

ATTACHMENT C

**ADDITIONAL DOCUMENTS REFERENCED
IN ASSESSMENT REPORT**

ITEM 1

Plan of Management

Local Government elections postponed

The NSW Government has once again deferred the Local Government elections pushing them back to December.

Minister for Local Government Shelley Hancock said the decision, after extensive consultation and advice from the NSW Electoral Commission and NSW Health, has been made in response to the ongoing COVID-19 situation.

"We have taken this step to postpone the election to ensure the safety and wellbeing of our communities, voters, polling staff and candidates," Mrs Hancock said.

As part of new COVID-19 safety measures iVote (electronic voting) will also be available for the first time for the local council elections.

Mrs Hancock said the NSW Government has implemented changes to pre-poll to ensure that voters have 13 days to cast their ballot, reducing congestion on polling day.

Local Government NSW (LGNSW) president

Linda Scott said the elections must be held before the year's end "to uphold democracy and ensure renewal."

"Public health and safety must always come first, but we do not want to reach a situation in which democracy delayed is democracy denied."

"This latest three-month deferral of 12 months from September 2020, with no guarantee further delays won't be incurred."

Cr Scott said a significant number of existing councillors, who had already been asked to extend their term by 12 months, had already chosen not to stand for a further term.

"Local governments need energetic, dedicated local leaders as mayors and councillors."

She is also concerned the additional costs will divert council funding from the hard work they are doing to drive a locally-led recovery, not just from the pandemic but also the drought.

Funding to fix mobile blackspots

Federal Member for Parkes Mark Coulton is thrilled that a number of mobile phone black spot issues across his electorate will finally be addressed.

A total of 12 new base stations are to be funded under Round 5A of the Australian Government's Mobile Black Spot Program to help address the problem.

The Australian Government has committed \$380 million to the Mobile Black Spot Program to invest in telecommunications infrastructure to improve mobile coverage and competition across Australia.

The program is supported by co-contributions from state and local governments, mobile network operators, businesses and local communities.

Among the local areas to receive base stations are Hermitdale and also along the Barrier Highway between Canbelego and Hermitdale.

"These sites will provide improved mobile coverage for communities in these areas, allowing visitors and locals alike to stay connected, access health and education services, conduct business and remain in contact with family and friends," Mr Coulton said.

Telstra has been awarded 48 sites. A spokesperson for Telstra said this will bring their investment in the program up to \$300 million.

"We know better than anyone the challenges involved in delivering connectivity for regional communities."

"Through partnerships like the Mobile Black Spot Program and the significant investments we're making in rural and remote areas of NSW, more people will be able to stay connected," the spokesperson said.

Aurelia increases production targets

Aurelia Metals will increase its production targets at three of its operations following extensive drilling programs at the Peak and Hera mines and also at their Dargues gold mine in Victoria.

The company announced on Friday its updated production targets for the Group from 5.1Mt as at June 2020 to 7.8Mt to June 2021.

"The variance is primarily due to a substantial tonnage uplift at the Peak Mine and the acquisition of the Dargues Mine," according to the company's ASX announcement.

A 48 per cent growth in Production Target tonnage has been reported for the Peak Mine to 5.6Mt after mining depletion.

The new data and modelling supports a Production Target from a portion of the Great Cobar deposit.

At the Hera Mine near Nymagee, a new 1.0Mt Production Target has been set based on 96 per cent of material from the Measured and Indicated portions of the Mineral Resource Estimate.

(Production Targets are a projected estimate of potentially mineable mineralised material and are derived from Measured, Indicated and Inferred Mineral Resource classifications.)

All deadlines—2pm Mondays

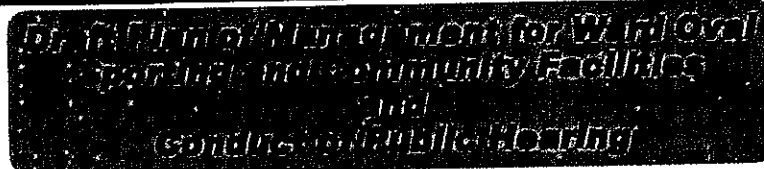
Cobar Shire Council

mail@cobar.nsw.gov.au
PO Box 223, COBAR, NSW, 2835

Peter Vlatko
General Manager



PUBLIC NOTICE



Notice is hereby given in accordance with the *Local Government Act 1993* that Cobar Shire Council has prepared a Draft Plan of Management in respect of the parcel of land known as Ward Oval and in relation to the operational needs, maintenance and future vision and development of Cobar's Premier Sporting and Community Facilities.

The Draft Plan has been prepared in accordance with the provisions of *Section 36* of the *Local Government Act 1993* and categorised as sportsground and general community use.

Council is also required by the provision of *Section 40A* of the *Local Government Act 1993* to hold a public hearing in respect of the proposed Draft Plan of Management.

The Public Hearing in respect of the proposed Draft Plan of Management for the above parcel of land will be conducted in accordance with *Section 47G and 734* of the *Local Government Act 1993*.

The hearing will be held in the Council Chambers, 36 Linsley Street, Cobar on Thursday 19 August commencing at 5pm.

The Draft Plan of Management will be on public exhibition for a period of 42 days from Thursday 29 July 2021 and can be viewed at Cobar Shire Council's Administration Building, 36 Linsley Street Cobar, the Cobar Shire & TAFE Library during normal opening hours and will also be available on Council's website www.cobar.nsw.gov.au

Written submissions in relation to the Draft Plan of Management and the proposed categorisation will be received up until 5pm Thursday, 9 September 2021 in accordance with *Section 38* of the *Local Government Act 1993*. Please address submissions to:

The General Manager
Cobar Shire Council
PO Box 223
COBAR NSW 2835

**MINUTES OF THE COUNCIL OF THE SHIRE OF COBAR PUBLIC
HEARING FOR THE DRAFT PLAN OF MANAGEMENT FOR WARD
OVAL SPORTING AND COMMUNITY FACILITIES HELD IN THE
COUNCIL CHAMBERS ON
16 SEPTEMBER 2021 COMMENCING AT 5.00 PM.**

PRESENT

Mr. Peter Vlatko (General Manager), Ian Decker (Inner West Town Planning)(Via Zoom), Mayor Peter Abbott, Councillor Julie Payne, Councillor Kate Winders, Councillor Harley Toomey, Mr. Gordon Hill (Copper City Men's Shed), Mr. Tony Punzet (Copper City Men's Shed), Mr. Heinz Goldmann (Copper City Men's Shed), Mrs. Genie McMullen (Cobar Junior Rugby League), Mrs. Jo- Louise Brown (Little Athletics), Carly Hunter (Project Co Ordinator- Cobar Shire Council) Kelly Fairbank (Executive Assistant to the General Manager & Mayor- Cobar Shire Council).

APOLOGIES

Mr. Kym Miller (Director of Finance & Community Services- Cobar Shire Council).

1. WELCOME & INTRODUCTION –

MR PETER VLATKO GENERAL MANAGER COBAR SHIRE COUNCIL

2. CHAIR-

MR IAN DECKER- INNER WEST TOWN PLANNING

3. ITEMS TO BE CONSIDERED

- Genie McMullen (Cobar Junior Rugby League) - Categories of users. Request to look at the wording to make inclusive of all local Community and Sporting Groups in relation to page 13 (2.5) Uses of Ward Oval table of Permanent Users of the Draft Plan of Management.
- Meeting requested that the Draft Plan of Management be amended to remove individual Oval users and reflect the ability for all Sporting and Community Groups to be able to be users.

<p>THERE BEING NO FURTHER BUSINESS THE MEETING CLOSED AT 5.22PM.</p>

CLAUSE 2 DRAFT PLAN OF MANAGEMENT FOR THE WARD OVAL SPORTING AND COMMUNITY FACILITIES

FILE: A9-12-3-3

AOP REFERENCE: 4.4.2.1

ATTACHMENT: YES

(Under Separate Cover)

AUTHOR: *General Manager, Peter Vlatko*

Purpose

To adopt the Draft Plan of Management of Ward Oval Sporting and Community Facilities

Background

At the July Ordinary Council Meeting held on Thursday, 22 July 2021 it was resolved to place the Ward Oval Draft Management Plan on Public Exhibition.

Resolution 117.07.2021 That the Draft Plan of Management for Ward Oval Sporting and Community facilities be placed on Public Exhibition for not less than 28 Days and a further 42 days to allow for submissions to be made to Council for Consideration.

In accordance with Section 38 (4) of the *Local Government Act 1993* the Draft Plan of Management of the Ward Oval Sporting and Community Facilities must be advertised and therefore public notices were published in the Cobar Weekly on the 28 July 2021, 18 August 2021, 01 September 2021 and 14 September 2021.

The submission period closed on Thursday 9 September 2021 and there has been one submission received from the Copper City Men's shed with their requests being incorporated into the Draft Plan of Management.

A public hearing (due to COVID) was rescheduled and held on Thursday 16 September 2021 at 5pm. Should any matters or issues be raised at that hearing this will be tabled at the Council meeting.

RECOMMENDATION

That Council adopts the Draft Plan of Management for the Ward Oval Sporting and Community Facilities subject to any amendments that may arise from the Public Hearing held on the 16 September 2021.

**CLAUSE 2 DRAFT PLAN OF MANAGEMENT FOR THE WARD OVAL
SPORTING AND COMMUNITY FACILITIES**

FILE: A9-12-3-3 AOP REFERENCE: 4.4.2.1 ATTACHMENT: YES

163.09.2021 RESOLVED: That Council adopts the Draft Plan of Management for the Ward Oval Sporting and Community Facilities as amended and recommended from the Public Hearing held on the 16 September 2021.

Clr Sinclair / Clr Marsden

CARRIED

**Ward Oval
Sporting and Community Facilities**
Brennan Street, Cobar

Plan of Management / Management Plan

Ward Oval

Sporting and Community Facilities

Brennan Street, Cobar

Plan of Management / Management Plan

Document Control

Project: Plan of Management Ward Oval Cobar

Title: Plan of Management

Document Reference: POM v1.3

Document Details	Preparation/Reviewed	Client
Draft v1	Draft	11.6.2021
Amendments, Additional Maps	ID	11.7.2021
Amendments Post exhibition	ID	13.9.2021
Amendments post Public Meeting	ID	17.9.2021

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Contents

1	Introduction.....	4
1.1	Summary.....	4
1.2	Background.....	5
1.3	Site & Locality.....	5
1.3	Purpose.....	6
1.3	Legislation and Policy Framework.....	7
1.3.1	Related Planning Documents	7
2.	Existing Situation.....	8
2.1	Land to which the Plan Applies.....	8
2.2	Context.....	9
2.3	Existing Site Features	10
2.3.1	Landscape and Vegetation	11
2.3.2	Buildings and Other Structures	11
2.4	Ward Oval Management	11
2.4.1	Funding Sources	12
2.5	Uses of Ward Oval	12
2.5.1	Community Use.....	13
2.5.2	Commercial and Corporate Use	14
2.5.3	Insurance	14
3.	Basis for Management	15
3.1	Management Objectives	15
3.2	Community Values	16
3.3	Crown Land Management Principles.....	16

Appendices	
Appendix	Title

1 Introduction

1.1 Summary

Site Details	
Address	Ward Oval, Cobar
Property Description	Lots 13-28 in D.P. 22820 and Lots 7317-7318 in D.P. 1170701 and Lot 1 in D.P. 216151 and Lot 17 in D.P. 213415 and Lot 65 in D.P. 651098 and Lot 1 in D.P. 602398 and Lot 21 in D.P. 837494 in Ward Oval, Cobar
Local Government Area	Cobar Shire Council

General Details	
Proposal	Plan of Management in relation to the operational needs, maintenance, and future vision and development of Ward Oval Cobar's Premier Sporting and Community Facilities.
Application Type	Plan Of Management

1.2 Background

Public land provides the community with a range of facilities and spaces that include parklands, showgrounds, community halls, picnic areas, natural bushland, caravan parks and camping areas. The public land system has developed since the 1850s in recognition of the basic needs of all members of our community to gain access to open spaces for physical, emotional and social development and well-being.

Some public land is State owned and is managed by the New South Wales Government, such as Crown land and National Parks. However, there are also large areas of State owned Crown land that are managed by local councils, either as reserve trust manager appointed under the Crown Lands Act 1989, or because the land has devolved to them under Section 48 of the Local Government Act 1993. Another type of public land is that owned by local authorities/councils and may be managed as community land or operational land under the Local Government Act.

The Ward Oval is public land and well positioned within a network of other council and community amenities. The site offers a mixture of uses and its location is central to the residents and visitors of Cobar.

Cobar offers a good amount of green space and public amenity. Ward Oval is a key part of this provision, and during times of water shortage is the only green space left in the town. Due to this proximity the site has the opportunity to promote walking and cycling for those who live near the centre of town.

Ward Oval is an important public space used by many people, both Cobar residents and visitors, with flow-on social and commercial benefits to the local community. This multi-functional site is of high social value for past and present generations. It contains a number of built structures which reflect changing community needs and interests in the area.

1.3 Purpose

Due to the land ownership, this document part “Plan of Management” under the Local Government Act 1993 – being the areas of the site that are Council owned Community Land, and part “Management Plan” – being those areas of the site owned by the Crown or that area of Council owned land that is Operational Land. The document is collectively referred to here-in as “the Plan” or the “Management Plan”.

It is further noted that whilst this Plan has been prepared consistent with the requirements of also being a “Plan of Management” under the Crown Lands Act 1989, policy directions of the Department of Trade & Investment – Crown Lands Division have changed during the course of preparation and whilst they endorse this document as a “Management Plan” for the purposes of being a management tool to assist the Reserve Trust in management of Crown areas of the site, the consent of the Minister administering the Crown Lands Act 1989 to the document being a formal “Plan of Management” is considered to be unnecessary.

A management plan is a document that provides a framework for how a particular resource or asset, in this case the Ward Oval Sporting and Community Facilities, will be maintained for current and future use. This plan has been prepared to assist the day to day physical management and future strategic management direction of Ward Oval, but should not be confused with a masterplan which guides the future enhancement or embellishment of the land.

The preparation of a management plan allows for an integrated approach to the future development of the Ward Oval which takes into account the needs of all user groups, as well as the wider community and tourists that visit the site. Through this integrated process, it is anticipated that the needs of user groups will be met and, subsequently, well managed.

As part of the planning process for the Ward Oval Sporting and Community Facilities, a review of its current condition and the uses of the site have been completed. This review seeks to identify which uses are sustainable in the long term and to identify the issues and actions that should be addressed in order to benefit both current and potential future users.

This management plan recognises that the use of the Ward Oval has changed over its history and that evolution should be allowed to continue in response to changing community needs and desires. The plan aims to protect the significant values while providing for sustainable future use.

Council has, in preparing the plan, and in consultation with the community:

- I. Identified the significant values of Ward Oval, i.e., what's important about the place;

- II. Established a broad basis for management of Ward Oval to protect and enhance the identified values. This encompasses the core legislative and community expectations for the site and will provide the basis for making further decisions;
- III. Determined appropriate, specific management objectives that will ensure the maintenance of Ward Ovals values;
- IV. Identified issues or problems that may detract from the Ward Ovals values; and
- V. Developed a set of actions that show how each management objective will be put into practice.

1.3 Legislation and Policy Framework

The management of public land requires compliance with existing government legislation and policy. This plan has been prepared according to the provisions of both the Crown Lands Act 1989 and the Local Government Act 1993. The basis for management of the land, as prescribed under these Acts, is further set out in Section 3 of this plan.

In addition to the requirements of these Acts, this plan must comply with all other relevant legislation and policy, across all three levels of government. Examples of other legislation and policies which must be considered include the Environmental Planning and Assessment Act 1979 and associated instruments such as the Cobar Local Environment Plan 2012. A description of these, and other relevant legislation and policies, is provided in Appendix A.

It is noted that part of the site subject to this plan is Council owned land that is classified as “Operational Land” under the Local Government Act 1993. While there is no requirement for Operational Land to be included in a management plan, this area of land is recognised by the community as being integral to the Ward Oval site and has therefore been included.

1.3.1 Related Planning Documents

A number of important planning document have been prepared in recent years that inform and effect the management of the Ward Oval. They have provided essential background information and direction for the development of this plan. These planning documents include:

- Ward Oval Masterplan Report, prepared by Dunn and Hillam Architects dated 21 June 2021
- Ward Oval Management Plan 2009-2012, prepared by Cobar Shire Council dated 2012

2. Existing Situation

This section provides background information relating to the existing site and its context.

2.1 Land to which the Plan Applies

The subject site is comprised of a number of allotments owned by either the Cobar Shire Council (Council) or the NSW State Government (Crown). These allotments are Lots 13-28 in D.P. 22820 and Lots 7317-7318 in D.P. 1170701 and Lot 1 in D.P. 216151 and Lot 17 in D.P. 213415 and Lot 65 in D.P. 651098 and Lot 1 in D.P. 602398 and Lot 21 in D.P. 837494 in Ward Oval, Cobar and shown in Figure 1.

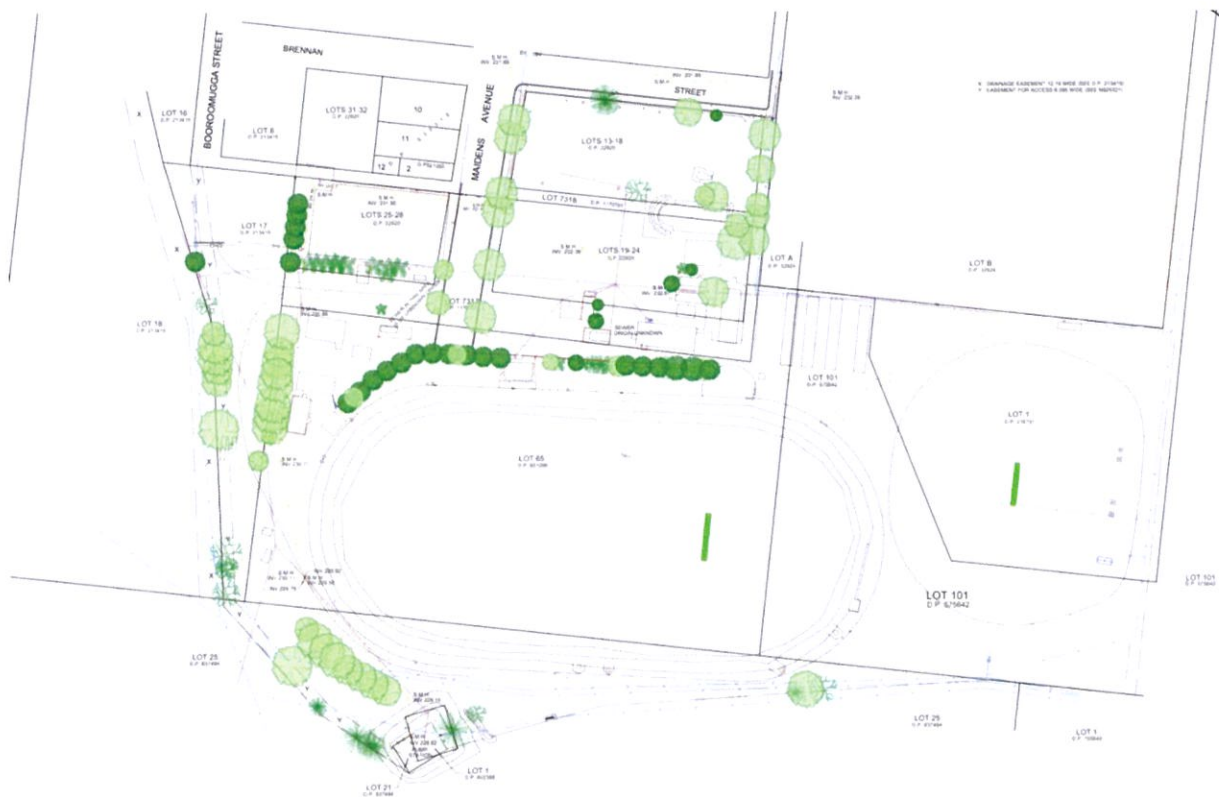


Figure 1: The lots comprising Ward Oval one of Cobar's premier sporting facilities.

The overall size of the Ward Oval Precinct is over 11 hectares with the areas identified as Crown Land shown below.

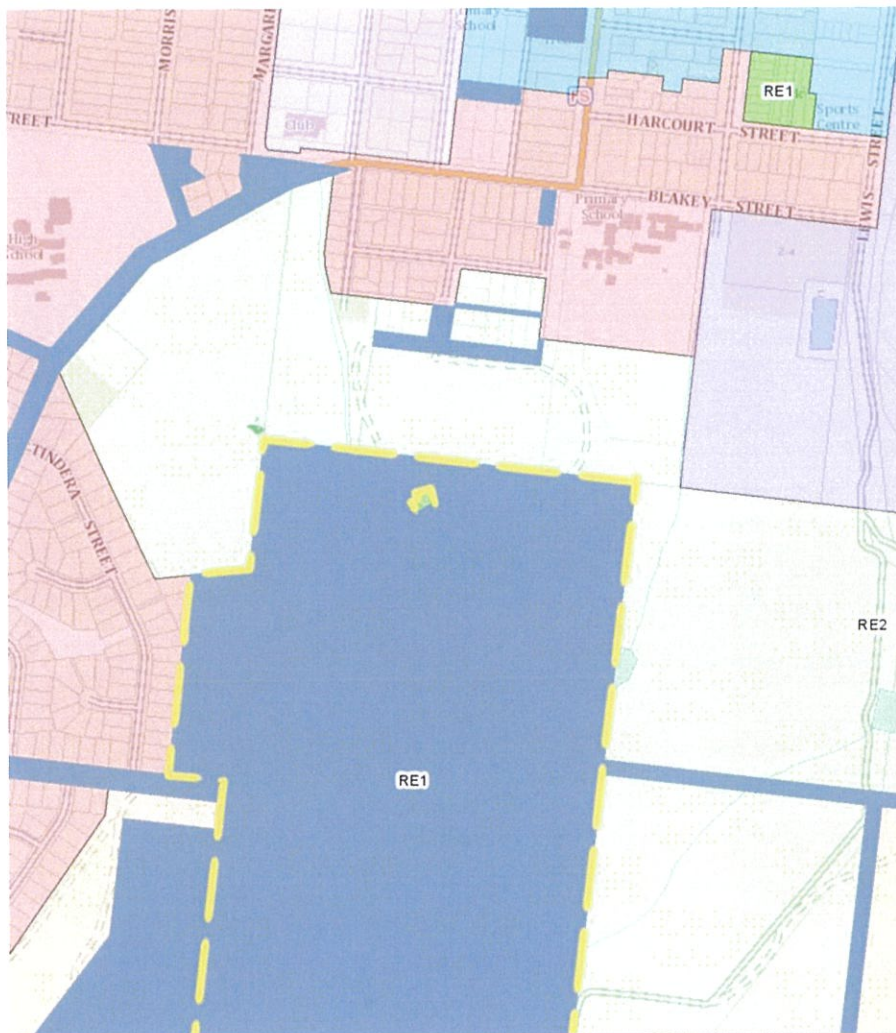


Figure 2: The areas shown in blue is identified as Crown land and principally relates to part of the site to the south and some roads near the entry to Ward Oval.

2.2 Context

The Ward Oval precinct is located 600m off the Barrier Highway / Marshall St. The site is zoned as RE2 Private Recreation (Cobar LEP 2012 map). Adjacent sites to the immediate east and west are also zoned for Private Recreational purposes.

Adjacent buildings include; Cobar Bowling & Gold Club; Cobar Pre-School; Cobar High school ; Cobar Public School.

2.3 Existing Site Features

Ward Oval is owned and operated by Council and is used by a variety of sporting organisations including the Cobar District Cricket Association, Cobar Netball Association, Cobar Junior Netball Association, Cobar Little Athletics and Cobar Junior Soccer.

The Copper City Men's Shed and Buffalo Lodge meetings, along with major annual events, the Cobar Show, the Copper City Sheep Dog Trials, Peak Gold Mine Golden Dash and Mine Rescue are also held at Ward Oval.

The Ward Oval grounds includes three grassed ovals (main Oval Number 1 includes a turf cricket pitch and lights and Oval Numbers 2 and 3 include synthetic cricket pitches), canteen and bar facilities, toilets and showers, changerooms, netball courts, dining rooms, main pavilion with office, grandstands, various stock yards and stables, and other pavilions.

Council has developed a Master Plan for Ward Oval which includes concept designs for a new multi-purpose centre, Early Learning precinct, upgrades to the oval including athletic facilities, additional lighting, improved show facilities and landscaping.



Figure 3: Ward Oval comprises of a number of facilities with a main multipurpose oval central to the site.

2.3.1 Landscape and Vegetation

The main landscape elements at Ward Oval include:

- well grassed main sports field (main oval, cricket pitch, athletics area);
- site is largely bordered by mature trees to the east, west, and south, with smaller trees along the northern border of the oval.
- trees run along the western perimeter of the main oval.
- the eastern oval is not able to be irrigated year-round due to water shortages.
- informal open areas.
-

There is a series of significant established green corridors across the site, composed of a selection of endemic and exotic trees .

2.3.2 Buildings and Other Structures

The site incorporates a number of uses and structures including netball courts, two ovals, a grandstand, amenities buildings, Copper City Men's Shed, stables, agricultural sheds, and agricultural show-related halls and pavilions.

2.4 Ward Oval Management

The Ward Oval consists of both Council owned and Crown land that has been dedicated or reserved. The Cobar Shire Council has been appointed by the NSW Government as trust manager of:

- Maidens Avenue, Cobar Lot 737 DP 1170701;
- Newly Reservoir Lot 25 DP837494, being the southern area of the Oval which is Crown land.

Council is ultimately responsible for routine maintenance, taking bookings, setting and collection of fees for use of the Oval and sporting facilities. Council manages the facility for the benefit of the whole community. Through the development and implementation of this management plan, Council is working with primary user groups towards a shared vision for Ward Oval in a manner which preserves its character, meets current and anticipated community needs.

Like many other Council facilities, community stakeholders of Ward Oval are consulted. The Ward Oval Users Group meet once a year or as required by Council.

At present the Ward Oval Users Group has members comprising of different user groups and community representatives. Each formal and informal user may nominate one representative and one alternative member to attend meetings.

This form of management is cost effective for Council, but perhaps more importantly, it allows for the facilities to be managed to their full potential and gives the local community opportunities for developing skills, local ownership and pride in achievement. Council greatly values the voluntary efforts of the community-minded citizens who contribute their time and energy in managing the facilities.

2.4.1 Funding Sources

Funding for Ward Oval maintenance and improvements comes from a variety of sources. Monies for the oval playing fields and general maintenance come from Council's annual maintenance budget for parks. Some of the expenses incurred by Council are recouped by charging some users for certain uses of the facilities. Fees and charges applicable to the facilities are set each year in Council's Fees, Charges and Rentals. Minor improvements and major capital works items are often funded in partnership with user groups, Council and other levels of government.

The NSW Government has established a Public Reserves Management Fund Program (PRMFP), which provides loans and limited grants to reserve trusts. These funds are available for improvement works to Crown reserves and provide for both capital development and maintenance projects. Under the program, application can be made for the balance of the cost of projects beyond the extent of funds available locally. The program requires a local contribution, whether monetary and/or in-kind.

The PRMFP Assessment Committee is responsible for reviewing applications for financial assistance and making recommendations to the Minister administering the Crown Lands Act on the proposed allocation of funds for showground improvements. Both grant and loan funds are available through the program.

2.5 Uses of Ward Oval

The Ward Oval, including sporting and community facilities is utilised by a range of users. These include formal and casual users of the site, organised group sports and community functions,

the Early Learning Precinct and ticketed events. These user groups are categorised into formal (maintain and operates facilities), long standing (variety of sporting and community groups using various facilities) and casual users (one off, irregular). The following are the formal and long standing users:

Organisation	Facilities
Copper City Men's Shed	Shed Building
Cobar Netball Association	Netball Courts, Netball Association Clubhouse
Cobar Show Society	All grounds and facilities
General Sporting and Community Groups	Ovals 1, 2 & 3/ Amenities

2.5.1 Community Use

The Ward Oval is a substantial multipurpose community facility used by many people, both Cobar residents and visitors. Ward Oval is well recognised as a focal point for community interaction, relaxation and celebration.

The site provides for a range of community activities including:

- Organised events such as the Cobar Show;
- Organised sporting and health activities including touch football and fitness training;
- Men's Shed a community-based, non-commercial organisation undertaking skills and activities to improve health and wellbeing of members in a safe and included environment.
- Regular use by various other community groups.
- Early Learning Precinct that supports Early Childhood Services in Cobar and surrounding areas to ensure adequate supply of quality childcare to meet the community's needs and expectations.

The grounds are also enjoyed for casual use and provide active and passive recreation opportunities such as:

- Walking and other exercise;
- Travel breaks / rest stops;
- Car parking for the town centre;
- Picnics;
- Play activities include at the playground;
- Walking of dogs; and

- Sitting and relaxing.

As well as being diverse in their nature, the uses of Ward Oval vary in intensity. There are regular frequent users throughout the year, there are seasonal users and there are irregular casual users. Some users are present every day while others are weekly, monthly or annual activities.

There are a number of pre-emptive existing uses of Ward Oval facilities that always need to be taken into consideration when new bookings are taken.

2.5.2 Commercial and Corporate Use

Ward Oval facilities are used from time to time for a number of commercial activities. These include for example weddings, functions and events.

Council's policy on use and hire of community facilities for commercial activities applies to all Council managed/owned building and reserves. The policy provides that, prior to approval there be adequate consultation with other users of the community facility and potential businesses that may be affected by the proposed commercial activity. Proposals will not be supported for a commercial activity that may conflict with the normal function of the community facility or if the proposal contravenes the provisions of the Cobar Local Environment Plan 2012.

Any use of the site should also be consistent with the gazetted public purpose for the site.

Commercial fees, in accordance with Council's adopted Fees, Charges and Rentals, shall apply for each day the community facility is required for setting up and dismantling of structures. Appropriate insurance and a bond are required to protect the community facility from damage or necessary clean up following commercial use.

Advertising signs on fences on public land are exempt from requiring development consent if they meet certain criteria. The criteria include that signs are required to face inwards towards a playing field and are not visible beyond the site, and that the content does not relate to alcoholic beverages, tobacco products or like products.

2.5.3 Insurance

All Ward Oval users must have appropriate current public liability insurance policies of no less than Twenty Million Dollars. Copies of the policies must be lodged with Council at the time of application for the use of the facilities.

3. Basis for Management

The “Basis for Management” is what underpins the way Ward Oval is managed. The basis for management describes stakeholders’ fundamental expectations and provides directions for making decisions. Stakeholders include resident and visiting community members, community organisations, Council and Government agencies. The basis for management is therefore derived from:

- community values; and
- legislative and policy requirements including:
 - o Crown Land Management Principles; and
 - o Local Government Act Classification Core Objectives.

The basis for management culminates in the overarching management objectives for the site that aim to protect and enhance the Ward Ovals values. Management objectives, community values, and legislative requirements relating to management of the site are identified in this section. Text relating to key management considerations have been highlighted within boxes for ease of reference.

3.1 Management Objectives

In a holistic sense, the management objectives for the Ward Oval should seek to preserve and manage the identified values of the site both now, and into the future. This should entail the development and maintenance of the site as a multi-functional facility based on the principles of sustainable land use and management practices.

The following management objectives aim to achieve this direction whilst complying with relevant legislative and policy requirements:

- I. To provide for a range of community recreational activities, Early Learning Precinct and ancillary uses of Ward Oval and to balance potentially competing uses.
- II. To protect and enhance views to and from the site, and visual amenity within its boundaries, that comprise the unique visual character of the reserve

- III. To maintain the facility to a high standard, commensurate with available funding and community expectations
- IV. To minimise physical and health risks to users of the reserve

The community and legislation/policy requirements that form the basis for management and the Management Objectives above are further articulated in the following sub-sections. Key areas are highlighted to assist in identifying key aspects of these sections.

3.2 Community Values

Ward Oval is a key community facility in the area, providing a public open space for formal and informal use, as well as meeting, event and activity spaces. The buildings and open areas continue to be used for community purposes and private community-based functions, as intended when first established. It is clear that Ward Oval is valued greatly by the community.

3.3 Crown Land Management Principles

The Crown Land Management Act 2016 (CLM Act) commenced on 1 July 2018, introducing a consolidated, modern piece of legislation to govern the management of Crown land in NSW. Parts of the area covered by this management plan are dedicated under the Crown Lands Act 1989, and which therefore require that Ward Oval be managed for the benefit of the people of New South Wales according to set principles.

- (a) that environmental protection principles be observed in relation to the management and administration of Crown land,
- (b) that the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible,
- (c) that public use and enjoyment of appropriate Crown land be encouraged, (d) that, where appropriate, multiple use of Crown land be encouraged,
- (d) that, where appropriate, multiple use of Crown Land be encouraged.
- (e) that, where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and
- (f) that Crown land be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the State consistent with the above principle

In 2021, the Crown Land Management Amendment (Plan of Management) Regulation 2021 (CLM Regulation 2021) removed a requirement for councils to complete Plans of Management

by 1 July 2021. This change is aimed to provide councils greater flexibility in the development of Plans of Management for Crown reserves.

The Crown land is dedicated for the purpose of Public Recreation*. This must be a primary consideration that guides future management.

3.4 Local Government Act Classification and Core Objectives

Those parts of the Ward Oval that are not Crown land are Council owned operational land or Council owned community land categorised as sportsground and general community use.

Division 2 of the Local Government Act 1993 deals with the use and management of the Council owned community land and include core objectives for management of such lands according to their various categorisations.

3.5 Other Policies

Council has a number of policies that are relevant to the site under various circumstances.

These include:

Development Controls Plans (DCPs) - that provide advice and requirements for development
Consideration of relevant policies of Council should be applied to any proposed activities or development.

Council additionally maintains a Management Committee Guidelines that assist in the operation of the management committee and is a useful tool to further understanding the management of Ward Oval for prospective users.

3.6 Development Consent and Leases/Licences

If a proposal is consistent with all of the above and with this management plan, then there are two further processes may still determine if uses can and cannot be approved in the reserve:

- Some uses of the reserve will require specific approval from Council in the form of development consent under the Environmental Planning and Assessment Act 1979; and
- Some uses of the reserve will require a lease, licence or temporary licence under the Crown Lands Act 1989 or the Local Government Act 1993.

ITEM 2

Crown Land Owners Consent

Garry Ryman

From: Deena Robinson <deena.robinson@crowland.nsw.gov.au>
Sent: Tuesday, 22 February 2022 11:49 AM
To: Garry Ryman
Cc: Shaun Barker
Subject: Re: Lots 7317 and 7318 in 1170701 - Crown land lots at Ward Oval Cobar
Attachments: landowners-consent-application-form.pdf

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Hi Garry,

Thank you for providing the information about the proposed DA for the childcare and carpark affecting Lots 7317-7318 DP 1170701 (part of Dedication 630023 reserved for Public Recreation) In this case, the proposed development would require LOC as it does not fit the list of exempt activities under Section 2.23 of the *Crown Land Management Act 2016*.

Application form is attached for your completion, and in this instance, I am happy to receive the completed form directly back to me. I will also file the information you have so far provided - being the DA applications, site maps, specifications etc for this application to be processed

The department is also working on providing a response on how best to proceed with having these lots removed from The Newey - this will take some time to work through as it is dedicated land

As always, happy to chat if required

Kind regards

Deena Robinson
Senior Property Management Officer

Far West - Crown Lands | Department of Planning and Environment
T 02 6883 5459 | **E** deena.robinson@crowland.nsw.gov.au
Level 1, 45 Wingewarra Street, Dubbo, NSW
www.dpie.nsw.gov.au

Our Vision: Together, we create thriving environments, communities and economies.

The Department of Planning and Environment acknowledges that it stands on Aboriginal land. We acknowledge the traditional custodians of the land and we show our respect for elders past, present and emerging through thoughtful and collaborative approaches to our work, seeking to demonstrate our ongoing commitment to providing places in which Aboriginal people are included socially, culturally and economically.

As a result of Covid19 the Far West regional staff are currently working remotely. Contact via telephone and email will continue during this time.

From: Garry Ryman <garry.ryman@cobar.nsw.gov.au>
Sent: Monday, 7 February 2022 8:51 AM
To: Deena Robinson <deena.robinson@crowland.nsw.gov.au>
Subject: Lots 7317 and 7318 in 1170701 - Crown land lots at Ward Oval Cobar

Vanessa Woodham | Property Services Officer

Crown Lands – Far West Area | Department of Planning and Environment

45 Wingewarra Street DUBBO NSW 2830 | PO Box 2185 DANGAR NSW 2309

Direct Line: 02 6883 5433 | **T:** 1300 886 235

E: vanessa.woodham@crownland.nsw.gov.au |

W: www.crownland.nsw.gov.au | **W:** www.dpie.nsw.gov.au

Initial enquiries should be addressed to cl.western.region@crownland.nsw.gov.au



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**Due to Covid-19 the Far West regional staff are currently working remotely.
Contact via telephone and email will continue as usual during this time.**

From: Kelly Fairbank <kelly.fairbank@cobar.nsw.gov.au>

Sent: Thursday, 24 February 2022 10:08 AM

To: Deena Robinson <deena.robinson@crownland.nsw.gov.au>

Cc: Karen Warren <karen.warren@cobar.nsw.gov.au>; Peter Vlatko <peter.vlatko@cobar.nsw.gov.au>; OLG - Cobar Shire Council <mail@cobar.nsw.gov.au>

Subject: RE: Land Owners Consent - Crown Land. Ward Oval Upgrade

Good morning, Deena,

Thank you for your time this morning, please find attached the two signed Landowner Consent documents for the Ward Oval Upgrade.

Please let me know if I can be of any further assistance.

Thank you, Kelly.

Kind regards,



Kelly Fairbank

Executive Assistant to the General Manager and Mayor

Cobar Shire Council | 36 Linsley Street (PO Box 223) | Cobar NSW 2835

P: (02) 6836 5888 | F: (02) 6836 3964 |

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From: Karen Warren <karen.warren@cobar.nsw.gov.au>

Sent: Thursday, 24 February 2022 9:44 AM

To: Peter Vlatko <peter.vlatko@cobar.nsw.gov.au>

Garry Ryman

From: Vanessa Woodham <vanessa.woodham@crowland.nsw.gov.au>
Sent: Wednesday, 9 March 2022 3:11 PM
To: Garry Ryman
Subject: Land Owner's Consent for Child Care Centre
Attachments: LOC 633436 Granted - Cobar Shire Council.DOCX

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Hello Garry

Attached is the letter of consent for the Child Care Centre.

I am still working on the one for Ward Oval and will send it through as soon as it is approved.

Should you have any further enquiries regarding this matter please contact me via the details below, noting I do not work on Fridays.

Kind Regards

Vanessa Woodham | Property Services Officer

Crown Lands – Far West Area | Department of Planning and Environment
45 Wingewarra Street DUBBO NSW 2830 | PO Box 2185 DANGAR NSW 2309

Direct Line: 02 6883 5433 | **T:** 1300 886 235

E: vanessa.woodham@crowland.nsw.gov.au |

W: www.crowland.nsw.gov.au | **W:** www.dpie.nsw.gov.au

Initial enquiries should be addressed to cl.western.region@crowland.nsw.gov.au



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**Due to Covid-19 the Far West regional staff are currently working remotely.
Contact via telephone and email will continue as usual during this time.**

Mr Garry Ryman
Cobar Shire Council
PO Box 223
COBAR NSW 2835

Our ref: DOC22/043315

File: 22/01104

09 March 2022

Dear Sir

**Consent for
Development
Comprising:**

Car Park for Child Care Centre

Crown Land

Lot 7318 DP 1170701

Crown reserve

Part R630023 for Public Recreation notified 18
November 1932

Parish

Cobar

County

Robinson

Consent is granted by the Minister for Lands and Water to the lodgement of applications for approval under the *Environmental Planning and Assessment Act 1979*, and other associated applications required under other legislation, for the development proposal described above.

- The Land Owner Consent is granted conditional to the following:
 1. Land Owner Consent will expire after a period of 12 months from the date of this letter if not acted on within that time. Extensions of this consent may be sought
 2. You are required to forward a copy of the DA approval to the NSW Department of Planning and Environment – Crown Lands (“the Department”) after approval and prior to commencing works.
 3. You are required to ensure that the approval provided is consistent with this Land Owner Consent.
 4. The Land Owner Consent is provided for the works detailed on the plans provided by you and retained by the Department in File 22/01104.

Land Owner Consent is granted in accordance with the following:

- Land Owner Consent is given without prejudice so that consideration of the proposed development may proceed under the *Environmental Planning and Assessment Act 1979* and any other relevant legislation;
- The grant of this Land Owner Consent does not guarantee that any subsequent authority to occupy will be granted;

- Land Owner Consent does not imply the concurrence of the Minister for Lands and Water for the proposed development and does not provide authorisation under the Crown Lands Act 1989 for this proposal;
- The issue of Land Owner Consent does not prevent the Department from making any submission commenting on, supporting or opposing an application;
- The Minister reserves the right to issue Land Owner Consent for the lodgement of applications for any other development proposals on the subject land concurrent with this Land Owner Consent;
- Any changes made to the proposal, including those imposed by the consent authority, must be consistent with the Land Owner Consent and therefore if modifications are made to the proposed development details must be provided to the Department for approval;
- Land Owner Consent also allows application to any other approval authority necessary for this development proposal.

This letter should be submitted to the relevant consent or approval authority in conjunction with the development application and/or any other application. You are responsible for identifying and obtaining all other consents, approvals and permits required under NSW and Commonwealth laws from other agencies for the proposed development.

It is important that you understand your obligations relating to Condition 3. If any alterations are made to the application (whether in the course of assessment, by conditions of consent, or otherwise), it is your responsibility to ensure the amended or modified development remains consistent with this Land Owner Consent. If there is any inconsistency or uncertainty you are required to contact the Department before undertaking the development to ensure that the Department consents to the changes. A subsequent LOC application may incur additional application fees.

For further information, please contact Vanessa Woodham via the details given in the letter head.

Yours sincerely



Vanessa Woodham
Property Services Officer
Department of Planning, Industry & Environment
Crown Lands, Far West Area

ITEM 3

Due Diligence Report



View southeast through the study area.

ABORIGINAL DUE DILIGENCE ASSESSMENT REPORT

COBAR CHILDCARE CENTRE AND WARD OVAL MASTERPLAN

COBAR, NSW

JUNE 2022

Report prepared by
OzArk Environment & Heritage
for NSW Public Works Advisory

OzArk

OzArk
Environment & Heritage

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DOCUMENT CONTROLS

Proponent	Cobar Shire Council
Client	NSW Public Works Advisory
Document Description	Aboriginal Due Diligence Assessment: the Cobar Childcare Centre and Ward Oval Masterplan project.
File Location	OzArk Job No.
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Document Status: V3.0 FINAL	Date: 29 June 2022
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Final V3: Final document	V3.0 Ozark to client 29/9/22
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Acknowledgement

OzArk acknowledge the traditional custodians of the area on which this assessment took place and pay respect to their beliefs, cultural heritage, and continuing connection with the land. We also acknowledge and pay respect to the post-contact experiences of Aboriginal people with attachment to the area and to the Elders, past and present, as the next generation of role models and vessels for memories, traditions, culture and hopes of local Aboriginal people.

EXECUTIVE SUMMARY

OzArk Environment & Heritage (OzArk) has been engaged by NSW Public Works Advisory (the client) on behalf of Cobar Shire Council (the proponent) to complete an Aboriginal Due Diligence heritage assessment for the Cobar Childcare Centre and Ward Oval Masterplan project (the project)

Prior to the Due Diligence assessment, a site walkover for Aboriginal heritage was undertaken for the project by the Cobar Local Aboriginal Land Council (Cobar LALC) in April 2022. During the walkover, an isolated artefact was identified in the northern carpark area and removed by the site officer due to concerns that the object would be damaged by vehicles. OzArk understands that Cobar LALC and Cobar office of the National Parks and Wildlife Service are in the process of registering the object on the Aboriginal Heritage Information Management System (AHIMS) and intend to organise a care and control agreement to relocate the artefact to the keeping place at Mount Grenfell National Park.

A visual inspection of the study area was undertaken by OzArk Archaeologist, Harrison Rochford and Tyrone Griffiths of the Cobar LALC on Friday 3 June 2021. The location of the previously identified Aboriginal object was revisited and no further objects or landforms with archaeological sensitivity were recorded.

The undertaking of the due diligence process has resulted in the conclusion that the proposed works will have an impact on the ground surface, however, no Aboriginal objects or intact archaeological deposits will be harmed by the proposal. This moves the proposal to the following outcome:

Aboriginal Heritage Impact Permit (AHIP) application not necessary. Proceed with caution. If any Aboriginal objects are found, stop work, and notify Heritage NSW (02) 9873 8500 (heritagemailbox@environment.nsw.gov.au). If human remains are found, stop work, secure the site, and notify NSW Police and Heritage NSW.

To ensure the greatest possible protection to the area's Aboriginal cultural heritage values, the following recommendations are made:

- 1) The proposed work may proceed at Ward Oval without further archaeological investigation under the following conditions:
 - a) All land and ground disturbance activities must be confined to within the study area, as this will eliminate the risk of harm to Aboriginal objects in adjacent landforms. Should the parameters of the proposal extend beyond the assessed areas, then further archaeological assessment may be required.
 - b) All staff and contractors involved in the proposed work should be made aware of the legislative protection requirements for all Aboriginal sites and objects.

- 2) It is understood that that an AHIMS registration for the Aboriginal object that was identified by the Cobar LALC is pending. Once this listing has been approved by Heritage NSW, the site card should be amended to include the information that the object has been taken into care by the Cobar LALC and is no longer at its recorded location.
- 3) This assessment has concluded that there is a low likelihood that the proposed work will adversely harm Aboriginal cultural heritage items or sites. If during works, however, Aboriginal artefacts or skeletal material are noted, all work should cease and the procedures in the *Unanticipated Finds Protocol* (**Appendix 2**) should be followed.
- 4) Inductions for work crews should include a cultural heritage awareness procedure to ensure they recognise Aboriginal artefacts (see **Appendix 3**) and are aware of the legislative protection of Aboriginal objects under the *National Parks and Wildlife Act 1974* and the contents of the *Unanticipated Finds Protocol*.

The information presented here meets the requirements of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. It should be retained as shelf documentation for five years as it may be used to support a defence against prosecution in the event of unanticipated harm to Aboriginal objects.

CONTENTS

EXECUTIVE SUMMARY.....	III
1 INTRODUCTION	1
1.1 Brief description of the project.....	1
1.2 Background.....	1
1.3 Study area	1
1.4 Assessment approach	1
2 ABORIGINAL DUE DILIGENCE ASSESSMENT	5
2.1 Introduction.....	5
2.2 Defences under the NPW Regulation 2019.....	5
2.2.1 Low impact activities	5
2.2.2 Disturbed lands.....	5
2.3 Application of the Due Diligence Code of Practice to the project.....	6
2.3.1 Step 1	6
2.3.2 Step 2a	6
2.3.3 Step 2b	9
2.3.4 Step 2c	10
2.3.5 Step 3	11
2.3.6 Step 4	11
2.4 Conclusion.....	13
3 MANAGEMENT RECOMMENDATIONS	14
REFERENCES	15
PLATES.....	16
APPENDIX 1: AHIMS SEARCH RESULTS	18
APPENDIX 2: ABORIGINAL HERITAGE: UNANTICIPATED FINDS PROTOCOL	21
APPENDIX 3: ABORIGINAL HERITAGE: ARTEFACT IDENTIFICATION.....	22

FIGURES

Figure 1-1. Map showing the location of the proposal.	2
Figure 1-2: Aerial showing the study area.	3
Figure 1-3: Master plan for proposed works.	4
Figure 2-2: Previously recorded sites in relation to the study area.....	8
Figure 2-3: Survey coverage within the study area.....	12

TABLES

Table 2-1: Determination of whether Due Diligence Code of Practice applies. 6

Table 2-1: Site types and frequencies of AHIMS sites near the study area. 7

Table 2-3: Due Diligence Code of Practice application. 13

PLATES

Plate 1: View west to the location of the previously recorded and removed Aboriginal object... 16

Plate 2: View east across the modified drainage line at the eastern boundary of the study area.
16

Plate 3: View south across the oval and landscaped surrounds showing spoil heaps in the
background. 17

Plate 4: Example of sheds and stock infrastructure at the north of the study area. 17

1 INTRODUCTION

1.1 BRIEF DESCRIPTION OF THE PROJECT

OzArk Environment & Heritage (OzArk) has been engaged by NSW Public Works Advisory to complete an Aboriginal due diligence heritage assessment for the Cobar Childcare Centre and Ward Oval Masterplan project (the project). The project is in the Cobar Local Government Area (LGA) (**Figure 1-1**).

1.2 BACKGROUND

A site walkover for Aboriginal heritage was undertaken for the project by the Cobar Local Aboriginal Land Council (Cobar LALC) in April 2022. During the walkover, an isolated artefact was identified in the northern carpark area. The object was identified as a silcrete flake that was not in its original context and had likely been incidentally deposited at the site. The object was removed by the Cobar LALC site officer due to concerns that it would be damaged by vehicles.

OzArk understands that Cobar LALC is in the process of registering the object with the Aboriginal Heritage Information Management System (AHIMS). Cobar LALC and the Cobar office of the National Parks and Wildlife Service intend to organise a care and control agreement to relocate the artefact to the keeping place at Mount Grenfell National Park.

Although the object is no longer within the study area for the project, the proponent elected to undertake a due diligence assessment prior to undertaking works to formally assess the area for Aboriginal heritage.

1.3 STUDY AREA

The study area describes the area in which all impacts associated with the project will be located. The study area is situated within a partially cleared and modified flat landform that comprises the Ward Oval precinct in Cobar, NSW. The study area includes carparks, netball courts, stock yards and storage sheds used during agricultural shows and two landscaped sports ovals.

The northern boundary of the study area is bordered by Brennan Street and the north-western portion is adjacent to intersection of Booroomugga Street and Brennan Street. The study area covers approximately 12.5 hectares (ha) and is shown on **Figure 1-2**.

Two minor drainage lines run from south to north parallel to the eastern and western boundaries of the study area. The drainage lines meet the artificial Newey Reservoir south of Cobar.

1.4 ASSESSMENT APPROACH

Aboriginal cultural heritage

The desktop and visual inspection component for the study area follows the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales* (due diligence; DECCW

2010). The field inspection followed the *Guide to Investigating, Assessing and Reporting on Aboriginal Cultural Heritage in New South Wales* (OEH 2011).

Figure 1-1. Map showing the location of the proposal.

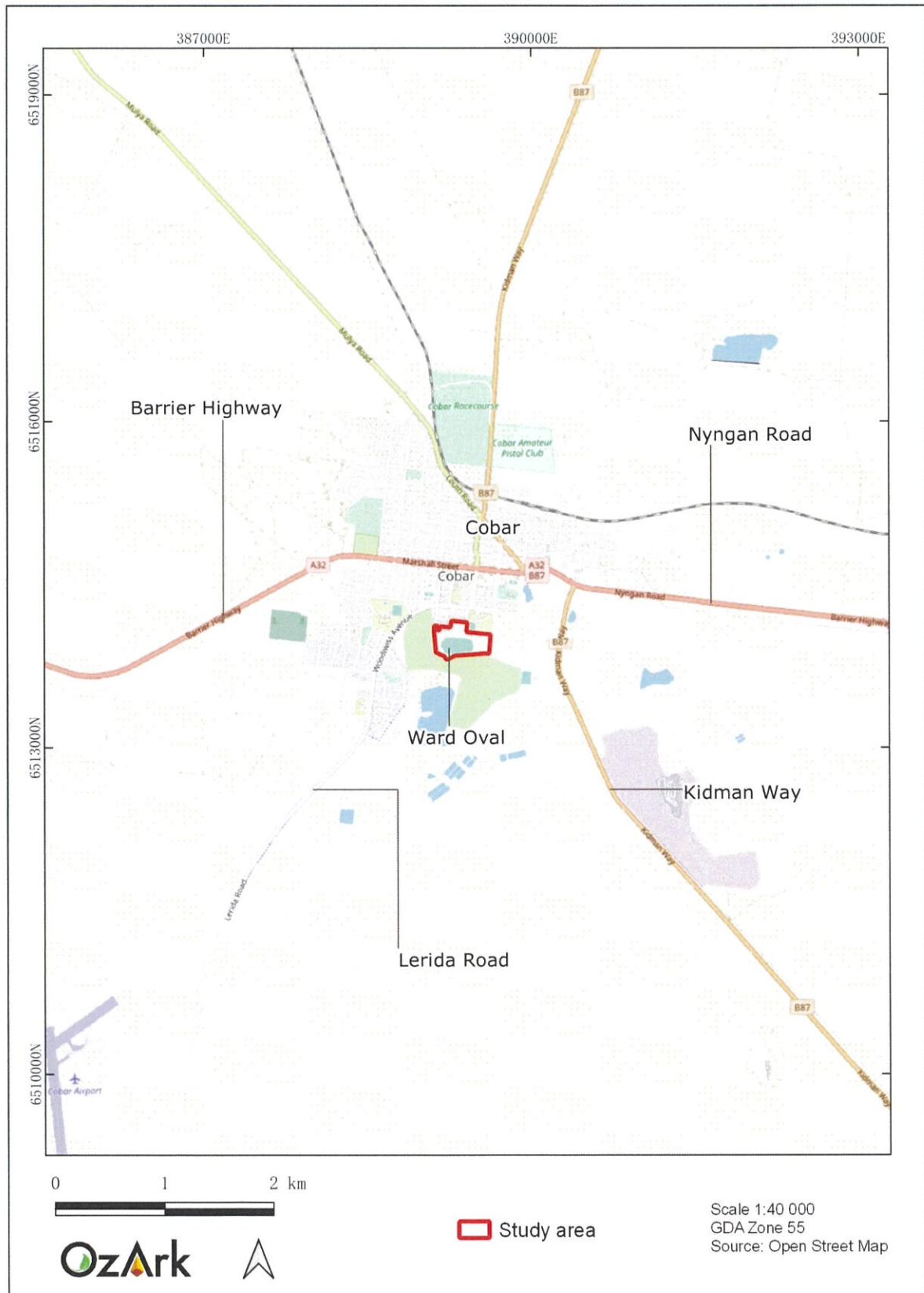
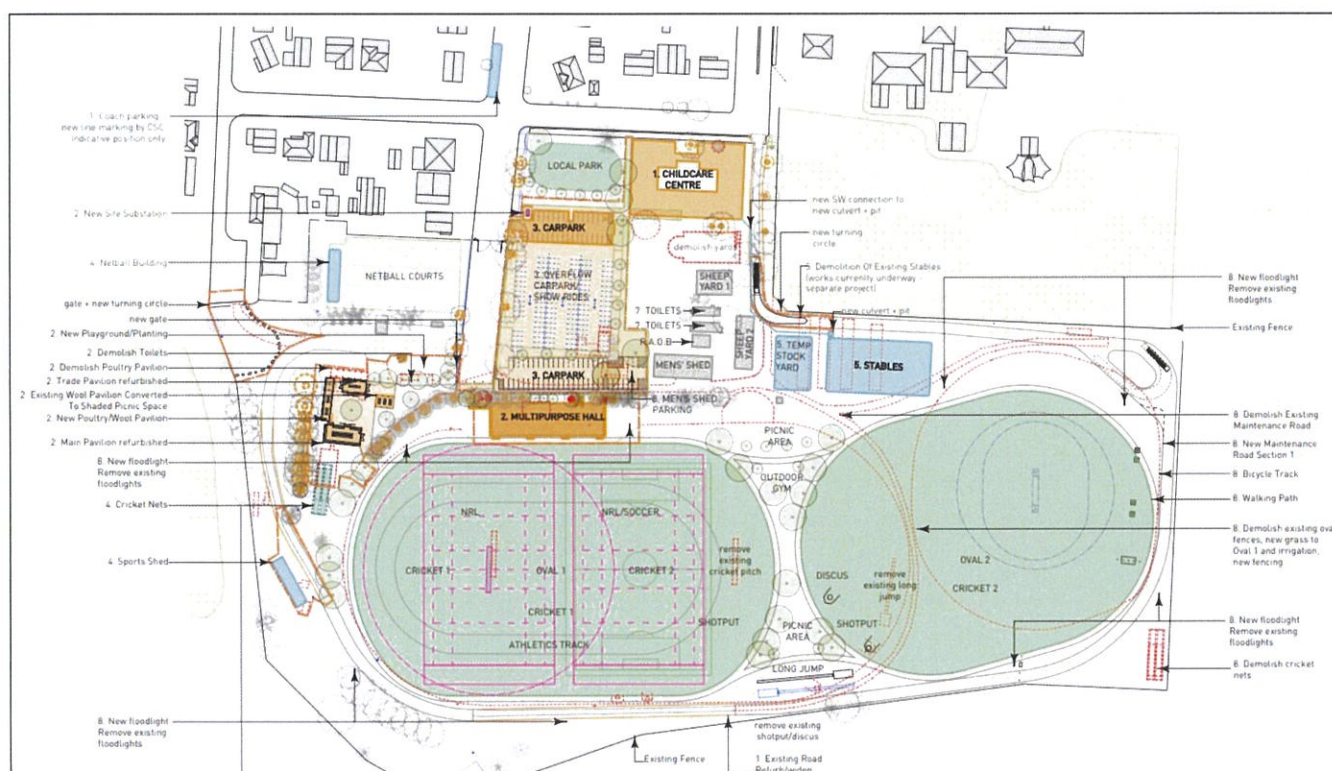


Figure 1-2: Aerial showing the study area.



Figure 1-3: Master plan for proposed works.



2 ABORIGINAL DUE DILIGENCE ASSESSMENT

2.1 INTRODUCTION

Section 57 of the National Parks and Wildlife Regulation 2019 (NPW Regulation) made under the *National Parks and Wildlife Act 1974* (NPW Act) advocates a due diligence process to determining likely impacts on Aboriginal objects. Carrying out due diligence provides a defence to the offence of harming Aboriginal objects and is an important step in satisfying Aboriginal heritage obligations in NSW.

2.2 DEFENCES UNDER THE NPW REGULATION 2019

2.2.1 Low impact activities

The first step before application of the due diligence process itself is to determine whether the proposed activity is a “low impact activity” for which there is a defence in the NPW Regulation. The exemptions are listed in Section 58 of the NPW Regulation (DECCW 2010: 6).

The construction of two new buildings (Preschool and Multi-Purpose Facility) at Ward Oval will involve excavation and general ground disturbances that are not considered ‘low impact’ activities. Thus, the due diligence process must be applied.

2.2.2 Disturbed lands

Relevant to this process is the assessed levels of previous land-use disturbance.

The NPW Regulation Section 58 (DECCW 2010: 18) define disturbed land as follows:

Land is disturbed if it has been the subject of a human activity that has changed the land’s surface, being changes that remain clear and observable.

Examples include ploughing, construction of rural infrastructure (such as dams and fences), construction of roads, trails and tracks (including fire trails and tracks and walking tracks), clearing vegetation, construction of buildings and the erection of other structures, construction or installation of utilities and other similar services (such as above or below ground electrical infrastructure, water or sewerage pipelines, stormwater drainage and other similar infrastructure) and construction of earthworks.

The proposed work will occur on the northern side of Ward Oval. The study area has been levelled and subject to installation of infrastructure such as carparks, access roads, sheds and grandstand buildings (**Figure 1-2**). Therefore, it is considered that the proposed work is mostly occurring in ‘disturbed land’.

However, as the proponent was aware of one previously recorded stone artefact within the study area, they have elected to follow the precautionary principle and undertake an assessment under

the Due Diligence Code of Practice (**Section 1.2**). The reasoning for this determination is set out in **Table 2-1**.

Table 2-1: Determination of whether Due Diligence Code of Practice applies.

Item	Reasoning	Answer
Is the activity to be assessed under Division 4.7 (state significant development) or Division 5.2 (state significant infrastructure) of the EP&A Act?	The proposal will be assessed under Part 5 of the EP&A Act.	No
Is the activity exempt from the NPW Act or NPW Regulation?	The proposal is not exempt under this Act or Regulation.	No
Do either or both apply: Is the activity in an Aboriginal place? Have previous investigations that meet the requirements of this Code identified Aboriginal objects?	The activity will not occur in an Aboriginal place. No Code of Practice investigations have been undertaken for this proposal.	No
Is the activity a low impact one for which there is a defence in the NPW Regulation?	The proposal is not a low impact activity for which there is a defence in the NPW Regulation.	No
Is the activity occurring entirely within areas that are assessed as 'disturbed lands'?	Yes, but the identification of an Aboriginal object at the study area has led to the undertaking of further assessment	Not applicable
Due Diligence Code of Practice will be applied		

2.3 APPLICATION OF THE DUE DILIGENCE CODE OF PRACTICE TO THE PROJECT

To follow the generic due diligence process, a series of steps in a question/answer flowchart format (DECCW 2010: 10) are applied to the proposed impacts and the study area, and the responses documented.

2.3.1 Step 1

Will the activity disturb the ground surface or any culturally modified trees?

Yes, the proposal will impact the ground surface and may impact culturally modified trees.

The proposed work includes earthworks and building construction that will disturb the ground surface. The project has the potential to impact culturally modified trees should mature trees be present in the study area.

2.3.2 Step 2a

Are there any relevant confirmed site records or other associated landscape feature information on AHIMS?

No, there are no previously recorded sites within the study area.

A search of the Aboriginal Heritage Information Management System (AHIMS) database was undertaken on 1 June 2022 that returned 77 results for Aboriginal sites within a 20 x 80 kilometre (km) area centred on the study area (GDA Zone 55 Eastings: 349388–429631; Northings: 6473622–6553722).

The frequently recorded site types in the area include modified trees (36.3%) and artefact scatters (32.5%). Other recorded site types include isolated finds (14.3%), stone quarry and artefact scatters (9.1%), Aboriginal ceremony and Dreaming sites (3.9%) and burial (1.3%). The closest site to the study area is an artefact scatter (#26-4-0011), approximately 770 metres (m) to the east of the study area.

Most sites tend to be near to waterways or in areas where development driven studies have taken place. The AHIMS results suggest that artefacts sites and modified trees are the most likely site types to be recorded at the study area.

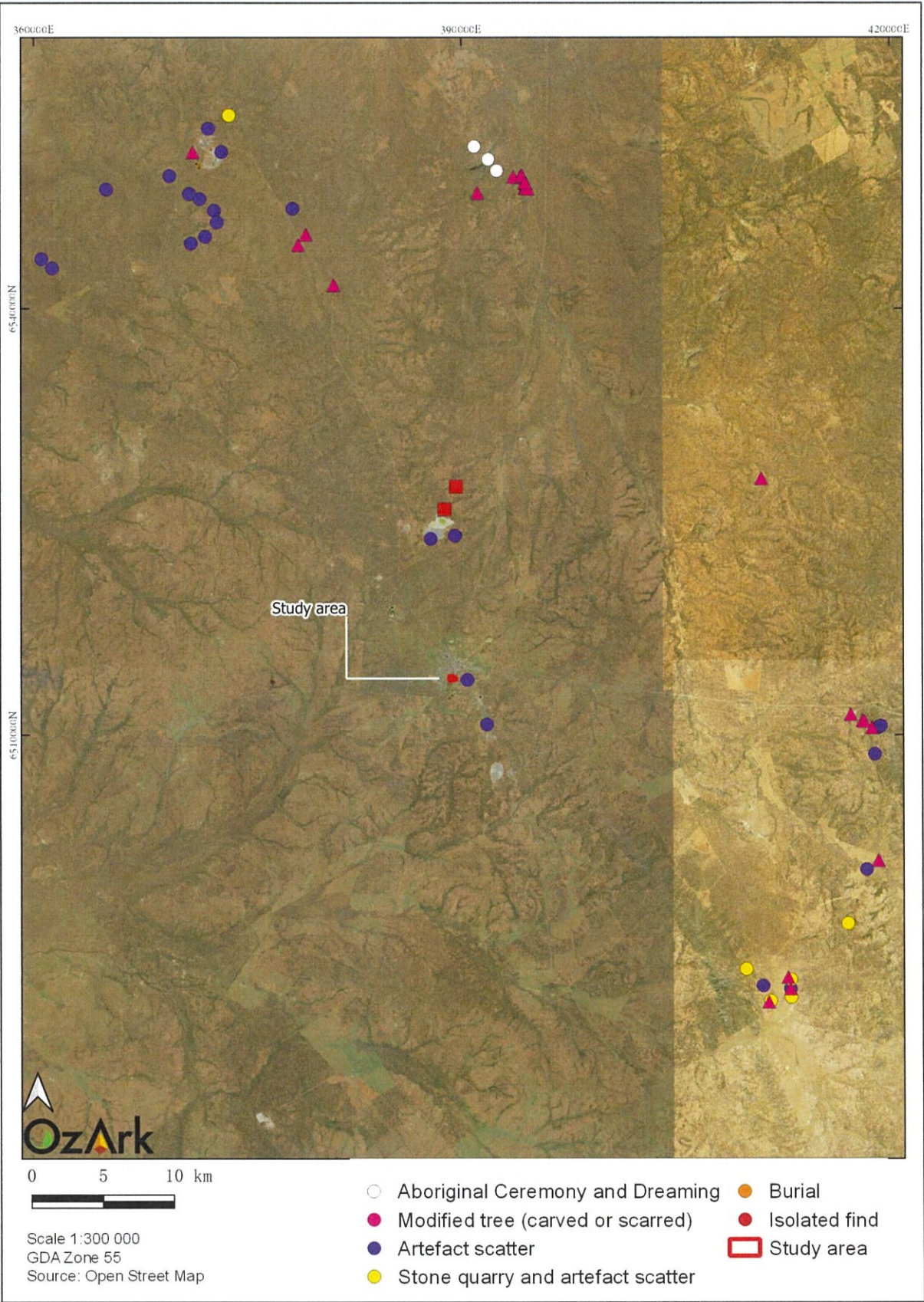
Although there is information indicating that an AHIMS site will be registered at the study area (see **Section 1.2**), as of 24 June 2022, this site registration had not been completed.

Figure 2-1 shows all previously recorded sites in relation to the study area and **Table 2-2** shows the types of sites that are close to the study area.

Table 2-2: Site types and frequencies of AHIMS sites near the study area.

Site Type	Number	% Frequency
Modified tree (carved or scarred)	28	36.3
Artefact scatter	25	32.5
Isolated find	11	14.3
Stone quarry and artefact scatter	7	9.1
Aboriginal ceremony and dreaming	3	3.9
Restricted site	2	2.6
Burial	1	1.3
Total	77	100

Figure 2-1: Previously recorded sites in relation to the study area.



2.3.3 Step 2b

Are there any other sources of information of which a person is already aware?

No, there are no other sources of information that would indicate the presence of Aboriginal objects in the study area.

Ethnographic information and regional archaeological summary

Cobar is traditionally home to the Ngiyampaa or Ngemba people, who to distinguish themselves from other language groups in the area and refer to themselves as the people who speak Ngiyampaa the Wangaaypuwan (or Wongaibon) way (NPWS 2000). As much of the ethnographic evidence for pre-contact Aboriginal society is derived from the accounts of early colonial explorers and settlers, there is comparatively little information available concerning the people of the Cobar Peneplain, which was not extensively colonised until the late 19th century.

The archaeological record of the Aboriginal people of the Cobar area is distinctive and well documented. Early archaeological studies such as McCarthy (1976) tended to focus on the array of rock art sites and features at locations including Mount Grenfell (50 km northwest of the study area) and Gundabooka (106 km north of the study area). Studies focusing on the distribution of all archaeological sites across the region have concluded that most large stone artefact sites tend to be associated with water sources (e.g., Witter 2002: 268-9). However, the absence of rivers and scarcity of reliable streams across the Cobar Peneplain means that these water sources are often springs and waterholes that are harder for broad scope studies to identify. The characteristic features of archaeological assemblages in the Cobar region include a higher proportion of tula adzes (a hafted woodworking tool uncommon further to the southeast), grinding dishes and microblades than most other regions of inland NSW (Witter 2002: 268).

In 2021, OzArk completed a regional modelling study for Lachlan Shire Council, which is adjacent to the Cobar LGA and includes areas of the Cobar Peneplain bioregion (OzArk 2021). The results of the study generally indicated that sites were more likely to be located near water sources, but it was noted that this trend was less observable in the northern Peneplain areas of the LGA than the Lachlan River valley (OzArk 2021: 72-3). As such, it is possible that the correlation between site occurrence and watercourses in the Cobar area is lower than elsewhere in Central West.

Development driven studies near the study area

The high number of mining developments surrounding the town of Cobar has led to a relatively high level of archaeological assessment of the local area. Below is a brief summary of findings relevant to the study area.

Cultural Heritage Connections 2007 — *Archaeology and Cultural Heritage review CSA Mine, Cobar.*

- Assessment for the CSA Mine, 10 km north of the study area, recorded one large artefact scatter (AHIMS Site 26-1-0038, CSA 1 Cobar) despite a very high level of reported disturbance over the area from historic mining activity.
- The identified site spanned both sides of an incised drainage line for an approximate 300-400 m extent.

OzArk 2015 — Aboriginal Due Diligence Assessment: Cobar Water Treatment Plant.

- The assessment covered a 3-ha area to be developed for a Water Treatment Plant (WTP). The WTP area is 2.5 km east of the current study area on similar flat landforms distant from major hydrological resources
- No Aboriginal sites were identified during the assessment, which was attributed to overall low archaeological sensitivity of the landforms of the study area. The flat, shaly landscape was not considered to have features that would have attracted Aboriginal inhabitants for prolonged periods of time.

EMM 2020 — New Cobar Complex Project Aboriginal Cultural Heritage Assessment

- The field survey investigated approximately 7 ha of flat open plains 800 m east of the study area. It was noted that the landforms had been subject to substantial mining and post-contact habitation disturbance in the past.
- The field investigation overall documented 36 stone artefacts (1 per 1 930 m²) across the investigated areas. No concentrations of artefacts were identified, and it was considered the finds reflected a background scatter that has been heavily disturbed from past agriculture and mining.
- The background scatter site (AHIMS Site 26-4-0011, New Cobar Complex Background Scatter) has an association with two ephemeral waterholes named Big Salty and Little Salty. These waterholes have been substantially modified in the present day, but were likely to have been water resources in the past.

Implications for the study area

There are no ethnographic sources of information that indicate the likely presence of Aboriginal objects within the study area. The regional archaeological data suggests that sites within the study area are most likely to be present adjacent to water resources, if present. However, the characteristics of the Cobar Peneplain indicate that types of water resources may be more variable than elsewhere in NSW.

EMM (2020) identified a low-density background scatter on flat, disturbed landforms near the study area. If sites are identified during the assessment, it is anticipated that they could share similar characteristics to this background scatter.

2.3.4 Step 2c

Are there any landscape features that are likely to indicate presence of Aboriginal objects?

Yes, portions of the study area contain landforms with identified archaeological sensitivity.

Some sections of the study area are within 200 m of the watercourses that run to Newey Reservoir. Under the Due Diligence guidelines, landforms adjacent to watercourses of any kind have identified archaeological sensitivity.

The study area is situated within the Cobar Downs landscape description (Mitchell 2002: 33). The underlying geology of the area is a complex of undulating low ridges of sedimentary and metamorphic rock with occasional plateaux. Soils tend to be shallow and gravelly on slopes, red clay loams on ridges and calcareous red earths on plains. Vegetation at the study area prior to colonial disturbance would have been a mallee ecosystem with scattered larger tree species (white cypress pine, bumble box) and a diverse understorey of bushes (emu bush and hopwood) and grasses.

The study area is on a level landform at the base of a low slope. The closest named waterway is Box Creek, 4 km to the west. However, as noted by EMM (2021), there were likely other waterholes surrounding Cobar that have been since modified into tanks and reservoirs in the modern town and mines. There are two unnamed minor watercourses that run along the eastern and western boundaries of the study area. Although the waterways appear to be ephemeral first-order streams that are unlikely to have held reliable water, the adjacent landforms nevertheless have heightened archaeological sensitivity.

The edges of the minor watercourses are the portions of the study area most likely to contain Aboriginal archaeological sites. In general, the study area is considered to be distant from reliable water sources that can be identified at a desktop level, which indicates an overall low archaeological sensitivity.

As there are landforms with identified archaeological sensitivity at the study area, the assessment proceeded to visual inspection (**Section 2.3.6**) in order to ground-truth the findings of the above desktop level assessment.

2.3.5 Step 3

Can harm to Aboriginal objects or disturbance of archaeologically sensitive landscape features be avoided?

No. Landforms with identified archaeological sensitivity may be impacted by the proposal.

Parts of the proposed work will impact landforms within 200 m of water, as identified above.

2.3.6 Step 4

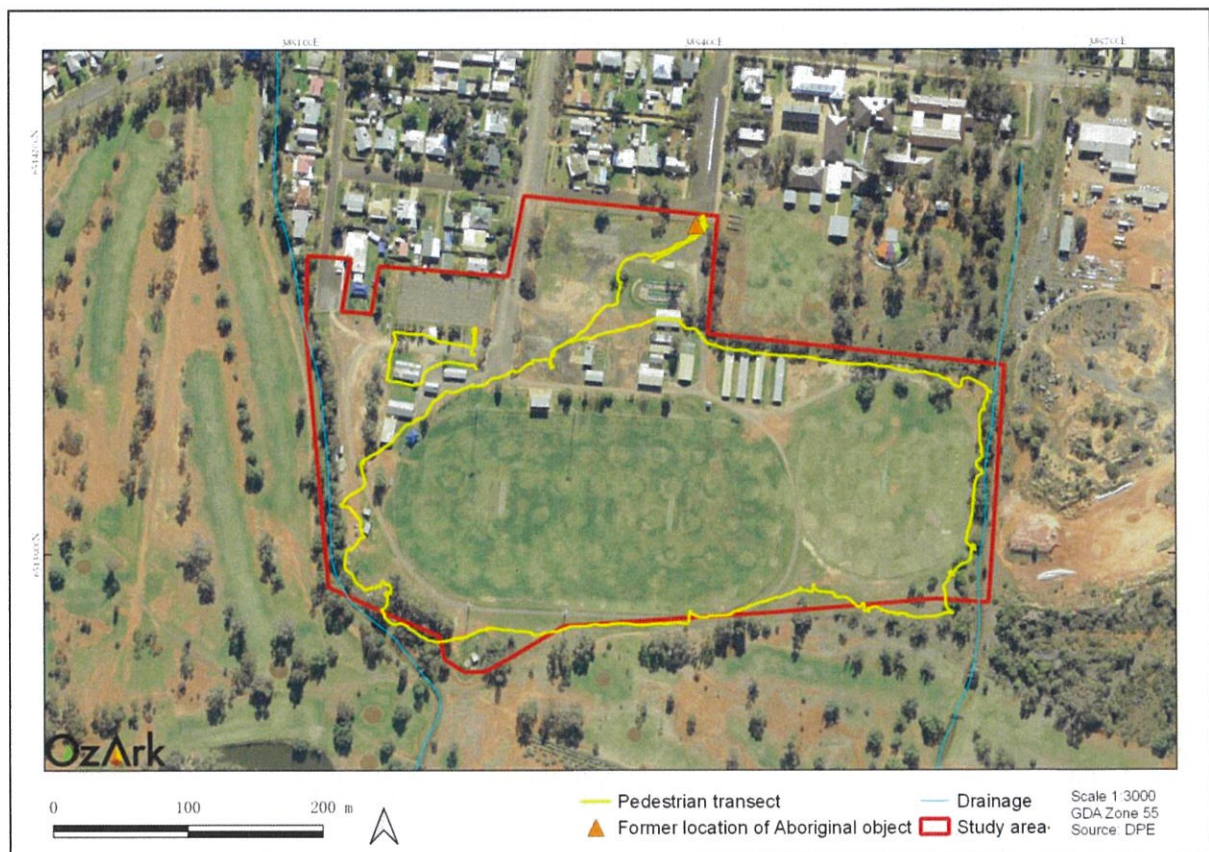
Does a desktop assessment and visual inspection confirm that there are Aboriginal objects or that they are likely?

No, there are no Aboriginal objects or sensitive landforms identified within the study area.

The visual inspection of the study area was undertaken by OzArk Archaeologist, Harrison Rochford, and Tyrone Griffiths of the Cobar LALC on Friday 3 June 2021. The visual inspection was undertaken over areas of low ground surface disturbance and with ground surface visibility (GSV).

The location of the previously identified Aboriginal object (see **Section 1.2**) was revisited and no further objects were recorded (**Plate 1**). **Figure 2-2** shows the pedestrian coverage of the team during the visual inspection.

Figure 2-2: Survey coverage within the study area.



Discussion

The absence of sites recorded at the study area is in line with the predictive model developed for the study area. The study area is distant to reliable water and has been substantially modified over the past 100 years. Disturbance to the ground surface include the modification of the minor drainage lines (**Plate 2**), landscaping for the sports oval (**Plate 3**) and the surrounding oval infrastructure (**Plate 4**). The landforms associated with the two drainage lines have heightened archaeological sensitivity due to their proximity to waters (**Section 2.3.4**). However, during the visual inspection it was noted that the waterways had been channelised and their adjacent

landforms had been subject to landscaping. If areas of archaeological potential were present before the colonial settlement of Cobar, they are no longer discernible.

A 'no' answer for Step 4, results in the following outcome (DECCW 2010):

AHIP (Aboriginal Heritage Impact Permit) application not necessary. Proceed with caution. If any Aboriginal objects are found, stop work and notify Heritage NSW (02) 9873 8500 (heritagemailbox@environment.nsw.gov.au). If human remains are found, stop work, secure the site and notify NSW Police and Heritage NSW.

2.4 CONCLUSION

The due diligence process has resulted in the outcome that an Aboriginal Heritage Impact Permit (AHIP) is not required. The reasoning behind this determination is set out in **Table 2-3**.

Table 2-3: Due Diligence Code of Practice application.

Step	Reasoning	Answer
Step 1 Will the activity disturb the ground surface or any culturally modified trees?	The proposed works will disturb the ground surface through excavation and construction. The proposal will remove vegetation, so culturally modified trees may be harmed, if they are present.	Yes
If the answer to Step 1 is 'yes', proceed to Step 2		
Step 2a Are there any relevant records of Aboriginal heritage on AHIMS to indicate presence of Aboriginal objects?	AHIMS indicated that there are no Aboriginal sites within the study area. It is understood that an AHIMS registration is pending for the object identified at the study area prior to this assessment.	No
Step 2b Are there other sources of information to indicate presence of Aboriginal objects?	There are no other sources of information to indicate that Aboriginal objects are likely in the study area.	No
Step 2c Will the activity impact landforms with archaeological sensitivity as defined by the Due Diligence Code?	Landforms with identified archaeological sensitivity are present as parts of the study area are within 200 m of 'waters'.	Yes
If the answer to any stage of Step 2 is 'yes', proceed to Step 3		
Step 3 Can harm to Aboriginal objects listed on AHIMS or identified by other sources of information and/or can the carrying out of the activity at the relevant landscape features be avoided?	The proposal will impact landforms with archaeological sensitivity as identified in the Due Diligence Code: landforms within 200 m of 'waters'.	No
If the answer to Step 3 is 'no', a visual inspection is required. Proceed to Step 4.		
Step 4 Does the visual inspection confirm that there are Aboriginal objects or that they are likely?	The visual inspection recorded no Aboriginal objects in the study area. Landforms with identified archaeological sensitivity that were identified at a desk-top level were found during the inspection to have low archaeological potential.	No
Conclusion		
AHIP not necessary. Proceed with caution.		

3 MANAGEMENT RECOMMENDATIONS

The undertaking of the due diligence process resulted in the conclusion that the proposed works will have an impact on the ground surface, however, no Aboriginal objects or intact archaeological deposits will be harmed by the proposal. This moves the proposal to the following outcome:

AHIP application not necessary. Proceed with caution. If any Aboriginal objects are found, stop work, and notify Heritage NSW (02) 9873 8500 (heritagemailbox@environment.nsw.gov.au). If human remains are found, stop work, secure the site, and notify NSW Police and Heritage NSW.

To ensure the greatest possible protection to the area's Aboriginal cultural heritage values, the following recommendations are made:

- 1) The proposed work may proceed at Ward Oval without further archaeological investigation under the following conditions:
 - c) All land and ground disturbance activities must be confined to within the study area, as this will eliminate the risk of harm to Aboriginal objects in adjacent landforms. Should the parameters of the proposal extend beyond the assessed areas, then further archaeological assessment may be required.
 - d) All staff and contractors involved in the proposed work should be made aware of the legislative protection requirements for all Aboriginal sites and objects.
- 2) It is understood that that an AHIMS registration for the Aboriginal object that was identified by the Cobar LALC is pending. Once this listing has been approved by Heritage NSW, the site card should be amended to include the information that the object has been taken into care by the Cobar LALC and is no longer at its recorded location.
- 3) This assessment has concluded that there is a low likelihood that the proposed work will adversely harm Aboriginal cultural heritage items or sites. If during works, however, Aboriginal artefacts or skeletal material are noted, all work should cease and the procedures in the *Unanticipated Finds Protocol* (**Appendix 2**) should be followed.
- 4) Inductions for work crews should include a cultural heritage awareness procedure to ensure they recognise Aboriginal artefacts (see **Appendix 3**) and are aware of the legislative protection of Aboriginal objects under the NPW Act and the contents of the *Unanticipated Finds Protocol*.
- 5) The information presented here meets the requirements of the *Due Diligence Code of Practice for the Protection of Aboriginal Objects in New South Wales*. It should be retained as shelf documentation for five years as it may be used to support a defence against prosecution in the event of unanticipated harm to Aboriginal objects.

REFERENCES

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- OzArk 2021 OzArk Environment and Heritage 2021. *Lachlan Aboriginal Heritage Study*. Report to Lachlan Shire Council.

PLATES



Plate 1: View west to the location of the previously recorded and removed Aboriginal object.



Plate 2: View east across the modified drainage line at the eastern boundary of the study area.




Plate 3: View south across the oval and landscaped surrounds showing spoil heaps in the background.



Plate 4: Example of sheds and stock infrastructure at the north of the study area.

APPENDIX 1: AHIMS SEARCH RESULTS



AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : Ward Oval 3


Client Service ID : 687309

SiteID	SiteName	Datum	Zone	Eastings	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
26-5-0015	E-IF-3 (Canbelego)	AGD	55	421780	6498460	Open site	Valid	Artefact :-	Isolated Find	3897
	Contact			Recorders	Central West Archaeological and Heritage Services Pty Ltd			Permits		
26-1-0012	Joe's Tank, Site 12	AGD	55	373074	6550818	Open site	Valid	Artefact :-	Open Camp Site	709
	Contact			Recorders	Miss Melanie (Duplicate of #6086) Thomson			Permits		
26-1-0020	Restriction applied. Please contact ahims@environment.nsw.gov.au			Recorders	F. Bodkin			Permits		
	Contact			Recorders	F. Bodkin			Permits		
26-1-0021	Restriction applied. Please contact ahims@environment.nsw.gov.au			Recorders	F. Bodkin			Permits		
	Contact			Recorders	F. Bodkin			Permits		
26-1-0028	MT Drysdale/Yanda creek 4	AGD	55	394034	6549037	Open site	Valid	Modified Tree (Carved or Scarred) :-		
	Contact			Recorders	Mike Nolan, Mr. Gavin Andrews			Permits		
26-1-0016	O'Donnell's Tank/Bundella	AGD	55	371062	6550800	Open site	Valid	Modified Tree (Carved or Scarred) :-	Scarred Tree	1472
	Contact			Recorders	G. Happ			Permits		
26-5-0019	E-ST-1	AGD	55	422300	6503440	Open site	Valid	Modified Tree (Carved or Scarred) :-	Scarred Tree	
	Contact			Recorders	Central West Archaeological and Heritage Services Pty Ltd			Permits		
26-5-0020	E-QS-1	AGD	55	422600	6500900	Open site	Valid	Stone Quarry :-	Quarry	
	Contact			Recorders	Central West Archaeological and Heritage Services Pty Ltd			Permits		
26-5-0009	F-II-7 (Canbelego)	AGD	55	422900	6504730	Open site	Valid	Artefact :-	Isolated Find	3582, 3897
	Contact			Recorders	Central West Archaeological and Heritage Services Pty Ltd			Permits		
26-5-0012	E-IF-4 (Canbelego)	AGD	55	426010	6497350	Open site	Valid	Artefact :-	Open Camp Site	3897
	Contact			Recorders	Central West Archaeological and Heritage Services Pty Ltd			Permits		
26-1-0019	Albion/Little Tank	AGD	55	380929	6541472	Open site	Valid	Modified Tree (Carved or Scarred) :-	Scarred Tree	1472
	Contact			Recorders	G. Happ			Permits		
26-1-0030	MT Drysdale/Yanda creek 6	AGD	55	394475	6548564	Open site	Valid	Modified Tree (Carved or Scarred) :-		
	Contact			Recorders	Mike Nolan, Mr. Gavin Andrews			Permits		
26-5-0030	F-71, QS 5 Elliston (The Lease Block)	AGD	55	416950	6496550	Open site	Valid	Stone Quarry :-	Quarry	4718
	Contact			Recorders	Central West Archaeological and Heritage Services Pty Ltd			Permits		
26-5-0005	MA-OS-2	AGD	55	419080	6510340	Open site	Valid	Artefact :-	Open Camp Site	3582

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Page 1 of 6



AHIMS Web Services (AWS)

Extensive search - Site list report

Your Ref/PO Number : Ward Oval 3

Client Service ID : 687309

SiteID	SiteName	Datum	Zone	Eastings	Northing	Context	Site Status**	SiteFeatures	SiteTypes	Reports
26-1-0029	MT Drysdale/Yanda creek 5	AGD	55	394109	6549097	Open site	Valid	Modified Tree (Carved or Scarred) :-		
	Contact	Recorders	Mike Nolan, Mr. Gavin Andrews					Permits		
26-1-0032	MT Drysdale/Yanda creek 8	AGD	55	394158	6549183	Open site	Valid	Modified Tree (Carved or Scarred) :-		
	Contact	Recorders	Mike Nolan, Mr. Gavin Andrews					Permits		
26-5-0025	F-ST-5 Elliston (The Lease Block)	AGD	55	412890	6491950	Open site	Valid	Modified Tree (Carved or Scarred) :-	Scarred Tree	3897, 4718
	Contact	Recorders	Central West Archaeological and Heritage Services Pty Ltd					Permits		
26-1-0026	MT Drysdale/Yanda creek 2	AGD	55	394386	6548636	Open site	Valid	Modified Tree (Carved or Scarred) :-		
	Contact	Recorders	Mike Nolan, Mr. Gavin Andrews					Permits		
26-1-0027	MT Drysdale/Yanda creek 3	AGD	55	394309	6548608	Open site	Valid	Modified Tree (Carved or Scarred) :-		
	Contact	Recorders	Mike Nolan, Mr. Gavin Andrews					Permits		
26-1-0025	MT Drysdale/Yanda creek 1	AGD	55	394415	6548301	Open site	Valid	Modified Tree (Carved or Scarred) :-		
	Contact	Recorders	Mike Nolan, Mr. Gavin Andrews					Permits		
26-5-0008	MA-ST-3	AGD	55	417980	6510830	Open site	Valid	Modified Tree (Carved or Scarred) :-	Scarred Tree	3582
	Contact	Recorders	Central West Archaeological and Heritage Services Pty Ltd					Permits		
26-5-0024	F-OS-3 Elliston (The Lease)	AGD	55	418250	6500350	Open site	Valid	Artefact :-	Open Camp Site	4718
	Contact	Recorders	Central West Archaeological and Heritage Services Pty Ltd					Permits		
26-5-0017	F-OS-1	AGD	55	421500	6499310	Open site	Valid	Artefact :-	Open Camp Site	
	Contact	Recorders	Central West Archaeological and Heritage Services Pty Ltd					Permits		
26-1-0009	Murphy's Tank	AGD	55	372562	6546699	Open site	Valid	Artefact :-	Open Camp Site	412, 709
	Contact	Recorders	Miss Melanie (Duplicate of #6086) Thomson					Permits		
26-4-0011	New Cobar Complex Background Scatter	GDA	55	390388	6513870	Open site	Valid	Artefact :-		
	Contact	Recorders	AREA Environmental & Heritage - Duboo, Mrs. Anna Darry					Permits		

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Page 2 of 6



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Extensive search - Site list report

Your Ref/PO Number : Ward Oval 3
Client Service ID : 687309

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
26-1-0024	The Cobbar	AGD	55	392400	6549500	Open site	Valid	Aboriginal Ceremony and Dreaming : + Ceremonial Ring (Stone or Earth) : + Ochre Quarry : +	Bora/Ceremonial/Natural Mythological (Ritual) Ochre Quarry	
Contact	Recorders	Permits								
26-5-0031	E/TL-QS-1 Elliston (The Lease Block)	AGD	55	411490	6491100	Open site	Valid	Stone Quarry : + Artefact : -	Quarry	4718
Contact	Recorders	Permits								
26-5-0034	E-ST-4 Elliston (The Lease Block)	AGD	55	412720	6492760	Open site	Valid	Modified Tree (Carved or Scarred) : -	Scarred Tree	3897,4718
Contact	Recorders	Permits								
26-5-0029	E/TL-QS-2 Elliston (The Lease Block)	AGD	55	412940	6491360	Open site	Valid	Stone Quarry : + Artefact : -	Quarry	4718
Contact	Recorders	Permits								
26-1-0006	Murphy's Tank	AGD	55	370937	6544399	Open site	Valid	Artefact : -	Open Camp Site	709
Contact	Recorders	Permits								
26-5-0011	E-IP-5 (Canbelego)	AGD	55	426450	6497070	Open site	Valid	Artefact : -	Open Camp Site	3897
Contact	Recorders	Permits								
26-5-0006	MA-ST-1	AGD	55	417160	6511260	Open site	Valid	Modified Tree (Carved or Scarred) : -	Scarred Tree	3582
Contact	Recorders	Permits								
26-5-0007	MA-ST-2	AGD	55	418640	6510320	Open site	Valid	Modified Tree (Carved or Scarred) : -	Scarred Tree	3582
Contact	Recorders	Permits								
26-5-0033	E-ST-3 Elliston (The Lease Block)	AGD	55	419080	6500900	Open site	Valid	Modified Tree (Carved or Scarred) : -	Scarred Tree	4718
Contact	Recorders	Permits								
26-1-0002	Joe's Tank Site 2	AGD	55	372145	6552456	Open site	Valid	Artefact : -	Open Camp Site	709
Contact	Recorders	Permits								
26-1-0041	CSA Tailings	AGD	55	387725	6523625	Open site	Valid	Artefact : 3		3244
Contact	Recorders	Permits								
26-1-0001	O'Donnell's Tank Site 1	AGD	55	364961	6548105	Open site	Valid	Artefact : -	Open Camp Site	709
Contact	Recorders	Permits								
26-5-0027	E/TL-QS-4 Elliston (The Lease Block)	AGD	55	409810	6493340	Open site	Valid	Stone Quarry : + Artefact : -	Quarry	4718
Contact	Recorders	Permits								

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Page 3 of 6



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Extensive search - Site list report

Your Ref/PO Number : Ward Oval 3
Client Service ID : 687309

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
26-5-0023	E/TL-QS-1 Elliston (The Lease)	AGD	55	410970	6492170	Open site	Valid	Artefact : +, Water Hole : -	Open Camp Site, Water Hole/Well	
Contact	Recorders	Permits								
26-5-0028	E/TL-QS-3 Elliston (The Lease Block)	AGD	55	412920	6492600	Open site	Valid	Stone Quarry : + Artefact : -	Quarry	4718
Contact	Recorders	Permits								
26-5-0013	E-IP-1 (Canbelego)	AGD	55	422070	6498860	Open site	Valid	Artefact : -	Open Camp Site	3897
Contact	Recorders	Permits								
26-1-0023	Yaayeen Gully	AGD	55	391800	6550300	Open site	Valid	Aboriginal Ceremony and Dreaming : + Water Hole : + Ceremonial Ring (Stone or Earth) : -	Bora/Ceremonial/Natural Mythological (Ritual) Water Hole/Well	
Contact	Recorders	Permits								
26-5-0004	MA-OS-3	AGD	55	419250	6510450	Open site	Valid	Artefact : -	Open Camp Site	3582
Contact	Recorders	Permits								
26-5-0014	E-IP-2 (Canbelego)	AGD	55	421880	6498930	Open site	Valid	Artefact : -	Open Camp Site	3897
Contact	Recorders	Permits								
26-2-0001	Glenace (Canbelego)	AGD	55	427869	6516393	Open site	Valid	Burial : -	Burial/s	2132
Contact	Recorders	Permits								
26-1-0008	Murphy's Tank	AGD	55	372753	6545878	Open site	Valid	Artefact : -	Open Camp Site	709
Contact	Recorders	Permits								
26-5-0026	E/TL-QS-2 Elliston (The Lease Block)	AGD	55	412890	6491950	Open site	Valid	Artefact : -	Open Camp Site	3897,4718
Contact	Recorders	Permits								
26-1-0033	MT Drysdale/Yanda creek 9	AGD	55	394436	6548282	Open site	Valid	Modified Tree (Carved or Scarred) : -		
Contact	Recorders	Permits								
26-5-0003	MA-OS-1	AGD	55	418830	6508460	Open site	Valid	Artefact : -	Open Camp Site	3582
Contact	Recorders	Permits								
26-1-0004	Rain Tank	AGD	55	361171	6542665	Open site	Valid	Artefact : -	Open Camp Site	709
Contact	Recorders	Permits								
26-1-0040	CSA IS 02	AGD	55	388701	6525693	Open site	Valid	Artefact : 1		
Contact	Recorders	Permits								
26-1-0039	CSA IS 01	AGD	55	389500	6527299	Open site	Valid	Artefact : 1		
Contact	Recorders	Permits								

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Page 1 of 6



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Extensive search - Site list report

Your Ref/PO Number : Ward Oval 3
Client Service ID : 687309

SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
26-1-0022	Birrigu;	AGD	55	390800	6551200	Open site	Valid	Aboriginal Ceremony and Dreaming	Natural Mythological (Ritual)	
	Contact	Recorders		F Bodkin				Permits		
26-1-0018	Little Tank; Alledinh;	AGD	55	378435	6544264	Open site	Valid	Modified Tree (Carved or Scarred) :	Scarred Tree	1472
	Contact	Recorders		G Happ				Permits		
26-1-0018	CSA 1 Cohar	GDA	55	389421	6523849	Open site	Valid	Artefact : 3		100692
	Contact	Recorders		Ms Vanessa Hardy				Permits		
26-1-0035	NT Drysdale/Yanda creek 11	AGD	55	394158	6549183	Open site	Valid	Modified Tree (Carved or Scarred) :		
	Contact	Recorders		Mike Nolan, Mr Gavin Andrews				Permits		
26-3-0107	T-ST-32 (Coolabah) Tritton	AGD	55	410911	6527870	Open site	Valid	Modified Tree (Carved or Scarred) :	Scarred Tree	
	Contact	Recorders		Central West Archaeological and Heritage Services Pty Ltd				Permits		
26-5-0032	K/TL-ST-1 Elliston (The Lease Block)	AGD	55	411360	6491020	Open site	Valid	Modified Tree (Carved or Scarred) :	Scarred Tree	4718
	Contact	Recorders		Central West Archaeological and Heritage Services Pty Ltd				Permits		
26-1-0005	Ram Tank;	AGD	55	360434	6543298	Open site	Valid	Artefact :	Open Camp Site	709
	Contact	Recorders		Miss Melanie (Duplicate of #6086) Thomson				Permits		
26-1-0011	O'Donnell's Tank; Site 11;	AGD	55	369432	6549140	Open site	Valid	Artefact :	Open Camp Site	709
	Contact	Recorders		Miss Melanie (Duplicate of #6086) Thomson				Permits		
26-1-0017	O'Donnell's Tank; Bundella;	AGD	55	370815	6547872	Open site	Valid	Artefact :	Open Camp Site	1472
	Contact	Recorders		G Happ				Permits		
26-1-0010	Murphys Tank;	AGD	55	371549	6547513	Open site	Valid	Artefact :	Open Camp Site	709
	Contact	Recorders		Miss Melanie (Duplicate of #6086) Thomson				Permits		
26-1-0014	Coopar Tank; Site 14;	AGD	55	378977	6545020	Open site	Valid	Modified Tree (Carved or Scarred) :	Scarred Tree	709
	Contact	Recorders		Miss Melanie (Duplicate of #6086) Thomson				Permits		
26-5-0018	E-ST-2;	AGD	55	425180	6503050	Open site	Valid	Modified Tree (Carved or Scarred) :	Scarred Tree	
	Contact	Recorders		Central West Archaeological and Heritage Services Pty Ltd				Permits		
26-5-0002	MA-ST-4;	AGD	55	418090	6510770	Open site	Valid	Modified Tree (Carved or Scarred) :	Scarred Tree	3582

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Page 5 of 6



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Extensive search - Site list report

Your Ref/PO Number : Ward Oval 3
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SiteID	SiteName	Datum	Zone	Easting	Northing	Context	Site Status **	SiteFeatures	SiteTypes	Reports
26-5-0016	E-05-2;	AGD	55	421250	6499350	Open site	Valid	Artefact :	Open Camp Site	
	Contact	Recorders		Central West Archaeological and Heritage Services Pty Ltd				Permits		
26-1-0015	Joe's Tank; Bundella;	AGD	55	373599	6553383	Open site	Valid	Stone Quarry : , Artefact :	Quarry	412,555,1472
	Contact	Recorders		Isabel McBryde				Permits		
26-1-0037	NT Drysdale/Yanda creek 13	AGD	55	391025	6547937	Open site	Valid	Modified Tree (Carved or Scarred) :		
	Contact	Recorders		Mike Nolan, Mr Gavin Andrews				Permits		
26-4-0010	New Occ Artefact Scatter	GDA	55	391764	6510739	Open site	Valid	Artefact :		
	Contact	Recorders		AREA Environmental & Heritage Dubbo, Mrs Anna Darby				Permits		
26-1-0031	NT Drysdale/Yanda creek 7	AGD	55	393559	6549074	Open site	Valid	Modified Tree (Carved or Scarred) :		
	Contact	Recorders		Mike Nolan, Mr Gavin Andrews				Permits		
26-1-0007	Murphys Tank;	AGD	55	371939	6544865	Open site	Valid	Artefact :	Open Camp Site	709
	Contact	Recorders		Miss Melanie (Duplicate of #6086) Thomson				Permits		
26-1-0013	Coopar Tank; Site 13;	AGD	55	378046	6546840	Open site	Valid	Artefact :	Open Camp Site	709
	Contact	Recorders		Miss Melanie (Duplicate of #6086) Thomson				Permits		
26-5-0010	E-IF-6 (Canbelego)	AGD	55	422700	6500360	Open site	Valid	Artefact :	Open Camp Site	3897
	Contact	Recorders		Central West Archaeological and Heritage Services Pty Ltd				Permits		
26-5-0022	K-IF-9 Elliston	AGD	55	425640	6497760	Open site	Valid	Artefact :	Isolated Find	4718
	Contact	Recorders		Central West Archaeological and Heritage Services Pty Ltd				Permits		
26-5-0021	E-IF-8 (Canbelego)	AGD	55	426160	6503290	Open site	Valid	Artefact :	Isolated Find	3897
	Contact	Recorders		Central West Archaeological and Heritage Services Pty Ltd				Permits		
26-1-0034	NT Drysdale/Yanda creek 10	AGD	55	394446	6548623	Open site	Valid	Modified Tree (Carved or Scarred) :		
	Contact	Recorders		Mike Nolan, Mr Gavin Andrews				Permits		
26-1-0036	NT Drysdale/Yanda creek 12	AGD	55	394599	6548233	Open site	Valid	Modified Tree (Carved or Scarred) :		
	Contact	Recorders		Mike Nolan, Mr Gavin Andrews				Permits		

** Site Status

Valid - The site has been recorded and accepted onto the system as valid

Destroyed - The site has been completely impacted or harmed usually as a consequence of permit activity but sometimes also after natural events. There is nothing left of the site on the ground but proponents should proceed with caution.

Partially Destroyed - The site has been only partially impacted or harmed usually as a consequence of permit activity but sometimes also after natural events. There might be parts or sections of the original site still present on the ground.

Not a site - The site has been originally entered and accepted onto AHIMS as a valid site but after further investigations it was decided it is NOT an Aboriginal site. Impact of this type of site does not require permit but Heritage NSW should be notified.

Report generated by AHIMS Web Service on 01/06/2022 for Harrison Rochford for the following area at Datum :GDA, Zone : 55, Eastings : 349388.0 - 429631.0, Northings : 6473622.0 - 6553722.0 with a Buffer of 0 meters. Number of Aboriginal sites and Aboriginal objects found is 77

This information is not guaranteed to be free from error omission. Heritage NSW and its employees disclaim liability for any act done or omission made in the information and consequences of such acts or omission.

Page 6 of 6

APPENDIX 2: ABORIGINAL HERITAGE: UNANTICIPATED FINDS PROTOCOL



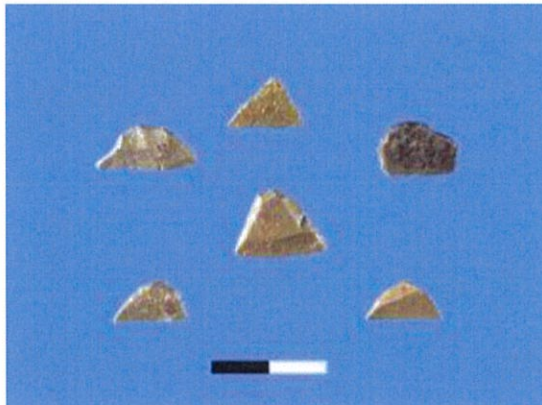

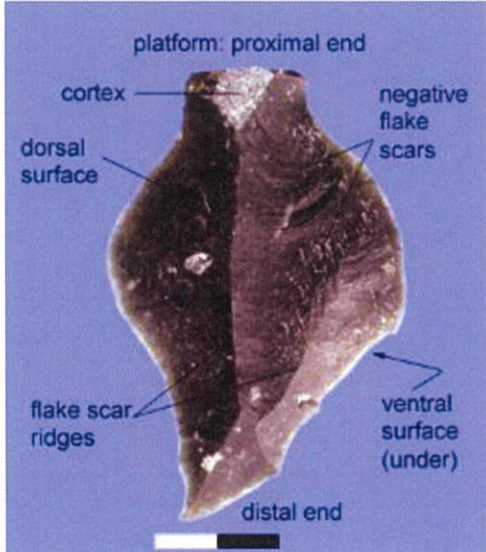

An Aboriginal artefact is anything which is the result of past Aboriginal activity. This includes stone (artefacts, rock engravings etc.), plant (culturally scarred trees) and animal (if showing signs of modification; i.e. smoothing, use). Human bone (skeletal) remains may also be uncovered while onsite.

Cultural heritage significance is assessed by the Aboriginal community and is typically based on traditional and contemporary lore, spiritual values, and oral history, and may also consider scientific and educational value.

Protocol to be followed if previously unrecorded or unanticipated Aboriginal object(s) are encountered:

1. If any Aboriginal object is discovered and/or harmed in, or under the land, while undertaking the proposed development activities, the proponent must:
 - a. Not further harm the object
 - b. Immediately cease all work at the particular location
 - c. Secure the area to avoid further harm to the Aboriginal object
 - d. Notify Heritage NSW as soon as practical on (02) 9873 8500 (heritagemailbox@environment.nsw.gov.au), providing any details of the Aboriginal object and its location; and
 - e. Not recommence any work at the particular location unless authorised in writing by Heritage NSW.
2. If Aboriginal burials are unexpectedly encountered during the activity, work must stop immediately, the area secured to prevent unauthorised access and NSW Police and Heritage NSW contacted.
3. Cooperate with the appropriate authorities and relevant Aboriginal community representatives to facilitate:
 - a. The recording and assessment of the find(s)
 - b. The fulfilment of any legal constraints arising from the find(s), including complying with Heritage NSW directions
 - c. The development and implementation of appropriate management strategies, including consultation with stakeholders and the assessment of the significance of the find(s).
4. Where the find(s) are determined to be Aboriginal object(s), recommencement of work in the area of the find(s) can only occur in accordance with any consequential legal requirements and after gaining written approval from Heritage NSW (normally an Aboriginal Heritage Impact Permit).

APPENDIX 3: ABORIGINAL HERITAGE: ARTEFACT IDENTIFICATION

	
A retouched silcrete flake	A quartz flake
	
Microliths (scale = 1 cm)	Volcanic flakes
	
Flake characteristics (scale = 1 cm)	A mudstone/tuff core from which flakes have been removed

ITEM 4

Electricity Supply

Garry Ryman

From: Karen Warren
Sent: Wednesday, 29 June 2022 1:52 PM
To: Garry Ryman
Subject: FW: CNR-27738/ 2021/LD-00033REV01 - Maidens Avenue, Cobar (24/22820; 65/651098; 7317-7318/1170701; 100/1280186; 101/575642) Construct centre-based child care facility, car park & associated works

FYI

I have printed for file

Regards



Karen Warren

Administration & Environmental Health Coordinator

Planning & Environmental Services Department

Cobar Shire Council | 36 Linsley Street | PO Box 223 | Cobar NSW 2835

P: (02) 6836 5840 | F: (02) 6836 3964 | E: karen.warren@cobar.nsw.gov.au | W: www.cobar.nsw.gov.au  

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From: Fiona Duncan <fiona.duncan@essentialenergy.com.au>
Sent: Wednesday, 29 June 2022 1:46 PM
To: Karen Warren <karen.warren@cobar.nsw.gov.au>
Subject: Re: CNR-27738/ 2021/LD-00033REV01 - Maidens Avenue, Cobar (24/22820; 65/651098; 7317-7318/1170701; 100/1280186; 101/575642) Construct centre-based child care facility, car park & associated works

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Dear Sir/Madam,

We refer to the above matter and to your correspondence via the NSW ePlanning Portal seeking comment from Essential Energy in relation to the proposed development.

Strictly based on the documents submitted, Essential Energy makes the following comments as to potential safety risks arising from the proposed development:

1. The parts of the lots impacted by the proposed childcare centre do not have Essential Energy assets located near them.
2. However, there is private overhead electrical infrastructure located on the lots. This proposal must meet the requirements of AS 3000.
3. As noted on the plans provided, there is also a proposal to install a new padmount substation (under separate approvals). These separate approvals should be referred to Essential Energy for review and comment.

4. Based on the plans provided, this development is satisfactory to Essential Energy, however, the Applicant/Developer is responsible to consider their requirements for the private electrical assets.

Essential Energy also makes the following general comments:

1. If the proposed development changes, there may be potential safety risks and it is recommended that Essential Energy is consulted for further comment.
2. Any existing encumbrances/easements in favour of Essential Energy (or its predecessors) noted on the title of the above properties should be complied with.
3. In addition, Essential Energy's records indicate there is electricity infrastructure located within close proximity of the properties. Any activities within these locations must be undertaken in accordance with the latest industry guideline currently known as *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*. Approval may be required from Essential Energy should activities within the property encroach on the electricity infrastructure.
4. Prior to carrying out any works, a "Dial Before You Dig" enquiry should be undertaken in accordance with the requirements of *Part 5E (Protection of Underground Electricity Power Lines)* of the *Electricity Supply Act 1995* (NSW).
5. Given there is electricity infrastructure in the area, it is the responsibility of the person/s completing any works around powerlines to understand their safety responsibilities. SafeWork NSW (www.safework.nsw.gov.au) has publications that provide guidance when working close to electricity infrastructure. These include the *Code of Practice – Work near Overhead Power Lines/Underground Assets*.

Should you require any clarification, please do not hesitate to contact us.

Regards

Fiona Duncan
Conveyancing Officer
Legal & Conveyancing
Governance & Corporate Services



T: 02 6589 8773 (Ext 88773) | conveyancingteam@essentialenergy.com.au

PO Box 5730 Port Macquarie NSW 2444 | essentialenergy.com.au

General enquiries: 13 23 91 | Supply interruptions (24hr): 13 20 80

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From: ConveyancingTeam

Sent: Monday, 6 June 2022 12:19 PM

To: 'karen.warren@cobar.nsw.gov.au' <karen.warren@cobar.nsw.gov.au>

Subject: Re: CNR-27738/ 2021/LD-00033REV01 - Maidens Avenue, Cobar (24/22820; 65/651098; 7317-7318/1170701; 100/1280186; 101/575642) Construct centre-based child care facility, car park & associated works

Dear Sir/Madam,

We refer to your correspondence seeking comment from Essential Energy in relation to the proposed development at the above properties.

Essential Energy notes that various existing overhead powerlines are impacted by the proposed development and it has safety concerns in relation to the proximity of the proposed development to its powerlines.

Could the Applicant please advise what is proposed as to the existing overhead powerlines in relation to meeting minimum safe distances to any proposed improvements? Are the lines to be re-located or undergrounded? If so, has any contact been made with Essential Energy's Contestable Works Team in relation to this?

Any development in proximity to Essential Energy's electrical infrastructure should comply with the latest industry guideline currently known as *ISSC 20 Guideline for the Management of Activities within Electricity Easements and Close to Infrastructure*. A copy of this guideline can be located at <https://energy.nsw.gov.au/sites/default/files/2018-09/ISSC-20-Electricity-Easements.pdf>.

If the Applicant believes that the proposed development complies with *ISSC 20*, then please provide plans certified by a suitability qualified person – Level 3 ASP - (showing distances from the proposed development to Essential Energy's infrastructure) together with any other relevant information for further consideration.

Information relating to developments near electrical infrastructure is available on our website [Development Applications \(essentialenergy.com.au\)](https://essentialenergy.com.au/development-applications). For further information, please refer to [DA-guide.pdf \(essentialenergy.com.au\)](https://essentialenergy.com.au/da-guide).

Council's and the Applicant's attention is also drawn to Section 49 *Electricity Supply Act 1995* (NSW). Relevantly, Essential Energy may require structures or things that could either destroy, damage or interfere with electricity works, or could make those works become a potential cause of bush fire or risk to public safety, to be modified or removed.

Should you require any clarification, please do not hesitate to contact me.

Regards

Fiona Duncan
Conveyancing Officer
Legal & Conveyancing
Governance & Corporate Services



T: 02 6589 8773 (Ext 88773) | conveyancingteam@essentialenergy.com.au

PO Box 5730 Port Macquarie NSW 2444 | essentialenergy.com.au

General enquiries: 13 23 91 | Supply interruptions (24hr): 13 20 80

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From: NSW Planning <planning.apps@planning.nsw.gov.au>

Sent: Monday, 6 June 2022 11:58 AM

To: Fiona Duncan <fiona.duncan@essentialenergy.com.au>

Cc: ConveyancingTeam <conveyancingteam@essentialenergy.com.au>

Subject: Update: NSW Government concurrence and referral request CNR-27738(COBAR SHIRE COUNCIL)

Online Concurrence and Review Service

planningportal.nsw.gov.au

The NSW Government consideration of an application 2021/LD-00033REV01 at MAIDENS AVENUE COBAR 2835 has been assigned to you for assessment.

Please log into the [NSW Planning Portal](#) and use reference number CNR-27738 to action this request.

This email has been automatically sent through the NSW Planning Portal. Please do not reply to this message.

For more information or assistance, please visit the [NSW Planning Portal](#) and view our [Frequently Asked Questions](#) or [Quick Reference Guides](#). Alternatively, you can call our help line on 1300 305 695.

▪

Garry Ryman

From: Kosma Tzannes <Kosma.Tzannes@jhaengineers.com.au>
Sent: Friday, 8 July 2022 6:40 PM
To: Garry Ryman
Cc: Rose Davies; Shane Thompson; Marvin Meng
Subject: RE: Maidens Ave, Cobar (24/22820; 65/651098; 7317-7318/1170701; 100/1280186; 101/575642) Construct centre-based child care facility

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Hi Garry,

I had a long chat with the Essential Energy officer today regarding the works and arrangements to finalise the Design Information Package. We have reached a resolution and a new DIP will be issued next week to tidy this up.

We once again discussed the two existing poles within the childcare lot that are supplied from the existing substation within the Pavilion lot. Essential Energy has confirmed that these poles must be removed as they reside on the childcare lot that will be supplied by a separate dedicated supply, creating two supply arrangement to a single lot and concerns with segregation (also referenced in the NSW Service and Installation Rules). The removal of these poles is a non-negotiable item and was indicated may hinder energisation of the childcare supply once ready.

We understand that there are two options for the existing poles to consider: remove the two poles and all connections from the childcare site; or as a potential work around, resupply the poles from the new childcare building – ensuring full segregation within the childcare site to the Pavilion site.

The second option we would conform to Essential Energy's requirements to have a single supply to the lot. Consideration will be required towards how/ when the event power DB's from the poles operate against childcare opening times to ensure suitable power is available.

should this option be considered, both of the current electrical Tender packages will need to be amended to reflect the additional connection augmentation works.

Should you have any questions, please feel free to contact us. Have a great weekend.

Regards,

Kosma Tzannes

Senior Associate/ Level 3 Group Manager



Level 23, 101 Miller Street, North Sydney, NSW 2060

PO Box 3, North Sydney, NSW 2059

T 02 9437 1000 M 0419 039 349 E Kosma.Tzannes@jhaengineers.com.au

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From: Garry Ryman <garry.ryman@cobar.nsw.gov.au>

Sent: Friday, 8 July 2022 3:43 PM

To: Kosma Tzannes <Kosma.Tzannes@jhaengineers.com.au>
Cc: Rose Davies <rose@dunnhillam.com.au>; Shane Thompson <Shane.Thompson@jhaengineers.com.au>
Subject: RE: Maidens Ave, Cobar (24/22820; 65/651098; 7317-7318/1170701; 100/1280186; 101/575642) Construct centre-based child care facility

Hi Kosma,

Thank you for your response, it answers my question.

Regards
Garry



Garry Ryman

Director

Planning & Environmental Services Department

Cobar Shire Council | 36 Linsley Street | PO Box 223 | Cobar NSW 2835

P: (02) 6836 5888 | F: (02) 6836 3964 | E: garry.ryman@cobar.nsw.gov.au | W: www.cobar.nsw.gov.au

From: Kosma Tzannes <Kosma.Tzannes@jhaengineers.com.au>

Sent: Friday, 8 July 2022 3:11 PM

To: Garry Ryman <garry.ryman@cobar.nsw.gov.au>

Cc: Rose Davies <rose@dunnhillam.com.au>; Shane Thompson <Shane.Thompson@jhaengineers.com.au>

Subject: Maidens Ave, Cobar (24/22820; 65/651098; 7317-7318/1170701; 100/1280186; 101/575642) Construct centre-based child care facility

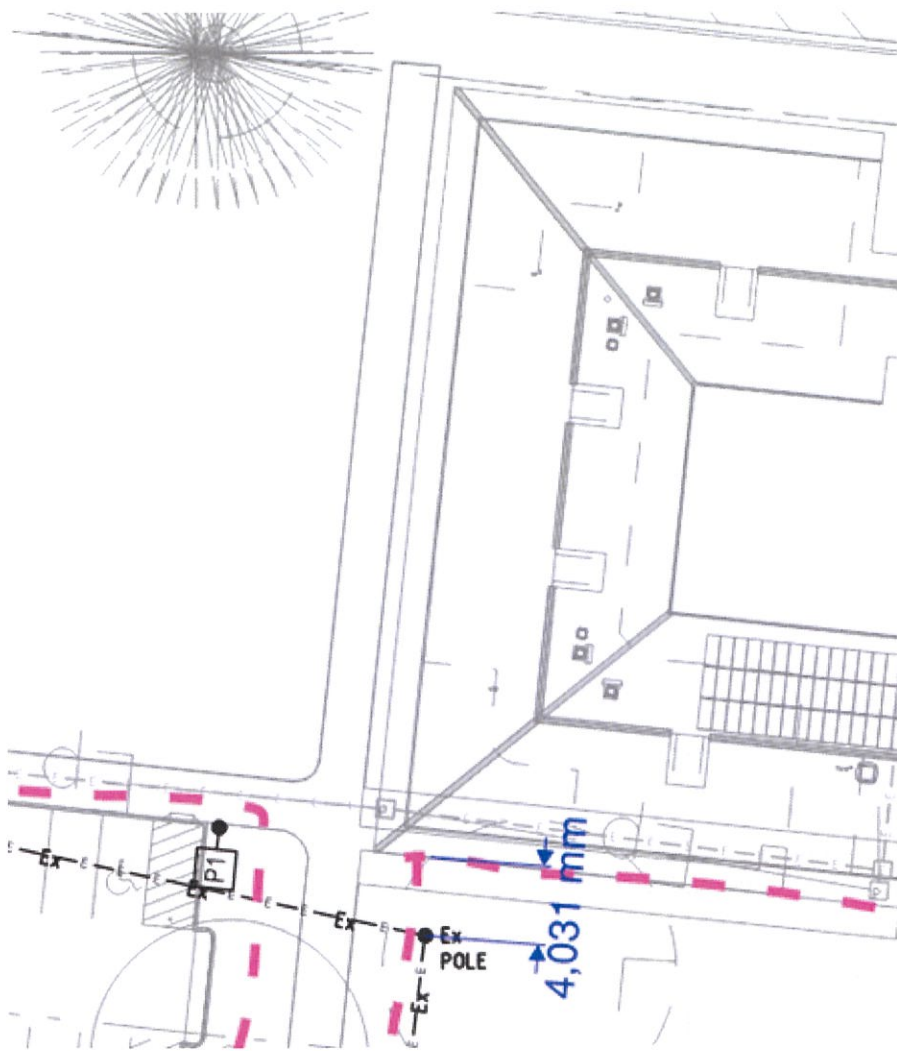
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Hi Garry,

It was nice to speak to you just now and thank you again for your time.

As the electrical designers for the project, JHA can provide the following input regarding the existing private poles located adjacent/ within the proposed Childcare site:

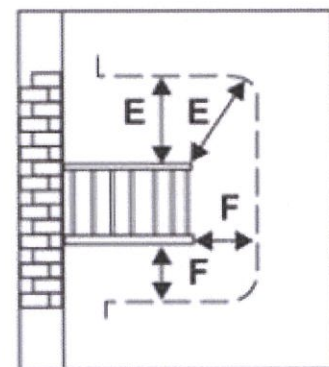
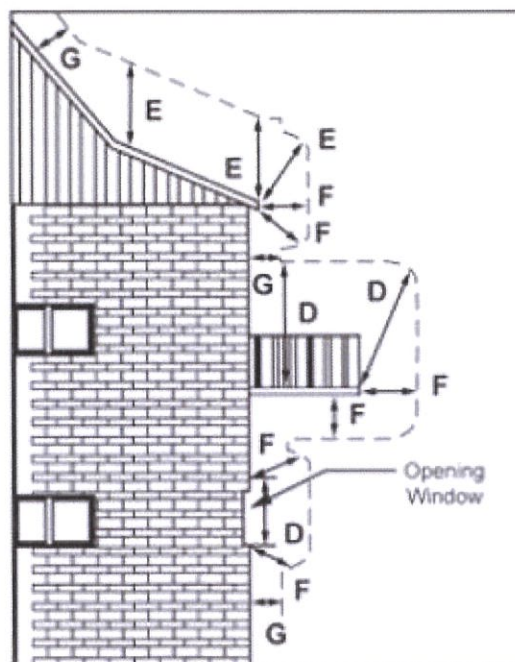
- The internal building electrical arrangements will be designed in accordance with AS/NZS 3000:2018 requirements.
- The proposed building will be constructed an approximate 4.0m from the existing pole as indicated on the JHA Tender Issued drawing E0010 using D&H's backgrounds, as below. This is in accordance with WorkCover *Working Near Overhead Power Lines Code of Practice 2006*.
- As Council is the owner/ operator of the existing overhead poles and conductor network within the site (confirmed by Essential Energy), this gives Council full flexibility for any disconnections of power during construction/ scaffolding works to achieve WorkCover compliance – can be undertaken by the site electrician as required.
- In addition, Essential Energy network standards and WorkCover Code of Practice arrangements must be adhered to in full during all construction and final building works.



Final building:

Table 3 - Minimum clearances from structures, buildings and easement boundaries.

DIMENSION	LOCATION	LOW VOLTAGE			11kV – 33kV			66kV to 132kV
		Insulated	Bare neutral	Bare active	Insulated with earthed screen	Insulated without earthed screen	Bare or covered	Bare
		m	m	m	m	m	m	m
D	Vertically above those parts of any structure normally accessible to persons	2.7	2.7	3.7	2.7	3.7	4.5	5.0
E	Vertically above those parts of any structure not normally accessible to persons but on which a person can stand	2.0	2.7	2.7	2.7	2.7	3.7	4.5
F	In any direction (other than vertically above) from those parts of any structure normally accessible to persons, or from any part not normally accessible to persons but on which a person can stand	1.0	0.9	1.5	1.5	1.5	2.1	3.0
G	In any direction from those parts of any structure not normally accessible to persons	0.1	0.3	0.6	0.1	0.6	1.5	2.5



These dimensions apply if the height of the railing (or similar) plus distance E is greater than distance D

Distances:

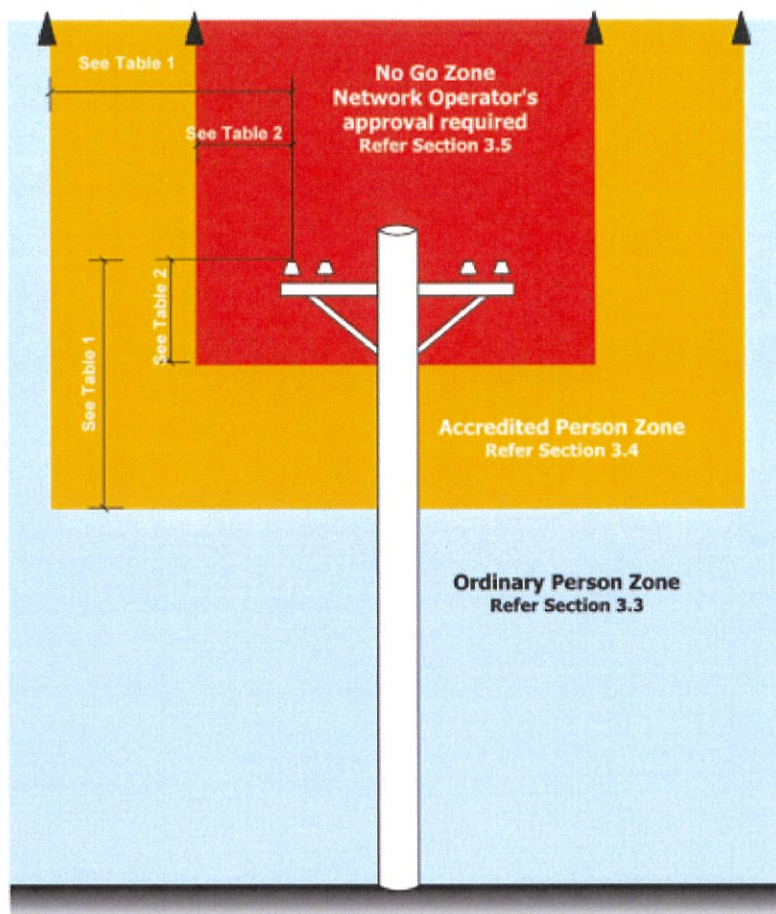


Figure 3 – Approach distances and work zones near overhead power lines

TABLE 1

Approach distances for work performed by Ordinary Persons

Nominal phase to phase a.c. voltage (volts)	Approach distance (m)
Up to and including 132,000	3.0
Above 132,000 up to and including 330,000	6.0
Above 330,000	8.0
Nominal pole to earth d.c. voltage (volts)	Approach distance (m)
Up to and including +/- 1500 Volts	3.0

Note: Special approach distances apply for scaffolding work (Chapter 6) and work near low voltage overhead service lines (Chapter 8).

TABLE 3

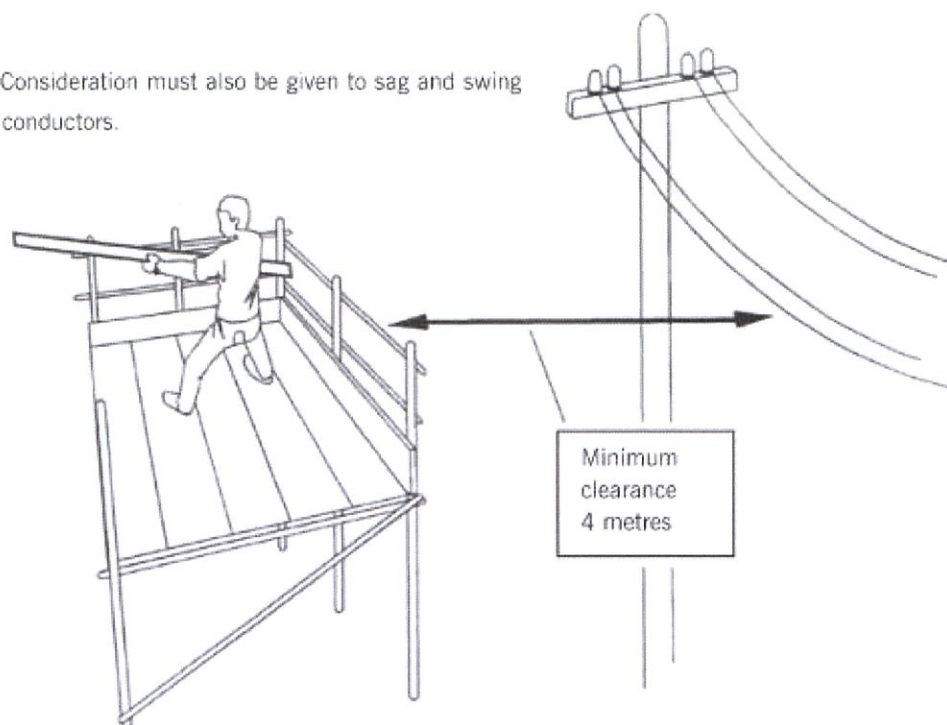
Approach Distances for Vehicles

Nominal phase to phase a.c. voltage (volts)	Approach distance (m)
Low voltage conductors up to 1000	0.6
Above LV, up to and including 33,000	0.9
Above 33,000 up to and including 132,000	2.1
Above 132,000 up to and including 220,000	2.9
330,000	3.4
500,000	4.4
Nominal pole to earth d.c. voltage (volts)	Approach distance (m)
Up to and including +/- 1500 Volts	0.9

Section 6.5 – Scaffolding:**6.5 Control measures for the erection and dismantling of scaffolding near overhead power lines up to and including 33kV**

- (a) Ensure a thorough examination and assessment is undertaken of the surroundings prior to the erection or dismantling of the scaffold near overhead powerlines. No scaffold work should commence until the presence, location, type and operating voltage of all overhead power lines are determined by a competent person.
- (b) Overhead powerlines should be de-energised and an access authority or other form of written documentation obtained from the network operator if the scaffold and the overhead powerlines is or has the potential to come within the 4 metre approach distance. Refer to Figure 10 below.
- (c) If there is the risk that the 4 metre approach distance cannot be maintained, the network operator must be contacted and a written risk assessment and safe work method statement including safe systems of work developed for the activities associated with the erection, use and dismantling of the scaffolding.

Note: Consideration must also be given to sag and swing of the conductors.



Note: End protection omitted for clarity

Figure 10 – A 4 metre approach distance applies in any direction where metallic scaffold is erected, used or dismantled near overhead power lines.

- (d) Where low voltage overhead powerlines (up to and including 1000 volts) cannot be de-energised and isolated, 'tiger tails' should be provided and installed by the network operator for the full length of the scaffolding plus a minimum distance beyond each end of the scaffolding of 5 metres. A competent person should visually inspect the tiger tails each day prior to commencing scaffolding operations. If the tiger tails have moved or been damaged the network operator must be contacted to ensure the tiger tails are replaced or located in the correct position.

Note: Tiger tails may be used to provide a useful visual indication to people working in the area of overhead power lines. They should not be regarded as providing protection against mechanical interference nor should they be regarded as providing electrical protection from electrical hazards. Refer to Section 9.1 of this code for further guidance.

- (e) Electrical wires or apparatus that pass through a scaffold must be de-energised or fully enclosed to the requirements of the network operator. These requirements must incorporate full enclosure of the wires or electrical apparatus by a non-conductive material such as moisture resistant flooring – grade particle board, dry timber, dry plywood or similar dry non-conductive material as approved by the network operator. Refer to Section 6.6 and Figure 11.
- (f) To prevent a person or anything held by a person, or attached to the person, coming closer than the 4 metre approach distance the network operator may require the erection of a hoarding on the external face of the scaffolding and, if applicable a suitable enclosure on the internal side of the scaffold. Refer to Section 6.6 and Figure 11.

Low Voltage:

Minimum Safety Clearances for Overhead Service Cables

Approach distances for work near low voltage overhead service cables				
Ordinary Persons (m)				
Hand held tools	Operation of crane or mobile plant	Handling of metal materials (Scaffolding, roofing, guttering, pipes, etc)	Handling of non-conductive materials (Timber, plywood, PVC pipes and guttering, etc)	Driving or operating vehicle
0.5	3.0	4.0	1.5	0.6

I hope the above provides a good high level overview of safety requirements. Please let me know if you have any queries on the above information.

Regards,

Kosma Tzannes

Senior Associate/ Level 3 Group Manager



Level 23, 101 Miller Street, North Sydney, NSW 2060

PO Box 3, North Sydney, NSW 2059

T 02 9437 1000 M 0419 039 349 E Kosma.Tzannes@jhaengineers.com.au

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Garry Ryman

From: mail CSC
Sent: Thursday, 14 July 2022 8:23 AM
To: Garry Ryman; Charles Taveira
Cc: Carly Hunter; Peter Vlatko; Thomas Martin
Subject: FW: Job 210365 _Electrical Installation at Ward Oval, Cobar__Electricity Supply Act and SEPP Infrastructure Notice of Electrical Works
Attachments: ST-0001405 - 220713 - Council Notification[B].pdf; ST-0001405 - 220713 Concept Plan[B].pdf



Sharon Moore

Records Officer

Cobar Shire Council | 36 Linsley Street (PO Box 223) | Cobar NSW 2835

P: (02) 6836 5888 | F: (02) 6836 3964 |

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From: Marvin Meng <Marvin.Meng@jhaengineers.com.au>
Sent: Wednesday, 13 July 2022 1:10 PM
To: mail CSC <mail@cobar.nsw.gov.au>
Cc: Kosma Tzannes <Kosma.Tzannes@jhaengineers.com.au>
Subject: Job 210365 _Electrical Installation at Ward Oval, Cobar__Electricity Supply Act and SEPP Infrastructure Notice of Electrical Works

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Dear Cobar Shire Council,

I'm writing to provide council an opportunity to review proposed electrical infrastructure alteration work for development at Ward Oval Cobar. Please find attached notification letter and concept plan for your review.

Regards,

Marvin Meng

Level 3 Engineer



Level 23, 101 Miller Street, North Sydney, NSW 2060

PO Box 3, North Sydney, NSW 2059

T 02 9437 1000 M 0416 055 409 E Marvin.Meng@jhaengineers.com.au

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North Sydney NSW 2060

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North Sydney NSW 2059
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13 July 2022

Cobar Shire Council
36 Linsley Street Cobar NSW 2835

Attention: General Manager

Dear Sir or Madam,

RE: Proposed project at Ward Oval, Cobar– Installation of new Pole Mounted Substation, consultation under the Electricity Supply Act and State Environmental Planning Policy (infrastructure) 2007

JOB NO.: 210365

REVISION NO.: [B]

I am writing to provide further notification to council as required by the Electricity Supply Act 1995 and the State Environmental Planning Policy (Infrastructure) 2007 with the opportunity to review and make a submission in relation to the electrical design proposal to install a new pole mounted substation at corner of Brennan St and Maidens Ave to supply the proposed development at Ward Oval, Cobar.

The project is an integral part of maintaining a secure and reliable supply to the proposed development and also local area, support economic growth of the area, business expansion and revitalization of area.

The proposed works include:

- Install 1 x pole substation at corner of Maidens Ave and Brennan St on existing pole 443130. Pole 443130 to be replaced to suitable size for installation of pole substation.
- Run 3 span of new overhead HV cable from pole 438 130 on Blakey St to proposed substation on pole 443130. 2 x existing poles to be replaced for installation of new overhead HV cable along Maidens Ave.
- Install a new LV pillar at suitable location at footpath in the vicinity of proposed Childcare Centre.
- Run new underground LV cable from proposed pole substation to new pillar to supply proposed Ward Oval Childcare Centre.
- Trenching works are required to install LV underground cable duct under Maidens Ave and Blakey St and to replace existing poles.

The work is anticipated to begin in 6-9 months and is estimated to be completed in a 3 months period. Further notification will be provided to affected residents before works commence.

Attached are the following for your information:

- One (1) PDF copy of concept plan

The attached concept plan illustrates the proposal of construction works involved with the electricity asset installation.

An environmental assessment will be undertaken on this project to meet the requirements of the Environmental Planning and Assessment Act 1979. Therefore, in addition to any submission, can you please advise of any information that Council has which will assist us in considering all relevant issues and adequately assessing the environmental impacts. Such information could include:

- Specific zoning and consent requirements
- Approved surrounding land uses
- Any known environmental restrictions (e.g. environmental protection area, etc.)
- Threatened or endangered flora or fauna species
- Fire prone land
- Stormwater
- The Council's infrastructure
- Locally rare or protected flora or fauna or areas of critical habitat
- Wetlands or flood prone areas
- Land contamination, potential or actual acid sulphate soils, soil instability or subsidence
- Heritage items or relics, including Aboriginal heritage and sites
- Site access, traffic or parking restrictions
- Adjacent sensitive sites
- Potential community concerns of which the Council may be aware
- Other nearby development proposals likely to impact upon the proposal
- Any other items that the Council considers relevant.

The proposed activities will have environmental management safeguards to a suitable standard implemented in accordance with the assessment and Essential Energy's Environmental Handbook.

Submissions and information for this project will be considered if received within 40 days of the date of this letter. Submissions and information can be sent to the following:

Attn: Marvin Meng

JHA Consulting Engineers

PO Box 3

North Sydney NSW 2059

The logo for JHA Consulting Engineers, featuring the letters 'JHA' in a bold, white, sans-serif font against a black background.

E-mail: marvin.meng@jhaengineers.com.au

Should no written correspondence be received within the required 40-day notification period (22/08/22), we will consider that Council does not wish to lodge a submission and we will proceed to schedule work after this date.

Please contact me if you would like to discuss this matter on (02) 9437 1000.

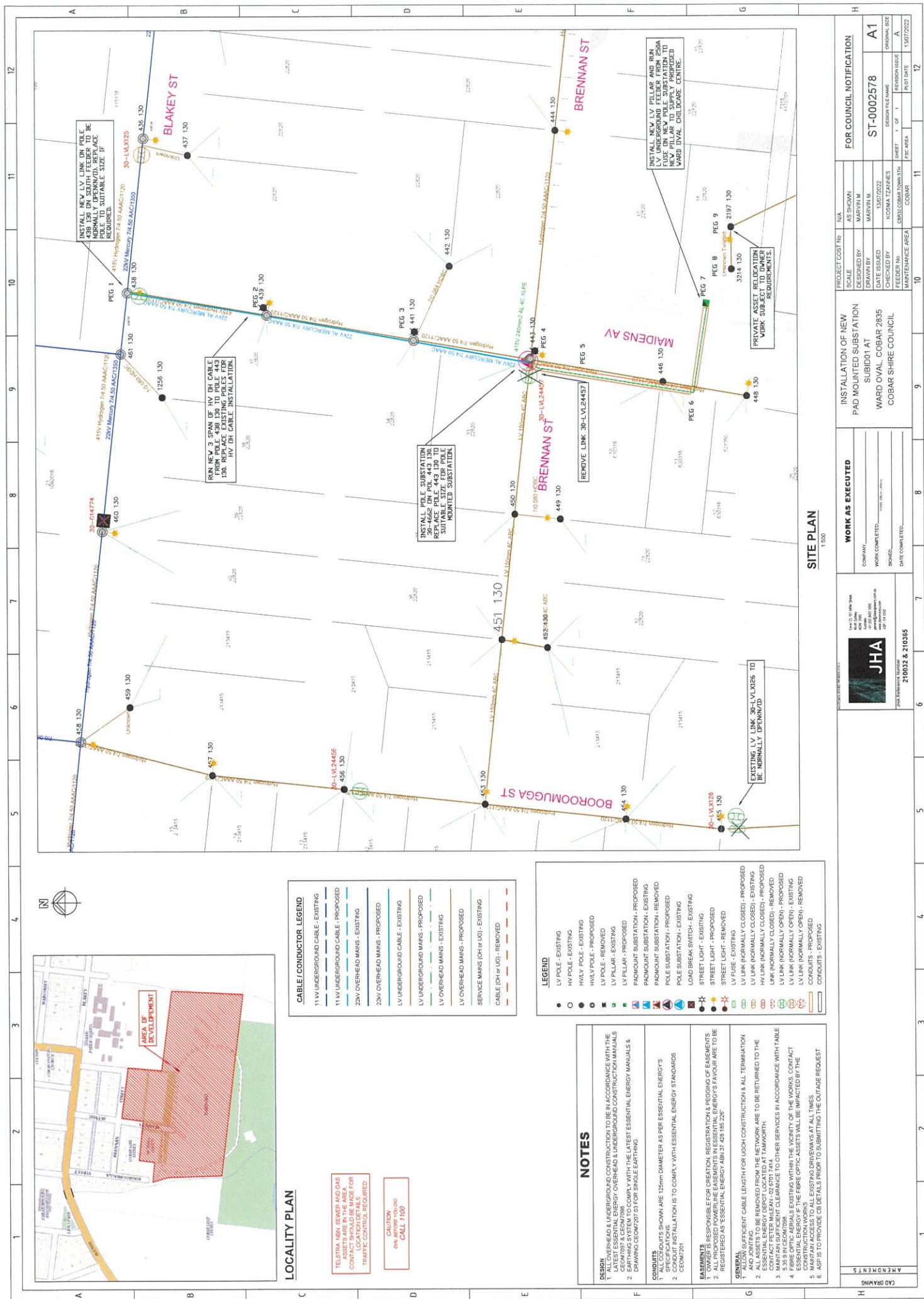
Yours sincerely,

MARVIN MENG

Marvin Meng

Level 3 Engineer

JHA Consulting Engineers



CAD DRAWING											
REVISIONS											
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ITEM 5

Hazardous Materials Survey



Public Works
Advisory



Hazardous Materials Survey Cattle – Ward Oval, Cobar NSW

Report Number Cattle-Ward Oval-HAZMAT Report_Rev1

Report Date 10 August 2021

Cobar Shire Council



Hazardous Materials Survey

Cattle – Ward Oval, Cobar NSW

Report Number Cattle-Ward Oval-HAZMAT Report_Rev1

Report Date 10 August 2021

Consultant Name: Imam Malik

Title: Licensed Asbestos Assessor

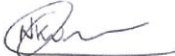
WSP Australia Pty Ltd

Consultant Email: Imam.Malik@wsp.com

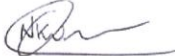
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Authorisation

Name	Position	Endorsement Date	Signature
Neil Kumar	Technical Executive, EHS	06/08/2021	

Revision Status

Name	Position	Revision Date	Signature
Neil Kumar	Technical Executive, EHS	10/08/2021	

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Table of contents

1. EXECUTIVE SUMMARY	3
1.1. FINDINGS	3
1.1.1. ASBESTOS CONTAINING MATERIALS	3
1.1.2. LEAD IN PAINT	3
1.1.3. POLYCHLORINATED BIPHENYLS (PCB'S).....	3
1.1.4. SYNTHETIC MINERAL FIBRE (SMF).....	3
1.2. RECOMMENDATIONS.....	4
2. INTRODUCTION	5
2.1. OBJECTIVES AND SCOPE OF WORKS	5
2.2. HAZARDOUS MATERIALS MANAGEMENT PLAN.....	5
2.3. HAZARDOUS MATERIALS	5
2.3.1. ASBESTOS.....	5
2.3.1. LEAD IN PAINT	6
2.3.2. POLYCHLORINATED BIPHENYLS (PCBs).....	6
2.3.3. SYNTHETIC MINERAL FIBRE (SMFs).....	6
2.4. SURVEY METHODOLOGY.....	7
2.4.1. ASBESTOS.....	7
2.4.2. LEAD IN PAINT	7
2.4.3. PCBs.....	7
2.4.4. SMF INSULATION	7
2.4.5. SITE PLAN, CHAIN OF CUSTODY AND RISK ASSESSMENT	7
2.5. LEGISLATIVE REQUIREMENTS.....	7
2.6. LIMITATIONS	8
2.6.1. EXCLUDED AREAS.....	8
3. SURVEY RESULTS	9
3.1. BUILDING HISTORY AND CONSTRUCTION	9
3.2. SURVEY SUMMARY	9
3.2.1. EXTERIOR	9
3.2.2. INTERIOR	9
3.2.3. ROOF SPACE	9
3.2.4. SUBFLOOR SPACE.....	9
3.2.5. ADDITIONAL AREAS/BUILDINGS	9
3.2.6. TEST RESULTS.....	10
3.3. SUMMARY	10
3.3.1. ASBESTOS.....	10

3.3.2. LEAD IN PAINT	10
3.3.3. POLYCHLORINATED BIPHENYLS (PCB's).....	10
3.3.4. SYNTHETIC MINERAL FIBRE (SMF).....	10
4. BUILDING PLANS.....	11
5. HAZARDOUS MATERIALS REGISTER	13

Tables

Table 1: Laboratory Results Summary.....	10
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Figures

Figure 1: Satellite Image of Building.....	11
Figure 2: Floor Plan Showing Sampling Locations and Estimated Location of Samples.....	12

Appendices

- Appendix A – Abbreviations
- Appendix B – Risk Assessment
- Appendix C – Photos
- Appendix D – Laboratory Reports

1. Executive Summary

WSP Australia Pty Ltd (WSP) was commissioned by Public Works Advisory (PWA) to undertake a hazardous materials survey of Cattle building located at Ward Oval, Cobar NSW 2835.

A Hazardous Materials Register has been prepared under Section 5 based on observations, laboratory results and experience.

For the purpose of the survey, hazardous materials included Asbestos Containing Materials (ACM), Synthetic Mineral Fibre (SMF), Lead Paint and Polychlorinated Biphenyls (PCB's).

1.1. Findings

1.1.1. Asbestos Containing Materials

During the survey, no sample of materials suspected to contain ACM was collected.

1.1.2. Lead in Paint

One (1) paint sample was collected from representative surfaces with results as follows:

- One (1) sample was identified as containing lead (concentrations of equal to or greater than 0.1% by weight).

1.1.3. Polychlorinated Biphenyls (PCB's)

Within the scope and limitations of this report, no fluorescent light fittings which may house or contain PCB's were identified on site.

1.1.4. Synthetic Mineral Fibre (SMF)

Within the scope and limitation of this report, no SMF insulation were visually identified within the structures.

1.2. Recommendations

Based upon the above findings, the recommendations arising out of this survey are:

- This survey was undertaken using non-destructive methods; there may remain a potential for asbestos containing materials to be concealed within buildings structure. Accordingly, caution should be exercised if subsequent demolition or dismantling of the structure is required. If any suspected materials are identified a sample of these materials should be collected and tested in a NATA registered laboratory for the presence of asbestos. The material should be assumed to contain asbestos in the interim.
- This document should be held as an Asbestos Register of the areas inspected and updated every 5 years or earlier where ACM have been disturbed or a risk assessment indicates the need for re-assessment.
- The white paint to metal guard rails were in poor condition and peeled off throughout the building structure therefore was categorised as a Priority 2 – enclose, encapsulate or seal, reinspect periodically.
- Should the buildings be sold or leased, this report and register should be made available to the purchaser or lessee of the building.
- All remediation and removal works must be undertaken in accordance with *NSW Work Health and Safety Act 2011*, WHS Regulation 2017 and relevant codes of practice.

2. Introduction

2.1. Objectives and Scope of Works

WSP Australia Pty Ltd (WSP) was commissioned by Public Works Advisory (PWA) to undertake a hazardous materials survey of Cattle building located at Ward Oval, Cobar NSW 2835.

Imam Malik of WSP carried out the survey on Thursday, 22 July 2021.

2.2. Hazardous Materials Management Plan

General work health and safety requirements for the management of hazardous materials are covered by the *NSW Work Health and Safety Act 2011* (WHS Act 2011), *Work Health and Safety Regulation 2017* (WHS Reg 2017) and relevant SafeWork NSW Codes of Practice and guidance material.

An Asbestos Management Plan (AMP) is required for any workplace that contains asbestos. An AMP details the approach to be taken in managing asbestos hazards in the workplace, by documenting procedures designed to minimise the risk of exposure to asbestos of all personnel. An AMP should be used in conjunction with the Asbestos Register and/or any other records of asbestos materials for the particular structure.

Reference should be made to the Housing Services Hazardous Materials Management Plan when working on or managing identified or assumed hazardous building materials, including asbestos.

If there is doubt or uncertainty regarding any issue involving known, assumed or suspected hazardous building materials, then works should cease and further advice sought.

2.3. Hazardous Materials

This section contains general information about hazardous materials typically found in the buildings.

2.3.1. Asbestos

Asbestos is the generic term for a number of fibrous silicate minerals. There are two major groups of asbestos:

- the serpentine group contains chrysotile, commonly known as white asbestos.
- the amphibole group contains amosite (brown asbestos) and crocidolite (blue asbestos), as well as some other less common types, such as tremolite, actinolite and anthophyllite.

Asbestos and Asbestos Containing Materials (ACMs) were widely produced in Australia between the 1940s and 1980s. Since the 31st December 2003, using all forms of asbestos was banned.

Asbestos fibres have the following characteristics:

- Small size.
- Ability to split into finer fibres.
- Resistance to chemical attack.
- Remain airborne for long periods of time.

When inhaled they are carried in the air-stream and can deposit within the respiratory system:

- Large fibres (width greater than 3 microns) deposit in major airways of lungs, generally cleared by cilia and mucous.
- Smaller fibres (width less than 3 microns) can reach the alveoli (gas-exchange region) of the lungs.

Asbestos is a known carcinogen and inhalation of these fibres can cause mesothelioma, lung cancer, asbestosis and pleural plaques after a long latency period.

Asbestos can be friable or non-friable, with non-friable asbestos posing a minimum risk of human exposure to airborne asbestos, provided it is painted and not mechanically disturbed. Friable asbestos is generally defined as crumbling with hand pressure.

2.3.1. Lead in Paint

Lead paint is defined as any paint containing greater than 0.1% lead by mass in dry film, as per the Australian Standard AS4361.2:2017 Guide to Hazardous Paint Management Part 2: Lead paint in residential, public and commercial buildings.

Lead paint is likely to be present in buildings constructed up to 1997, as paint was required to contain 0.1% or less lead by mass since 1997. Lead paint presents a risk to health if it is ingested or inhaled. There is minimal risk where lead paint is in a good condition; however, flakes and dust created from deteriorated lead paint, or the mechanical sanding or burning of lead paint, is a source of lead exposure in residential, public and commercial buildings.

It is noted that lead paint is likely to be covered in multiple layers of paint, including lead free paint, as such, sampling for assessment purposes must include all paint layers to the substrate.

2.3.2. Polychlorinated Biphenyls (PCBs)

Polychlorinated Biphenyls (PCBs) is the common name for a family of chlorinated organic chemicals that contain many individual compounds with varying levels of toxicity and range in appearance from colourless, oily liquids to more viscous and increasingly darker liquids. PCBs are probable human carcinogens and pose a serious health risk due to their potential for chronic or delayed toxicity, their persistence in the environment and their accumulation in human and animal tissues. PCBs are rapidly absorbed through the skin.

PCBs have been widely used as coolants and lubricants in transformers, capacitors and other electrical equipment due to their insulating and thermal stability properties. Capacitors containing PCBs were installed in various types of equipment, including fluorescent light fittings during the 1950's, 1960's and 1970's.

Where electricity can be isolated by an electrician, fluorescent light fittings can be disassembled and assessed for the likely presence of capacitors that may contain PCB oils. Details of the capacitors can be cross-referenced with the publication, Identification of PCB-containing Capacitors, ANZECC, 1997. Where recorded capacitor details are not identified in the ANZECC publication, potential PCB content can be determined based on the electrical component's type, shape, encasing material, age and comparative weight.

2.3.3. Synthetic Mineral Fibre (SMFs)

Synthetic mineral fibres (SMF) is a generic term used to collectively describe a number of amorphous (non-crystalline) fibrous materials including glassfibre, mineral wool and ceramic fibre.

Removal of all Synthetic Mineral Fibre should be conducted in accordance with the *National Code of Practice for the Safe Use of Synthetic Mineral Fibres* [NOHSC:2006(1990)]. Prior to demolition works, remove and dispose of all SMF materials appropriately.

The two basic forms of SMF insulation are bonded and unbonded. The bonded form is where adhesives or cements have been applied to the SMF before delivery and the SMF product has a specific shape. The unbonded form has no adhesives or cements and the SMF is loose material packed into a package. The unbonded form can be packed loose or mixed with adhesives or cements before, or during, installation.

2.4. Survey Methodology

Hazardous material surveys usually involve non-destructive sampling and require a thorough visual inspection of all accessible areas of an existing structure or building.

2.4.1. Asbestos

Where appropriate, representative samples of suspected ACMs are collected and analysed to confirm the presence (or absence) of asbestos to form the basis for individual records in the Asbestos Register. Where possible, samples are collected from discrete locations and the sample locations stabilised so that disturbance to potential ACMs is kept to an absolute minimum.

2.4.2. Lead in Paint

Paint samples are collected in accordance with AS/NZS 4361.2:2017. Flaking paint, where identified, is scraped into a new labelled zip-lock plastic bag using a blade or pliers that is wiped clean with disposable wipes after each sample is taken.

2.4.3. PCBs

Inspection of capacitors in older style fluorescent light fittings were undertaken by a qualified electrician who had removed the cover(s) under control conditions to take photos and details of the capacitors (if present). The identification label on the capacitor that has detailed information such as:

- PCB trade names
- Make
- Type and
- Capacitance (µF)

2.4.4. SMF insulation

SMF insulation was identified through visual observations based on WSP's experience. Visual inspections were limited to the ceiling cavity and visually accessible areas.

2.4.5. Site Plan, Chain of Custody and Risk Assessment

All suspected hazardous building materials and sample locations are marked on a site plan during the survey.

Samples collected during the survey are couriered to a NATA accredited laboratory for analysis with Chain of Custody documentation.

A risk assessment is undertaken on hazardous materials identified based on their potential to cause human health impacts. Actions are recommended with the objective of reducing or eliminating the risks to human health.

2.5. Legislative Requirements

The *NSW Work Health and Safety Act 2011* (WHS Act 2011), WHS Regulation 2017 and relevant codes of practice contain requirements for the management of ACMs and other hazardous materials.

The Safe Work Australia Codes of Practice relevant to the management of ACMs include the following:

- *How to Manage and Control Asbestos in the Workplace 2019.*
- *How to Safely Remove Asbestos 2019.*

Specific requirements for the assessment and management of lead paint and associated contamination are detailed in the Australian Standard AS/NZS 4361.2:2017 *Guide to Hazardous Paint Management Part 2: Lead paint in residential, public and commercial buildings*. The superseded AS

4361.2-1998 'Guide to lead paint management - Residential and commercial buildings' contains lead dust loading limits for clearances following lead paint removal work.

PCBs must be managed in accordance with the EPA's polychlorinated biphenyl (PCB) chemical control order 1997.

The handling or removal of any SMF containing materials should be managed in accordance with the *National Code of Practice for the Safe Use of Synthetic Mineral Fibres [NOHSC:2006(1990)]*.

Disposal of wastes requires a waste classification in accordance with the *NSW EPA Waste Classification Guidelines Part 1: Classifying Waste, November 2014*. Asbestos containing wastes are classified as 'special waste asbestos'.

Asbestos containing wastes must be transported in accordance with the *Protection of the Environment Operations (Waste) Regulation 2014* using WasteLocate, which is a waste tracking system administered by the NSW EPA.

Waste contaminated with lead (including lead paint waste) from residential premises and educational or childcare institutions is pre-classified as 'general solid waste (non-putrescible)'. It is recommended that lead paint flakes and lead containing dust are double bagged prior to disposal.

Waste consisting of synthetic fibre waste is pre-classified as 'general solid waste non-putrescible'.

All waste must be disposed of at an appropriately licensed waste disposal facility, and records must be kept of appropriate disposal i.e. waste disposal dockets.

2.6. Limitations

This investigation consisted of a visual inspection and laboratory analysis of samples taken during the site inspection of accessible areas of the buildings specified.

Identification and risk assessment of hazardous materials outside of the investigation area are not included in the scope of this investigation.

Assessment for any contaminated soil is not included in the scope of this investigation.

2.6.1. Excluded Areas

The following areas are "inaccessible areas" that may contain asbestos or ACM therefore were excluded from the survey:

- A cavity in a building that is completely (or almost completely) enclosed and suspected of containing asbestos (based on where asbestos is located elsewhere in the building) and access is only possible through destruction of part of the walls of the cavity.
- The inner lining of an old boiler pressure vessel (information on this type of vessel suggests it contain asbestos) and the inner lining is not accessible due to the design and operation of the boiler and access can only be via partial destruction of the outer layer.
- Vinyl tiles that may contain asbestos, which have had a number of layers of non-ACM placed over them and secured – where the layers above it have been well secured and require some form of destruction to access the vinyl that may contain asbestos.
- Enclosed riser shafts in multi-storey buildings containing pipes that may be insulated with ACM.
- Air-conditioning ducts that may contain asbestos gaskets and linings.

List all areas not accessed if not covered by above bullet points

- Nil, all above ground areas were accessed during the survey.

3. Survey Results

3.1. Building History and Construction

The building/structure is understood to be fairly old and have been built of unknown date. It is a metal framed structure with dirt floor and an open air to all sides.

3.2. Survey Summary

The building was inspected on 22 July 2021 by an experienced WSP consultant. One (1) sample was collected as summarised within Table 1. A satellite image of the building is shown in Figure 1. A floor plan with sampling locations and approximate locations of hazardous materials is shown in Figure 2. Photographs taken during the survey are included within Appendix C.

A Hazardous Materials Register has been prepared under Section 5 based on observations, laboratory results and experience.

3.2.1. Exterior

A walkthrough inspection was undertaken of the property, including the exterior of the building. Subsequently, one (1) hazardous materials was identified throughout the exterior of the property.

3.2.2. Interior

A walkthrough was undertaken in all rooms within the building. Metal structure or guard rails were observed throughout the majority of the building.

Subsequently, one (1) hazardous material was identified throughout the interior of the property.

3.2.3. Roof Space

No SMF insulation material was observed within the structure.

3.2.4. Subfloor Space

No subfloor was observed to the building.

3.2.5. Additional Areas/Buildings

Nil.

3.2.6. Test Results

Test results are summarised in Table 1 below. Laboratory reports are included in Appendix D.

Table 1: Laboratory Results Summary

Sample Reference	Description	Location	Test Results
WSP-131150	White paint	Metal structure or guard rails	0.34% weight/weight lead

3.3. Summary

3.3.1. Asbestos

During the survey, no sample of materials suspected to contain ACM were collected.

No material was suspected as containing asbestos.

3.3.2. Lead in Paint

One (1) paint sample was collected from representative surfaces with one sample found to contain lead (concentrations of lead equal to or greater than 0.1% by weight).

3.3.3. Polychlorinated Biphenyls (PCB's)

Within the scope and limitations of this report, no older style fluorescent light fittings which may house or contain PCB's were identified on site.

3.3.4. Synthetic Mineral Fibre (SMF)

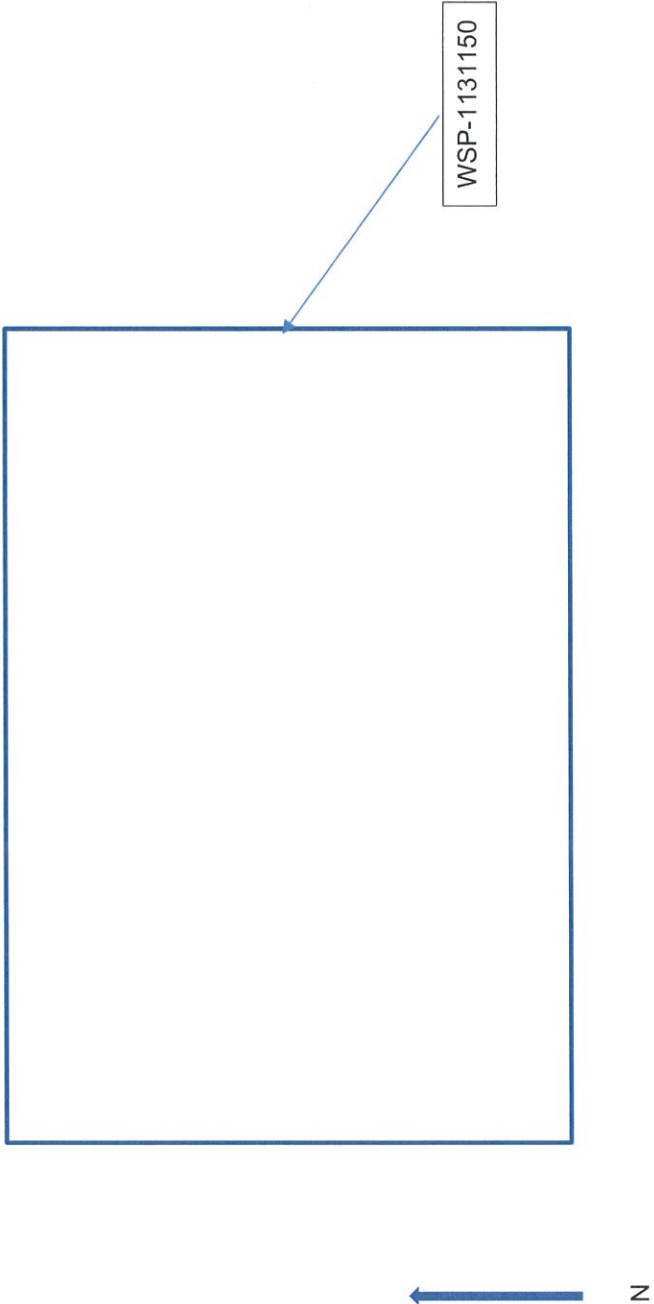
Within the scope and limitation of this report, no SMF insulation were visually identified within the structure.

4. Building Plans




Figure 1: Satellite Image of Cattle-Ward Building
(maps.six.nsw.gov.au, accessed on 02/08/2021)

Figure 2: Floor Plan Showing Sampling Locations and Estimated Location of ACMs



5. Hazardous Materials Register

Material Identification						Risk Assessment							Risk Management		Corrective Actions			
Hazard	Sample No.	Result	Description	Location of Material	Photo ID	Qty (m, m ² , m ³)	Frangible (Y/N) ^A (Y/N/NA) ^C	Product Type (0-3) ^A	Extent of Damage (0-3) ^A (G/A/V/P) ^C	Surface Treatment (0-3) ^A (Y/P/N) ^C	Likelihood of Disturbance (0-3) ^A	Human Exposure Potential (0-3) ^A (H/M/L) ^C	Maintenance Activity (0-3) ^A	Risk Score (0-24) ^A (L/M/H) ^C	Risk Control/ Action	Consultant Comments	Date Actioned	Remediation Comments
Lead in paint	WSP-131150	0.34% w/w (lead paint)	White paint	Metal structure or guard rails	Photo 1	Throughout	NA	NA	P	N	-	M	-	M	M	The paint has peeled off in some areas. Enclose, encapsulate or seal, reinspect periodically.		



Appendix A

Abbreviations

Abbreviations

ACD	Asbestos Contaminated Dust or Debris
ACM	Asbestos Containing Material
COC	Chain of Custody
HS	Housing Services
NATA	National Association of Testing Authorities, Australia
NOHSC	National Occupational Health and Safety Commission
PCBs	Polychlorinated Biphenyls
PPE/RPE	Personal / Respiratory Protective Equipment
PWA	Public Works Advisory
QA/QC	Quality Assurance/Quality Control
RCFs	Refractory Ceramic Fibres
SMF	Synthetic Mineral Fibre
WHS	Work Health and Safety
% W/W	Weight by weight lead in paint

Appendix B

Risk Assessment

Risk rankings were calculated by assessing the condition of, and the accessibility to the Hazardous Materials instances, as observed during survey.

For full details of the locations, analysis results, condition, accessibility and risks associated with the identified Hazardous Materials, please refer to the attached Hazardous Materials Register.

Asbestos

Table 1 Friable descriptors

Item	Score	Description
Friable	Y	Asbestos cement debris, or material which when dry may become crumbled, pulverised or reduced to powder by hand pressure.
	N	Bonded i.e. non-friable material
	A	Assumed (Identification Unconfirmed)

Table 2 Material Assessment Descriptors

Item	Score	Description
Product type	0	No asbestos detected
	1	Bonded asbestos in good condition
	2	Friable asbestos in good condition or cement in poor condition
	3	Friable asbestos in poor condition
	A	Assumed (Identification Unconfirmed)
Extent of Damage	0	No visible damage
	1	Minor scratches or mark, broken edges
	2	Significant breakage, many small areas of damage to friable material
	3	High damage, visible debris
	A	Assumed (Identification Unconfirmed)
Surface Treatment	0	Bonded asbestos including encapsulated asbestos cement
	1	Enclosed laggings, sprays and boards or bare cement
	2	Bare board or encapsulated lagging/spray or cement debris
	3	Unsealed lagging/spray
	A	Assumed (Identification Unconfirmed)

Table 3 Location Assessment Descriptors

Item	Score	Description
Likelihood of Disturbance	0	Usually inaccessible or unlikely to be disturbed (e.g. little used store room)

Item	Score	Description
	1	Minimal likelihood for disturbance (e.g. office type activity)
	2	Likely disturbance (e.g. industrial or vehicular activity)
	3	Frequent disturbance (e.g. fire door in constant use)
	A	Assumed (Identification Unconfirmed)
Human Exposure Potential	0	Infrequent
	1	Monthly
	2	Weekly
	3	Daily
	A	Assumed (Identification Unconfirmed)
Maintenance Activity	0	Minor disturbance (e.g. possibility of contact when gaining access)
	1	Low Disturbance (e.g. changing light bulbs in asbestos insulating board ceiling).
	2	Medium disturbance (e.g. lifting one or two ceiling tiles to access a valve)
	3	High level of disturbance (e.g. moving a number of asbestos ceiling tiles to replace a valve or for re-cabling)
	A	Assumed (Identification Unconfirmed)

The asbestos containing material risk score is a quantitative assessment determined by the sum of the scores based on the Materials and Location Assessments; i.e. Risk score = Material Score + Location Score (out of as possible 24).

Should no asbestos be detected then the register will indicate a risk score of 0.

Table 4 Asbestos Risk Score Descriptors

Item	Score	Description
Risk	0	No asbestos risk
	1 – 6	Low Risk
	7 – 12	Medium Risk
	13 – 24	High Risk

Other Hazardous Materials

Other hazardous materials, apart from asbestos.

Table 5 Friability Descriptors

Item	Score	Description
Friable	Y	Unsealed SMF
	N	Sealed SMF

Item	Score	Description
	NA	Applicable to PCB and Lead in paint

Table 6 Material Assessment Descriptors

Item	Score	Description
Extent of Damage	G	Good condition
	Av	Average condition
	P	Poor condition
Surface Treatment	Y	Sealed
	P	Part sealed
	N	Not sealed

Table 7 Location Assessment Descriptors

Item	Score	Description
Human Exposure Potential	H	High traffic area
	M	Medium traffic area
	L	Low traffic area

The other hazardous materials risk score is a qualitative assessment determined by the combination of Material and Location Assessments. Depending on the material one or all of these criteria may be used in assessing the recommended Action.

Table 8 Other Hazardous Materials Risk Score Descriptors

Item	Score	Description
Risk Score	L	Low exposure risk
	M	Medium exposure risk
	H	High exposure risk

Recommended Risk Controls

Following the assessment for both asbestos containing and other hazardous materials an action score is assigned. The action score will be assigned according to the surveyor's assessment of the situation.

Table 9 Recommended Risk Controls – Actions

Descriptor	Item	Action
P1	Priority 1	Restrict access and remove by a licensed contractor

Descriptor	Item	Action
		<p>As a guide, the material conforms to one, or more, of the following:</p> <p>Friable or poorly bonded to substrate, located in accessible areas;</p> <p>Severely water damaged, or unstable;</p> <p>Further damage or deterioration likely;</p> <p>Friable asbestos material located in air conditioning ducting;</p> <p>Asbestos debris and stored asbestos in reasonably accessible areas;</p> <p>Significant peeling and flaking lead paint in areas that pose immediate risk to children/resident.</p>
P2	Priority 2	<p>Enclose, encapsulate or seal</p> <p>Reinspect Periodically</p> <p>As a guide, the material conforms to one, or more, of the following:</p> <p>Damaged material;</p> <p>In reasonably accessible area;</p> <p>Friable material or poorly bonded to substrate, with bonding achievable;</p> <p>Possibility of disturbance through contact;</p> <p>Possibility of deterioration caused by weathering;</p> <p>Large areas of peeling and flaking lead paint in an area that poses high risk.</p>
P3	Priority 3	<p>Remove during refurbishment or maintenance</p> <p>Enclose, encapsulate or seal by general maintenance contractors</p> <p>Reinspect Periodically</p> <p>As a guide, the material conforms to one, or more, of the following:</p> <p>Asbestos debris or stored material in rarely accessed areas;</p> <p>Further disturbance or damage unlikely other than during maintenance or service;</p> <p>Readily visible for further assessment;</p> <p>Asbestos friction materials, gaskets and brake linings;</p> <p>Small/moderate areas of peeling and flaking lead paint in an area that poses low risk. Remedial works suitable by a general maintenance contractor.</p>
P4	Priority 4	<p>No remedial action – Reinspect Periodically</p> <p>As a guide, the material conforms to one, or more, of the following:</p> <p>Firmly bonded to substrate and readily visible for inspection;</p> <p>Inaccessible and fully contained;</p> <p>Stable and damage unlikely.</p>

Appendix C

Photos



NOT USED

Photo 1: Metal structure white paint throughout, refer sample WSP-131150 - positive for lead paint

NOT USED

Appendix D

Laboratory Reports

CERTIFICATE OF ANALYSIS 274900

Client Details

Client	WSP Australia Pty Limited
Attention	Anton Delac
Address	Level 2, 121 Marcus Clarke St, Canberra, ACT, 2600

Sample Details

Your Reference	<u>PS125555 / Ward Oval Cobar</u>
Number of Samples	34 Paint
Date samples received	29/07/2021
Date completed instructions received	29/07/2021

Analysis Details

Please refer to the following pages for results, methodology summary and quality control data.

Samples were analysed as received from the client. Results relate specifically to the samples as received.

Results are reported on a dry weight basis for solids and on an as received basis for other matrices.

Please refer to the last page of this report for any comments relating to the results.

Report Details

Date results requested by	03/08/2021
Date of Issue	30/07/2021

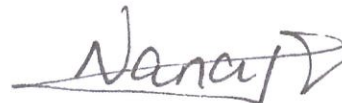
NATA Accreditation Number 2901. This document shall not be reproduced except in full.

Accredited for compliance with ISO/IEC 17025 - Testing. **Tests not covered by NATA are denoted with ***

Results Approved By

Jaimie Loa-Kum-Cheung, Metals Supervisor

Authorised By



Nancy Zhang, Laboratory Manager

Lead in Paint						
Our Reference		274900-1	274900-2	274900-3	274900-4	274900-5
Your Reference	UNITS	WSP-131109	WSP-131110	WSP-131111	WSP-131114	WSP-131115
Date Sampled		22/07/2021	22/07/2021	22/07/2021	22/07/2021	22/07/2021
Type of sample		Paint	Paint	Paint	Paint	Paint
Date prepared	-	29/07/2021	29/07/2021	29/07/2021	29/07/2021	29/07/2021
Date analysed	-	29/07/2021	29/07/2021	29/07/2021	29/07/2021	29/07/2021
Lead in paint	%w/w	<0.005	0.21	0.26	0.41	0.22

Lead in Paint						
Our Reference		274900-6	274900-7	274900-8	274900-9	274900-10
Your Reference	UNITS	WSP-131117	WSP-131120	WSP-131121	WSP-131123	WSP-131126
Date Sampled		22/07/2021	22/07/2021	22/07/2021	22/07/2021	22/07/2021
Type of sample		Paint	Paint	Paint	Paint	Paint
Date prepared	-	29/07/2021	29/07/2021	29/07/2021	29/07/2021	29/07/2021
Date analysed	-	29/07/2021	29/07/2021	29/07/2021	29/07/2021	29/07/2021
Lead in paint	%w/w	0.15	0.11	0.28	0.24	0.37

Lead in Paint						
Our Reference		274900-11	274900-12	274900-13	274900-14	274900-15
Your Reference	UNITS	WSP-131127	WSP-131128	WSP-131129	WSP-131132	WSP-131134
Date Sampled		22/07/2021	22/07/2021	22/07/2021	22/07/2021	22/07/2021
Type of sample		Paint	Paint	Paint	Paint	Paint
Date prepared	-	29/07/2021	29/07/2021	29/07/2021	29/07/2021	29/07/2021
Date analysed	-	29/07/2021	29/07/2021	29/07/2021	29/07/2021	29/07/2021
Lead in paint	%w/w	0.29	0.65	0.22	0.25	0.20

Lead in Paint						
Our Reference		274900-16	274900-17	274900-18	274900-19	274900-20
Your Reference	UNITS	WSP-131136	WSP-131137	WSP-131141	WSP-131142	WSP-131143
Date Sampled		22/07/2021	22/07/2021	23/07/2021	23/07/2021	23/07/2021
Type of sample		Paint	Paint	Paint	Paint	Paint
Date prepared	-	29/07/2021	29/07/2021	29/07/2021	29/07/2021	29/07/2021
Date analysed	-	29/07/2021	29/07/2021	29/07/2021	29/07/2021	29/07/2021
Lead in paint	%w/w	0.11	0.56	0.38	0.19	0.12

Lead in Paint						
Our Reference		274900-21	274900-22	274900-23	274900-24	274900-25
Your Reference	UNITS	WSP-131148	WSP-131149	WSP-131150	WSP-131153	WSP-131154
Date Sampled		23/07/2021	23/07/2021	23/07/2021	23/07/2021	23/07/2021
Type of sample		Paint	Paint	Paint	Paint	Paint
Date prepared	-	29/07/2021	29/07/2021	29/07/2021	29/07/2021	29/07/2021
Date analysed	-	29/07/2021	29/07/2021	29/07/2021	29/07/2021	29/07/2021
Lead in paint	%w/w	0.21	<0.005	0.34	0.25	0.17

Lead in Paint						
Our Reference		274900-26	274900-27	274900-28	274900-29	274900-30
Your Reference	UNITS	WSP-131155	WSP-131168	WSP-131169	WSP-131171	WSP-131172
Date Sampled		23/07/2021	23/07/2021	23/07/2021	23/07/2021	23/07/2021
Type of sample		Paint	Paint	Paint	Paint	Paint
Date prepared	-	29/07/2021	29/07/2021	29/07/2021	29/07/2021	29/07/2021
Date analysed	-	29/07/2021	29/07/2021	29/07/2021	29/07/2021	29/07/2021
Lead in paint	%w/w	0.23	0.23	0.21	0.10	1.5

Lead in Paint					
Our Reference		274900-31	274900-32	274900-33	274900-35
Your Reference	UNITS	WSP-131173	WSP-131174	WSP-131175	WSP-131136 - [TRIPLICATE]
Date Sampled		23/07/2021	23/07/2021	23/07/2021	22/07/2021
Type of sample		Paint	Paint	Paint	Paint
Date prepared	-	29/07/2021	29/07/2021	29/07/2021	29/07/2021
Date analysed	-	29/07/2021	29/07/2021	29/07/2021	29/07/2021
Lead in paint	%w/w	0.15	0.01	0.16	0.21

Method ID	Methodology Summary
Metals-020/021/022	Digestion of Paint chips/scrapings/liquids for Metals determination by ICP-AES/MS and or CV/AAS.

QUALITY CONTROL: Lead in Paint					Duplicate			Spike Recovery %		
Test Description	Units	PQL	Method	Blank	#	Base	Dup.	RPD	LCS-1	[NT]
Date prepared	-			29/07/2021	11	29/07/2021	29/07/2021		29/07/2021	
Date analysed	-			29/07/2021	11	29/07/2021	29/07/2021		29/07/2021	
Lead in paint	%w/w	0.005	Metals-020/021/022	<0.005	11	0.29	0.32	10	102	

QUALITY CONTROL: Lead in Paint					Duplicate			Spike Recovery %		
Test Description	Units	PQL	Method	Blank	#	Base	Dup.	RPD	LCS-2	[NT]
Date prepared	-				13	29/07/2021	29/07/2021		29/07/2021	
Date analysed	-				13	29/07/2021	29/07/2021		29/07/2021	
Lead in paint	%w/w	0.005	Metals-020/021/022		13	0.22	0.22	0	105	

QUALITY CONTROL: Lead in Paint					Duplicate			Spike Recovery %		
Test Description	Units	PQL	Method	Blank	#	Base	Dup.	RPD	[NT]	[NT]
Date prepared	-				16	29/07/2021	29/07/2021			
Date analysed	-				16	29/07/2021	29/07/2021			
Lead in paint	%w/w	0.005	Metals-020/021/022		16	0.11	0.17	43		

QUALITY CONTROL: Lead in Paint					Duplicate			Spike Recovery %		
Test Description	Units	PQL	Method	Blank	#	Base	Dup.	RPD	[NT]	[NT]
Date prepared	-				18	29/07/2021	29/07/2021			
Date analysed	-				18	29/07/2021	29/07/2021			
Lead in paint	%w/w	0.005	Metals-020/021/022		18	0.38	0.41	8		

Result Definitions

NT	Not tested
NA	Test not required
INS	Insufficient sample for this test
PQL	Practical Quantitation Limit
<	Less than
>	Greater than
RPD	Relative Percent Difference
LCS	Laboratory Control Sample
NS	Not specified
NEPM	National Environmental Protection Measure
NR	Not Reported

Quality Control Definitions

Blank	This is the component of the analytical signal which is not derived from the sample but from reagents, glassware etc, can be determined by processing solvents and reagents in exactly the same manner as for samples.
Duplicate	This is the complete duplicate analysis of a sample from the process batch. If possible, the sample selected should be one where the analyte concentration is easily measurable.
Matrix Spike	A portion of the sample is spiked with a known concentration of target analyte. The purpose of the matrix spike is to monitor the performance of the analytical method used and to determine whether matrix interferences exist.
LCS (Laboratory Control Sample)	This comprises either a standard reference material or a control matrix (such as a blank sand or water) fortified with analytes representative of the analyte class. It is simply a check sample.
Surrogate Spike	Surrogates are known additions to each sample, blank, matrix spike and LCS in a batch, of compounds which are similar to the analyte of interest, however are not expected to be found in real samples.

Australian Drinking Water Guidelines recommend that Thermotolerant Coliform, Faecal Enterococci, & E.Coli levels are less than 1cfu/100mL. The recommended maximums are taken from "Australian Drinking Water Guidelines", published by NHMRC & ARMC 2011.

The recommended maximums for analytes in urine are taken from "2018 TLVs and BEIs", as published by ACGIH (where available). Limit provided for Nickel is a precautionary guideline as per Position Paper prepared by AIOH Exposure Standards Committee, 2016.

Guideline limits for Rinse Water Quality reported as per analytical requirements and specifications of AS 4187, Amdt 2 2019, Table 7.2

Laboratory Acceptance Criteria

Duplicate sample and matrix spike recoveries may not be reported on smaller jobs, however, were analysed at a frequency to meet or exceed NEPM requirements. All samples are tested in batches of 20. The duplicate sample RPD and matrix spike recoveries for the batch were within the laboratory acceptance criteria.

Filters, swabs, wipes, tubes and badges will not have duplicate data as the whole sample is generally extracted during sample extraction.

Spikes for Physical and Aggregate Tests are not applicable.

For VOCs in water samples, three vials are required for duplicate or spike analysis.

Duplicates: >10xPQL - RPD acceptance criteria will vary depending on the analytes and the analytical techniques but is typically in the range 20%-50% – see ELN-P05 QA/QC tables for details; <10xPQL - RPD are higher as the results approach PQL and the estimated measurement uncertainty will statistically increase.

Matrix Spikes, LCS and Surrogate recoveries: Generally 70-130% for inorganics/metals (not SPOCAS); 60-140% for organics/SPOCAS (+/-50% surrogates) and 10-140% for labile SVOCs (including labile surrogates), ultra trace organics and speciated phenols is acceptable.

In circumstances where no duplicate and/or sample spike has been reported at 1 in 10 and/or 1 in 20 samples respectively, the sample volume submitted was insufficient in order to satisfy laboratory QA/QC protocols.

When samples are received where certain analytes are outside of recommended technical holding times (THTs), the analysis has proceeded. Where analytes are on the verge of breaching THTs, every effort will be made to analyse within the THT or as soon as practicable.

Where sampling dates are not provided, Envirolab are not in a position to comment on the validity of the analysis where recommended technical holding times may have been breached.

Measurement Uncertainty estimates are available for most tests upon request.

Analysis of aqueous samples typically involves the extraction/digestion and/or analysis of the liquid phase only (i.e. NOT any settled sediment phase but inclusive of suspended particles if present), unless stipulated on the Envirolab COC and/or by correspondence. Notable exceptions include certain Physical Tests (pH/EC/BOD/COD/Apparent Colour etc.), Solids testing, total recoverable metals and PFAS where solids are included by default.

Samples for Microbiological analysis (not Amoeba forms) received outside of the 2-8°C temperature range do not meet the ideal cooling conditions as stated in AS2031-2012.

Report Comments

Lead in Paint: The laboratory RPD acceptance criteria has been exceeded for 274900-16 for Pb. Therefore a triplicate result has been issued as laboratory sample number 274900-35.