the fence perimeter.
- Supervisory control and data acquisition (SCADA) control systems would monitor the performance of the equipment.
- A site office and maintenance building would be installed.
- Temporary infrastructure would be put in place during site construction including the site compound and storage areas.

3.1.3 Potential for battery storage

The proposal will also include the potential for battery storage to be installed on site.

Solar Farms are an intermittent source of energy. Battery storage systems can be used either to smooth the fluctuating energy produced by the solar farm or to store the excess energy during low demand periods which can be subsequently used during higher demand periods or when solar energy is unavailable (e.g. at night).

The batteries can also compensate for frequency variations in the electricity network which are caused by intermittent renewable generators as well as fluctuations in consumption. Batteries can store electricity from the network or feed electricity into the grid in a matter of seconds and compensate for the fluctuations caused by renewables or resulting from power plant outage or irregularities in consumption.

In addition to the shifting of electricity output, energy storage on the site can contribute to:

- improved reliability of the electricity network and reduced electricity costs associated with network upgrades to deal with peak energy demand
- improved sustainable outcomes by combining clean energy generation with clean energy storage.

3.2 Construction

The construction process for the project would involve the following activities:

- Site access and establishment.
- Civil works: limited grading, compaction, stormwater drainage and sediment controls and dust suppression.
- Installation of the mounting structures: rows of driven piles would be pneumatically driven into the ground using specialist equipment, and steel mounting structures would then be attached to the piles. If required, ground screws may replace the need for driven piles.
- Installation of the solar panels onto the mounting structures.
- Installation and connection of the solar panels to the combiner boxes.
- Installation of the power conversion stations.
- Connection of the combiner boxes to the power conversion stations and underground cabling.
- Connection of the power conversion stations to form the onsite power reticulation system to evacuate power from the site.
- Grid connection works taking power from the onsite reticulation system to the local electricity grid.

- Commissioning and testing.

The proposed Mulwala Solar Farm would be expected to create up to 130 jobs during construction, which is anticipated to take up to 9 months.

Construction activities would be undertaken during standard hours for construction works. Any construction or commissioning activities outside of these standard working hours would require approval from relevant authorities. Any affected local residences would be informed of the timing and duration of the proposed activities, prior to the commencement of any works.

3.3 Operation

The project is anticipated to operate for up to 40 years. A minimal number of personnel, up to four full-time and eight part-time positions, would be required for the operation and maintenance of the project.

Operational activities involve monitoring of equipment on a daily basis, full servicing of inverters and substation equipment on a quarterly basis, and cleaning of the solar panels at regular intervals depending on how the system performs benchmarked to weather conditions.

It is expected the solar panels would need cleaning, on average, four times during any calendar year. Any water required for module cleaning, would be either sourced locally (the landowner has readily available water on site that he no longer has a use for, and informed that he can supply water or, if required brought, in from offsite. There would be no storage of hazardous or dangerous goods or materials on site during the operation of the project.

3.4 Decommissioning

At the end of its operational life the solar farm would be decommissioned and the site rehabilitated, with the aim of returning it to its pre-existing condition. All above-ground and underground infrastructure will be removed, allowing the pre-existing agricultural land use activities to resume, or new land uses in the area to be established.

4 Justification and alternatives considered

4.1 Project justification

Since 2001, the Commonwealth Government has mandated the use of energy from renewable resources in electricity generation. In 2009, the RET scheme mandated that 20% of Australia's electricity supply was to come from renewable sources by 2020 (NSW Trade and Investment 2013).

In 2011, the RET was split into two parts comprising a large-scale RET scheme and a small-scale renewable energy scheme. The large scale RET scheme created a financial incentive to establish and expand renewable power stations such as solar farms, wind farms and hydro-electric power stations and deliver the majority of the 2020 target. The target has since been adjusted and the current RET is 33,000 GWh by 2020 (Clean Energy Regulator 2017).

The RET scheme sits within the broader context of Australia's need to reduce greenhouse gas emissions to meet its commitments under the 1997 Kyoto Protocol and revised emissions target under the 2015 Paris Agreement (Commonwealth of Australia 2015).

The Mulwala Solar Farm would contribute Australia's greenhouse gas commitments by reducing emissions associated with energy use and contributing to the achievement of the RET. The solar farm would also be part of the transition away from fossil fuel reliance to cleaner electricity generation, and the transition to increased energy security through a more diverse energy mix.

At a State level, the Mulwala Solar Farm proposal is consistent with current goals and targets for renewable energy generation in NSW. These include (NSW Trade and Investment 2013):

- supporting the achievement of the RET
- attracting renewable energy investment and projects
- building community support for renewable energy
- attracting and growing expertise in renewable energy.
- employment opportunities during construction, including engagement of local contractors and materials and service providers
- long-term local employment opportunities over the life of the project
- contributions to local infrastructure improvements
- education and training of contractors and local residents
- rent received from workers accommodated in the area.

4.2 Alternatives

4.2.1 Site selection

ESCO Pacific has undergone a process of constraints and opportunities analysis to identify potential project sites in NSW and other States. This process has included consideration of factors such as:

- regulatory settings for renewable energy projects
- solar irradiation levels
- access to and capacity of the existing energy network
- potential for land acquisition
- land suitability (topography, existing land use, flood risk, zoning etc.)
- need to minimise environmental and social impacts (e.g. avoiding sensitive environments or areas of cultural heritage value).

The proposed location for the Mulwala Solar Farm emerged as a highly prospective site for the development of a solar project and a decision was made to initiate pre-development investigations and activities.

4.2.2 Project design and configuration

The design and configuration of the project would take into account the findings of EIS studies and investigations. This would include consideration of environmental and social factors such as the need to:

- identify and operate within any environmental constraints (such as avoiding areas within the project area that may be of conservation significance)
- minimise disruption to local landholders
- minimise amenity issues
- take into account the expectations and any concerns of the local community and Federation Council.

These considerations will be balanced against the need to achieve design, construction and operational efficiencies to reduce projects costs and maximise solar yields.

5 Permissibility and strategic planning

5.1 Commonwealth legislation

5.1.1 Environmental Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), administered by the Commonwealth Department of the Environment (DoE), requires approval from the Environment Minister for actions likely to have a significant impact on a Matter of National Environmental Significance (MNES).

The EPBC Act identifies the following nine MNES:

- World Heritage properties
- National heritage places
- Wetlands of international significance (Ramsar wetlands)
- Nationally threatened species and ecological communities
- Migratory species
- Commonwealth marine areas
- The Great Barrier Reef Marine Park
- Nuclear actions (including uranium mining)
- Water resources (relating to coal seam gas development and large coal mining development).
- Any proposed action likely to have a significant impact on the following must be referred to the DoE to determine whether the action is a 'controlled action' and include:
 - Actions that have a significant impact on MNES
 - Actions that (indirectly or directly) have a significant environmental impact on Commonwealth land
 - Actions carried out by the Commonwealth Government

The assessment of the significance of the impact is based on the criteria listed in the DoE's *Significant Impact Guidelines 1.1* (DoE 2003). Should the Environment Minister decide the action will be taken in a manner that will ensure it will be likely to not have an adverse impact on the MNES, approval will be granted.

The EIS will consider the requirement for an 'EPBC Referral' to the Minister and this will be further assessed during the EIS process.

5.1.2 Native Title Act 1993

The *Native Title Act 1993* provides a national framework for the recognition and protection of native title i.e. the rights and interests, recognised by common law, possessed under traditional laws and customs of Aboriginal and Torres Strait Islander people.

The Act recognises the ownership (or set of rights and interest) of land or waters by Aboriginal and Torres Strait Island groups prior to European Settlement, and provides a mechanism for determining where native title exists, who holds it, and identifies compensation for actions affecting it. The Act establishes ways in which future dealings affecting native title may proceed and sets standards for those dealings.

People who hold native title have a right to practice their traditional laws and customs, whilst respecting Australian laws, and have a right to a) be consulted with regarding any proposed action on their land b) receive compensation for that action. In areas where native title existence has not been determined, a compensation application can be made by a registered native title body corporate or group of people asserting native title rights.

The potential existence of native title within the proposed project area will be considered during the EIS process.

5.1.3 Commonwealth Aboriginal and Torres Strait Islander Heritage Protection Act 1984

The *Aboriginal and Torres Strait Islander Heritage Protection Act 1984* enables the Australian Government to respond to requests to protect areas and objects of particular significance to Aboriginal people, if it appears that state or territory laws have not provided effective protection.

The Australian Government can make a declaration to protect an area, object or class of objects from a threat of injury or desecration. However, the government cannot make a declaration unless an Aboriginal person or group of persons has requested it. A declaration is only made if the relevant processes of the state or territory have been exhausted.

This Scoping Report considers the potential presence of Aboriginal heritage within the project area and this will be further assessed during the EIS process.

5.2 New South Wales legislation

5.2.1 Environmental Planning and Assessment Act 1979

The EP&A Act is the principle legislation regulating land use in NSW and is administered by DPE. The EP&A Act sets a framework for approval of developments in NSW and requires relevant planning authorities to assess potential environment and social impacts of proposed development or land-use change. The Act prescribes relevant planning bodies, environmental planning instruments, environmental assessment, and liability with regards to contaminated land.

The proposed project supports a number of objects of the EP&A by promoting and encouraging social, economic and environmental wellbeing through use of land for power generation using renewable sources.

Specifically, the project supports the following objects of the EP&A Act (and is also consistent with the remaining objects of the Act):

(a) to encourage:

- (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,
- (ii) the promotion and co-ordination of the orderly and economic use and development of land,
- (iii) the protection, provision and co-ordination of communication and utility services,
- (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and
- (vii) ecologically sustainable development

(b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and

(c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.

Development of the Mulwala Solar farm would be assessed under Part 4 'Development Assessment' of the EP&A Act (see Section 5.2.2, below).

5.2.2 State Environmental Planning Policy (State and Regional Development) 2011

The State Environmental Planning Policy (State and Regional Development) 2011 aims to identify development that is of State significance and confer functions on joint regional planning panels to determine development applications.

Under Clause 20 of Schedule 1 of the policy, the following is considered a State significant development (SSD):

Development for the purpose of electricity generating works or heat or their co-generation (using any energy source, including gas, coal, biofuel, distillate, waste, hydro, wave, solar or wind power) that:

- (a) has a capital investment value of more than \$30 million, or
- (b) has a capital investment value of more than \$10 million and is located in an environmentally sensitive area of State significance.

The Mulwala Solar farm project would be classified as an SSD under Part 4 of the EP&A Act, as it has a capital investment value of more than \$30 million.

As a SSD, the project would be assessed by DPE and require approval from the Minister for Planning and Environment. SSDs require the preparation of an Environmental Impact Statement (EIS) detailing potential environmental impacts as a result of the project and appropriate management measures. The EIS would be prepared in accordance with the requirements of the DPE SEARs.

The Mulwala Solar Farm is considered a SSD and will therefore require the preparation of an EIS and approval from the Minister for Planning and Environment.

5.2.3 State Environmental Planning Policy (Infrastructure) 2007

The State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) aims to facilitate the effective delivery of infrastructure across the State by providing for the development of electricity generating works on any land in a prescribed rural, industrial or special use zone for which there is consent, including large-scale solar energy systems.

Division 3, Part 4 of ISEPP specifically refers to solar energy systems, stating that (except as provided by subclause (8)), *development for the purpose of a solar energy system may be carried out by any person with consent on any land*. However, large-scale solar developments are still required to be broadly compatible with local land use objectives such as those outlined in an LEP (see Section 5.2.5).

ISEPP allows for the development of large-scale solar energy systems with consent even on land prescribed for rural use, although compatibility with local land use objectives needs to be considered.

5.2.4 State Environment Planning Policy No. 44 – Koala Habitat Protection

State Environment Planning Policy No. 44 – Koala Habitat Protection (SEPP 44) requires that for Development Applications ‘potential koala habitat’ must be determined. Such habitats are defined as having 15 per cent of trees of the species listed in the SEPP 44. The applicant must then ascertain whether the potential habitat is ‘core koala habitat’ (i.e. has a population of breeding koalas). If the site has core habitat then a koala plan of management must be prepared by the applicant. Should Koalas, or potential Koala habitat be identified within the study area, a Plan of Management may be required in consultation with the Director-General of the Office of Environment and Heritage (OEH).

The EIS will consider the presence of Koala habitat within the project area, and will conclude whether habitat is present and whether a Plan of Management is required (see Section 6.2).

5.2.5 Corowa Local Environmental Plan 2012

The project site is located within the Federation Council boundaries. Council is still operating with the former Corowa Shire Council and would therefore be subject to the relevant provisions of the 2012 Corowa Local Environmental Plan (Corowa LEP) (Federation 2017).

Federation Council has endorsed a Planning Proposal to amend Corowa Local Environmental Plan 2012.

Aims of Corowa LEP

The Corowa LEP provides local environmental planning provisions for land in the Corowa region in accordance with the relevant standard environmental planning instrument under section 33A of the EP&A Act.

The aims of the plan are:

- to promote sustainable urban development by consolidating infrastructure and urban growth around the existing centres of Corowa, Howlong and Mulwala
- to facilitate the equitable provision of social services and facilities for the community
- to maintain a strong economy by:
 - retaining sufficient rural land in a form suitable for primary production, and
 - encouraging tourist-related development in Corowa, Howlong and Mulwala townships and other suitable locations, and

- promoting opportunities for business development,
- to identify, protect, conserve and enhance Corowa's natural assets, particularly the bed and banks of the Murray River, its streams and tributaries
- to identify and protect Corowa's built and cultural heritage assets for future generations.

Land zoning

The proposed Mulwala Solar Farm and transmission line route are located on land zoned R2 – Low density Residential (southeast parcels) and RU1 – Primary Production (all other parcels).

The objectives of the R2 zone include the following:

- To provide for the housing needs of the community within a low density residential environment
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.

The objectives of the RU1 zone include the following:

- to encourage sustainable primary industry production by maintaining and enhancing the natural resource base
- to encourage diversity in primary industry enterprises and systems appropriate for the area
- to minimise the fragmentation and alienation of resource lands
- to minimise conflict between land uses within this zone and land uses within adjoining zones

The primary objective of the R2 zone is to encourage housing and related facilities, and the primary objective of the RU1 zone is to encourage primary production. Electricity generating works are prohibited in R2 and RU1 zones, however, under the ISEPP, development of electricity generation works is potentially allowed on any land with consent, particularly if there is compatibility with local land use objectives. In addition, the solar farm will have minimal impact on the ground surface and once the farm is decommissioned the site would be returned to its existing state.

Urban Release areas

The Corowa LEP contains a clause relative to developments within Urban Release areas. The southeast parcels are included in this type of areas.

The objective of Urban Release areas is to ensure that development on land in an urban release area occurs in a logical and cost-effective manner, in accordance with a Staging Plan and only after a Development Control Plan that includes specific controls has been prepared for the land.

The Development Control Plan must include:

- A Staging Plan for the timely and efficient release of urban land, making provision for necessary infrastructure and sequencing,
- An overall transport movement hierarchy showing the major circulation routes and connections to achieve a simple and safe movement system for private vehicles, public transport, pedestrians and cyclists,
- An overall landscaping strategy for the protection and enhancement of riparian areas and remnant vegetation, including visually prominent locations, and detailed landscaping requirements for both the public and private domain,
- A network of active and passive recreation areas,
- Stormwater and water quality management controls,
- Amelioration of natural and environmental hazards, including bush fire, flooding and site contamination and, in relation to natural hazards, the safe occupation of, and the evacuation from, any land so affected,
- Detailed urban design controls for significant development sites,
- Measures to encourage higher density living around transport, open space and service nodes,
- Measures to accommodate and control appropriate neighbourhood commercial and retail uses,

- Suitably located public facilities and services, including provision for appropriate traffic management facilities and parking.

Additional local provisions

The Corowa LEP contains a number of additional local provisions relating to matters such as earthworks, flood planning, stormwater management, terrestrial biodiversity, wetlands, and airspace operations. The terrestrial biodiversity and wetlands provisions are applicable to the project area.

Subdivision

The project area is located within zones Y (southeast paddock) and AE (all other parcels) for subdivision. Section 4.1 of the LEP states that the size of any lot resulting from a subdivision of land to which this clause applies is not to be less than 1 hectare in zone Y and 250 hectares in zone AE. No exemption exists at Council level, so subdivision, if required in zone AE, may not comply with the LEP. ESCO Pacific will be consulting with Federation Council regarding the potential need for subdivision and the implications for project approvals. This will be considered further during the EIS process.

The Mulwala Solar Project will be subject to the relevant provisions of the Corowa LEP. This Scoping Report considers the implications of the terrestrial biodiversity provisions (see Section 6.2).

5.2.6 Riverina Murray Regional Plan 2036

The proposed Mulwala Solar Farm falls within the Riverina Murray region of NSW. DPE has prepared the *Riverina Murray Regional Plan 2036* (RMRP) for the region which provides a 20-year blueprint for the future of the Riverina Murray (DPE 2017).

The plan sets out the NSW Government's vision for the Riverina Murray, which is to create a diversified economy founded on Australia's food bowl, iconic waterways and a strong network of vibrant and connected communities.

The Government has set four goals for the region to achieve this vision:

- a growing and diverse economy
- a healthy environment with pristine waterways
- efficient transport and infrastructure networks
- strong, connected and healthy communities.

The development of the Mulwala Solar Farm is consistent with these objectives, in particular the development of a growing and diverse economy.

The compatibility of the Mulwala Solar Farm with the objectives of the RMRP will be considered during the EIS process.

5.2.7 Roads Act 1993

The *Roads Act 1993* (Roads Act) provides a framework for the management of roads in NSW. It provides for the classification of roads and the declaration of the Roads and Maritime Services (RMS) and other public authorities as roads authorities for both classified and unclassified roads. The Roads Act confers functions on RMS and other roads authorities, and allows distribution of such functions between RMS and other roads authorities.

The Roads Act sets out procedures for the opening and closing of public roads and regulates the carrying out of various activities on public roads.

As part of the Mulwala Solar Farm proposal, a traffic assessment report outlining any requirements for use of roads in the area will be included. If required, approval from the RMS or local council will be sought under section 138 of the Roads Act.

5.2.8 Biodiversity Conservation Act 2016

The Biodiversity Conservation Act 2016 (BC Act) commenced on 25 August 2017 as part of the NSW Government's new framework for the conservation of biodiversity. It supersedes the Native Vegetation Act 2003, Threatened Species Conservation Act 1995, Nature Conservation Trust Act 2001 and sections of the National Parks & Wildlife Act 1974. The BC Act governs the management and conservation of biodiversity in NSW, which includes all flora, fauna and ecological communities, consistent with principles of ecologically sustainable development (as described in section 6(2) of the Protection of the Environment Administration Act 1991). The BC Act establishes (amongst others):

- a framework to avoid, minimize and offset the impacts of proposed development and land use change on biodiversity
- a scientific method for assessing the likely impacts on biodiversity values of proposed development and land use change, for calculating measures to offset those impacts and for assessing improvements in biodiversity values
- a market-based conservation mechanisms through which the biodiversity impacts of development and land use change can be offset at landscape and site scales.

The potential for impacts on biodiversity as a result of the Mulwala Solar Farm has been considered in this Scoping Report (see Section 6.2) and will be addressed further during the EIS process.

5.2.9 Local Land Services Amendment Act 2016

The *Local Land Services Act 2013* (LLS Act) was amended on 25 August 2017 in relation to native vegetation land management and clearance in rural areas, replacing the *Native Vegetation Act 2003*, as part of the NSW Government's new framework for the conservation of biodiversity. The LLS Act provides a framework for the management of local land services which include programs and advisory services relating to agricultural production, biosecurity, natural resource management (including management of native vegetation, weeds and pests) and emergency management.

The LLS Act aims to ensure natural resources are managed in accordance with the principles of ecologically sustainable development (as described in section 6(2) of the *Protection of the Environment Administration Act 1991*) in the social, economic and environmental interests of the State.

The management of local land services, specifically relating to native vegetation clearance on rural land, and the management of weeds, has been considered in this Scoping Report (see Section 6.2) and will be addressed further during the EIS process.

5.2.10 Biosecurity Act 2015

The *Biosecurity Act 2015* (Biosecurity Act) provides a statutory framework for the management of biosecurity risks from diseases, pests (plant and animal) and contaminants which have the potential to cause harm to the environment, people and the economy. The Biosecurity Act aims to reduce risks by: preventing the entry of diseases, pests and contaminants into NSW; identifying, containing and eradicating new entries; and minimising potential impacts through appropriate management

The Biosecurity Act has provisions in place for: conferring a power, function or right; or imposing an obligation, for the prevention of the introduction, or control or eradication of invasive pests (such as weeds and animals pests) which threaten ecosystems, habitats or species.

Under the Biosecurity Act, Local Control Authorities such as local councils have may appoint authorised officers to enforce weed management and provide direction on complying with obligations under the Biosecurity Act.

The potential for the Mulwala Solar Farms to result in noxious weed impacts will be considered during the EIS process.

5.2.11 National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act 1974* (NPW Act) is the key legislation governing the management of the State's parks, conservation areas, reserves, historic sites, and places and objects of aboriginal cultural heritage significance. It also provides for the protection and care of native fauna and flora.

Places or objects of Aboriginal cultural heritage on or in the vicinity of the site will need to be managed in accordance with this Act. Clause 86 of this Act states: a person must not harm or desecrate an object that the person knows is an Aboriginal object.

Under Section 89J of the EP&A Act, an Aboriginal heritage impact permit under section 90 of the National Parks and Wildlife Act 1974 would not be required for an SSD, unless the requirement of an environmental planning instrument for consultation or concurrence specifies that it applies to State significant development

The potential for the Mulwala Solar Farm to have an impact upon Aboriginal cultural heritage has been considered in this Scoping Report (see Section 6.3) and will be addressed further during the EIS process.

5.2.12 Heritage Act 1977

The *Heritage Act 1977* provides a legal framework for the management of items and places of State heritage significance, providing for their protection. The Act encourages conservation of the State's heritage and provides for the identification and registration of items of State heritage significance.

Under Section 89J of the EP&A Act, an approval under Part 4, or an excavation permit under section 139, of the *Heritage Act 1977* would not be required for an SSD.

Any existing or unknown or other potential unknown State heritage items will be managed under the Act.

The potential for the Mulwala Solar Farm to have an impact upon historic cultural heritage has been considered in this Scoping Report (see Section 6.5) and will be addressed further during the EIS process.

5.2.13 Protection of the Environment Act 1997

The *Protection of the Environment Operations Act* (POEO Act) provides the regulatory framework to protect the environment of NSW, including land, air and water. It is the key piece of environment protection legislation administered by the EPA. PA 2.49 and PA 2.50 of the Act set out obligations regarding the receiving of wastes to be stored, processed or disposed on site and the classification of those wastes.

The control and mitigation measures for greenhouse gas emissions associated with the project will also be managed under this Act.

The EIS process for the Mulwala Solar Farm will consider emissions to land, air and water, including greenhouse gas emissions.

5.2.14 Crown Lands Act 1989

The *Crown Lands Act 1989*, administered by the Minister for Crown Lands, regulates the management of Crown land for the benefit of the people of New South Wales and in particular to provide for:

- a) a proper assessment of Crown land,
- b) the management of Crown land having regard to the principles of Crown land management contained in this Act,
- c) the proper development and conservation of Crown land having regard to those principles,
- d) the regulation of the conditions under which Crown land is permitted to be occupied, used, sold, leased, licensed or otherwise dealt with,
- e) the reservation or dedication of Crown land for public purposes and the management and use of the reserved or dedicated land, and
- f) the collection, recording and dissemination of information in relation to Crown land.

Under Part 3 of the Act, a land assessment is required to be undertaken for any matters affecting Crown Land.

The potential impacts of the Mulwala Solar Farm on Crown Land (if any) will be addressed during the EIS process.

6 Preliminary impact identification and assessment

6.1 Project issues and risks

The proposed development of the Mulwala Solar Farm may result in a number of potential environmental and social impacts, both positive and negative. The nature and extent of these potential impacts will need to be assessed during the EIS process so that effective avoidance, management and mitigation measures can be incorporated into project design, construction, operation and eventual decommissioning.

The project as a whole is expected to be a relatively low risk development compared with many SSDs due to the inherently low impact nature of solar farm construction and operation, and the location of the project in an area that has a long history of disturbance from agricultural and grazing activities and is distant from areas of high environmental sensitivity.

An initial assessment of environmental and social risks by ESCO Pacific has identified three higher priority areas of potential impact that will require particular focus during the EIS process:

- potential impacts on ecological values such as local habitat for threatened and endangered species
- potential impacts on Aboriginal cultural heritage, which, although considered a low likelihood, require specific assessment and consultation
- potential impacts on hydrology and water resource management, particularly given the presence of irrigation and drainage channels within the project area.

These higher priority impacts are assessed in Sections 6.2 to 6.4.

The initial assessment of environmental and social risks also identified a number of lower priority potential environmental or social impacts:

- Land use impacts
- Traffic and transport
- Socio-economic impacts
- Noise impacts
- Air quality and dust
- Visual amenity
- Airfield impacts
- Historic heritage
- Electric and magnetic fields
- Bushfire hazard
- Contamination
- Waste management.

These lower priority impacts are considered lower risk than the three higher priority impacts and/or to be readily manageable by implementing standard environmental management and mitigation procedures. The lower priority impacts are assessed in Section 6.5.

6.2 Biodiversity

6.2.1 Existing conditions

Preliminary site assessment

A site assessment was undertaken of the study area on 27 November 2017 by Dr Stuart Cooney and Simon Scott, Principal Ecologists at Ecolink. The ecologists drove throughout the property with the landowners, who pointed out historic land use and potential ecological features of interest. The landowner has owned the property for 50 years, which is now run by his son.

During the site inspection dominant species were recorded and general land use at the time of the assessment was recorded and mapped onto an iPad mini with GIS Pro software (accurate to +/- 5m). This data was used to create Figure 1. Areas of potential ecological value were assessed more closely than areas that were unlikely to support such values.

Six paddocks were identified during the site assessment. These paddocks were separated from each other by wire fences, some of which were in poor repair, or had gates that were open allowing stock to move freely between some paddocks. The entire site is generally on a five year rotation of cropping and grazing by sheep (Pers. comm. 27 November 2017).

Paddock 1 (Figure 1) has been sown with Italian Rye-grass *Lolium multiflorum* and Strawberry Clover *Trifolium fragiferum* for hay. It has a pivot irrigation sprinkler installed (Plate 3). This paddock is currently separated from the rest of the paddocks by an electric fence, however, once harvested the entire paddock is grazed by sheep. Scattered paddock trees within the paddock include White Cypress Pine *Callitris glaucophylla* and Grey Box *Eucalyptus microcarpa*.



Photo 3 – Paddock 1

Paddock 2 is grazed by sheep. Dominant species in this paddock include a range of exotic pasture grasses including Rye Grass *Lolium sp.*, Oats *Avena spp.*, and Great Brome *Bromus diandrus*, Prairie Grass *Bromus catharticus*, as well as environmental weeds including Paterson's Curse *Echium plantagineum*, Common Sow-thistle *Sonchus oleraceus* and Spear Thistle *Cirsium vulgare* which have been sown into this paddock (Plate 4). Scattered paddock trees within the paddock include White Cypress Pine and Grey Box. A small patch of native vegetation is located on the north-western boundary of the paddock. This is an area of native Rushes *Juncus spp.* in a wet depression (Plate 5).



Photo 4 – Paddock 2 – Photo 5 –Remnant patch in Paddock 2

Paddock 2a is south of Paddock 2. This paddock supports a planted wind row of non-native Radiata Pines *Pinus radiata* that was planted 50 years ago and is now senescing (Plate 6). To the west of this wind row is a plantation of approximately 400 Grey Box trees, which were planted as an offset for the loss of eight large trees when installing the pivot irrigation system. These Grey Box trees are generally very densely planted in a single cohort stand (Plate 7).



Photo 6 – Wind row in Paddock 2a – Photo 7 –Offset trees

Paddock 3 is almost identical to Paddock 2, with similar land use and a fence that is in disrepair and therefore is ineffective in stopping sheep moving between the paddocks (Plate 8). Scattered paddock trees within the paddock include White Cypress Pine and Grey Box.



Photo 8 – Paddock 3

Paddock 4 is grazed by sheep in higher densities than Paddocks 2 and 3 (Plate 9). It supports a remnant patch of native vegetation, is located in a low-lying area, and has been fenced to exclude stock and allowed to regenerate (Plate 10). The remainder of the paddock is dominated by a range of exotic pasture species and weedy species (see Paddock 2 above). Scattered paddock trees within the paddock include White Cypress Pine and Grey Box.



Photo 9 – Paddock 4 – Photo 10 –Remnant patch in Paddock 4

Paddock 5 is similar to the other paddocks that grazed by sheep, with a range of exotic pasture species, some weedy species and a low abundance of native species (Plate 11) (see Paddock 2 above). Scattered paddock trees within the paddock include White Cypress Pine and Grey Box.



Photo 11 – Paddock 5

Paddock 6 is also dominated by exotic species (Plate 12) (see Paddock 2 above). In the northwestern corner of this paddock is another wet depression that supports native vegetation (Plate 13). Scattered paddock trees within the paddock include White Cypress Pine and Grey Box.



Photo 12 – Paddock 6 – Photo 13 –Remnant patch in Paddock 6

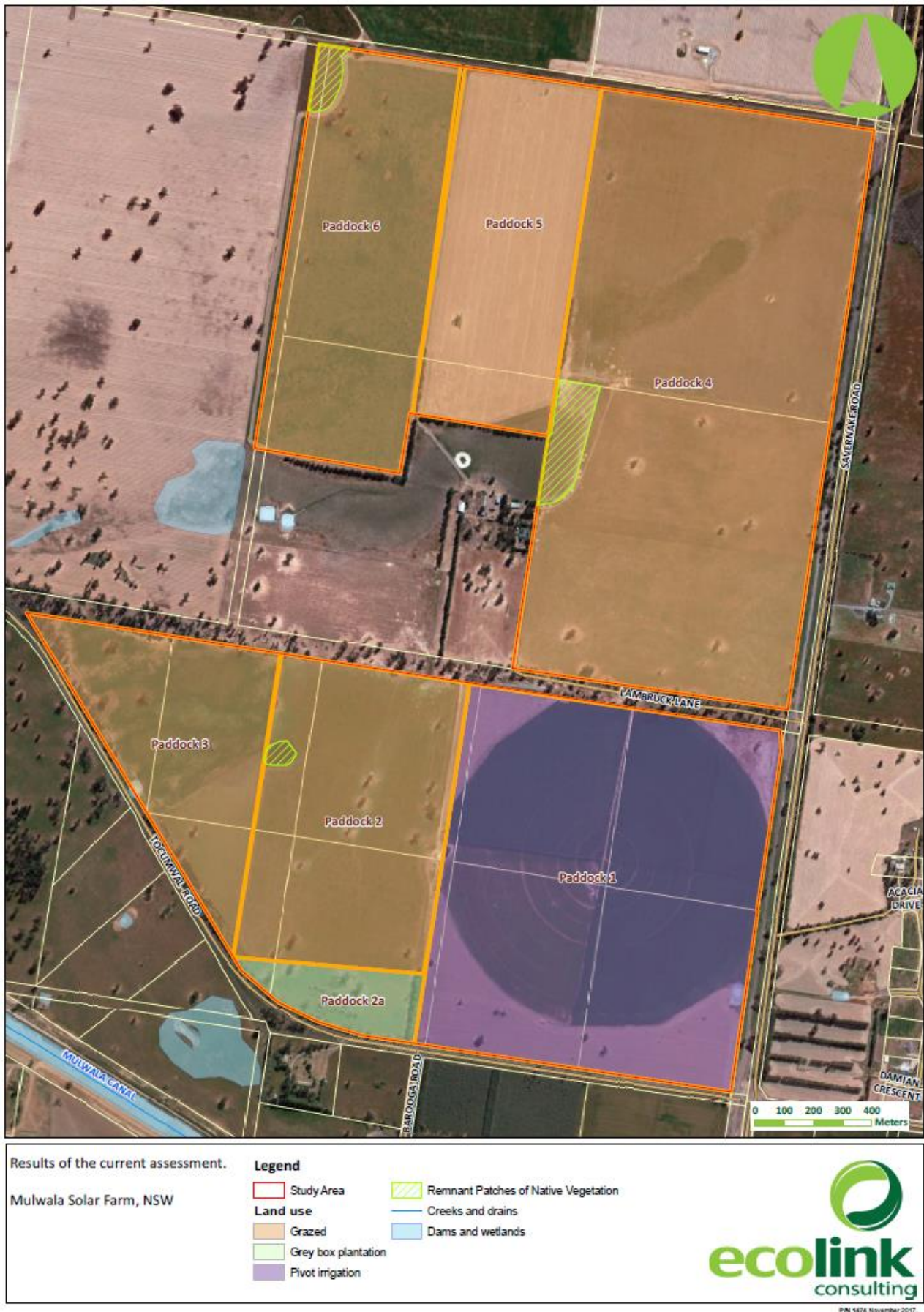


Figure 3. Biodiversity assessment map

Threatened species and ecological communities

Threatened flora species are unlikely to persist within most of the study area, where sheep grazing, disturbance through ploughing and their small size are ongoing threats to their survival. In the patches of native vegetation it is unlikely, but possible, that some threatened wetland species may persist.

Threatened fauna species are similarly unlikely to persist within the study area due to the lack of high quality habitat, although mobile species such as birds and bats may use the study area infrequently or temporarily when foraging or roosting, or as stepping stones when moving between higher quality habitats within the landscape. On this basis it is unlikely to provide important or significant habitat (e.g. breeding habitats, bat maternity caves) for any threatened fauna species and none are likely to occur.

6.2.2 Preliminary impact assessment and management

To remove or minimise impacts to the ecological values within the project area, remnant native vegetation and the scattered paddock trees will be avoided as far as practicable. A tree survey may be undertaken to accurately locate all scattered trees and inform the design of the solar farm if this cannot be undertaken through aerial photography.

The construction and operation of the solar farm is expected to have a relatively low impact, long term, to the remaining ecological values within the project area. Once the solar farm is built, there will be no greater disturbance to the landscape than is currently experienced by the extant flora and fauna as a result of the current farming practices. Therefore, if the highest quality ecological values can be protected, there is likely to be no significant impact to these values.

In addition to the protection of the ecological values, buffers will be created to ensure indirect impacts do not occur during construction or operation of the Solar Farms. Buffer zones for trees will be based on the size of the tree, specifically the Tree Protection Zone (TPZ) (Standards Australia 2009). TPZs will be avoided where possible so the integrity of the tree can be retained and there are unlikely to be any impacts to these trees. Where trees cannot be avoided, trees that possess hollows will be retained preferentially over those that do not.

Retained patches of native vegetation are unlikely to require a buffer zone, and will be fenced during construction works, and machinery and personnel will be excluded from these areas.

A Construction Environmental Management Plan (CEMP) will be prepared, as well as the development of management protocols, to ensure indirect or inadvertent impacts to areas of ecological value do not occur during the construction and operation of the Solar Farms. The CEMP will also provide induction to construction workers in relation to the protection of these values, including weed management, and provide contingency plans should an EPBC Act threatened species be encountered during works.

6.2.3 Need for further assessment

If the ecological values described above cannot be avoided, a range of threatened species surveys will be undertaken. Some of these surveys are required because there is a moderate, or greater, likelihood that a threatened species may be found within the project area (as discussed above), while others are required because it will be a condition of approval imposed by OEH due to impacts to native vegetation based on their Plant Community Types (PCTs). These surveys will feed into the preparation of a Biodiversity Development Assessment Report (BDAR). For each species identified as potentially requiring a survey, a presentation of the results of the survey, or a robust justification for not undertaking the survey, will be provided in the BDAR. If some PCTs can be avoided entirely, the number of species requiring survey is likely to decrease.

Prior to undertaking any threatened species surveys, OEH will be consulted on the proposed scope to ensure that surveys are not undertaken unnecessarily and that the proposed methods will satisfy their requirements. Survey methods will follow the Threatened Biodiversity Survey and Assessment: Guidelines for Developments and Activities (Department of Environment and Conservation (NSW) 2004) with survey effort reflecting the eventual impact of the final proposed solar farm footprint (and therefore not provided below).

In summary, ESCO Pacific proposes managing the potential presence of threatened species habitat during the EIS process by placing a strong primary emphasis on impact avoidance and a strong secondary emphasis on impact minimisation. The company considers that even with the adoption of a conservative approach to avoidance it will have sufficient space within the Mulwala project area to locate the solar farm.

6.3 Aboriginal cultural heritage

6.3.1 Existing conditions

The OEH Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales (2010b) (Due Diligence Code) specifies that if the initial assessment process identifies that aboriginal objects or places will or are likely to be harmed, then further investigation and impact assessment is required (Step 5). For SSDs the Due Diligence Code is not required to be followed, as this is superseded by the requirements for the project EIS to address the SEARs in relation to Aboriginal and historic cultural heritage

Sensitive landforms

Previous research indicates that archaeological evidence is likely to be locally found associated with certain landforms. The Due Diligence Code lists five such landscape features:

- within 200 m of water
- within a sand dune system,
- on a ridge top, ridge line or headland,
- within 200 m below or above a cliff face,
- within 20 m of or in a cave, rock shelter, or a cave mouth.

Within the activity area there are several water features, including ephemeral and/or ancestral creek lines and what appears to be several drained creeks / swamps. Closer inspection is required to determine the nature and extent of these features and any intersection with the project area.

The proximity to available water in prehistory renders parts of the activity area more sensitive to the presence of Aboriginal sites than the balance of the surrounding region.

Traditional Owners

Mulwala is located within the traditional lands of the Wiradjuri people. The contemporary Wiradjuri Region covers much of eastern NSW extending from the Murray River in the south to Hay in the west and Nyngan in the north.

The activity area is within the area of interest of the Cummeragunja Local Aboriginal Land Council (LALC). Other LALCs from the surrounding region may also have interests in the activity area.

Archaeological sites and objects

Mulwala is in the Riverina NSW Bioregion. This bioregion is dominated by the alluvial fans of several major rivers that contribute to the Murray-Darling Basin.

The Murray-Darling Basin contains some of the oldest archaeological sites recorded in Australia, most famously at Lake Mungo in southwestern NSW. The Riverina area is known to be home to scarred trees, earth mounds, shell middens, human burials and stone artefact scatters. Sites are often located near waterways and other water bodies; however, they can potentially occur anywhere in the landscape. Given the length of time Aboriginal people have lived in the Riverina they would have traversed the activity area regularly. Our ability to identify the remains of this behaviour depends on the visibility of the archaeological record, ground surface conditions, the extent and nature of disturbance that has occurred to the landscape through historical land use (e.g. land clearing) and the nature of past Aboriginal land use.

The following Aboriginal objects may potentially occur within the activity area:

- Aboriginal culturally modified trees (scarred trees)

- earth mounds
- archaeological deposits (sub-surface archaeological sites)
- stone artefacts (either isolated or in clusters).

The presence / absence of these items or places can only be determined through rigorous ground survey of the project area.

Native Title claims

There are no native title claims affecting the project area.

Database search

Relevant databases / registers were searched for heritage sites / values in proximity to the activity area at Mulwala. Of most relevance, an 'extensive' search of the Aboriginal Heritage Information Management System (AHIMS) was undertaken. From that search, it was determined that no Aboriginal sites were known to exist within the activity area. However, searches of heritage databases cannot be assumed to be definitive. Search results indicating no sites are present are usually a reflection of a lack of systemic survey in a given region, rather than a lack of sites existing at any given location.

6.3.2 Preliminary impact assessment and management

The project area has a long history of European land use for agricultural purposes that will have resulted in disturbance to the ground surface. It does not contain any previously recorded Aboriginal objects or places, however, may contain archaeologically sensitive landforms (near ancestral / drained waterways).

If any potential impacts to Aboriginal heritage sites or items are identified during field assessments as part of the EIS, they will be managed in accordance with the NPW Act and consultation with the relevant groups, including the OEH, relevant Registered Aboriginal Parties (RAPs), and council. This could result in a change in the project design to avoid Aboriginal heritage sites.

6.3.3 Need for further assessment

Given that this project is a SSD, identification of cultural values and archaeological assessments will be undertaken to ensure:

- meaningful opportunities for engagement and consultation with traditional owners and/or RAPs for the project are provided
- full compliance with the SEARs
- full compliance with the OEH (2010a) Aboriginal cultural heritage consultation requirements for proponents
- full compliance with the OEH (2011) Guide to investigating, assessing and reporting on Aboriginal cultural heritage in NSW.

The identification of cultural values and the determination of cultural significance would be consistent with the guidance provided in the *Burra Charter and Indigenous Cultural Heritage Management Practice Note* (Australia ICOMOS 2013). The archaeological assessment would determine the scientific significance of the archaeological places within the project area.

It is expected that an Aboriginal Cultural Heritage Assessment Report (ACHAR) would be prepared as part of the EIS. To comply with the relevant OEH requirements, the objectives of the ACHAR would be to:

- present the project's consultation methodologies and processes as agreed with the RAPs
- ensure that Aboriginal people have the opportunity to participate in and improve the outcomes of the assessment by:
 - providing relevant information about the cultural significance and values of the Aboriginal objects and/or places within the activity area

- influencing the design of the method to assess cultural and scientific significance of Aboriginal objects and/or places within the activity area
- actively contributing to the development of cultural heritage management options and recommendations for any objects and/or places within the activity area and the wider project area
- commenting on draft assessment reports before they are submitted by the proponent to OEH.

6.4 Hydrology and water resource management

6.4.1 Existing conditions

The project area is located within the Murray-Darling basin, approximately 5 km north of the Murray River and 2 km from the banks of Lake Mulwala, and falls within the Berriquin Irrigation District which is managed by Murray Irrigation Limited. The project area comprises relatively flat and low-lying land. The Mulwala irrigation channel runs from the southeast to the northwest about 600 m south of the project area.

The project area is not located within a flood planning area as designated under the Corowa LEP. However, due to the flat, low-lying nature of the site and the presence wetland (according to the Corowa LEP) in the northern paddocks, it is understood that localised flooding of paddocks can be an issue for local landholders.

6.4.2 Preliminary impact assessment and management

Construction and operation of the project is expected to result in only minor ground disturbance, primarily associated with the construction of access roads within the project area. The risk of impacts to water quality or hydrology in channels, dams and waterways from erosion runoff or disturbance of acid sulphate soils (if present) is considered low and manageable. Standard erosion and sediment controls measures such as outlined in Landcom (2004) would be implemented.

The solar farm and associated infrastructure are unlikely to have significant impact on the surface flow of water and will be sited to avoid impact on drainage channels and farm dams. The project is not expected to present a flood hazard.

It will be important that the project does not disrupt current water management systems within the project area. Landholders (and ESCO Pacific) will need to be able to continue to manage current issues such as localised flooding.

The risk of groundwater impacts during construction is expected to be low as excavation will not be required to erect the solar panels and trenches for underground cables will be shallow.

Water use during project construction and operation will be minimal and water will be either sourced from existing bores on site or brought to site as required.

6.4.3 Need for further assessment

Impacts to waterways and hydrology during construction and operation would be assessed as part of the EIS process, and will include an assessment of the potential impacts on:

- surface water and groundwater resources, including (where identified) watercourses, wetlands, riparian land, groundwater dependent ecosystems and acid sulphate soils
- related infrastructure and water management systems including irrigation and drainage channels, dams, and flood management measures
- adjacent licensed water users and basic landholder rights
- measures proposed to monitor, reduce and mitigate these impacts (in consultation with Murray Irrigation where required).
- Soil and sediment management measures will be undertaken in accordance with Managing Urban Stormwater: Soils & Construction (Landcom 2004).

6.5 Other impacts

Other environmental or social impacts that are considered to be lower risk than those in Sections 6.2 to 6.4 and/or to be readily manageable by implementing standard environmental management and mitigation procedures, are assessed in Table 5.1.

Table 2. Table 5.1 Assessment of lower priority project impacts and need for further assessment

Existing conditions	Preliminary impact assessment and management	Need for further assessment
Land use impacts		
The project area is currently used for agricultural purposes.	<p>There will be temporary loss of agricultural land and production as a result of the project. However the project is unlikely to significantly impact the region's overall agricultural productivity.</p> <p>Construction and operation of the project is expected to result in only minor ground disturbance, primarily associated with access road construction within the site. However, where soils are disturbed, soil erosion and sedimentation issues can result.</p> <p>All above ground and underground infrastructure would be removed during project decommissioning.</p> <p>Rehabilitation is expected to return the land to its former agricultural capability.</p>	<p>An assessment of the impact of the project on land use (during construction, operation and after decommissioning) would be undertaken as part of the EIS process.</p> <p>This would include an assessment of the impact of the development on agricultural land and flood prone land, and a soil survey to consider the potential for erosion to occur, and paying particular attention to the compatibility of the development with the existing land uses on the site and adjacent land during operation and after decommissioning, with reference to the zoning provisions applying to the land.</p>
Traffic and transport		
<p>The site is well-served by local roads and is located close to Tocomwal Road and not far from the Riverina Highway (NSW) and the Murray Valley Highway (Victoria).</p> <p>Tocomwal Road is classified as a Regional road by RMS and runs east-west from Mulwala to Tocomwal and offers ready access to Melbourne via Melbourne Street across the border.</p> <p>The Riverina Highway is classified as State Road by RMS and runs east-</p>	<p>Access to the site during construction and operation is expected to be from Tocomwal Road, via Saverlake Road (see Figure 1).</p> <p>Transport impacts as a result of the proposed project would be largely limited to the construction phase, and may result from factors including: haulage of materials, and movements of workers to and from the site; and movement of trucks, vehicles and construction machinery within the site.</p> <p>It is expected there would be an increase in traffic on the local road network during construction however this would occur during the standard hours of construction and managed in consultation with Roads and Maritime Services, local councils and landholders, where relevant, to minimise the risk of adverse impacts.</p>	<p>A transport assessment would be undertaken as part of the EIS process including an assessment of the site access route, site access point and likely transport impacts of the development on the capacity and condition of roads (including on any Crown land), and a description of the measures that would be implemented to mitigate any impacts during construction.</p>

Existing conditions	Preliminary impact assessment and management	Need for further assessment
West from Albury to Deniliquin	<p>Road upgrades are not expected to be required.</p> <p>Standard traffic management measures would be implemented, such as ensuring vehicle road-worthiness, enforcing speed limits, erecting signage, proper design of site access points, and ensuring access roads within the site are properly engineered.</p>	
Socio-economic impacts		
<p>The project area is in the Federation LGA which had a population of approximately 12,411 in 2016 (ABS 2016).</p> <p>The LGA covers an area of 568,504.9 ha which is predominantly agricultural land.</p> <p>The area's primary income is from manufacturing and agricultural industries such as piggery feedlot and abattoir, agriculture machinery sales and services, food processors.</p> <p>The main town centres in the LGA are Mulwala, Corowa and Urana.</p>	<p>Construction of the project would provide immediate social and economic benefits to the local community. The project would increase local employment opportunities and drive growth in the area, whilst helping NSW to sustainably meet its energy needs.</p> <p>Pressure on local services including accommodation, health services and schools has the potential to increase due to the relocation of construction workers into the area.</p> <p>Communities that host solar farms have benefited from increases in business during construction and operation (DoI 2016).</p>	<p>The EIS would assess the potential impacts of the project on the local community and include consideration of accommodation and other services for construction workers.</p>
Noise		
<p>There are approximately four residences occurring within 1 km as well as a residential estate being developed more than 500 m east of the project area, which have the potential to be impacted by noise from construction of the development.</p>	<p>Impacts from noise would occur mostly during construction of the development due to the presence of vehicles and machinery. Best practice mitigation measures will be implemented to reduce potential noise disturbance e.g. working within standard hours or fitting vehicles with silencing devices, where appropriate.</p> <p>Noise during operation, including any maintenance works, would be minimal, short in duration, and unlikely to disturb surrounding residences.</p>	<p>An assessment of construction noise impacts will be undertaken in accordance with the Interim Construction Noise Guidelines (ICNG), and operational noise impacts in accordance with the NSW Industrial Noise Policy, as part of the EIS.</p> <p>Should noise levels be likely to exceed relevant criteria, a noise management plan would be developed.</p>

Existing conditions	Preliminary impact assessment and management	Need for further assessment
	Noise can be managed and minimised through the adoption of standard management practices.	
Air quality and dust		
Existing sources of air pollution in Mulwala are likely to result from vehicle emissions and dust from agriculture and may increase during the colder months from solid fuel heating and during summer periods if bushfires or duststorms occur in the region.	Construction has the potential to increase dust through movement of traffic on unsealed roads on dry days, vegetation removal and construction activities (such as access road construction). However, dust impacts are unlikely to be significant and standard dust suppression measures can be readily implemented. Impacts to air quality during operation would be negligible and there is the potential to improve existing levels of air quality by maintaining vegetative ground cover beneath the solar panels and other areas of the site.	A Construction Environmental Management Plan (CEMP) would be prepared to manage potential air quality impacts during construction. No specific investigation is required as part of the EIS.
Visual amenity		
The proposed project area is located approximately 1.3 km north of the outskirts of the township of Mulwala and may have potential to create visual impacts to road users and nearby rural residents. There are approximately four residences and a housing estate located within 1 km of the project area.	The terrain is relatively flat and therefore strategically placed landscape screening from sensitive receptors (i.e. dwellings within close proximity to the solar farm infrastructure) would significantly reduce the visual impact. Multiple tall windrows exist between the housing estate and the project area. Solar farms are designed to absorb light and current day typical modules reflect around 2% of light received (less than from bodies of water). They are generally not considered to be reflective, and therefore potential glint and glare impacts to surrounding areas are considered to be low.	A visual impact assessment would be undertaken as part of the EIS process and would include an assessment of the likely visual impacts of the development (including any glare, reflectivity and night lighting) on surrounding residences, scenic or significant vistas, air traffic and road corridors in the public domain. The assessment report would include a raft landscaping plan for on-site perimeter planting, with evidence it has been developed in consultation with affected landowners.
Airfields		
Airfields are located at Yarrawonga (Victoria), approximately 7 km to the south, and in Corowa, approximately 31 km east.	It is unlikely that air traffic would be affected from the glint or glare of the solar panels due to their low reflective quality.	Any potential affects to air traffic would be discussed in the visual assessment, prepared as part of the EIS process.

Existing conditions	Preliminary impact assessment and management	Need for further assessment
Historic heritage		
A search of the Australian Heritage Database was undertaken for the Mulwala suburb, identifying three listed items.	Due to the disturbance of the area for primary production, it is unlikely there are any unidentified items of historic heritage in the project area.	As part of the EIS process, an assessment of the likely historic heritage impacts of the development will be undertaken.
Electric and magnetic fields		
A 132 kV transmission line runs along the southern boundary of the project area and connects into the Mulwala substation 500 m to the south.	<p>DC cabling would run from the combiner boxes to the central inverters, but would be located underground.</p> <p>AC cabling carrying 33 kV electricity from the inverters to the solar substation would also be located underground.</p> <p>The cabling, inverters and substation would produce some electromagnetic emissions, however these emissions are expected to be below the guideline for public exposure.</p>	The EIS process would include an assessment of potential hazards and risks associated with transmission infrastructure and the substation against the International Commission on Non-Ionizing Radiation Protection (ICNIRP) <i>Guidelines for limiting exposure to Time-varying Electric, Magnetic and Electromagnetic Fields</i> .
Bushfire hazard		
The project area is largely cleared of vegetation for agricultural purposes and is not considered to be bushfire-prone land, according to the Rural Fire Service Online Tool (search undertaken 16 November 2017).	The proposed project is unlikely to be affected by bushfire or pose a significant bushfire risk.	<p>Bushfire response will be part of emergency management planning for the project.</p> <p>No specific investigation is required as part of the EIS.</p>
Battery storage hazard		
Not applicable.	Battery storage systems can potentially pose environmental risks due to the hazardous materials they may contain (such as lithium and acids). The components of the battery storage system can also pose a fire risk.	<p>If a battery storage system is to be included in the project, a preliminary risk screening will be undertaken in accordance with SEPP No33 – <i>Hazardous and Offensive Development and Applying SEPP 33</i> (DoP 2011a).</p> <p>If the preliminary risk screening indicates the development is 'potentially hazardous', a</p>

Existing conditions	Preliminary impact assessment and management	Need for further assessment
		<p>Preliminary Hazard Analysis (PHA) will be prepared in accordance with <i>Hazard Industry Planning Advisory Paper No6 – Guidelines for Hazard Analysis</i> (DoP 2011b) and <i>Multi-Level Risk Assessment</i> (DoP 2011c).</p> <p>The results of the preliminary risk screening and, if required, the PHA, will be included in the EIS.</p>
Contamination		
<p>A search of the NSW EPA did not identify any contaminated sites within the Corowa Shire Council.</p>	<p>Existing contamination of the project area could be present as a result of past fertiliser, herbicide, pesticide, and other chemical use on the land, and may be uncovered during excavation works at the site.</p> <p>Only very minor quantities of hazardous materials or dangerous goods will be used or stored on site during project construction or operation.</p> <p>Hydrocarbons and hazardous materials onsite would be managed in accordance with the CEMP and relevant EPA guidelines.</p>	<p>Risks associated with existing or project-related contamination are low. Therefore an assessment of contamination risks would not be required as part of the EIS process, provided that any use of hydrocarbons and hazardous materials is subject to standard management practice.</p>
Waste management		
<p>Not applicable</p>	<p>The majority of waste will be generated during construction. The project will be managed in accordance with the POEO Act (see Section 5.2.13, and will aim to reduce the volume of waste produced, promote re-use and recycling of materials and to avoid storage and waste handling methods that may pose risks to environment or health.</p> <p>Waste material generated during construction will be managed in accordance with waste management procedures, which will form part of the CEMP.</p>	<p>A specific assessment of waste management issues would not be required as part of the EIS process, provided that standard waste management practices are implemented as part of site environmental management.</p>

7 Community and stakeholder consultation

7.1 Consultation activities undertaken

ESCO Pacific has identified a range of groups and individuals that are stakeholders in the development of the Mulwala Solar Farm. The stakeholders include regulators who have a decision-making role in project approvals, and groups or individuals who may be directly or indirectly affected by the project. Initial consultation has included formal and informal engagement with the following:

- Federation Shire Council – ESCO Pacific presented the project on 29th of November in Corowa
- Essential Energy (including preliminary grid enquiry)
- Landholder within the proposed project area
- Department of Planning and Environment – the project was presented on 4th of December in Sydney.

The consultation to date has provided stakeholders with opportunities to contribute to the project development process and raise any concerns. ESCO Pacific continues to expand its stakeholder database as consultation proceeds.

7.2 Community and Stakeholder Consultation Plan

The EIS process requires project proponents to undertake detailed consultation with affected landowners surrounding the development, the local community and local council. ESCO Pacific is preparing a Community and Stakeholder Consultation Plan which sets out the objectives and requirements for consultation with the identified stakeholders. In addition to those listed in Section 7.1 (above) stakeholders will include:

- adjacent landholders
- local community groups
- Aboriginal groups
- Office of Environment and Heritage
- Environment Protection Authority
- Department of Industry
- Roads and Maritime Service
- Rural Fire Service

A formal process of consultation will be implemented in support of the EIS process and in accordance with any requirements set out in the SEARs.

8 Proposed environmental assessment requirements

Based on the preliminary environmental assessment for the proposed Mulwala Solar Farm in Section 6, it is considered that the EIS should address the following specific issues:

- **Biodiversity** – including an assessment of the likely biodiversity impacts of the development, (including potential impacts on threatened species and the determination of appropriate buffer zones around potential habitat) having regard as relevant to the NSW Biodiversity Offsets Policy for Major Projects, and in accordance with the Framework for Biodiversity Assessment.
- **Aboriginal cultural heritage** – including an assessment of the likely Aboriginal (cultural and archaeological) impacts of the development, including adequate consultation with the local Aboriginal community.
- Hydrology and water resource use – including:
 - an assessment of the likely impacts of the development (including flooding) on surface water and groundwater resources (including, where identified, watercourses, wetlands, riparian land,

groundwater dependent ecosystems and acid sulfate soils), related infrastructure and water management systems (including irrigation and drainage channels, dams, and flood management measures), adjacent licensed water users and basic landholder rights, and measures proposed to monitor, reduce and mitigate these impacts

- details of water supply arrangements
- a description of the erosion and sediment control measures that would be implemented to mitigate any impacts in accordance with *Managing Urban Stormwater: Soils & Construction* (Landcom 2004).
- **Socio-economic** – including an assessment of the likely impacts of the project on the local community and including consideration of accommodation and other services for construction workers.
- **Land use impacts** – including an assessment of the impact of the development on agricultural land and flood prone land, and a soil survey to consider the potential for erosion to occur, and paying particular attention to the compatibility of the development with the existing land uses on the site and adjacent land during operation and after decommissioning, with reference to the zoning provisions applying to the land.
- **Traffic and transport** – including an assessment of the site access route, site access point and likely transport impacts of the development on the capacity and condition of roads (including on any Crown land), and a description of the measures that would be implemented to mitigate any impacts during construction.
- **Noise** – including an assessment of construction noise impacts in accordance with the ICNG, and operational noise impacts in accordance with the NSW Industrial Noise Policy. Should noise levels be likely to exceed relevant criteria, a noise management plan would be developed.
- **Visual amenity** – including an assessment of the likely visual impacts of the development (including any glare, reflectivity and night lighting) on surrounding residences, scenic or significant vistas, air traffic and road corridors in the public domain, including a draft landscaping plan for on-site perimeter planting, with evidence it has been developed in consultation with affected landowners.
- **Historic heritage** – including an assessment of the likely historic heritage impacts of the development.
- **Electric and magnetic fields** – including an assessment of the potential hazards and risks associated with transmission infrastructure and the substation against the ICNIRP Guidelines for limiting exposure to Time-varying Electric, Magnetic and Electromagnetic Fields.

9 Conclusion

This PEA Scoping Report has been prepared in accordance with the requirements of DPE for projects identified as SSDs and therefore requiring an EIS to be prepared under Part 4 of the EP&A Act. The report will support a request to DPE from ESCO Pacific for the Secretary's Environmental Assessment Requirements (SEARs) for the EIS.

Potential environmental and social issues associated with the project have been identified and prioritised as either higher priority or lower priority issues. Based on a preliminary assessment of the potential issues, ESCO Pacific has proposed environmental assessment requirements for consideration by DPE.

A key finding of the PEA Scoping Report is the potential for threatened species habitat to be present within remnant vegetation in the project sites. ESCO Pacific proposes managing the potential presence of threatened species habitat during the EIS process by: undertaking targeted surveys where required to determine the presence of threatened species; and by locating the project footprint where practical so as to avoid impacts on important habitat. ESCO Pacific proposes placing a strong primary emphasis on impact avoidance and a strong secondary emphasis on impact minimisation. The company considers that even with the adoption of a conservative approach to avoidance of impacts to environmental constraints it will have sufficient space within the project area to locate the solar farms.

The project is expected to be a relatively low risk development compared with many SSDs due to the inherently low impact nature of solar farm construction and operation, and the location of the project in an area that has a long history of disturbance from primary production and is distant from areas of high environmental sensitivity. In addition, the project is expected to result in significant benefits to the local community and State of NSW by generating economic activity, and contributing to the transition to cleaner electricity generation and increased energy security through a more diverse energy mix.

10 References

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- Australian Bureau of Statistics – Data by Region – 2017

Appendices

Appendix A: Preliminary Biodiversity Assessment report

Stuart Cooney
Principal Ecologist
Ecolink Consulting Pty Ltd
PO Box 356
Northcote VIC 3070

Our Ref: 1474

28 November 2017

Cédric Bergé
Environmental Consultant - Development Manager
ESCO Pacific
Level 4, 13 Cremorne Street
Richmond VIC 3121

Dear Cédric,

Re: Preliminary (Due Diligence) Biodiversity Assessment, Mulwala Solar Farm

Introduction

ESCO Pacific engaged Ecolink Consulting to undertake a brief, preliminary site inspection of the Thomas property, north and south of Lambruck Lane, Mulwala, NSW, as part of scoping works for potential solar farm sites in New South Wales.

The purpose of this report is to provide ESCO Pacific with a brief overview of likely biodiversity values of the sites and provide a statement of potential ecological constraints to future development of the site as a solar farm.

Methods

The study area was provided to Ecolink by ESCO Pacific in KMZ file (Mulwala_SF.kmz). It depicts approximately 590ha of the Thomas property north and south of Lambruck Lane (hereafter the study area: Figure 1). A brief site assessment was undertaken of the study area on 27 November 2017 by Dr Stuart Cooney and Simon Scott, Principal Ecologists at Ecolink. The ecologists drove throughout the property with Albert and Douglas Thomas, who pointed out historic land use and potential ecological features of interest. Albert Thomas has owned the property for 50 years, which is now run by his son Douglas.

During the site inspection dominant species were recorded and general land use at the time of the assessment was recorded and mapped onto an iPad mini with GIS Pro software (accurate to

+/- 5m). This data was used to create Figure 1. Areas of potential ecological value were assessed more closely than areas that were unlikely to support such values.

Limitations

Due to the brief nature of the assessment, the following limitations apply:

- No desktop assessment was undertaken to provide background information from historic data, longer term data, or seasonally intermittent data; and,
- Only a small amount of time was spent on site. More time would allow for a more complete understanding of the ecological values of the site.

Nonetheless, the purpose of this preliminary assessment is to inform ESCO Pacific of high level constraints to development of the site, and this assessment is adequate for these purposes.

Results

Six paddocks were identified during the site assessment. These paddocks were separated from each other by wire fences, some of which were in poor repair, or had gates that were open allowing stock to move freely between some paddocks. The entire site is generally on a five year rotation of cropping and grazing by sheep (D. Thomas, Pers. comm. 27 November 2017).

Paddock 1 (Figure 1) has been sown with Italian Rye-grass *Lolium multiflorum* and Strawberry Clover *Trifolium fragiferum* for hay. It has a pivot irrigation sprinkler installed (Plate 1). This paddock is currently separated from the rest of the paddocks by an electric fence, however, once harvested the entire paddock is grazed by sheep. Scattered paddock trees within the paddock include White Cypress Pine *Callitris glaucophylla* and Grey Box *Eucalyptus microcarpa*.

Paddock 2 is grazed by sheep. Dominant species in this paddock include a range of exotic pasture grasses including Rye Grass *Lolium* sp., Oats *Avena* spp., and Great Brome *Bromus diandrus*, Prairie Grass *Bromus catharticus*, as well as environmental weeds including Paterson's Curse *Echium plantagineum*, Common Sow-thistle *Sonchus oleraceus* and Spear Thistle *Cirsium vulgare* which have been sown into this paddock (Plate 2). Scattered paddock trees within the paddock include White Cypress Pine and Grey Box. A small patch of native vegetation is located on the north-western boundary of the paddock. This is an area of native Rushes *Juncus* spp. in a wet depression (Plate 3).

Paddock 2a is south of Paddock 2. This paddock supports a planted wind row of non-native Radiata Pines *Pinus radiata* that was planted 50 years ago and is now senescing (Plate 4). To the west of this wind row is a plantation of approximately 400 Grey Box trees, which were planted as an offset for the loss of eight large trees when installing the pivot irrigation system. These Grey Box trees are generally very densely planted in a single cohort stand (Plate 5).

Paddock 3 is almost identical to Paddock 2, with similar land use and a fence that is in disrepair and therefore is ineffective in stopping sheep moving between the paddocks (Plate 6). Scattered paddock trees within the paddock include White Cypress Pine and Grey Box.

Paddock 4 is grazed by sheep in higher densities than Paddocks 2 and 3 (Plate 7). It supports a remnant patch of native vegetation, is located in a low-lying area, and has been fenced to

exclude stock and allowed to regenerate (Plate 8). The remainder of the paddock is dominated by a range of exotic pasture species and weedy species (see Paddock 2 above). Scattered paddock trees within the paddock include White Cypress Pine and Grey Box.

Paddock 5 is similar to the other paddocks that grazed by sheep, with a range of exotic pasture species, some weedy species and a low abundance of native species (Plate 9) (see Paddock 2 above). Scattered paddock trees within the paddock include White Cypress Pine and Grey Box.

Paddock 6 is also dominated by exotic species (Plate 10) (see Paddock 2 above). In the north-western corner of this paddock is another wet depression that supports native vegetation (Plate 11). Scattered paddock trees within the paddock include White Cypress Pine and Grey Box.

Discussion

The native vegetation within the study area is generally highly modified from its original state, associated with a long history of agricultural land uses. It is characterised by scattered indigenous trees, and isolated remnant patches of native vegetation amongst paddocks of exotic pastures that are cut for hay and grazed by sheep. Accordingly the ecological values are generally described as low.

Small, low quality patches of native vegetation persist within the study area in Paddocks 2, 4 and 6 to a total area of approximately 5ha. The other notable ecological value within the study area are the scattered White Cypress Pine and Grey Box paddock trees, some of which are likely to contain hollows, which are important resources for a range of species, potentially including threatened species, such as owls and bats.

There are no waterways or wetlands within the study area, however wet parts of the Thomas property, south of the northern part of the study area, contain native wetland vegetation and are likely to support a number wetland species such as amphibians, birds, and potentially fish during high rainfall or flood events.

Threatened flora species are unlikely to persist within most of the study area, where sheep grazing, disturbance through ploughing and their small size are ongoing threats to their survival. In the patches of native vegetation it is unlikely, but possible, that some threatened wetland species may persist.

Threatened fauna species are similarly unlikely to persist within the study area due to the lack of high quality habitat, although mobile species such as birds and bats may use the study area infrequently or temporarily when foraging or roosting, or as stepping stones when moving between higher quality habitats within the landscape. On this basis it is unlikely to provide important or significant habitat (e.g. breeding habitats, bat maternity caves) for any threatened fauna species and none are likely to occur.

As with previous projects, we recommend that the indigenous trees, patches of native vegetation, drainage lines, and plantations of native vegetation be avoided when considering future development.

Whilst the preliminary assessment finds that the study area is generally unlikely to support important habitat for threatened flora and fauna species, surveys for some threatened species are likely to be required under the policy relating to major projects and Biodiversity Development Assessment Report for a range of species that are modelled to occur. These surveys will have seasonal constraints that should be factored into lead-in planning times.

Further assessments would be required to ensure that the full extent of ecological values within the study area are known. This is likely to include:

- A comprehensive desktop assessment;
- A tree assessment to record location, species, size and presence of hollow/nesting habitat; and,
- A detailed assessment of the remnant patches, including targeted threatened flora species surveys at an appropriate time.

We, along with other members of the project team, look forward to further assisting with this project in the future should you wish to proceed.

I trust the above meets with your expectations, but please call me if you have any queries, or require any amendments (Mobile phone no: 0419 894 948).

Kind regards,

A handwritten signature in black ink, appearing to read 'Stuart Cooney', enclosed in a light grey rectangular box.

Stuart Cooney
Principal Ecologist
Ecolink Consulting Pty Ltd

Plates



Plate 1. Paddock 1



Plate 2. Paddock 2



Plate 3. Remnant patch 1 in Paddock 2



Plate 4. Wind row in Paddock 2a



Plate 5. Offset trees



Plate 6. Paddock 3



Plate 7. Paddock 4



Plate 8. Remnant patch 2 in Paddock 4



Plate 9. Paddock 5



Plate 10. Paddock 6



Plate 11. Remnant patch 3 in Paddock 6



Results of the current assessment.

Mulwala Solar Farm, NSW

Legend

- | | |
|--|--|
| Study Area | Remnant Patches of Native Vegetation |
| Land use | Creeks and drains |
| Grazed | Dams and wetlands |
| Grey box plantation | |
| Pivot irrigation | |

